CITY COUNCIL MEETING AGENDA

October 14, 2025 - 7:00 PM
In Person

PARTICIPATION: Members of the public are invited to participate by attending the meeting at the Los Altos Council Chamber, located at Los Altos City Hall, 1 N. San Antonio Rd, Los Altos, CA, during the meeting. Public comments are accepted in person at the physical meeting location or via email to PublicComment@losaltosca.gov or through the Public Comment forum on the city website: Public Comments Form.

RULES FOR CONDUCT: According to Los Altos Municipal Code, Section 2.05.010 "Interruptions and rules for conduct": Understanding that the purpose of the city council meetings is to conduct the people's business for the benefit of all the people, in the event that any meeting of the city council is willfully interrupted by a person or group of persons so as to render the orderly conduct of the meeting impossible, the mayor, mayor pro tem, or any other member of the city council acting as the chair may order the removal of the person or persons responsible for the disruption and bar them from further attendance at the council meeting, or otherwise proceed pursuant to Government Code Section 54957.0 or any applicable penal statute or city ordinance.

REMOTE MEETING OBSERVATION: Members of the public may view the meeting via the link below, but will not be permitted to provide public comment via Zoom or telephone. Public comments will be accepted in person, and members of the public may submit written comments by following the instructions below.

https://losaltosca-gov.zoom.us/j/82009104171?pwd=Z29Xr8t3ltjqkyI4jdAvlaqQknDlpv.1

Telephone: 1-669-444-9171 / Webinar ID: 820 0910 4171 / Passcode: 542958

SUBMIT WRITTEN COMMENTS: Before the meeting, comments on matters listed on the agenda may be emailed to publiccomment@losaltosca.gov. Emailed public comments sent directly to the City Council, either as a group or individually, will not be included in the agenda packet but may be disclosable as part of a public records request. Emails sent to publiccomment@losaltosca.gov will be included in the appropriate agenda packet and are also disclosable as part of a public records request.

Please note: Personal information, such as e-mail addresses, telephone numbers, home addresses, and other contact information, is not required to be included with your comments. If this information is included in your written comments, it will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as submitted. Please do not include any information in your communication that you do not want to be made public.

Correspondence submitted via email must be received by 2:00 p.m. on the day of the meeting to ensure distribution prior to the meeting. Hard copy/paper format comments presented during the meeting will be distributed to the City Council the following day. Members of the public may present a copy of their comments or attachments to the City Clerk for distribution to the City Council. Any written or hard copy communications submitted after 2:00 p.m. on the day of the meeting will be added to the packet the next business day.

The Mayor will open public comment and will announce the length of time provided for comments during each item.

AGENDA

CALL MEETING TO ORDER

ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION

CHANGES TO THE ORDER OF THE AGENDA

SPECIAL ITEMS

Issue Proclamation Recognizing October as Hindu Awareness and Appreciation Month

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Members of the audience may bring to the Council's attention any item that is not on the agenda. The Mayor will announce the time speakers will be granted before comments begin. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as "The Brown Act") items must first be noted on the agenda before any discussion or action.

10-14-2025 Written Public Comments

CONSENT CALENDAR

These items will be considered by one motion unless any member of the Council or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Mayor.

1. **Approve Draft Meeting Minutes for the Regular Meeting of September 30, 2025**

2. **Adopt a Resolution Designating the City Council Meetings of November 18, 2025 and December 2, 2025 as Regular Meeting Dates in Accordance with Los Altos Municipal Code Section 2.04.010 "Meetings."**
   Adopt a Resolution Designating the City Council Meetings of November 18, 2025 and December 2, 2025 as Regular Meeting Dates in Accordance with Los Altos Municipal Code Section 2.04.010 "Meetings."

3. **Adopt a Resolution recognizing October 19 - 25, 2025 as United Against Hate Week**
   Adopt a Resolution recognizing October 19 - 25, 2025 as United Against Hate Week

4. **Adoption of Resolutions - Addendum No. 13 to Regional Water Quality Control Plant Basic Agreement**
   Two actions for Council consideration:

   - Adopt a Resolution Authorizing the City Manager to Execute Addendum No.13 to the Regional Water Quality Control Plant Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos; and find that the Council's action is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301 and that none of the circumstances in CEQA Guidelines Section 15300.2 applies; and
   - Adopt a Resolution for the appropriation of $281,911 to the Sewer Operating Fund

5. **Adoption of Resolution - Annual Streets Resurfacing Project**
Adoption a Resolution authorizing the City Manager to execute a professional services agreement with BKF Engineers for the FY2025-2026 Annual Street Resurfacing Project in the amount of $258,643.00 and authorize a project contingency of $25,864.00 for a total project amount not to exceed $284,507

6. **Adopt Zoning Code Amendments - Historic Preservation & Mills Act**
Adopt the three (3) draft ordinances which include:

- An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code; and
- An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code; and
- An Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations; and
- Find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

7. **Adoption of Resolution - Amend Contract with Los Altos Chamber of Commerce**
Amend contract with Los Altos Chamber of Commerce

PUBLIC HEARING

8. **2025 Los Altos Building Code Updates**
Three separate actions for Council consideration:

- Introduce an Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Title 12 for Buildings and Construction of the Los Altos Municipal Code; and
- Introduce an Ordinance of the City Council of the City of Los Altos Adding Title 12 for Buildings and Construction to the Los Altos Municipal Code Including Chapters 12.04, 12.06, 12.08, 12.10, 12.12, 12.14, 12.16, 12.18, 12.20, 12.22, 12.24, 12.26, 12.28, 12.30, 12.32, 12.34, 12.36, 12.38, and 12.40 to Adopt by Reference the 2025 California Building Codes with Local Amendments; and Find that both actions are exempt from environmental review pursuant to Section 15061(b)(3) and 15308 of the California Environmental Quality Act (CEQA) Guidelines; and
- Direct staff to place the introduced Ordinances on the October 28, 2025, meeting agenda for a public hearing, waiving of second reading, and adoption.

DISCUSSION ITEMS

9. **Approve the formation of a Subcommittee of the City Council for the Annual City Manager Performance Review**
Approve the formation of a Subcommittee of the City Council for the Annual City Manager Performance Review

10. **Dog Park Surfacing Discussion**
Staff recommends the City Council direct staff to complete one of these options:

1) Proceed with the Callander and Associates 95% submittal to construct the Hillview Dog Park using the synthetic turf ground covering as approved at the July 9, 2024 City Council meeting; or

2) Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign.

11. **Authorize the City Manager to Issue Formal Bid for Woodland Library Patio Expansion Plan and find that the proposal is exempt from environmental review pursuant to California Environmental Quality Act Section 15301 (Existing Facilities consisting of the minor alteration of existing public structures and facilities)**
Authorize the City Manager to Issue Formal Bid for Woodland Library Patio Expansion Plan and find that the proposal is exempt from environmental review pursuant to California Environmental Quality Act Section 15301 (Existing Facilities consisting of the minor alteration of existing public structures and facilities)

INFORMATIONAL ITEMS / COUNCIL Q&A

There will be no discussion or action on Informational Items. The Council Q&A will be included in the packet the day of the meeting.

12. **Tentative Council Calendar and Housing Element Update Implementation Calendar**

13. **10-14-2025 Council QA**

COUNCIL/STAFF REPORTS, REQUESTS FOR FUTURE AGENDA ITEMS & AB1234 REPORTS

ADJOURNMENT

(Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.)

SPECIAL NOTICES TO THE PUBLIC

According to the City Council Norms and Procedures: It will be customary to have a recess at approximately 9:00 p.m. Before the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please get in touch with the City Clerk at least 72 hours before the meeting.
All public records relating to an open session item on this agenda, which are not exempt from disclosure according to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the same time that the public records are distributed or made available to the legislative body.

From: Steve Smith
To: Public Comment
Subject: Hillview Dog Park Surface-Mtg 14 Oct, 2025
Date: Tuesday, October 7, 2025 9:13:32 AM

Dear COuncil Members,

I am writing to object to the use of Artificial Turf. This material gets very hot in the sun, cooks the soil, and does nothing for the environment.

If you want something that is dog paw dig proof, enhances the soil, is cool to the touch, and absorbs odors, I recommend that you
A) Do appropriate soil prep,
B) Spread grass seed--SHOCKING, I KNOW
C) **Lay out 1/4" heavy duty plastic coated hot dip galvanized (after welding) mesh**
to make the field dog paw dig proof (30 year in ground life, 20 gauge metal, 18 gauge after coating). The only supplier of quality mesh is critterfence, link is here:
https://www.critterfence.com/critterfence-1-4x1-4-black-welded-wire-fence
NOTE: Last year they made an even heavier duty version, may be special orderable.
D) Cover with 1/2 inch of good soil
E) Water and watch the grass grow.

Kindly forward to the appropriate city employee.

Regards,

Steve Smith
1914 Annette Ln

From: noreply@civicplus.com
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council
Date: Tuesday, October 7, 2025 12:18:49 PM

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	Please keep the current Hillview Dog Park! Artificial turf is an unnecessary cost that will result in more work to maintain. Additionally, the smell that develops with dogs on artificial turf will become unbearable for park and library guests.
Attachments	*Field not completed.*
Name	*Field not completed.*
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

From:	Roberta Phillips
To:	City Council; Public Comment
Subject:	City Council Meeting Oct 14, 2025 Item # 5
Date:	Thursday, October 9, 2025 1:18:18 PM
Attachments:	City Council Meeting Oct 14 Historic Preservation.docx

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Dear Council Members , Mayor and City Manager
Please see the attached letter
Thanks
Roberta Phillips
650-941-6940

City Council Meeting Oct 14,2025 Item #5

Dear Council Members

I would like you to consider pulling Item #5 (Historic Preservation and Mills Act) to discuss and take a new vote on the Blue Line Version. I understand that the Blue Line Version was added to provide a compromise that was agreed upon by the Historic Property Owners and Staff. I believe you have the votes. Although the changes in the Blue Line Version are minor this would be a win – win situation where a compromise was reached to include input from the community, showing respect for the Council as well as residents who cherish our historic resources.

Sincerely

Roberta Phillips

Melissa Thurman

From: Roberta Phillips <robertaphillips1@gmail.com>
Sent: Thursday, October 9, 2025 4:13 PM
To: Public Comment
Subject: City Council Meeting Oct 14th Item #5

City Council Meeting Oct 14,2025 Item #5
Dear Council Members
I would like you to consider pulling Item #5 (Historic Preservation and Mills Act) to discuss and take a new vote on the Blue Line Version. I understand that the Blue Line Version was added to provide a compromise that was agreed upon by the Historic Property Owners and Staff. I believe you have the votes. Although the changes in the Blue Line Version are minor this would be a win – win situation where a compromise was reached to include input from the community, showing respect for the Council as well as residents who cherish our historic resources.
Sincerely
Roberta Phillips

Melissa Thurman

From: Pat Marriott <patmarriott@sbcglobal.net>
Sent: Thursday, October 9, 2025 4:58 PM
To: Public Comment
Subject: PUBLIC COMMENT ITEM #6 OCTOBER 14, 2025

Council Members:

Please pull item #6 from the Consent Calendar.

There is still a great deal of confusion about PUBLIC historic properties.

Some people think only residents within 300 feet could voice opinions.

Some have said any resident could have input – in an appeal situation.

Some think a change to such properties would go to the Historical Commission and then directly to Council for a decision.

However, the city manager says, "This process may include the Historic Commission or Planning Commission or both prior to reaching Council."

I would like to see a step-by-step outline of what would happen if changes were proposed for any public historic property. (Not an appeal after a decision is made. The code should be written in a clear and consistent manner so that a good decision is made – with all required input and reviews – the first time around.)

I don't even know what Step 1 would be. Let's take Halsey House as an example. That's been kicked around for years. Could Nick Zornes propose some action? Council member? Commissioner? Resident?

What happens next? Does the proposal then go to Nick Zornes to shepherd through the process?

This topic needs clarification before Council signs off on the final changes.

Thank you,

Pat Marriott

To: Lou Mele City Council

From: Peter Landenberger

Subject: Public comment item 10 City Council Resolutions

Dear Council Members:

A representative of the Synthetic Turf Council is quoted in this article as saying, "members [of the council] are investing in innovative recycling and those recycling efforts help to reduce landfill reliance and advance a circular economy." This article describes the opposite.

The current Hillview dog park plan is flawed. Please eliminate synthetic turf as an option for ground covering.

NEWS

Recycle company's bankruptcy leaves tons of discarded artificial turf across the state

The turf, laden with forever chemicals, now faces an uncertain future.

Wayman Turf recycling will be shuttered, and its facility in Pittsburgh's Bloomfield neighborhood, pictured, has been closed. Tons of discarded artificial turf from across the state will be left without a home. *Matthew Hannah / Staff Photographer*

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By Barbara Laker and David Sutherland
Published: August 19, 2022, 5:00 a.m. ET

Barbara Laker · Follow
David Sutherland · Follow

It was supposed to be Pennsylvania's Green Dream.

Dr. Rasch, a German-based recycling company, had planned to open what it said would be the first artificial turf recycling facility in the United States — in a Schuylkill County factory by the end of 2021.

Environmentalists were overjoyed: Left turns have shown that artificial turf has been contaminated PFAS, or per and polyfluoroalkyl substances. The so-called forever chemicals — which are found in an array of products, including firefighting gear and nonstick cookware — don't break down in the environment and have been linked by the EPA to cancer, liver disease, thyroid disease, and developmental issues in infants.

But Dr. Rasch's recycling dream will never be realized in Pennsylvania and as a result, tons of discarded artificial turf pose an ongoing environmental threat with no easy solution.

Recycle Leading Artificial Turf
Join us as we continue our mission.
Learn more

In June, the company filed for bankruptcy in the U.S. Bankruptcy Court for the District of Delaware, bringing to end a company whose arrival in Pennsylvania was once celebrated by top elected officials.

Dr. Rasch had, in recent years, seized 11,000 tons of decaying turf bills in three locations across the state, including a farm in Nicholson, Wyoming County, where nearly 5,000 tons of old turf sit on the fields. The turf, once meant to be recycled, now faces an uncertain future.

Environmental experts say Dr. Rasch's abandoned bills are a potential threat to the environment. Pennsylvania's environmental laws changed old turf to warehouse, waterways, and wooded areas across the state. Neither the full amount nor the location of the discarded turf has been tracked by the state's Department of Environmental Protection (DEP).

Turf recycling will largely a nascent industry, and in 2021 investor prospectus Dr. Rasch disclosed potential financial threats, from an inability to recycle 100% of the turf it collected, to possible environmental contamination that could further hurt consumers by recycling operations.

Another obstacle is the lack of industry buyer, according to Bonsor and other environmental activists, who say that some turf companies are not committed to having their products recycled.

"The synthetic turf industry is in the business of selling artificial grass. They're not interested in reducing plastic pollution, so whatever is going to be financially beneficial for them is what they're going to do," said Emma Carpenter, president and co-founder of New Jersey Communities, a national nonprofit that supports local efforts to eliminate toxic chemicals.

Melanie Taylor, president and CEO of The Synthetic Turf Council, a trade association representing turf manufacturers, said the industry has material suppliers, expected these claims. In an email to The Inquirer, she wrote that its "members are investing in innovative recycling and reuse solutions to reduce landfill reliance and advance a circular economy."

Verbio
Private Sustainer Benefits
Read More

Dr. Rasch had its customers in the Rhoads Inn, next door to Rockland, Pa., and Dr. Rasch's Pennsylvania operations director, Gabriel Del Sorpollo, DEA is successfully recycling old artificial turfs.

The company has been in operation for just two months, Robert Bettenson, Turf Recycling's president and CEO, told The Inquirer it has received about eight turf bills that it intends to recycle.

Machines separate the rubber and sand infill, clean and process it, and then it is ready to be reused, Bettenson said. The company then separates the green carpet into plastic yellow, which are then sold to plastic companies to make products like outdoor tables and chairs, benches and bins, he said.

"Dr Rasch made a very difficult for anyone attempting to recycle turf because they failed," said Bettenson, who also serves as the president of R.A.S. Sports, which sells artificial and natural athletic fields. "You have from other people's mistakes."

Verbio
Private Sustainer Benefits
Read More

Asked if he was worried about PFAS making its way into another product, he said, "We're not aware of any PFAS issues. We're trying to prevent products from going to landfill."

Failed promises

Dr. Rasch's outlook once seemed promising.

In 2021, Pennsylvania's then governor, Tom Wolf, announced that Dr. Rasch's plan was "exactly what we need" in the question of old turf bills, which he said posed a "significant challenge to the environment."

The company's plan to operate 21 facilities in multiple counties by 2025 by recycling procedures had been given a stamp of approval by an independent body, the European Union's Environmental Technology Verification program.

Dr. Rasch claimed that by recycling turf — instead of burning it — the Pennsylvania facility would spare the environment from 100,000 tons of carbon dioxide.

"I do think that Dr Rasch's heart was in the right place and that they wanted to solve this problem," Bonsor said.

There are between 50,000 and 70,000 synthetic turf fields in the United States, with 1,200 — 1,500 new installations each year and about half those are replacements, according to a recent EPA report.

While Dr. Rasch waited through the process of obtaining necessary operating permits, the company signed agreements to pay thousands of dollars to remove old turf from schools, universities, one small business, to store hulking views of old turf on their properties.

These arrangements proved to be problematic.

At least two farmers claimed in court filings that Dr. Rasch stopped paying them, and the DEP received complaints about the unsightly stacks.

Almost 10,000 tons of artificial turf sit on the farm of Ray Bettenson Sr. in Nicholson, Pa., pictured on a recording set of the state's Department of Environmental Protection's Rich Lewis, right, and Ryan Lewis. *Matthew Hannah / Staff Photographer*

In June 2020, Dr. Rasch agreed to begin paying more than $90,000 a year to Brendlee "Bonsy" Bonsor, the owner of R.D. Hill Sales Farm in Wyoming County, to store old turf on his land.

The company went on to deposit more than 400 tractor-trailer loads of turf on the farm before abruptly stopping payments in 2020, according to a Federal lawsuit that Bonsor filed against Dr. Rasch. Dan claimed the company owed him nearly $500,000.

In November 2021, the case was settled, but the parties did not disclose the terms. Bonsor, who lives in Nicholson, Pa., declined to provide a lawyer on him to tell the Inquirer of the remaining turf bills.

"I have to figure it out with the DEP," the son, Bonsy Dan, said. "I don't want it. I want it out of there, because it's nothing but a nuisance and a headache for me."

At least two farmers claimed in court filings that Dr. Rasch stopped paying them, and the DEP received complaints about the unsightly stacks.

Bonsor filed a lawsuit against Dr. Rasch, seeking the rest of the money he said he was owed. Dr. Rasch's lawyers said in court filings that the company was "unable to pay" the $500,000 in fees.

Sinking views

Bonsor's neighbors, who live in the Rhoads Inn, a 55-and-older community in Tunkhannock Township, complained that the company's operations had "sunk the value of our homes." Bonsor's neighbor, Lynn Kelly, said in court filings

Melissa Thurman

From: Andrea Wald <waldmba@gmail.com>
Sent: Thursday, October 9, 2025 9:14 PM
To: Public Comment
Subject: Agenda item #10 - 10/14/25 city council meeting

Dear Mayor and City Council members,

You've heard from me many times so I will not repeat all the reasons why I strongly oppose artificial turf - both for the dog park and any landscape projects (parks, schools, even residential and commercial).

I am simply emailing now to urge you to **approve recommendation #2** that is under agenda item #10:

2) Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign.

I believe this is the best option and what not only residents of Los Altos need and want but what is best for society as a whole. We are drowning in unnecessary plastics - artificial turf being one of those products.

Please keep in mind things like: sustainability, environmental impact, health implications, waste and Los Altos' own Climate Action goals when casting your important vote.

Thanks.

Andrea Wald
Co-Founder, Community for Natural Play Surfaces

Melissa Thurman

From: Nyssa Kansal <nyssakansal@gmail.com>
Sent: Thursday, October 9, 2025 9:22 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

To the City of Los Altos:

I urge the city council to either a) require decomposed granite as the surface for the dog park, and exclude artificial turf OR b) vote the entire plan down so it can be brought back to a future meeting for consideration.

Sincerely,
Nyssa

Melissa Thurman

From: Brian Carr <bc899899@comcast.net>
Sent: Thursday, October 9, 2025 9:26 PM
To: Public Comment
Subject: Oct 14 Meeting, Item 10, Hillview Dog Park Surface

I urge you to reject the use of plastic turf at the Hillview Dog park. Every use of plastic, multiplied by tens of thousands, is an assault on our environment and health. Please vote for option #2,

Brian Carr

Los Altos City Council Members,

Re: 10/14/25 Meeting Agenda Discussion Item #10 Dog Park Surfacing

I am a longtime resident and member of the Silicon Valley North Chapter of the Citizens' Climate Lobby (CCL). In this letter I represent myself as a concerned community member.

I support the Los Altos Rotary Club's ongoing efforts to promote the use of natural materials for the Hillview dog park surface and encourage the city to adopt a policy prohibiting artificial turf surfacing in all city properties. The basis for my support is the city's Climate Action & Adaptation Plan (CAAP) adopted by the city in 2022.[1]

The Rotary Club's Climate Action Committee initiative on the dog park and its position on artificial turf is directly pertinent to CAAP's Focus Area 5 Green Community Strategy 1 Develop Nature Based Solutions.

Nature Based Solution

[1] City of Los Altos Climate Action & Adaptation Plan link: https://www.losaltosca.gov/DocumentCenter/View/851/Los-Altos-Climate-Action-and-Adaptation-Plan-2022-Final-PDF

CAAP's goal is to achieve carbon neutrality by 2035. It is an ambitious, multi-faceted, forward-looking plan that, if implemented, would be the closest thing to a comprehensive local climate solution that we need to achieve nationally. Numerous CAAP provisions rely on Inflation Reduction Act legislation that I pushed for in 2022 as a citizen advocate with Congress.

I have been active in supporting CAAP's electrification provisions working with the Electrification Collaboration initiative. We measure our efforts in the context of CAAP's success in total. Putting it another way, our local advocacy impact will be limited if electrification succeeds but CAAP fails.

Other community organizations, such as Green Town Los Altos and the Los Altos Rotary Club are supporting different facets of CAAP. The Electrification Collaboration is an integral part of this on-going community-wide CAAP success coalition.

Thank you for your consideration.

David Cain PhD
1132 Russell Ave. Los Altos

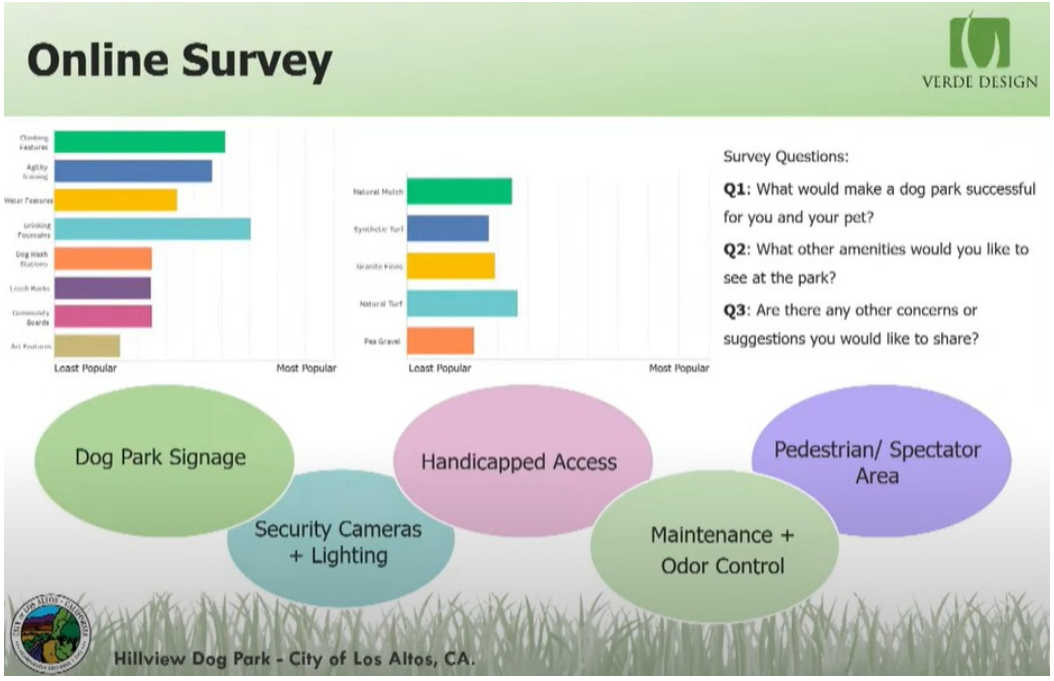
Melissa Thurman

From: Laura Fay <fay.laura@gmail.com>
Sent: Friday, October 10, 2025 1:00 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Mayor Daley, Vice Mayor Fligor and Councilmembers Lang, Meadows and Weinberg,

I am writing to request that you REJECT THE INSTALLATION OF ARTIFICIAL TURF at the Hillview Dog Park in favor of a more environmentally sustainable surface for the sake of citizen, canine and environmental health. I make this request with consideration for ODOR ISSUES stemming from artificial turf. I will run through the reasons here....

1. In 2023 the Verde Design/Staff Community outreach revealed that 'Odor control' ranked as a key concern



2. Experience for Library and History Museum Attendees May be Sub-optimal

Foul smells from the artificial turf offers the potential for the bad odors to waft from the dog park in the direction of the library and the history museum. This would not be ideal for library goers or those that rent the history museum for events like weddings in the warm summer months.

3. Community Experience

I have personally visited dog parks in and around the Bay Area, the most recent being teh Ana Antonio Dog Park in Mountain View. Standing inside that park for 5 minutes was barely tolerable. The dog owners told me that "the smell wasn't too bad that day, because it had rained briefly in the morning. Try coming on a sunny day, it's truly awful."

Many current Hillview park dog owners and Hillview Avenue residents have indicated that they are very concerned about the potential for bad smells

4. High maintenance cost and water usage to mitigate

A search on Google/Gemini summarises the documented reasons for the bad smells, and what's required to stay on top of the issue. It is clearly not a low maintenance or low water usage situation...

Artificial turf can smell bad due to pet urine trapped in the infill, which releases ammonia, or from bacteria and mold that grow when organic matter and liquids like rain or urine build up due to poor drainage. High heat can intensify these odors by causing the turf's materials to off-gas and by increasing the release of ammonia from urine. Regular cleaning with enzyme-based products, addressing drainage issues, and promptly removing waste are key to preventing and eliminating these smells.

Reasons for Bad Smells

- **Pet Urine:**

  Dog urine contains urea and ammonia, which break down and release a strong, unpleasant odor when left on the turf.

- **Poor Drainage:**

  Insufficient drainage can trap liquids and organic matter, creating a moist environment where mold and mildew thrive and produce musty smells.

- **Bacteria and Mold:**

  Accumulation of dirt, dust, pet waste, and other organic matter provides a food source for bacteria and mold, which contribute to odors.

- **Heat and Off-Gassing:**

  High temperatures can cause the synthetic materials in the turf to release volatile organic compounds (VOCs).

- **Trapped Infill:**
  The infill (the material between the turf blades) can absorb and hold liquids, including pet urine, trapping the smell and making it hard to remove.

How to Prevent and Eliminate Smells

- **Use Enzyme-Based Cleaners:**

  These cleaners contain beneficial enzymes and bacteria that break down the source of the ammonia in pet urine.

- **Ensure Proper Drainage:**

  A well-installed turf system with effective drainage allows liquids to pass through, preventing them from pooling and fostering bacterial growth.

- **Regular Cleaning:**

Periodically hose down the turf and clean it with a mixture of vinegar and soap or an enzyme cleaner to eliminate built-up dirt and odors.

- **Remove Pet Waste Promptly:**

  Regularly pick up pet waste and rinse the area with water to prevent urine from soaking into the turf.

- **Maintain Infill:**
  Over time, the infill can become dirty and hold odors. Regular cleaning and topping up the infill can help.

Please do the right thing and reject the installation of artificial turf.
Sincerely,
Laura Fay

Melissa Thurman

From: Bruce England <bkengland@gmail.com>
Sent: Friday, October 10, 2025 2:17 PM
To: Public Comment
Cc: Bruce England
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear City Council members:
Please count me as one member of community who is against use of artificial turf anywhere it might be installed, including in dog parks. I should note also that I'm a dog owner and walker, and they seem far less inclined to explore plastic grass than they are natural growth, which, as you know, is something that makes dogs particularly happy.
Best regards,
Bruce England
328 Whisman Station Drive
Mountain View, CA 94043

Melissa Thurman

From: rmloui <rmloui@gmail.com>
Sent: Friday, October 10, 2025 3:10 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 - Dog Park Surfacing Discussion - Mtg 10/14/2025

Dear Los Altos City Council,

With regards to Agenda #10 for the upcoming meeting on Oct 14th, I am writing to object to the installation of artificial turf. This material is a health and environmental hazard to both humans and their pets. Natural materials should be used instead, not fossil-fuel derived plastic.

We should not repeat the mistake that was done at the Village at San Antonio Center Dog Park. That dog park is unpleasant, and I do not take my dog there for multiple reasons: bad smell, unsanitary, high heat retention that is painful or uncomfortable for dog paws, rough material that is abrasive to tender paws, plastic off-gassing.

Please reject artificial turf at the Hillview Dog Park and instead select a more environmentally sustainable and responsible surface.

Thank you for your consideration.

Best regards,
Rachel Loui
Mountain View, CA

Melissa Thurman

From: Leslie Friedman <livelyfoundation@sbcglobal.net>
Sent: Friday, October 10, 2025 5:16 PM
To: Public Comment
Subject: artificial ground covering

Hello,

I am not a Los Altos resident, but I would like to share my experiences.

I am a baseball fan (St.Louis Cardinals especially). I know that that company removed its grass and replaced it with artificial stuff. After years of damage to
the professionals' feet, legs and arms because of the artificial surface, the team finally removed it. This happened to many many professional teams.

The artificial turf becomes too hot. The athletes burned their feet. If they slided into a base, they would have bruises and burns on their bodies. It was
always too hot for the players.

Here's what I do not understand: if the professionals realized that the artificial
turf is not only too hot and also too hard, Why would anyone encourage placing this artificial turf for children? The material is toxic. Why allow your children
and your beloved dogs to play on toxic material?

Some people think that it is a way to save money, but hospital care is expensive.

Please stop the artificial turf.

Leslie Friedman, Ph.D.

Melissa Thurman

From: Quinten Yearsley <qyearsley@gmail.com>
Sent: Friday, October 10, 2025 6:17 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Los Altos Council Members,

I had sent an email earlier for comment on this matter for the earlier meeting (Aug 26) when it was discussed.

I would just like to reiterate and say that in general, I urge the council to prioritize environmental impact as a factor for consideration when making decisions. In this case, as far as I understand, decomposed granite (and maybe some of the other choices) are probably a better choice than artificial turf.

Keep up the good work and thank you,
Resident Quinten Yearsley

Melissa Thurman

From: Leslie Allanic-Desaeyere <lesliedesaeyere@yahoo.com>
Sent: Friday, October 10, 2025 6:53 PM
To: Public Comment; L E S L I E
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025
Attachments: Flier - No on AT - Oct 14 2025.docx

- **I strongly object to to exposing the humans and pets to the hazards of Artificial Turf . I am from europe and most artificial turf is being removed because so many children especially goal keepers are getting cancer.**

I Request the city council REJECT artificial turf at the Hillview Dog Park and select a more environmentally sustainable surface for the sake of citizen and canine heath.

Thanks

Leslie Desaeyere

----- Forwarded Message -----
/d/msgid/greenspacesmv/CAOh0-R06t5OF4oG%3D88j3a_SG%3D6UK6x%2BgOOL%2BGVT8dSmjyeU9SQ%40mail.gmail.com.

JUST SAY NO to the installation of ARTIFICIAL TURF at the Hillview Dog Park

WHY?

Unpleasant Experience

- Unsanitary
- Foul odor*
- Chemical cleaning
- Excessive heat

Health Risk

- PFAS exposure linked to cancer

Environmental Hazard

- Microplastic runoff
- High carbon manufacturing
- Landfill waste
- 'Heat island' effect
- High water needs (cleaning)

Other

- High Cost to install and maintain

TAKE ACTION

OCT 12 & 13: SEND EMAIL

- To: PublicComment@LosAltosCA.Gov
- Subject: Public Comment Agenda item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025
- Content: State your objection to exposing the humans and pets to the hazards of Artificial Turf. Request the city council REJECT artificial turf at the Hillview Dog Park, and all city dog parks.

Oct 14: ATTEND IN PERSON

Join the visible display of support at the City Council Meeting

- Tuesday, Oct 14th at 7:00pm
- City Hall, 1 N San Antonio Road, Los Altos

**To experience how stinky an AT dog park can be, please stand in the Village at San Antonio Center Dog Park for 10 minutes.*

Melissa Thurman

From: Danielle Schmitz <danielleschmitz1@gmail.com>
Sent: Saturday, October 11, 2025 9:30 AM
To: Public Comment
Subject: Enhancing Dog Park Safety and Health with Synthetic Turf

Dear City Council Member/Committee Name,

I am writing to urge the city to consider **synthetic turf** for our dog parks as a safe, hygienic, and long-lasting surface. Unlike dirt or decomposed granite, synthetic turf can **reduce mud, standing water, and bacterial buildup**, which helps prevent illness among dogs and promotes a healthier park environment for the community.

With a **regular cleaning and sanitizing schedule**, synthetic turf ensures that our parks remain **safe, clean, and enjoyable year-round**. This investment would not only improve the health and safety of our pets but also enhance the overall experience for park visitors.

Thank you for considering this important public health and safety measure. I would be happy to provide more information on maintenance protocols or examples from other municipalities that have successfully implemented synthetic turf in dog parks.

Sincerely,

Danielle

--

Danielle Schmitz
(650) 996-1608
418 Tyndall St., Los Altos, CA

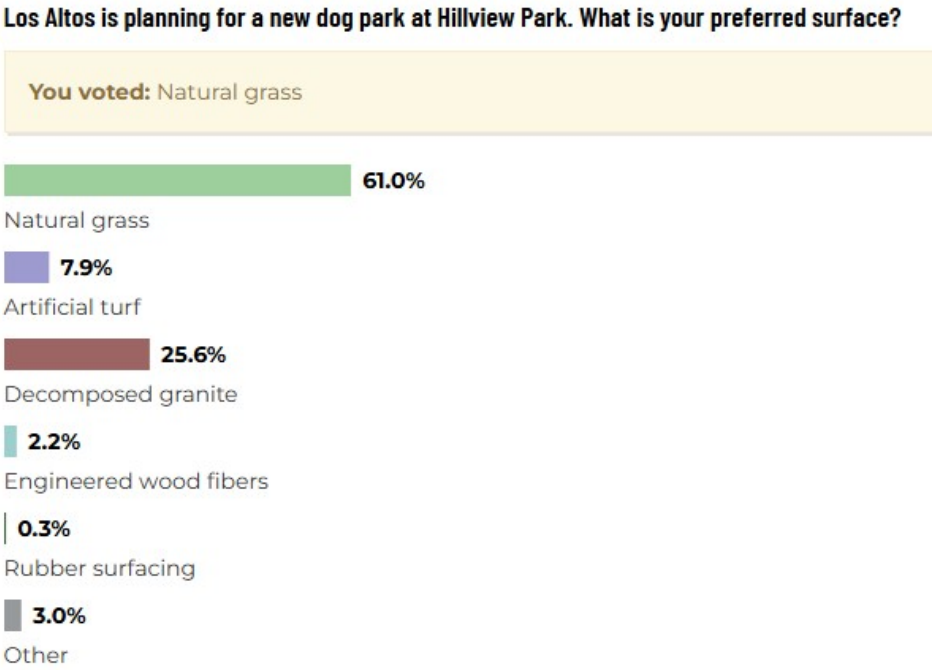
Melissa Thurman

From: Laura Fay <fay.laura@gmail.com>
Sent: Saturday, October 11, 2025 12:02 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Mayor Daley, Vice Mayor Fligor and Councilmembers Lang, Meadows and Weinberg,

I am writing to request that you listen to the community and REJECT THE INSTALLATION OF ARTIFICIAL TURF at the Hillview Dog Park in favor of a more environmentally sustainable surface for the sake of citizen, canine and environmental health. I make this request for the following reasons....

- The 2023 outreach and surveys conducted by Vered Design/City Staff indicated that natural grass was the preferred surface for the dog park by the community outreach efforts (reference council meeting presentation on July 9th. 2024)
- A 2025 Town Crier survey, open for over three weeks, shows a clear preference for natural grass at 61% of respondents, with artificial turf a distant third preference (as of my time of writing, the poll is still open here. Once taken the results are displayed.



- Conversation with over a dozen dog owners at the current temporary Hillview Dog Park (which is natural grass), revealed that they overwhelmingly prefer a natural surface, and specifically are against artificial turf. Don't just take my word for it. Please visit there and invite the conversation, or send city staff to have the conversation.

Thank you,
Laura Fay
30-year Los Altos resident

Melissa Thurman

From: noreply@civicplus.com
Sent: Saturday, October 11, 2025 1:26 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	Please do not use artificial turf for dog parks. They are chemical laden, get too hot, do not absorb dog urine odors. There are more Eco-friendly alternatives including paving stones, native grasses and ground covers or just regular grass.
Attachments	*Field not completed.*
Name	*Field not completed.*
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: Rashmi Sahai <rashusahai@gmail.com>
Sent: Saturday, October 11, 2025 1:35 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Los Altos City Council,

I am writing to urge you to vote **against using artificial turf** to construct Hillview Dog Park (agenda item #10 at Tuesday's City Council meeting). Instead **please vote for option #2**: "Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign."

Artificially turf is not only bad for the environment, as it provides no biodiversity or stormwater benefits, but the chemicals used for artificial turf are also toxic to human and canine health.

Thank you for your consideration.

Best,
Rashmi Sahai

The City Council meeting agenda for Tuesday Oct 14 at 7pm is now published. Packet here: https://losaltosca.portal.civicclerk.com/event/183/files/agenda/1295
*The agenda item is #10 "**Dog Park Surfacing Discussion:** Staff recommends the City Council direct staff to complete one of these options":*

1. *Proceed with the Callander and Associates 95% submittal to construct the Hillview Dog Park using the synthetic turf ground covering as approved at the July 9, 2024 City Council meeting; or*
2. *Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign.*

We need to influence the council to vote for option #2, so PLEASE...

1. SEND AN EMAIL NOW

- **To:** PublicComment@LosAltosCA.Gov
- **Subject:** Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025
- **Content:**
  - State your objection to exposing the humans and pets to the hazards of Artificial Turf (feel free to expand on this as you see fit).

- Request the city council REJECT artificial turf at the Hillview Dog Park and select a more environmentally sustainable surface for the sake of citizen and canine heath.
- Note: All comments received at least a day before the meeting are typically read by all the council members in advance of the meeting. Also, these emails become part of public record, ensuring that the citizens' sentiment is on record.

2. ATTEND IN PERSON

Melissa Thurman

From: Tracy Ferea <tferea@gmail.com>
Sent: Saturday, October 11, 2025 1:36 PM
To: Public Comment
Subject: Agenda Item #10 – Dog Park Surfacing Discussion

Dear Council Members,

Please do **NOT** install artificial turf in the dog park. It is toxic and we would like you to support a more sustainable option for both us and our dogs.

Thank you,
Tracy F PhD

Melissa Thurman

From: Susan Hinton <suewalt@comcast.net>
Sent: Saturday, October 11, 2025 4:38 PM
To: Public Comment
Subject: Public Comment on Oct. 14, 2025 Agenda #10 Dog Park Surfacing Discussion

Dear Los Altos Mayor Dailey, Vice Mayor Fligor, and Honorable Councilmembers,

I am a dog owner, a Sierra Club member, and a resident of of the San Francisco South Bay area since 1989, and I urge the City of Los Altos to put in natural surfacing at their dog parks, rather than plastic.

As a dog owner of a 10 year old happy, mix-breed 65 pound ball of fur, I have visited many dog parks throughout the South Bay. Our family's favorite dog park is in the 17 acre off-leash area at the top of Redwood City's Pulgas Ridge Open Space Preserve. Those acres are not irrigated. Dog owners are asked to pick up remains and remove them from the park. Amazingly close to 100% of dog owners comply with this simple request. The dogs don't care whether they are on a dirt trail, a grass or dirt field, or in the middle of brush. They simply enjoy being off-leash and socializing with other dogs.

Below is a picture of our dog in the off-leash part of Pulgas Ridge OSP. Notice that the ground is largely dirt.
.

Of course not every city will have a 17 acre open space area to offer dogs and their owners. But the fact that the dogs are pleased wherever they are in such a space should give everyone pause. The dogs don't care whether they are on a crushed granite surface or some other surface … with a few caveats.

Please see the picture below taken in Sunnyvale. Note that on October 5, 2024 the air temperature was 92°F while the surface of the plastic turf was 52°F hotter, at 144°F.

Dogs will not walk across a hot surface like that because it will hurt their paws. Dogs do not have shoes to protect their feet. Below are pictures I took at the Reed & Grant dog park in the City of Santa Clara on a different, summer day. Notice that the dogs are not playing, though they are socializing a bit. In fact they're doing their best to stay off the very hot artificial turf. What is the purpose of having all of this space if it can't be used?

Heat is only one reason to avoid artificial turf, but I believe you've heard from many others about many of the other legitimate and concerning reasons.

However I would like to point out that the agenda packet Item #10, Attachment #1 states that Synlawn artificial turf is recycled at a "Recycling Facility in Germany." I ask you to consider — why Germany? Surely in 8-10 years, when the warranty expires, Synlawn or Verde is not proposing shipping the worn out turf overseas? Though I believe I know a possible reason for having it sent overseas: Synlawn plastic, even if it's made from Soybeans (note wording further down saying that they also use Nylon fibers, and Nylon -is- petroleum based) can't be recycled anywhere. It needs to be recycled in a specific type of industrial setting. Generally speaking the recycling will either be down-cycling, meaning its next life will be in a single-use plastic product and after that it will be landfilled, or it will be put through "advanced recycling" which is really a highly polluting mechanism utilizing high heat. Or, and they admit this, they will simply "repurpose" ("donate") the worn out stuff to another location will it will continue to degrade and shed micro-plastics into the environment.

Again, I ask: Please do the responsible — and less expensive for Los Altos — thing: Tell your staff to put in a crushed-gravel dog park.

Sincerely,

Susan Hinton
Sierra Club Loma Prieta Chapter Member of the
Plastic Pollution Prevention Committee
https://url.avanan.click/v2/r01/___https://www.sierraclub.org/loma-prieta/plastic-pollution-prevention___.YXAzOmxvc2FsdG9zY2E6YTpvOjA5MzYyM2E3MGI1MTA0Yjk1ZmVhYzEyZjYxMjQ3Y2U3Ojc6M2QzZDoxOGFhOTI4NjlhMDg4MjNhMDE2ZjQ0N2U5MTkzMTRmNzg2YmNhNDQxN2JiYzcwMmI5ZGQzODBhOGMwYTM0OTRiOnA6VDpO

Melissa Thurman

From: MaryJo Lomax <maryjolomax@gmail.com>
Sent: Saturday, October 11, 2025 5:19 PM
To: Public Comment
Subject: Agenda Item #10 Dog Park Surfacing Discussion October 14, 2025

To Whom It May Concern:

I am not in favor of Los Altos installing artificial turf at the Hillview Dog Park. Artificial turf is made of layers of synthetic materials, from the blades of "grass" to the infill ("soil"), to the carpet-like backing. Nothing in artificial turf is biodegradable, and all of it leaches microplastics into the environment. In addition, the turf will have to be regularly treated with deodorizers, and I presume rinsed off with a lot of water, which is at odds with the city's Green Initiative of Water Conservation.

Why would our city leaders want to expose dogs, their owners, and the community to something that doesn't seem to have an upside and will have to be replaced in about 10 years? Please, I urge you to reject the artificial turf proposal.

Sincerely,

MaryJo Lomax

Melissa Thurman

From: noreply@civicplus.com
Sent: Saturday, October 11, 2025 9:47 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

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Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment

As longterm residents of Los Altos, we are most concerned about the pending adaptation of new Zoning Code Amendments.

THIS CANNOT BE ALLOWED TO HAPPEN.

The amendments, as we understand them, completely exclude any parties interested in preserving aspects of historical Los Altos from the process of zoning approval. It appears that these new amendments ignore potentially valuable City historical assets, and, in addition, are conceding to developers rights which they should not be given without citywide consent. The Historical Commission must be consulted on any and all decisions relating to aspects of our local history.

Citizens of Los Altos must be given the opportunity to preserve our heritage. Once gone, it can never be restored.

These development rights are also potentially damaging to our local environment, which goes against everything Los Altos has

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stood for in the past. We fail to understand why protections always provided in the past may now be swept away.

We discern an alarming tendency in the present City Council to flagrantly ignore many of the aspects of our City which make it a desirable place to live. Potentially trampling on historical sites to continue development without consultation by local citizens is not democratic, and does not reflect the values for which we have elected you.

Please DO NOT APPROVE the new Historic Preservation Ordinance without much more input, and revision, from Los Altos residents.

Attachments	*Field not completed.*
Name	*Field not completed.*
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: Pu Li <puli68@gmail.com>
Sent: Sunday, October 12, 2025 8:00 AM
To: Public Comment
Subject: Public Comment - Hillivew Dog Park Surface - Mtg Oct 14, 2025

Dear Los Altos City Council Members,

This email is from Pu and Zhiyi Liu, residents at 108 Hillview Ave, who own the property directly across the street from the [Insert Dog Park Name, if known, or "Hillview Avenue Dog Park"].

We are writing to express our strong objection and significant concerns regarding the proposal to replace the existing ground with artificial turf at the dog park.

While we understand the desire for a low-maintenance solution, we believe that artificial turf is the wrong choice for a public amenity, especially a dog park, for several critical reasons:

Environmental Impact: Artificial turf is an unnatural material that contributes to plastic waste and can leach contaminants into the environment. We advocate for a more sustainable, natural solution.

Hygiene and Odor: Unlike natural grass, artificial turf is non-porous and will not properly absorb or break down biological waste. This can create an unsanitary environment and lead to persistent, unpleasant odor issues, which will significantly impact the quality of life for residents living nearby.

Heat and Safety: Artificial turf absorbs and retains heat, creating a dangerously hot surface in warm weather that could burn a dog's paws and make the park unusable during the summer months.

We urge the City Council to reject this proposal and explore alternative, natural, and environmentally responsible options for the dog park surface.

Thank you for considering our perspective as directly impacted neighbors. We look forward to your thoughtful decision on this matter.

Sincerely,

Pu and Zhiyi Liu
4084785827

Melissa Thurman

From: noreply@civicplus.com
Sent: Sunday, October 12, 2025 8:20 AM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	Regarding City Council October 14: Item #6 Zoning Code Amendments. Please remove this item from agenda until it's reviewed by the Historical Commission. It's a bad idea and will diminish our community.
Attachments	*Field not completed.*
Name	Ellen Jo Baron, Los Altos Square
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: Ashok Srinath <ashok_srinath@outlook.com>
Sent: Sunday, October 12, 2025 8:59 AM
To: Public Comment
Subject: Input to the City Council on the dog patch

Dear Sir/Madam,

I support the plan and I'm pleased to see that it's coming to fruition.

Sincerely,
Ashok Srinath

From: Hillview Dog Park Preservation Society <dogparkpreservationsociety@gmail.com>
Sent: Saturday, October 11, 2025 6:37:48 PM
To: Hillview Dog Park Preservation Society <dogparkpreservationsociety@gmail.com>
Subject: Requesting your input to City Council

Bcc: The Hillview Dog Park Preservation Society mailing list

Hello,

At long last, we may be nearing a definitive decision on a permanent dog park at Hillview! Please take some time to research the information below, then weigh in on City Council's upcoming discussion on **Tuesday, October 14th.** Members of the public are invited to participate by attending the meeting at the Los Altos Council Chamber, located at Los Altos City Hall, 1 N. San Antonio Rd, Los Altos, CA,

Public comments are accepted in person at the physical meeting location or via email to PublicComment@losaltosca.gov or through the Public Comment forum on the city website. **Comments must be received by Tuesday, October 14th at 5 p.m.**

Council plans to discuss whether to use synthetic turf or decomposed granite for the dog park play surfaces. See agenda item #10 on the City Staff report here. It’s my understanding that natural grass was removed from consideration because it’s not sturdy enough to withstand the expected all-seasons, high participant usage.

There are pros and cons with both options.

I'll be glad to compile any questions and share them with this bcc list.

Best regards,

Bette Houtchens

Melissa Thurman

From: Maria Bautista <maria@specker.com>
Sent: Sunday, October 12, 2025 11:09 AM
To: Public Comment
Subject: Public Comment: City Council October 14, 2025 Item #10 Dog Park, Choose #2
Attachments: 736E3775-83D7-4A59-94CE-E0ACDB71E03D.png; 2A6BA8AD-726D-40C1-9125-228F12CC8CF5.png

Dear City Council,

Please choose Option #2 Return Hillview Dog Park to the Predesign/Outreach Stage.

- A dog park does not belong at Hillview. It's disruptive and will result in the destruction of valued community space. The Hillview Field hosts large groups for sports and public events like summer concerts. A dog park is not an appropriate adjacent activity.

- The Hillview space is too small. A dog park, per the American Kennel Club, requires a minimum of 1 acre for the benefit of dogs and non-dogs. Dogs, especially both large and small, confined to small spaces adjacent to human activity become nervous. Ask local dog owners, especially those within walking distance of Hillview; they won't use it.

- A dog relief area at Hillview is also not compatible with adjacent activities. Information provided on surface material care, cleaning regimen and the ongoing cost to the city to maintain a dog relief area is not comprehensive.

- The City has provided no data indicating a community priority for a dog park at Hillview. There's no data on pilot program.

  Most recent Hillview Community Center plans indicated an improved and landscaped pedestrian corridor/connection between the community center and downtown Los Altos as a priority.

- No Environmental Impact Report or parking study has been conducted as part of the proposed dog park, a new activity that displaces most of the library parking stalls. The cumulative impact of the proposed library courtyard (100+ person capacity) and a dog park has not been determined; the cumulative impact of new land uses is subject to CEQA.

- Recent piecemeal project planning at the Civic Center is a wrongful approach to public land use that is resulting in non-congruent projects and a general aesthetic mess.

- With no notice, the City removed two Heritage Oak Trees in the dog park location and is required to replace trees in kind and in place unless otherwise determined through a public process

- The current plan does not indicate the numbers of heritage and other trees that are subject to removal for this project for public consideration.

- Los Altos celebrates its open space. Adding artificial turf, artificial shade structures and decorative fencing is a visual atrocity our community center does not need.

The area at Hillview currently designated for a dog park would serve the community better with a few picnic tables under the shade of majestic trees with landscaped surrounds: a simple and flexible place for spectators to gather, and library and other visitors to enjoy the outdoors. See attached images.

Thank you for pausing this plan.

Best,

Maria Bautista

HILLVIEW
FIELD
LOS
ALTOS

HILLVIEW
FIELD
LOS
ALTOS

Melissa Thurman

From: Cynthia Tham <cynthiathamlock@gmail.com>
Sent: Sunday, October 12, 2025 1:49 PM
To: Public Comment
Subject: NO to the installation of ARTIFICIAL TURF at the Hillview Dog Park

I'm against using artificial turf in any public areas. In this occasion, I'd like to voice my opinion against putting artificial turf at the Hillview Dog Park.

The Sierra Club is against artificial turf in public area:

1. **Chemical issues**
   - PFAS ("forever chemicals") used in turf (for color, flammability, etc.) that can accumulate in environments and potentially in humans.
   - Leaching of toxic or semi-toxic materials (heavy metals, chemicals from the infill, etc.).
2. **Microplastics and plastic waste**
   - Turf shedding small plastic particles, which can enter waterways and soils.
   - Disposal issues — artificial turf is difficult or impossible to recycle in many cases. After its typical lifespan (~8-10 years), it ends up in landfills
3. **Heat and "urban heat island" effect**
   - Artificial surfaces can get very hot — hotter than natural grass or even asphalt under strong sun — making them dangerous/less usable during heat events.
4. **Environmental/ecological concerns**
   - Loss of biodiversity and habitat when turf replaces natural vegetation.
   - Issues with stormwater runoff, water absorption, groundwater recharge, etc., since artificial turf doesn't absorb water like soil or grass does.
5. **Health and safety concerns**
   - Possible exposure risks (skin contact, inhalation, etc.) from chemicals in the materials, especially for children.
   - Concerns about burns, overheating, especially in hot weather.
6. **Lifecycle cost & sustainability**
   - While artificial turf may appear to save water or maintenance costs in certain contexts, when you account for manufacturing, installation, chemical inputs, replacement, disposal, etc., the environmental and cost "payback" can be poor.

Melissa Thurman

From: Anne Landsberger <annelandsberger@gmail.com>
Sent: Sunday, October 12, 2025 2:01 PM
To: Public Comment
Subject: Public Comment | Council Meeting October 14, 2025, Item 10 | Dog Park Surfacing Discussion

Dear Councilmembers,

The claim that "modern" synthetic turf is environmentally friendly is a sales pitch, unsupported by scientific evidence or data. Synthetic turf is plastic — plain and simple.

Plastic turf:
- poses potential risks to both dogs and people.
- traps heat so much that even on moderately warm days, my dog won't go near it.
- inevitably ends up in a landfill, notwithstanding green-washing assurances that it is "recyclable".
- requires frequent cleaning to manage odor and bacteria. (I've visited parks with synthetic turf and can tell you, synthetic turf "stinks" — literally and figuratively.)

The bottom line is that artificial turf is a step backward for both environmental stewardship and community health. Please remove synthetic turf from consideration for the Hillview dog park.

Thank you for your attention to this matter.

Best,
Anne Landsberger

Melissa Thurman

From: susan_lapointe@yahoo.com
Sent: Sunday, October 12, 2025 2:07 PM
To: Public Comment
Subject: Dog Park Objection

I would like register my objection to the Dog Park proposal. I am very concerned about both animal and human exposure to artificial turf.
I request that the city council reject the current proposal and opt for a more environmentally sustainable surface.
I appreciate your consideration.
Susan LaPointe
Sent from my iPhone

Melissa Thurman

From: Caroline Rumptz <rumptzmom@gmail.com>
Sent: Sunday, October 12, 2025 2:35 PM
To: Public Comment
Subject: No Turf at Dog Park

Council persons-

My husband and I both urge you to reject turf as a surface at the proposed dog park at Hillview. We have serious concerns about the environmental impact, the ongoing odor which absolutely will ensue, the exorbitant cost to install and maintain. It is not a good surface for urine and feces.

As a dog owner I would not choose this park as the surface gets incredibly hot and is not a healthy alternative for pets. The plastic pellets get stuck in paws and tracked around my car and my home. Natural surfaces, such as decomposed granite or a grass are far more environmentally prudent choices.

In an ideal world, we would suggest scrapping the entire dog park project. There already is a dog park at Hillview Park. $1 million for a dog park is a waste of tax dollars.

Thank you
Caroline and Eric Rumptz
717 Linden Ave.
Los Altos, CA 94022

Melissa Thurman

From: noreply@civicplus.com
Sent: Sunday, October 12, 2025 3:19 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	I am writing to support the pausing of the current plan for a dog park and ask my City Council to vote in favor of Option #2 Return to Predesign for Agenda Item #10 Dog Park Surfacing. Here are some of my reasons: I am a North Los Altos resident 1) I still often see dogs off leash at the Hillview baseball field instead of in the dog park 2) The location impacts library use, and community field use and would displace 20+ parking spots in a parking lot that is already very tight on free spots. 3) I am against spending $1M on an artificial dog park - in this time of need, surely that $1M can be better spent for folks in need of services or food. Or even for safer barriers on Almond Road to protect the bike lane / student cyclists around LAHS (MV and Sunnyvale all have such protective barriers in place) 4) I am against removal of additional heritage trees for the $1 million artificial park 5) Is there data from the Temporary Dog Park use, an environmental impact study and a traffic study?
Attachments	*Field not completed.*

Name	*Field not completed.*
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: Angela Dellaporta <asdellaporta@gmail.com>
Sent: Sunday, October 12, 2025 3:46 PM
To: Public Comment
Subject: Artificial turf in dog park

Dear Council Members,

I urge you to reject the idea of installing artificial turf in any city properties, including the dog park that you are considering today in Item #10.

Although plastic is toxic to humans, it currently surrounds us in every aspect of our lives. The artificial turf companies claim that it can be recycled, but even if it does actually get recycled (which I am told is not certain), it will just go towards making more plastic items, continuing the spread of small plastic particles that literally enter our bloodstreams and brains. It is also toxic to animals, fish, birds and other wildlife. Is this the legacy you would like to leave?

The new dog park at Boulware Park in Palo Alto has artificial turf. It is watered daily, to combat the dirt and smells left by dogs — so no water is saved. The turf constantly sheds little plastic leaves, which lie strewn around the area. Where do they end up? No doubt in landfill, in the nearby creak, in birds' nests, in the nearby playground where children will put them in their mouths. Do we want small particles of plastic in any of these places?

Do we want plastic anywhere? Not really.

Is there a better alternative? Of course there is.

Sincerely, Angela Dellaporta

Melissa Thurman

From: noreply@civicplus.com
Sent: Sunday, October 12, 2025 3:53 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

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Your Public Comment

Our Dearest Council Members: (I am worried your meeting will go too late and could miss making comments about the Hillview Dog Park surface consideration.)

My Preference is for a Synthetic Surface.

I live and work in Los Altos and am also a dog owner. I often walk right past Hillview Dog Park with my pup but cannot bring a muddy dog into my office building, so we do not usually stop. The grass at the current Hillview Dog Park is rarely dry. Areas of the grass that have been disrupted turn into muddy spots and the grass does not regrow.

I do prefer synthetic turf for year-round dog park enjoyment. With proper sub surface materials and regular maintenance, synthetic surface dog park will be a perfect addition to downtown amenities.

In my opinion, Los Altos needs six (6) more dog parks for the size and constituency of dog owners living and visiting here.

	There should be no more delays for opening Hillview Dog Park. Most of my Los Altos dog friends and I go to neighboring cities every day just to find off leash areas to exercise our pups. There are plenty of other grass and trail areas for dogs on and off leash to offset Hillview dog Park being synthetic surface. I support a quality synthetic surface installed in Hillview dog park. There is no way to maintain grass long-term with dog usage and our rainy season. The pesticide grass treatments for weeds, grubs, raccoons are not suitable for these areas. Thank you for your consideration to finalize Hillview Dog Park with installation of synthetic grass. Barbara Doherty barbara@dohertytaxlaw.com
Attachments	*Field not completed.*
Name	Barbara Doherty
Email	barbara@dohertytaxlaw.com

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: John Crawford <jbcrawfo@aol.com>
Sent: Sunday, October 12, 2025 4:21 PM
To: Public Comment
Subject: Dog Park

Dear Los Altos Government,

Good afternoon.

The thought of artificial turf in a dog park sounds extremely unsanitary, smelly, especially on hot days, and often very hot.

The proposed new location may have problems growing grass, due to too much shade. The beauty of natural grass is that with water, most or all of the urine and feces sinks down into the soil. Also, the grass gets cut which further removes offending dog deposits. In order to even come close to keeping artificial turf sanitary, you will wind up using more water than with real grass.

I believe the end of Hillview Community Center, near Neutra House, could provide a terrific location. My observation is that the dogs are quiet most of the time. The Community Foundation will not complain, and the next house over is a rental house.
The owners of the rental house, who live up in Los Altos Hills, have a large dog themselves.

Also, the present location of the dog park works as well.

You might consider expanding the Library parking lot into the wood chip area and give the Library more parking.

Again, artificial turf in a dog park is disgusting to me.

Sincerely,
John Crawford, Frances Drive, Los Altos

Sent from my iPhone

Melissa Thurman

From: Laura Fay <fay.laura@gmail.com>
Sent: Sunday, October 12, 2025 5:51 PM
To: Public Comment
Subject: Re: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Mayor Daley, Vice Mayor Fligor and Councilmembers Lang, Meadows and Weinberg,

I wish to add a note to my previous comment.
At the city council meeting on Aug 26, 2025, I made the request to consider decomposed granite as a preferred dog park surface.
I want to add a clarification to that statement, to be crystal clear on that position.

I, and those that supported my message, are not wedded to the idea of decomposed granite.
The proposals for DG were made in response to the feedback "well, what's the alternative to artificial turf?"

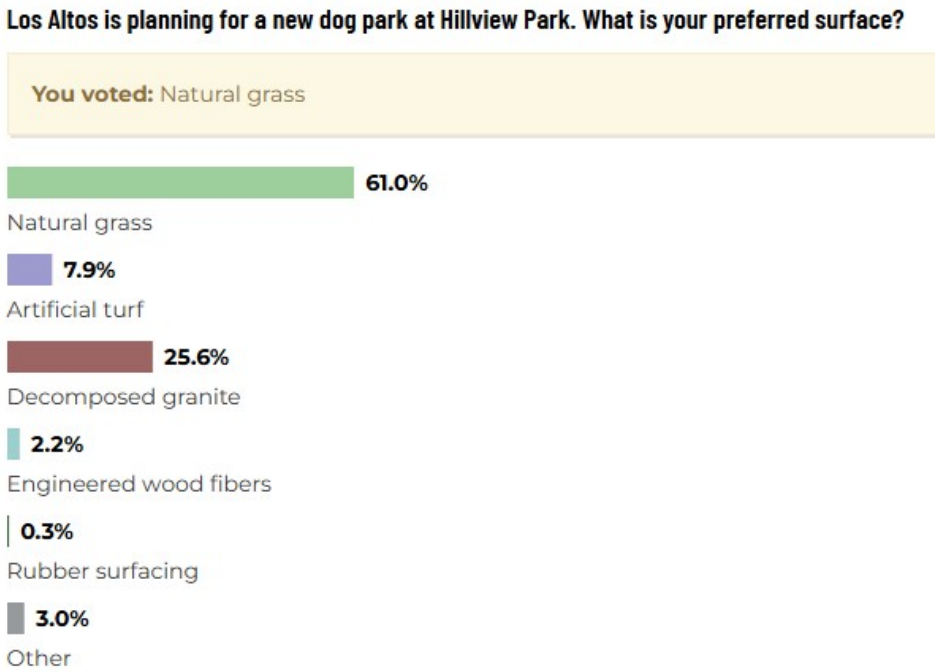
Again to be crystal clear, as long as the surface material is **not artificial turf**, I am sure the staff will find a solution, factoring community feedback.

Please REJECT THE INSTALLATION OF ARTIFICIAL TURF at the Hillview Dog Park

Sincerely,
Laura Fay

On Sat, Oct 11, 2025 at 12:02 PM Laura Fay <fay.laura@gmail.com> wrote:

> Dear Mayor Daley, Vice Mayor Fligor and Councilmembers Lang, Meadows and Weinberg,
>
> I am writing to request that you listen to the community and REJECT THE INSTALLATION OF ARTIFICIAL TURF at the Hillview Dog Park in favor of a more environmentally sustainable surface for the sake of citizen, canine and environmental health. I make this request for the following reasons....
>
> - The 2023 outreach and surveys conducted by Vered Design/City Staff indicated that natural grass was the preferred surface for the dog park by the community outreach efforts (reference council meeting presentation on July 9th. 2024)
> - A 2025 Town Crier survey, open for over three weeks, shows a clear preference for natural grass at 61% of respondents, with artificial turf a distant third preference (as of my time of writing, the poll is still open here. Once taken the results are displayed.



- Conversation with over a dozen dog owners at the current temporary Hillview Dog Park (which is natural grass), revealed that they overwhelmingly prefer a natural surface, and specifically are against artificial turf. Don't just take my word for it. Please visit there and invite the conversation, or send city staff to have the conversation.

Thank you,
Laura Fay
30-year Los Altos resident

Melissa Thurman

From: Dan Beyer <dan@dbeyer.com>
Sent: Sunday, October 12, 2025 6:42 PM
To: Public Comment
Subject: Support for Installation of Artificial Turf at the Dog Park

Dear Members of the City Council,

I am writing to express my strong support for the installation of artificial turf at the dog park. Artificial turf would allow residents and their pets to enjoy the park throughout the entire year. In contrast, the natural grass at the current Hillview Dog Park becomes muddy and unusable during the rainy season and remains closed for extended periods after sprinkler use in the summer. As a result, the park is effectively unavailable for many months each year.

In addition to improved accessibility, artificial turf offers important health and safety benefits. Maintaining natural grass typically involves the use of fertilizers and other chemicals, which can be ingested by dogs that chew on the grass. Artificial turf eliminates this concern, providing a cleaner and safer environment for pets.

From a maintenance and financial perspective, artificial turf is also the more sustainable choice. It is significantly more durable than natural grass, requiring only periodic rinsing to maintain cleanliness and control odor. In contrast, natural grass demands continual repair due to wear from running and digging, as well as damage caused by squirrels and gophers. Over time, the reduced maintenance and repair needs make artificial turf the more cost-effective option.

Lastly, water conservation must remain a guiding principle in our community's decisions. While recent years have not seen severe drought, we cannot assume that favorable conditions will continue indefinitely. Artificial turf requires only minimal watering for maintenance, whereas natural grass consumes large amounts of water to remain healthy—particularly when exposed to the effects of pet waste.

For these reasons, I respectfully urge the Council to move forward with the installation of artificial turf at the dog park. This improvement will enhance year-round usability, promote safety and cleanliness, reduce maintenance costs, and demonstrate our community's commitment to sustainability and responsible water use.

Thank you for your consideration.

Dan Beyer

Melissa Thurman

From: Sherry Auerbach <sauerbach379@gmail.com>
Sent: Sunday, October 12, 2025 7:26 PM
To: Public Comment
Subject: No to the Installation of Artificial Turf at the Hillview Dog Park

Dear Councilmembers,

I urge the city council to vote "no" on the installation of artificial turf at the proposed Hillview Dog Park.

The Los Altos Parks & Recreation Department's proposal to install artificial turf at the new Hillview dog park directly contradicts the city's environmental goals, especially the Environmental Commission's plan to prioritize green landscaping and reduce waste. Los Altos should actively consider decomposed granite as a cost-effective, viable alternative for dog parks - a solution that most Bay Area cities have standardized.

While artificial turf vendors tout "new technology," the environmental and practical downsides remain significant. These include:

Environmental and Practical Concerns: *Artificial turf is still made from plastic and rubber—materials that contribute to microplastic pollution, chemical runoff, and high carbon emissions. It's energy-intensive to manufacture and almost impossible to recycle, ending up in landfills every few years. Artificial turf also traps heat, contributing to the urban "heat island" effect, especially problematic in Los Altos, which has 263 sunny days per year.*

In winter, the low-permeable base beneath artificial turf can exacerbate flooding and harm tree roots. It doesn't absorb pet waste, leading to odors, bacteria, and increased maintenance, including the need for frequent washing—ironically, with water, despite the drought-conscious rationale for its installation.

Cost and Health Risks: *Artificial turf is arguably the most expensive surface option due to high installation, maintenance, and replacement costs. It contains hazardous chemicals like lead, phthalates, and PFAS ("forever chemicals"), with growing evidence of long-term health impacts.*

Wider Rejection & Better Alternatives: *Other Bay Area cities are rejecting artificial turf. Sunnyvale is conducting a study and using natural alternatives like crushed stone, generally referred to as Decomposed Granite. Millbrae enforces an artificial turf ban. Santa Rosa, San Marino and Carmel-by-the-Sea have avoided or are banning artificial turf altogether. Leading environmental and health groups, including the Sierra Club and the Santa Clara Medical Association, oppose artificial turf use.*

Installing artificial turf at the proposed Hillview dog park would be a costly, unsustainable, and unhealthy step that directly undermines Los Altos 2022 Environmental Commission's Climate Action and their 2025 Work Plan. There is no good reason to install artificial turf when viable, natural alternatives are being successfully deployed by our neighboring cities.

Best regards,

Sherry Auerbach

379 Hawthorne Ave. Los Altos

Melissa Thurman

From: Lynn Wilson Roberts <lwr@wilsonroberts.com>
Sent: Sunday, October 12, 2025 8:47 PM
To: Public Comment
Subject: Arrival turf

Please vote no on artificial turf in Los Altos. It has no redeeming value. It is expensive to maintain and frankly has no redeeming value except expediency to install. I would never take my beloved dogs to a park with that surface.

Lynn
526 van buren st. Los Altos.

Lynn Wilson Roberts

DRE#: 01814885

578 University Ave.Palo Alto. CA 94301
o: 650.255-6987

Melissa Thurman

From: Laura Teksler <laurateksler@greentownlosaltos.org>
Sent: Sunday, October 12, 2025 9:37 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Los Altos City Council Members,

The GreenTown Los Altos board is writing to share our opposition to the installation of artificial turf at the Hillview dog park, as well as other public spaces in the city.

Artificial turf (AT) presents several environmental and health concerns to Los Altos residents in addition to being less pleasant and sanitary for those using the turf surface. While there are many factors to consider in selecting the appropriate surface for a dog park (or other use), we would like to address those we feel most important from a human (and pet) and environmental health standpoint.

- Environmental & Human Toxicity: While the products under consideration tout the use of plant-based material and claim to avoid highly problematic rubber crumb infill, they still contain significant amounts of plastic and other petrochemical materials. While the exact composition of the turf products is not disclosed, petroleum based products contain volatile organic compounds (VOCs) which off-gas and contribute to unhealthy air quality and likely contain other toxic substances such as heavy metals, arsenic, micro-plastics and PFAS (forever chemicals).
- Excessive heat: AT has a consistently much hotter surface temperature than other surfaces. While this variance depends on the type of turf and other conditions, the surface temperature of turf is consistently measured on the order of 40+ degrees hotter than natural grass and 20+ degrees hotter than asphalt. Even on a mild 80 degree summer day we would expect the turf to be **120-180 degrees (**it is not recommended that dogs walk on surfaces more than around 120 degrees). While the proposed shade structure may help mitigate this effect somewhat, it is unlikely to provide a surface that is consistently cool. Turf also contributes to the urban heat island effect so it heats up the surrounding area.
- Impermeability & chemical runoff: Though the products considered claim better permeability, the hard compacted ground required for installation combined with the turf will likely still lead to runoff, carrying with is all the pollutants mentioned above. This is counter to Goal 6.1 in the CAAP that directs expanding green infrastructure to reduce impermeable surfaces.
- Solid waste: AT has to be replaced and verified recycling at end of life is not available which means relying solely on company attestations that they recycle their products at end of life. Installing AT will directly counter Goal 3.1 in the CAAP by INCREASING plastic and building material waste.

All too often new products such as the turf products considered here rely on the absence of conclusive longitudinal studies as cover to claim their products are safe, and perhaps even environmentally preferable. Unfortunately often when the science is conclusive it is too late and the harm is done. The environmental movement therefore relies on the precautionary principle which dictates caution in

situations where there is threat of harm. Installation of artificial turf is a clear case of potential for harm to human and environmental health that would be very difficult, if not impossible, to abate once the products are in use.

The GreenTown Board, therefore, implores the City Council to reject the use of artificial turf on city-owned property.

Melissa Thurman

From: Karina Nilsen <beauandbijou@gmail.com>
Sent: Sunday, October 12, 2025 9:45 PM
To: Public Comment
Cc: Bette Houtchens; Hung Kat. Dog Park. Bentley; Hillview Dog Park Preservation Society
Subject: Dog park ground cover. NO ARTIFICIAL TURF

Dear City Council members,

Please vote for an alternative to artificial turf for the dog park. DG is far superior.

Keep Los Altos healthy!

Here's a design idea: utilize natural landscaping such as around Los Altos Civic Center with a wide curving sidewalk near the fence, with grasses and native plants along the edges.
Please consider ADA seating and a water source.

Thank you for your consideration.

With gratitude,

Karina Nilsen

Those who can make you believe absurdities can make you commit atrocities.
— Voltaire

Melissa Thurman

From: carol little <morrist03@yahoo.com>
Sent: Sunday, October 12, 2025 11:20 PM
To: Public Comment
Subject: Item 10

October 12, 2025
Dear City Council Members,

I currently serve on PARC. However, I am not writing this email as a PARC commissioner, but rather as a resident only.

I am writing regarding Agenda Item 10; Dog Park Surfacing Discussion. Please choose option 2. I am asking that you reject artificial turf as a surface for Hillview dog park, and eventually, McKenzie dog park. I have grave concerns about artificial turf as a surface material for a dog park. A few of my concerns follow.

- It often looks bad after a few years of use.
- It gets extremely hot in the sun, thereby burning dog paws, and creating more heat on our planet. That heat contributes to global warming.
- The cost to install and maintain it is higher than decomposed granite. The cost is not only in dollars but also the cost to that planet.
- It harbors bacteria.
- It is very difficult for dog owners and handlers to get all of the feces off of the fake grass.
- It contaminates the planet, ocean, and humans with micro plastics.
- Dogs are closer to the surface of the fake grass and are more likely to end up with the micro plastics on their paws and ultimately in their mouths when they clean themselves.
- The edges of fake grass blades are known to cut the paws of dogs.
- It is made from petroleum based products. We must get away from such products as they are the reason so many wars are fought, as well as what significantly contributes to global warming.
- There have been numerous complaints about other dog parks with artificial turf, the odor and the heat issues.
- There is no way to recycle the product.
- It requires water, which is a precious resource, to clean the fake grass on a daily basis. We never know when our next major drought will occur.
- If isn't cleaned regularly, it smells.
- The cost of water is high in many ways, not simply monetary ones.

I realize the choices for the dog park surfaces can seem limited, and in many ways they are, but we can do better than artificial turf. I also recognize that the plans are already completed for the dog park. Please don't let that stop you. Consider the costs, all of them. As a tax payer, I'd prefer to see my dollars spent on doing the right thing for the planet. Perhaps a variety of surfaces, would be a good option. Decomposed granite, sand, engineered wood chips (not at all the same as regular wood chips). Perhaps even a very small section of real grass in the low impact seating area could provide a nice bit of cool green space for folks, and their pups the relax.
This is an opportunity to do what is best for the planet, please choose option 2. Let's come up with creative, thinking out of the box solutions.
Thank you for considering my input.

Respectfully,
Teresa Morris

October 12, 2025
Dear City Council Members,

I currently serve on PARC. However, I am not writing this email as a PARC commissioner, but rather as a resident only.

I am writing regarding Agenda Item 10; Dog Park Surfacing Discussion. Please choose option 2. I am asking that you reject artificial turf as a surface for Hillview dog park, and eventually, McKenzie dog park. I have grave concerns about artificial turf as a surface material for a dog park. A few of my concerns follow.

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This is an opportunity to do what is best for the planet, please choose option 2. Let's come up with creative, thinking out of the box solutions.
Thank you for considering my input.

Respectfully,
Teresa Morris

Melissa Thurman

From: Morrist03@yahoo <morrist03@yahoo.com>
Sent: Monday, October 13, 2025 7:29 AM
To: Public Comment
Subject: Agenda item 6

Dear City Council Members,

I serve on PARC. I am writing this email solely as a resident.

Please reconsider the staff proposed historic changes.
Please continue to have the Historic Commission review all historic projects, whether funded by tax payers, or home owners.
More eyes on a project only make it that much better.

While I am at it, please enact a larger notification area.

Thank you for considering my input.
Teresa Morris

Melissa Thurman

From: John Kehoe <kehoejohn32@gmail.com>
Sent: Monday, October 13, 2025 9:13 AM
To: Public Comment
Subject: Agenda Item #10 – Dog Park Surfacing Discussion - eliminate synthetic turf

Dear Mayor Daily, Vice Mayor Fligor and all Councilmembers,

Please return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering. Please refrain from supporting the spread of synthetic artificial turf.

A once-living field is prepared for plastic turf by expelling all living organisms, ensuring that it will remain uninhabitable for the foreseeable future. These plastic fields are heat islands where one did not exist before. And the microplastics that they shed will permeate our environment.

Younger generations will inherit the reality that *they* will be responsible for the disposal of the old field as, in spite of the industry spokespersons, that stuff is not recycled.

Thank you,
John Kehoe

Melissa Thurman

From: joy sheerer <joyseven@hotmail.com>
Sent: Monday, October 13, 2025 10:09 AM
To: Public Comment
Subject: Request to Use Artificial Turf for the New Dog Park

Dear City Council,

I would like to strongly encourage the use of **artificial turf** in the design of the new dog park. Let's get the design right and create a park that can be enjoyed year-round and last for decades to come.

Artificial turf is widely used in dog parks because it **drains efficiently**, is **antimicrobial**, and requires **minimal to no chemical maintenance**. In contrast, natural grass can quickly turn into a muddy mess during wet weather and often requires fertilizers and pesticides that are unsafe for dogs. Decomposed granite, while low-maintenance, creates a surface that is uncomfortable and less inviting for both dogs. (Have you ever walked on it barefoot?)

A great example of an effective dog park design can be found at the **Village Green Dog Park** on San Antonio and El Camino (near Pacific Catch and Mendocino Farms). The artificial turf there drains beautifully, includes built-in sprinklers that operate at night when the park is closed, and provides a clean, safe, and enjoyable play surface.

I've spent the past five years visiting Village Green with my dog and have observed that dogs play much more energetically and joyfully on turf. They roll, chase, and wrestle without injury—unlike on harder surfaces such as the concrete areas at Mackenzie Dog Park in Los Altos, where I've seen dogs wrestle, fall, and get hurt.

Artificial turf would help ensure our new dog park is **safe, durable, and welcoming** for both dogs and people. Thank you for your time and thoughtful consideration.

Sincerely,
Joy Sheerer

Melissa Thurman

From: Michael Rochmes <michael@usgbc-ca.org>
Sent: Monday, October 13, 2025 10:11 AM
To: Public Comment
Subject: RE: Agenda Item #8 (10/14/25) - Building Code Updates - SUPPORT
Attachments: USGBC-CA Letter of Support - Los Altos Building Code Amendments.pdf

Dear Mayor Dailey, Vice Mayor Fligor, and Councilmembers,

Please find, attached, U.S. Green Building Council California's letter expressing strong support for the Two-Way AC and Electric Readiness local amendments to the 2025 California Building Standards Code (item #8 on the October 14 City Council agenda).

Sincerely,
Michael Rochmes

--

Michael Rochmes
Policy & Advocacy Coordinator, USGBC California

michael@usgbc-ca.org 310-954-7034 www.usgbc-ca.org
525 S Hewitt St., Los Angeles, CA, 90013

USGBC CA
U.S. GREEN BUILDING COUNCIL CALIFORNIA

525 S. Hewitt St.
Los Angeles, CA 90013
(213) 689-9707 usgbc-ca.org

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Ben Stapleton, Executive Director

October 13, 2025

RE: Agenda Item #8 (10/14/25) - Building Code Updates - SUPPORT

Dear Mayor Dailey, Vice Mayor Fligor, and Councilmembers,

On behalf of the U.S. Green Building Council California, I write in strong support of the proposed Two-Way AC and Electric Readiness local amendments to the 2025 California Building Standards Code.

USGBC California's members are designers, engineers, public agency and utility staff, consultants, product manufacturers, and service providers. Our mission is to transform California through the built environment into a more sustainable, resilient, and equitable place for all.

Two-way ACs, commonly known as heat pumps, reduce climate pollution and lower household costs, making this policy a win-win for Los Altos.

Two-Way ACs Reduce Greenhouse Gas Emissions and Air Pollution
Two-Way AC policies not only incentivize appliances with twice the functionality of conventional air conditioning units, they also help to offset or completely eliminate the use and future replacement of fossil fuel powered furnaces, because heat pumps can both heat and cool homes. A heat pump with a backup furnace uses about 90% less gas compared to a conventional air conditioner paired with a gas furnace. Greenhouse gas emissions are reduced significantly in the first year, and over the life of the appliance, emissions will continue to decline toward zero as the electric grid is decarbonized.

Beyond just greenhouse gas emission reductions, heat pumps also eliminate harmful indoor and outdoor nitrogen oxides (NOx), which cause smog. This local air pollution worsens many health conditions, such as asthma. Malfunctioning gas furnaces can also cause fatal carbon monoxide poisoning.

Two-Way ACs Save Households Money
The best time for households to switch to a heat pump is when they need to replace their air conditioner. This is because an existing AC system has the necessary electric wiring and capacity in place to allow for a drop-in replacement with a heat pump.

But when air conditioners break down, HVAC contractors often recommend like-for-like replacements, depriving customers of the opportunity to instead install a superior two-way system that would eliminate the need for an expensive furnace replacement down the road.

USGBC CA
U.S. GREEN BUILDING COUNCIL CALIFORNIA

525 S. Hewitt St.
Los Angeles, CA 90013
(213) 689-9707 usgbc-ca.org

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Kathleen Hetrick – BuroHappold Engineers

Sara Hickman – Leading Edge Consulting Services

Erik Johnson – Greneker

Nick Kassanis - Sustainable Investment Group

Robyn Mancell - Green Energy Solutions Holdings LLC

John Moore – Housing Authority of San Bernardino County

Marcela Oliva – Los Angeles Trade Technical College

Paul Poirier - Poirier + Associates Architects

Jacob Raykhelson - The Walt Disney Company

Jay Shipley - Roux

Ryan Tinus - LivCor

Megan White - Firecrown

Oren Wool - 108 Technologies

Candice Wong - Ten Over Studio

EXECUTIVE STAFF

Ben Stapleton, Executive Director

While the upfront cost of installing heat pumps is about $2,000 higher than one-way air conditioning, the $1,000 - $2,500 rebate available from Silicon Valley Clean Energy, plus $1,000 - $1,500 state TECH Clean CA rebate can actually make these appliances more affordable for most Los Altos residents than purchasing a new one-way AC. Furthermore, eliminating the need to replace a gas furnace will avoid thousands of dollars in future costs, especially in the Bay Area Air District, where new gas furnaces are set to be phased out in coming years.

In addition to being all electric, heat pumps are also extremely efficient, generally 3 to 4 times more so than conventional gas furnaces. This offsets the so-called “spark gap” between gas and electricity prices, and means that when households make the switch to efficient heat pumps, they are likely to have similar utility costs.

Electric Readiness Requirements Save Households Future Expense

Similar to the Two-Way AC reach code, the amendment for Electric Readiness is designed to encourage foresight and protect homeowners from locking in expensive upgrades in the future. The best time to wire an existing home for electrical appliances is when it is being renovated. The proposed reach code only applies when permitted electrical work is performed near existing gas appliances and has thoughtful exemptions to make sure that it is affordable for homeowners.

The Electric Readiness policy also includes forward-thinking requirements that will minimize the need for electrical capacity upgrades, further reducing costs for homeowners and strain on the grid.

As elected officials, you know that home electrification is coming. With these reach codes, you have the opportunity to help Los Altos residents save money by avoiding costly mistakes when replacing their AC or renovating their homes.

Thank you for your consideration.

Sincerely,

Ben Stapleton,
Executive Director

Melissa Thurman

From: Cortney Jansen <cjbassoon@gmail.com>
Sent: Monday, October 13, 2025 11:31 AM
To: Public Comment
Subject: Public comment - Item #10 "Dog Park Surfacing Discussion" for Tuesday Oct 14 Council meeting

Dear Los Altos City Council members,

I read with interest that you will be revisiting the decision to install artificial turf at the new Hillview Dog Park at tomorrow (Tuesday, October 14) Council meeting. Hooray! Please do NOT install artificial turf at this dog park (or any other dog parks in the future).

Artificial turf has numerous documented negative health and public safety benefits, which I will not repeat here. It is also not drought-friendly, which is why many water districts, including Valley Water do NOT include the installation of artificial turf in their landscape rebate programs - https://access.valleywater.org/s/article/Landscape-Rebate-Program-articles?language=en_US for more information on why they made this decision.

Specifically for dog parks, artificial turf gets too hot. The American Kennel Club has an article on the risks of heat on pavement and artificial grass, noting: *"Pavement, like asphalt or artificial grass, can become incredibly hot and cause discomfort, blisters, and burn a dog's paw pads," says Dr. Jerry Klein, DVM, Chief Veterinary Officer for the AKC and an expert in veterinary emergency and critical care*.
(see https://www.akc.org/expert-advice/health/dog-paws-hot-pavement/)

Why would we use a material in a dog park that is known to "cause discomfort, blisters, and burn a dog's paw pads"? Not to mention the smell and sanitary concerns due to dogs urinating and defecating on the plastic grass.

I realize that removing the synthetic turf from the dog park design will require additional time and cost, but it is extremely important to do so. Our dog park must be safe for dogs, otherwise no one will use it. Please pick a material, such as decomposed granite, that is safe for dogs. Keep the toxic, hot, smelly plastic grass out of our dog parks.

Thank you,
Cortney Jansen
Past (and future) dog owner - right now, I just have cats

Melissa Thurman

From: Silja Paymer <siljster@gmail.com>
Sent: Monday, October 13, 2025 11:34 AM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Hello,

I am writing as a resident of the Los Altos watershed area to oppose using artificial turf for the dog park. While I may not live in Los Altos, we all share the water that comes down the hills and enjoy the baylands where all the water flows. Microplastics from artificial turf harm our watersheds. We all lose when someone installs artificial turf.

As a dog owner, I am also opposed. I do not visit any of the dog parks with artificial turf as they are often too hot for my dogs feet, feel dirty as the poop residue just stays on the plastic after pickup, and I worry about the chemical impacts on my dog as they lick their feet often.

Please vote to return to the design phase and choose a plan that is in line with the Los Altos sustainability goals.

Thank you,
Silja Paymer

Melissa Thurman

From: Mary Popek <marytpopek@gmail.com>
Sent: Monday, October 13, 2025 1:40 PM
To: Public Comment
Subject: Item #6

Please pull item #6 from the Consent Calendar and send the draft Historical Preservation and Mills Act ordinances to the Historical Commission for review and recommendation.

A concerned citizen and 52 year Los Altos resident,
Mary Popek

Melissa Thurman

From: noreply@civicplus.com
Sent: Monday, October 13, 2025 2:49 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment

Hello,
I am a resident of Los Altos and a dog owner. I have been an advocate for a permanent dog park in the Hillview area ever since our large group of dog owners and their furry friends were kicked off the Hillview "temporary" dog park on the outfield of the Little League baseball field. I have previously attended Parks Commission meetings, presentations of the expensive plans for the new dog park by the library, a council meeting, and meetings with Manny, who showed us where the new dog park by the Hillview Community Center was to be built. Since the completion of that facility, I have taken my dog to join others and their owners to enjoy the fenced-in area and the shade provided by the tree. Several of us have donated chairs, and they are often full of dog owners. Lately, in the afternoons, the dog park is usually full of happy dogs, and all the chairs are in use. So, this dog park gets enough use, though the grass is not the type traditionally used for dog parks, Manny told us.
I have three recommendations:
1. Keep the current Hillview Dog Park, which is ideal for

---

throwing tennis balls, has shade, and is well-used.
2. Keep the current parking lot as is because it is usually full of cars and is used by theater goers, library patrons, soccer parents, and concert goers in the summer.
3. Choose the option to rethink the plans for the newest proposed dog park by only using the space outside of the parking lot, and using grass appropriate for dog parks, rather than the universally disapproved of artificial turf by dog owners. The fancier dog park would be less expensive with the reduced size and have fewer maintenance and health issues if it had mostly natural grass. After the large generator building was installed, it became apparent that the area initially specified in the plans for small dogs would be reduced. If the current dog park is retained, dog owners would have the extra space for their dogs to play without incurring the additional expense of separating a small and large dog area at the proposed new dog park or losing valuable parking spaces. There seems to be no practical use for the space now fenced in, other than for a dog park. Please give these suggestions your consideration. I have spoken with other dog owners who hate the idea of artificial turf, having experienced it in the park off San Antonio. I have observed the disapproval of those who use the parking area, as evidenced by those who previously attended meetings to protest the elimination of the parking spaces. I believe my suggestions would be acceptable to both groups. Make your constituents happy and modify the current plans
James L. Sweeney, Ph.D.
owner of Cooper the maltipoo.

By retaining the current park and parking lot, and rethinking the plans for the newer park, especially by using grass instead of the unpopular artificial turf, I believe you would make most of your interested constituents happy, whether they are dog owners or parking lot users. The relatively few complaints about the current park and potential noise, I think, are not worth considering compared to the current popularity of the Hillview Dog Park. The soccer players and concerts make far more noise than our dogs, who are mostly pretty quiet.

Attachments	*Field not completed.*
Name	James L. Sweeney
Email	jsweeneycz@yahoo.com

Email not displaying correctly? View it in your browser.

Melissa Thurman

From: JoAnn Connor <joannkconnor@gmail.com>
Sent: Monday, October 13, 2025 5:16 PM
To: Public Comment
Subject: Hillview Dog Park Vote onTurf

October 13, 2025
City of Los Altos
Mayor and City Council Members
1 North San Antonio Road
Los Altos, CA 94022

Honorable Mayor and Council Members,

Please vote NO on Artificial turf for the proposed Hillview Dog Park in Los Altos. The following reasons are why NOT to install AT at the dog park:

Unsanitary, Offensive odor, Requires chemical cleaning Excessive heat, PFAS exposure linked to cancer
Microplastic runoff, High carbon manufacturing
Landfill waste, 'Heat island' effect
High water consumption (cleaning)
High Cost for installation and maintenance

Real Grass is the best solution. Yes it needs to be mowed. Yes it needs to be watered. Dogs love real grass. People love real grass. A park is to be enjoyed. Artificial Turf stinks with a terrible smell when it gets hot. It's toxic. Why do people want Artificial Turf when Real Grass is available and is natural. I want to spend my tax dollars on real grass, not Artificial stinky turf.

Sincerely,

JoAnn Connor
50 Oak Street
Los Altos, CA 94022

Melissa Thurman

From: Eric Muller <eric.muller@efele.net>
Sent: Monday, October 13, 2025 5:53 PM
To: Public Comment
Subject: Public Comment - 06/24/2025 City Council Meeting - Not on the agenda

Dear Council members,

This comment concerns the new City website.

1. Visiting losaltosca.gov causes my browser to issue requests to the following sites:

doubleclick dot net
facebook dot com
ggpht dot com
google dot com
googleapis dot com
googletagmanager dot com
gstatic dot com
msecnd dot com
youtube dot com
ytimg dot com

An ordinary user is entirely unaware of those requests. Those requests reveal to those sites my IP address, and the fact I visited the Los Altos City website. While this is not uniquely identifying data, it is awfully close, and can be correlated with the other sites I may visit. I consider this a serious intrusion of my privacy, and entirely unacceptable from a government web site (especially in the Silicon Valley).

2. The Privacy Policy entirely fails to alert me that those requests are made. Note that those requests are made automatically, without any action on my part. The third paragraph of the policy does not seem applicable.

3. The requests to those sites result in the downloading of Javascript code, over which the City has no control and cannot possibly vet. This can easily be used by those sites to identify my browser (see the Electronic Frontier Foundation tool at coveryourtracks dot eff dot org)

4. In the Privacy Policy, shouldn't the third paragraph read "Many non-city sites, linked *from* the City Website", rather than "linked *to*"?

5. The "Notifiy Me" feature involves the creation of an account on the site civicplus dot com. I think it is entirely inappropriate to have to create an account on a private third-party web site to use this feature (or any other feature of the City website, for that matter).

6. Furthermore, creating an account involves agreeing to the Terms of Services (19 pages) and the Privacy Policy (13 pages) of civicplus dot com, the Google Privacy Policy (39 pages), and the Google Terms of Services (20 pages). This may sound like an ordinary thing to do to the lawyers on the City Council, but please remember that most of the Los Altos residents are mere mortals.

7. I fully appreciate that the City does not have the means of developing a web site from scratch, and that it will naturally rely on third parties (public or private). But I think it is perfectly feasible for the City to build a functional website, without the problems mentioned above.

To make an analogy: when I go to City Hall, I don't have to agree to Terms of Use dictated by the company that built it. If the roof fall on me, I expect the City to take responsibility (and possibly to go after the builder, if appropriate). I also expect that the City has not allowed Facebook to install cameras inside City Hall that point to the front door.

Thanks,
Eric Muller
Los Altos resident
eric.muller@efele.net

Par suite d'un signal d'alarme déclenché par le GIEC, ce train de vie ne prend plus de voyageurs. Merci de prendre les correspondances vers un avenir bas carbone. — Mikhal Bak

Melissa Thurman

From: Robert Specker <robert.specker@gmail.com>
Sent: Monday, October 13, 2025 5:56 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear City Council—

Please reject use of artificial turf in the proposed “dog park”.

Also, please eliminate the proposed “dog park” at this, or any other, location in the broader civic center area.

I’d be happy to discuss the reasons for my request by email, or in person, if any of you are interested.

Thank you.

Melissa Thurman

From: noreply@civicplus.com
Sent: Monday, October 13, 2025 6:30 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	Los Altos Dog park: Dear Council members, As an dog owner we would have preferred grass turf but understand if this can be challenging to maintain in good shape. We would be sad if the decision came to be synthetic turf as this is impossible to keep clean and can be unpleasant on warm days. Thank you for creating a safe and fun place for the dogs of Los Altos!
Attachments	*Field not completed.*
Name	*Field not completed.*
Email	*Field not completed.*

Email not displaying correctly? View it in your browser.

Melissa Thurman

From:	Cynthia Fan <cynthiafan247@gmail.com>
Sent:	Monday, October 13, 2025 7:45 PM
To:	Public Comment
Cc:	Public Comment - PARC
Subject:	10/14/25 Council Agenda Item 10 – Council Unanimously Rejects Plastic Dog Park
Attachments:	council unanimously rejects synthetic turf for dog park.pdf

Hi Pete, Neysa, Sally, Jonathan, and Larry,

Join the California communities taking a stand against plastic grass! 🥳

Just last week, the West Hollywood City Council unanimously rejected a plastic grass dog park! 🎉

Instead, they chose engineered wood fiber — a safe, sustainable alternative.

Striking parallels… Like Los Altos, their council had originally voted over a year ago to install synthetic turf. But the hazards of artificial turf are becoming impossible to ignore, and communities are pushing back en masse.

Let's follow their lead: No artificial turf in Los Altos, please.

Thank you for using your elected powers to do good for all,
Cynthia Fan

See attached news article:
https://beverlypress.com/2025/10/weho-council-ends-hart-park-turf-war/

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PARK LABREA NEWS
Serving the Park Labrea, Miracle Mile, Hancock Park, Beverly Hills and West Hollywood communities since 1946.

BY SAM MULICK / OCTOBER 8, 2025

WeHo Council ends Hart Park turf war

Hart Park will contain engineered wood fiber in the off-leash dog playing area. (photo by Sam Mulick)

Dogs will now bark, fetch and play on engineered wood fiber – not synthetic turf – at William S. Hart Park in West Hollywood.

On Oct. 6, the West Hollywood City Council unanimously approved engineered wood fiber as the surface material for the designated off-leash play area at Hart

Park, a popular West Hollywood dog park. The surface material selection precedes larger renovations to make the park compliant with the Americans with Disabilities Act. Redesign plans include leveling the park to bring the off-leash area closer to De Longpre Avenue and adding a plaza above the off-leash area. The off-leash play area – which was recognized as a permanent amenity in the park by the council on Oct. 6 – will be redesigned to include separate big and small dog spaces with a movable fence separating the two areas. The decisions come after recommendations were made by the Hart Park Ad-Hoc Subcommittee, which consisted of Councilmembers Danny Hang and Lauren Meister.

The council had directed city staff to research different possibilities for surface materials following significant pushback from dog owners after the council originally voted to install synthetic turf in the park in 2018. Urban Design and Architecture Studio Manager Ric Abramson said that engineered wood fiber is clean and safe for dogs, has drainage built into it and meets disability needs for mobility considerations. He added that the material will require regular raking and will likely be replaced several times throughout the year, but the overall long-term maintenance is less than other wood chip materials. Engineered wood fiber is made from 100% wood fiber from the interior wood of trees, not from bark, and does not include recycled materials such as dyes, petroleum products or glues commonly seen in other wood chip products, according to the staff report.

“Staff was able to identify one other potential system that seems to hit as many of the markers as possible in terms of being organic and safe and readily maintainable. There is no perfect material in this case – there’s pros and cons to

POPULAR ARTICLES

Lafayette Park hosts largest Guatemalan festival
69 views

Man faces felony charge for Runy Canyon arson fire
60 views

Homeowners oppose West Hollyw zoning changes
37 views

each," Abramson said. "We have talked to other jurisdictions who seem to be very happy with the material."

Bob Claster, who has walked his dogs in Hart Park for 20 years, urged the council to reject synthetic turf, which is featured at other dog parks in the city and he said can contain toxic chemicals.

"I'd like to thank the council for finally, after exhaustive evidence was presented and many months of campaigning and protest, acceding to the community's overwhelming desire not to have artificial turf polluting our park," he said. "There isn't such a thing as safe artificial turf, and it smells bad and it's bad on about 20 different levels."

However, Claster, and many other park regulars, decried the renovations and criticized the city for not meaningfully involving dog owners in their decisions.

"The main thing that bothered all of us was the fact that it was never a collaborative process. It was never 'Hey, let's all sit down and see what we can work out. We'll make you guys happy and make us happy.' Everything was always adversarial," Claster said. "It took a lot of bugging them to get them to post their plans at the actual park so that people could see them and comment on them. And by that point, it was already well too late. They had already formulated these plans. They clearly were going to do what they were going to do, and they didn't much care about how we felt about it."

Abramson said, however, that the city has held 18 different meetings to discuss

Roxbury Drive home to be razed
33 views

Taylor Swift name-drops Musso a
Frank Grill
27 views

Homeowners denounce SB 79 vot
26 views

Hart Park and has posted plans and conducted outreach at the park as part of the decision-making process.

Members of the council expressed their support for the redesign.

“My colleagues and I moved this item forward so that Hart Park could be ADA accessible, as well as be an incredible space for dog guardians and their pets, neighboring organizations and businesses, and others – with or without dogs – who visited the park to enjoy the relaxing atmosphere,” Meister said. “Community outreach was fairly extensive and covered a broad and diverse range of stakeholders, beginning pre-COVID through to this most recent council meeting.”

“I’m really excited about the design of the park,” Hang said, who also pointed out that the city received feedback from small dog owners requesting a separate area from large dogs. Hang also thanked city staff for bringing samples of the engineered wood fiber to subcommittee meetings to show dog owners the material.

Councilman John Erickson thanked dog owners for their advocacy and acknowledged that many of them felt left out of the process.

“I do think the community ultimately does feel left out and as I understand, that was never the intention,” he said. “As we do more infrastructure projects, the more we can get out, the better.”

West Hollywood resident David Yocum, who has walked his dogs at the park since

2001, also criticized the city's proposed design of leveling the park and separating the off-leash area into two separate areas. The redesigned off-leash area will feature more space than the current one, but the area designated for large dogs will be smaller than the current off-leash space, which is only one area.

"There was no outreach whatsoever at the park – not one time, except back in 2020. We were deliberately excluded from the entire process," he said. "The new design has significant issues and problems regarding safety and comfort. We love our dogs, we thought we would be heard. We were not."

Yocum criticized city management and the council for a process he said was not democratic.

"None of us want this change. It feels disrespectful for people that have gone there for decades, a lot of people two to three times a day, and they had no interest," he said. "We understand the park better than anybody, and they didn't even have any interest in getting our thoughts. We could have participated in a positive way. We could have given up stuff if we needed to, but they never just made the decisions for us and didn't care what we had to say."

Following the approval, landscape architectural firm Stoss, Inc. will finalize design, engineering and construction documents for the Hart Park renovation.

City staff will then commence the bidding process for a general contractor before presenting it to the City Council with the goal of awarding a construction contract in mid-2026. If approved, construction would begin shortly thereafter.

Melissa Thurman

From: Gunjan Aggarwal <sgunjan@gmail.com>
Sent: Monday, October 13, 2025 8:35 PM
To: Public Comment
Subject: Public Comment - Hillview Dog Park Surface - Mtg Oct 14, 2025 (Please REJECT artificial turf at Hillview dog park)

Hello,

I have been a Los Altos resident and homeowner since 2019. I love the city. There's a lot of good work the city government officials and employees do that goes into making Los Altos a great place to live.

I object to replacing green grass with artificial turf in the dog park. It is a double whammy - one, removing green square footage and second, putting plastic on top.

I request you, Los Altos City council to please REJECT artificial turf at the Hillview dog park, and all city dog parks.

The plastic turfs stink, they need more water, plastic will leech into our soils and that water will go in our city pipes. Granted, it is a small piece of land - I am not saying it is not your decision to make but choose to not expose the city residents to toxins during your watch.

I thank you for the opportunity to give me a voice and I hope you will vote to reject the artificial turf.

Gunjan

Melissa Thurman

From: Manya Kaushik <mkaushik@ucdavis.edu>
Sent: Monday, October 13, 2025 8:38 PM
To: Public Comment
Subject: Public Comment - Hillview Dog Park Surface - Mtg Oct 14, 2025 (Please REJECT artificial turf at Hillview dog park)

Hello,

I am a Los Altos resident. I love the city. There's a lot of good work the city government officials and employees do that goes into making Los Altos a great place to live.

I object to replacing green grass with artificial turf in the dog park. It is a double whammy - one, removing green square footage and second, putting plastic on top.

I request you, Los Altos City council to please REJECT artificial turf at the Hillview dog park, and all city dog parks.

The plastic turfs stink, they need more water, plastic will leech into our soils and that water will go in our city pipes. Granted, it is a small piece of land - I am not saying it is not your decision to make but choose to not expose the city residents to toxins during your watch.

I thank you for the opportunity to give me a voice and I hope you will vote to reject the artificial turf.

Manya

Melissa Thurman

From: Natasha Bochenski <natasha_bochenski@hotmail.com>
Sent: Monday, October 13, 2025 8:54 PM
To: Public Comment
Subject: Dog park

Hello,
I am a Los Altos resident. I love the city. There's a lot of good work the city government officials and employees do that goes into making Los Altos a great place to live.

I request you, Los Altos City council to please REJECT artificial turf at the Hillview dog park, and all city dog parks.

I thank you for the opportunity to give me a voice and I hope you will vote to reject the artificial turf.
Sent from my iPhone

Melissa Thurman

From: Bonnie Walker <bonnieburdettwalker@gmail.com>
Sent: Monday, October 13, 2025 10:07 PM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

I strongly urge the City Council to reject artificial turf for the Hillview Dog Park. It's harmful to humans, pets and the environment. Either keep the natural grass or install decomposed granite but don't install plastics that are bad for all of us and more costly to our health and the environment.

Thank you for your careful consideration.

Bonnie

Bonnie Burdett Walker
650.255.2714

Melissa Thurman

From:	Cynthia Fan <cynthiafan247@gmail.com>
Sent:	Tuesday, October 14, 2025 6:52 AM
To:	Public Comment
Cc:	Public Comment - PARC
Subject:	Oct. 14, 2025 Agenda Item 10 — Please Don't Use Plastic Turf at the Dog Park
Attachments:	SHPFI to San Diego - Plastic free Dog Park.pdf; State of California — Chemicals in Artificial Turf.pdf

Hi City Council,

I'm writing about the dog park surfacing discussion — October 14, 2025, agenda item 10.

Please don't put plastic turf at the dog park or anywhere else in Los Altos.

Sally, at the August 26, 2025 City Council meeting, I was surprised to hear you remark that since the council last discussed the dog park, there hasn't been new information — "just louder voices with the same information." [1]

To set the record straight: there's been *a lot* of new information since July 2024. Here are three important updates.

1. August 2024 — State Department of Toxic Substances Contol Raises the Alarm About Plastic Grass

The California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) published a report dedicated to the many chemicals in artificial turf [2].

> *"Based on our evaluation, we are concerned about the potential for adverse impacts from exposure to Candidate Chemicals in artificial turf."*

The report identifies six chemical classes of concern in artificial turf blades and backing — PFAS is *just one* of them. Even if the Town could buy artificial turf that was legitimately PFAS-free, many other hazardous chemicals remain.

DTSC also warned that *"recycling of artificial turf may result in microplastic pollution."* They cited studies showing that plastic recycling facilities themselves can be major sources of microplastics — and that workers may inhale these particles (Brown et al., 2023).

Recycling turf is problematic and polluting. Los Altos should avoid installing it in the first place.

2. January 2025 — Santa Clara County Public Health Department Spoke Out Against Plastic Grass

Our own County's Public Health Department released a comprehensive literature review on artificial turf [3].

Their expert conclusion:

> *"Artificial turf poses potential risks to human and environmental health… All operational considerations being equal, the precautionary principle dictates that natural turf is preferred over artificial turf to minimize risk to human and environmental health."*

The fact that the County's public health experts discourage artificial turf should weigh heavily into local decisions.

3. National Organization has Amassed Volumes of Data Incriminating Plastic Grass

Safe Healthy Playing Fields, Inc. (SHPFI) — a nonprofit that educates communities and officials like you about the health and safety risks of plastic grass — has compiled extensive data that most decision-makers haven't yet seen.

Review the letter SHPFI submitted to the City of San Diego, urging rejection of plastic turf in a proposed dog park [4]. It's co-signed by eight supporting organizations, and cites multitudes of relevant recent research. For example,

> *"Exposure to PFAS in dog parks with synthetic turf adds additional risk of cumulative effects… In dogs, endocrine-disrupting chemicals have been associated with higher occurrences of low birth weight, birth defects, developmental delays, certain cancers, renal failure, and newborn pup deaths."*

And yes — unfortunately the image of the dog's burned paw is real.

When council approved artificial turf for this dog park in July 2024, this wealth of compelling information on artificial turf concerns had not yet been so well aggregated and publicized so, understandably, the community was not yet as widely aware of the health and environmental risks that come with plastic grass. Public sentiment is rapidly evolving. Nearly 100

organization backed the county's January 2025 proposal to start phasing out the use of plastic grass. https://tinyurl.com/nearly-100-orgs-say-ban-turf

On a more personal note, as a native of Flint, Michigan, home to a serious drinking water crisis, I found it especially compelling that the county's largest drinking water supplier, Santa Clara Valley Water District, supported the proposed county plan to phase out artificial turf (https://tinyurl.com/water-supplier-supports-ban). In my mind, **we'd be downright foolish to not do everything within easy reach to comply with the wishes of the source of water that so many of our lives literally depend upon.** We'd be crazy to not voluntarily step up in protection of a resource so vital to our long-term health.

Industry might be able to eliminate the PFAS from plastic grass someday, but they're never going to be able to eliminate the plastic from plastic grass. All that plastic will break down into micro- and nano-plastics eventually, some from the park and plenty more from the site where these plastic carpets get discarded every time they need replacement. Society's love affair with nonessential plastic is creating an environmental burden we can not keep contained in landfills or clean up. Micro- and nano-plastics are in our air, water, soil, and our bodies. For the benefit of all, it's imperative that our society do more to reduce nonessential plastic consumption and production.

Now that we collectively know better, we can do better. Los Altos can role model more sustainable practices for the broader community to emulate.

In addition, **Los Altos could help educate the broader community** like other California agencies do. Take 2 minutes to watch this fun educational video from a California town just a couple hours north of here: https://youtu.be/9Dov_vwTIYI And check out this great info sheet from Santa Clara Valley Water District: https://tinyurl.com/vw-discourages-plastic-grass Put these educational resources on the Town website.

Thank you for considering this wealth of information and using your decision-making power to enable the Town to better role model what it looks like to *sustainably* support community and environmental health.

Say no to plastic grass.

Sincerely,
Cynthia Fan

References

[1] **City of Los Altos – August 26, 2025 City Council Meeting** (Video Recording)
Public comments and council discussion on the Hillview Dog Park surfacing.
YouTube: https://www.youtube.com/live/oYNY0WQfpuo?si=1Zcl3ndRKqACpgG4&t=8808

[2] **California Environmental Protection Agency, Department of Toxic Substances Control**(DTSC)
Background Document on Candidate Chemicals in Artificial Turf — August 2024 report identifying six chemical classes of concern in turf materials and warning that turf recycling can release microplastics.
URL: https://tinyurl.com/2024-ca-dept-toxic-substances

[3] **Santa Clara County Public Health Department**
Artificial Turf: Literature Review of Human and Environmental Health Impacts — January 2025 literature review concluding that artificial turf poses risks to human and environmental health and recommending natural turf as the safer choice.
URL: https://tinyurl.com/2025-01-28-county-pub-health

[4] **Safe Healthy Playing Fields, Inc. (SHPFI)**
Letter submitted to the City of San Diego regarding a proposed plastic turf dog park, co-signed by eight supporting organizations, highlighting PFAS and health risks to dogs and people.
URL: https://tinyurl.com/shpfi-san-diego-dog-park

To: Mr. Nicholas Ferracone, Senior Planner; nwferracone@sandiego.gov
CC: San Diego City Council members Joe LaCava, Jennifer Campbell, Stephen Whitburn, Henry L. Foster III, Marni vonWilpert, Kent Lee, Raul Campillo, Vivian Moreno, Sean Elo-Rivera
Re: NOE 2024050419 - City of San Diego

Rancho Bernardo Community Park Dog Park and ADA Improvements

Will San Diego continue to ignore the science while other cities and counties are moving to ban synthetic turf?

We, the undersigned, urge you to stop contributing to climate change, harm to human, domestic animal, wild and aquatic life, destruction of biodiversity, microplastic pollution and millions of pounds of unrecyclable plastic waste, all at the expense of taxpayers.

California Environmental Quality Act - CEQA

The CEQA Notice of Exemption (NOE) that has been filed with the state for this project is invalid. The use of synthetic turf triggers an exception to the categorical exemption that was claimed in the NOE due to :

- Significant environmental impacts that cannot be mitigated
- Unusual circumstances
- Cumulative effects

Section 15304: Minor Alterations to Land:

*"Class 4 consists of **minor** public or private **alterations in the condition of land, water, and/or vegetation** which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are **not limited to:***

(a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as

an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

(b) New gardening or landscaping, including the ***replacement of existing conventional landscaping with water efficient or fire resistant landscaping****.*

(c) Filling of earth into previously excavated land with material compatible with the natural features of the site;

(d) ***Minor alterations in land, water, and vegetation*** *on existing officially designated wildlife management areas or fish production facilities* ***which result in improvement of habitat for fish and wildlife resources or greater fish production****;*

(e) ***Minor temporary use of land having negligible or no permanent effects on the environment****, including carnivals, sales of Christmas trees, etc;*

(f) Minor trenching and backfilling where the surface is restored;

(g) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies;

(h) The creation of bicycle lanes on existing rights-of-way.

(i) Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions."

The addition of approximately 64,000 square feet of chemical laden plastic synthetic turf is not insignificant.

Synthetic turf is not water efficient, fire resistant, landscaping; does not constitute a minor alteration of the land; does not result in improvement of habitat for fish and wildlife resources or greater fish production; will result in significant and permanent effects on the environment.

SB 676, signed into law in October 2023 and effective 1 January 2024 specifies *"**drought-tolerant landscaping does not include the installation of synthetic grass or artificial turf.**"* An analysis of SB676 notes *"**…emerging research reveals that artificial turf incurs significant environmental problems including microplastic pollution, chemical run-off and lack of recyclability.**"* Thirty one environmental and health organizations signed on in support of SB676. There was no opposition to the bill. San Diego Water

- Project site must be maintained for a minimum of five years, or for the duration of ownership of the property (whichever is shortest). Failure to meet this requirement may require customer to refund all or a portion of the rebate.
- Project site shall be available for future inspection and monitoring (up to five years) by Public Utilities. Photos of the project may be taken by Public Utilities staff to illustrate transitions from thirsty landscapes to attractive, water wise landscapes. Addresses to project sites participating in the rebate program will be available to the public. Customer names will not be made public or associated with the address.

REBATE LEVEL:

- Receive $1.25/SF (up to 2,400 SF). A plant list must be submitted within 45 days of project start date. Plant list can be found in PDF format on the Sustainable Landscape-Turf Replacement webpage on the Water Conservation website. Plant list must include plants that will be planted, number of plants, size at maturity and WUCOLS page reference (or other accepted reference of plant water use page reference).

What does not qualify for a rebate?

- Turf grass
- High water using plants (as classified by WUCOLs)
- Artificial turf
- Vegetable gardens
- Back yard turf conversion
- Exposed soil surfaces (exceptions made to accommodate specific garden design motifs)
- Impermeable surfaces such as bricks and flagstone mortared into place, or concrete. (Pervious surfaces that are part of the project area are eligible for rebate so long as total project area includes living plant coverage area of at least 50% at maturity)
- Water features or fountains (San Diego Municipal Code Land Development Code Appendix E calculates water features at same water coefficient as high water use plants)
- Planting of invasive species that have potential to spread aggressively, especially in areas interfacing wild lands, canyons, open space, or parks. For list of invasive species go to the California Invasive Plant Council website or the San Diego County Invasive Ornamental Plant Guide.

What is a sustainable landscape?

Sustainable landscapes are intended to be in balance with the local climate and environment, and are designed to require few added resources thereby reducing waste and minimizing air, water and soil pollution. The Sustainable Landscape-Turf Replacement Rebate Program is intended to encourage the replacement of high water using turf grass with ornamental plant material that thrives with little to moderate amounts of water during the extended dry periods that characterize San Diego's climate. The scaled use of turf, with a focus on the use of water wise plant material, abundant mulch, efficient irrigation and reduced runoff are components of sustainable landscaping. The objective of this rebate program is to encourage a reduction in water use through the conversion of grass to water wise plant material, while maintaining a high level of living landscape to benefit the environment.

Synthetic turf requires the addition of flame retardants as found in numerous patents. These fire retardants may fall under the California Safe Drinking Water and Toxic Enforcement Act (Proposition 65) and may additionally be subject to regulation by CA DTSC under PFAS and chemical classes of concern in synthetic turf.

> *"Palm trees are prohibited, all tree heights are limited and highly flammable trees may not be planted within 50 feet of any structure. Flammable landscaping material such as shredded bark and artificial turf are prohibited within five feet of a structure. Wood chips and shredded rubber are prohibited anywhere on site."* Malibu Times

CalFire excludes synthetic turf and synthetic fertilizers from grant applications.

"Ineligible Practices:
The following practices will not be funded by this grant program:"

10:59 AM Mon May 20 11%

CA_IRA Grant Guidelines 2024_Updated 4-18-2024

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- Planting trees that require excessive maintenance, such as excessive long-term watering, fertilizi exterminating, or controlling plant pests and diseases to survive.
- Projects that plant trees that will eventually conflict with overhead or underground utilities or ground-located infrastructure.
- Projects that will not result in a net Greenhouse Gas benefit.
- Planting invasive species as determined by referencing the California Invasive Plant Council or similar reference approved by CAL FIRE.
- Projects that use synthetic fertilizer or synthetic turf. Organic fertilizers (e.g., compost, manure) may be used.
- Projects taking place on public or private property and that do not show concurrence of the controlling governmental jurisdiction or private property owner (the private property owner mus agree to the planting before it may occur, and documentation must be provided to CAL FIRE).
- Engineered multi-disciplinary infrastructure solutions (e.g. stormwater capture facilities, green alleys, etc.), even if there is a tree or vegetation component. These types of projects are a better for the Urban Greening Grant Program administered by the California Natural Resources Agency.

CalFire 2024 Grant Guidelines

A golf cart carrying football equipment caught fire Wednesday inside Sandy Valley High School's football stadium.
Courtesy Of Sandy Valley Local Schools

Fluids from maintenance equipment can pose a risk to humans and animals and may trigger a fire on synthetic turf.

Installation of synthetic turf will negatively impact groundwater with toxic runoff of PFAS, microplastics, heavy metals and other chemicals of concern.

https://river-runner.samlearner.com

Both microplastics, PFAS and other pollutants will impact surface and groundwater as well as lake Hodges and beyond. The Best Management Practices (BMPs) will capture a small portion of the microplastics lost from the blades and backing and virtually none of the chemicals.

PFAS and other chemicals are known to leach from synthetic turf

Slide deck https://www.youtube.com/watch?v=hoipI2Yj1DA (@19:55)

The impact of approximately 64,000 square feet of chemical laden plastic synthetic turf permanently degrades open space.

The dog park and proposed plastic synthetic turf ***'falls within the City's Multi-Habitat Planning Area (MHPA), and will be required to comply with the MHPA Land Use Adjacency Guidelines as specified in Section 1.4.3 of the Multiple Species Conservation Program's (MSCP) Subarea Plan ."***

Synthetic turf can reach temperatures in excess of 200ºF, baking and compacting the underlying soil, killing living organisms below it and negatively impacting natural filtration of pollutants, cooling, oxygen production and carbon sequestration. Chemicals leach from the plastic leach and allow runoff containing a toxic load of mixed proprietary chemicals, as well as PFAS and heavy metals.

Synthetic turf and microplastics have caused a decrease in bird populations, accumulation of microplastics on flora and fauna, bees, negatively impacts aquatic organisms, wildlife, ocean habitats, and kills soil biome.

The runoff from synthetic turf will negatively impact the *City's Multi-Habitat Planning Area (MHPA).*

Applicable under CEQA:

Cal. Pub. Res. Code § 21000(g):

> *"…all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian."*

Cal. Pub. Res. Code § 21002:

CEQA mandates public agencies to disclose significant environmental effects of projects through preparation of an Environmental Impact Report ("EIR"). CEQA includes a substantive obligation of public agencies:

> *"…should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects."*

Thus, CEQA's purpose is to *"…assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."*

CEQA is intended *"…to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."*
(*Aptos Council v. County of Santa Cruz*, 216 Cal. Rptr. 3d 142, 149 (Cal. Ct. App. 6th 2017) (quoting *Laurel Heights Improvement Ass'n v. Regents of Uni. of Cali.*, 47 Cal.3d 376, 390 (Cal. S.Ct. 1988).

Legislative and Regulatory Schemes:

An awareness of legislative and regulatory schemes is a requirement under Title 14. Natural Resources. Division 6. California Natural Resources Agency, Chapter 3. Guidelines for the Implementation of the California Environmental Quality Act [CEQA], Article 1. General § 15004. Time of Preparation.

CA DTSC - regulation of PFAS as a chemical class at the PPQ (Parts Per Quadrillion) level
CA DTSC - Microplastics, added to Priority Chemicals List
CA DTSC - PFAS and other chemicals in synthetic turf (pg. 14)
CAStatewide Microplastics Strategy - Senate Bill No. 1263, Chapter 609, 2018
CA Coastal Commission - conditioned permit for UCSB Cesar Uyesaka Baseball for natural grass only, due to microplastic pollution concerns. No removal of trees was also conditioned in the permit.

Greenhouse Gas Emissions:

Cal. Code Regs. tit. 14 § 15064.4 (amendments effective 28 Dec 2018):
A good-faith effort, based to the extent possible on scientific and factual date, to describe, to:
(1) Quantify greenhouse gas emissions resulting from a project; and/or
(2) Rely on a qualitative analysis or performance based standards

*"…public agencies **shall not** undertake actions concerning the proposed public project that would have a significant adverse effect or **limit the choice of alternatives** or mitigation measures, before completion of CEQA compliance."*

*"In determining the significance of a project's greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national or global emissions. The agency's analysis should consider a timeframe that is appropriate for the project. **The agency's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes.**"* [emphasis added]

Public Resources Code sections 21155.2 and 21159.28,

*"environmental documents for certain residential and mixed use projects, and transit priority projects, as defined in section 21155, that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable sustainable communities strategy or alternative planning strategy need not analyze global warming impacts resulting from cars and light duty trucks. **A lead agency should consider whether such projects may result in greenhouse gas emissions resulting from other sources**, however, consistent with these Guidelines."*

State Air Resources Board pursuant to Division 25.5
(commencing with Section 38500) of the Health and Safety Code.

"To maximize public health, environmental, and employment benefits, the lead agency shall require measures that will reduce the emissions of greenhouse gas[s]*es in the project area and in the neighboring communities of the baseball park. Not less than 50 percent of the greenhouse gas emissions reductions necessary to achieve the requirements of this clause, excluding the greenhouse gas emissions from residential uses of the project, shall be from local, direct greenhouse gas emissions reduction measures that give consideration to criteria air pollutant and toxic air contaminant emissions reductions, including, but not limited to, any of the following:*
(I) Project design features or onsite reduction measures, or both design features and onsite reduction measures.
(II) Off-site reduction measures in the neighboring communities."

Senate Bill No. 32 = CHAPTER 249. An act to add Section 38566 to the Health and Safety Code, relating to greenhouse gas[s]es:

SEC. 2. Section 38566 is added to the Health and Safety Code, to read:
38566. *"In adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by this division, the state board shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030."*

Synthetic turf off gasses methane and ethylene in ever increasing amounts. Synthetic turf fields create massive toxic heat islands:

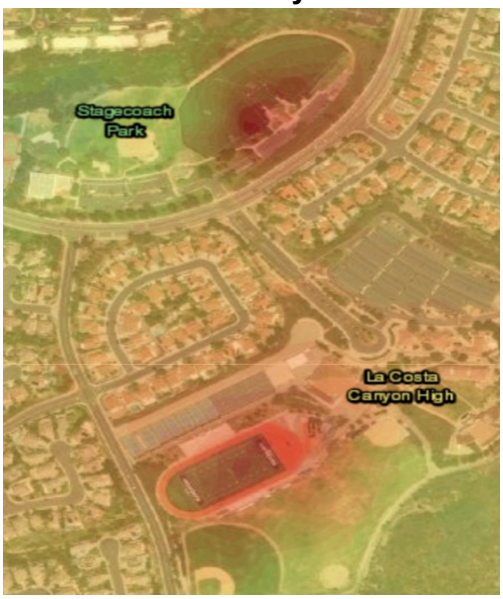
- Methane traps 90% more heat than carbon dioxide.

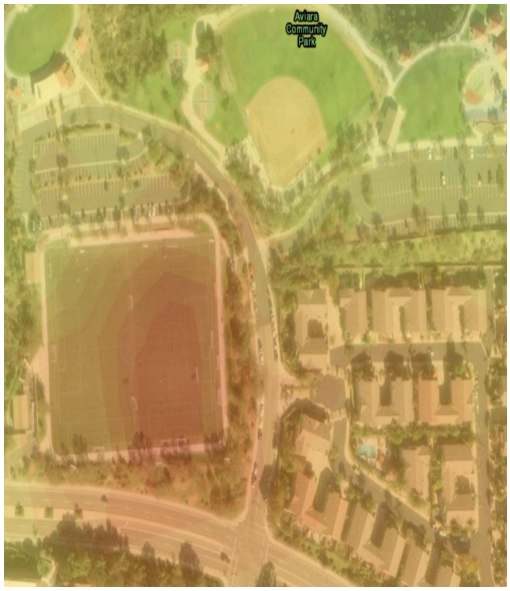
- Methane is 21 times more potent than carbon dioxide.
- Land based plastics produce 2 times more methane and 76 times more ethylene than plastics in waterways and oceans.
- GHG emissions of 527 tons of CO_2e per ten year use period per 7881m^2 plastic field.
- Heat islands extend beyond the footprint of the field, impacting the surrounding community; are visible from satellites in space.

The Lawrence Berkeley National Laboratory, in research released in Apr 2024, found that the plastic industry releases about four times as many planet-warming chemicals as the airline industry – exclusive of agricultural and food packaging plastics.

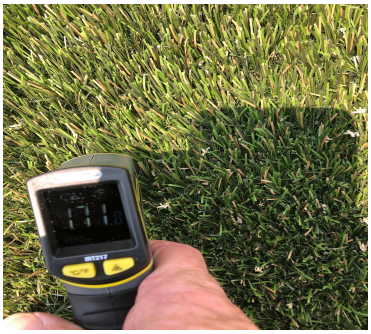
Synthetic turf readily becomes much hotter than nearby asphalt, reaching temperatures of 160^0F to 180^0F (regardless of infill type) and have even reached over 200^0F. Excavation of topsoil and compaction of the underlying earth, covering it with layers of plastic, has negative consequences for all living organisms and biodiversity. Synthetic turf does not allow natural water filtration, cooling or carbon sequestration.

Urban heat islands from synthetic turf in North San Diego County, visible from satellite





Heat is already a concern at Rancho Bernardo Dog Park. Why make it worse?!



This is what can happen when a dog is walked on a very hot pavement. [Photo credit: East Bay SPCA veterinary surgeon]

"Choosing synthetic turf is choosing environmental harm."
Dr. Sarah-Jeanne Royer, Scripps Institute of Oceanography

Impervious surface:

Synthetic turf is classified as ***impervious*** by both the US EPA and the State of California. U.S. EPA has defined impervious surfaces:

> "*...areas such as gravel roads...that will be compacted through design or use to reduce their impermeability."* It has further defined impervious surfaces as…*[a]ny surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using non porous material; buildings, rooftops, structures,* ***artificial turf*** *and compacted gravel or soil."*

Compaction, in addition to the impervious plastic surface, result in increased runoff. Despite synthetic turf industry claims, laboratory testing is not the same as reality. Synthetic turf is unable to handle the amount of rain that comes with an atmospheric river or bomb cyclone.

Augmented by pollutants that accumulate on impervious surfaces (i.e. exhaust; aviation fuels), one inch of rainfall results in 27,000 gallons of toxic runoff per acre. A regulation sized soccer field is 80k square feet (1.84 acres). For areas where snow accumulates on synthetic surfaces, the situation is even more dire as one inch of snow can equal up to 13 inches of rain, significantly increasing the toxic runoff and impacting surface and groundwater, and ultimately drinking water.

Potential for erosion:

> *"As impervious surfaces increase, stormwater runoff increases in quantity, speed, temperature, and pollutant load. When impervious surfaces reach 10–20% of local watershed area, surface runoff doubles and continues to increase until, at 100% impervious surface coverage, runoff is five times that of a forested watershed. Excessive stormwater runoff also increases the potential for flooding."* US EPA Impervious Surface Fact Sheet

Scripps Institute of Oceanography, University of California San Diego reported 46 total atmospheric rivers along the U.S. West Coast, causing disastrous flooding and loss of property and life during the 2022 to 2023 rainy season. With what has now been categorized as a Super El Niño year currently, increasing frequency and severity of atmospheric events overall,

consideration of synthetic turf is antithetical to environmental responsibility and an even poorer choice for a product that must be replaced every 8 to 10 years on average.

Per- and polyfluoroalkyl substances (PFAS):

The Clean Water Act established the National Pollution Discharge Elimination System (NPDES) in 1972. The US EPA works in conjunction with the State Water Resources Control Board (SWRCB), an authorized state permitting authority of the NPDES. Among other pollutants and chemicals of concern, the NPDES program restricts the discharge of PFAS at their sources.

PFAS were first discovered in synthetic turf in 2019 and have been found in every sample and component tested since, including plastic grass blades, backing, shock pads and the two plant based infills tested.

Obtained from public records, PFAS found to date in synthetic turf components and plant based infill include:

- D2-N-EtFOSAA
- D3-EtFOSA
- D9-EtFOSE
- 6:2 FTS
- 6:2 FTSA
- 7:3 FTCA
- 8:2 FTOH
- 12C2-4:2 FTS
- 13C2-6:2 FTS
- 13C2-8:2 FTS
- GenX
- D3-MeFOSA
- D3-N-MeFOSAA
- D7-MeFOSE
- MTP
- PFBA
- PFBS
- PFDA
- PFHpA
- PFHxA
- PFHxS
- PFNA
- PFOA
- PFOS
- PFPeA
- PFPrA
- PFTrDA
- PMPA
- PPF Acid
- PTFE
- PVDF
- R-EVE

Major research on PFAS in synthetic turf by renowned researchers Dr. Graham Peaslee and Dr. Heather Whitehead is slated to be published in summer of 2024.

Claims by industry to be able to manufacture synthetic turf without PFAS remains completely unsubstantiated and undemonstrated at any level. In the absence of any third-party, independent verification there is no basis for relying on industry claims, particularly given the universal presence of PFAS in all tests to date.

On 5 April, the California Office of Health Hazard Assessment (OEHHA) issued a press release regarding Protective Health Goals (PHGs) for two PFAS chemicals, PFOA and PFOS, which will be used by SWRCB to develop Maximum Contaminant Levels (MCLs) for drinking water across the state.

On 10 April 2024, the US EPA issued Maximum Contaminant Level Goals (MCLG) and Maximum Contaminant Levels (MCLs) for both PFOA and PFOS in drinking water:

- The US EPA set MCLGs for both PFOA and PFOS at zero.
- MCLs were set at 4.0 ppt for PFOA and PFOS, individually.
- MCLGs and MCLs were established for four additional PFAS chemicals: PFNA, PFHxS, PFBS and "GenX" chemicals.
- MCLGs and MCLs were established at 10 ppt. MCLs set a limit of 10 ppt for any mixture of two or more of: PFNA, PFHxS, PFBS, and "GenX" chemicals.
- All of the named PFAS chemicals have been found in synthetic turf.

Multiple studies have confirmed PFAS, heavy metals, polycyclic aromatic hydrocarbons (PAHs), phthalates and Volatile Organic Compounds (VOCs) leach from and/or aerosolize from plastics. There is mounting evidence of harm to humans, wild and aquatic life and the environment overall from "forever" PFAS chemicals that bioaccumulate in our food chain and our bodies.

Children are exposed to these toxic and carcinogenic synthetic products in utero, in daycare and preschools, from elementary through high school, in parks- often for hours per day, week on week, year on year. Their exposures can continue through college and beyond. Because of younger children's hand-to-mouth developmental tendencies (ingestion), smaller stature and developmental windows, they are more likely to be exposed to PFAS and other toxic chemicals that leach into air, water and soil from synthetic turf and other plastic products.

PFAS are endocrine disrupting chemicals that can cause multiple reproductive disorders (including a 40% decrease in female fertility; a decrease of 62.3% total sperm count in males); Crohn's disease; breast, testicular, kidney, prostate and liver cancers. They cross the blood-brain barrier and are related to Autism Spectrum Disorder, Attention Deficit Hyperactivity Disorder, increased deaths from Parkinson's and Alzheimer's diseases; immunological effects; increased serum cholesterol; effects on infant birth weights; impaired glucose metabolism, insulin resistance, dyslipidemia and adiposity in children and adolescents; thyroid hormone disruption (including neonatal) and thyroid cancer.

Exposure to PFAS in dog parks with synthetic turf adds additional risk of cumulative effects related to exposure.

With higher metabolisms and shorter life expectancies, dogs have shorter latency periods than humans for development of diseases and cancers. In dogs, endocrine disrupting chemicals have been associated with higher occurrences of low birth weight, birth defects, developmental delays, certain cancers, renal failure and newborn pup deaths.

Irrigation is required to clean synthetic turf. Warranties generally call for synthetic pesticides to control weed growth through and on top of the plastic carpeting. Potable water is required to clean the plastic to avoid the color bleaching that occurs with higher salt and mineral content of reclaimed water. Additionally, cleaning of synthetic turf requires the use of toxic chemicals, which will be added to the toxic run-off that leaches from the plastic to soil, air and water. **It is impossible to remove the odor of urine from the plastic.**

Hazardous Waste:

Under CEQA, *"Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust."*

PFAS and other toxic and carcinogenic chemicals from synthetic turf are known to leach into air, water and soil. As the plastic blades and backing break down due to age, friction, UV radiation and other environmental exposures, dust is created and released into the environment, posing significant human, animal and environmental risk.

Microplastic blade loss estimates vary widely, from 139 pounds/year (2023) to 551-661 pounds/year. The International Association for Sports and Leisure Facilities states (27 Aug 2019):

> *"mechanical wear from high tread loads – as arising during football or rugby – causes tiny particles or blades of artificial grass to break off. This amounts to 250 to 300 kg per year for modern sports pitches."*

Like a sponge placed over a sink drain, even with the best BMPs (Best Management Practices), only a small percentage of the microplastics and virtually none of the PFAS and other toxic chemicals from plastic turf can be captured.

In humans, micro- and nano-plastics have been found in:

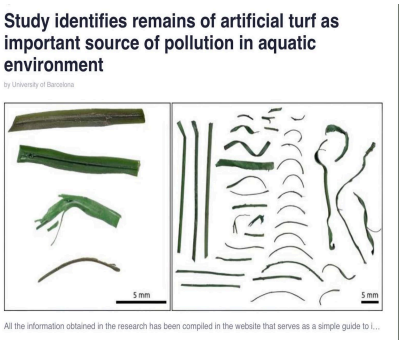
- Heart
- Liver and spleen
- Lungs
- Blood
- Placenta (maternal and fetal sides)
- Newborn and adult feces
- Breastmilk
- Brain
- Testes and semen

Twelve different types of microplastics were found in 100% of both canines and human testes in research just released by the University of New Mexico.

> ***"…the most prevalent polymer in both human and canine tissue was polyethylene (PE)."***

Polyethylene is the most widely used and most frequently discarded plastic. Synthetic turf is most often made from polyethylene. So are plastic bags and straws.

Microplastic synthetic turf blades have been found in Lake Tahoe and the ocean. In 2021, researchers found that synthetic turf fields in Toronto contribute the 2nd highest amount of microplastics to the environment with only litter contributing a higher amount. This makes synthetic turf clearly a major point source of PFAS and microplastic pollution that cannot go unaddressed.



On 13 December, the **CA Coastal Commission** conditioned a permit for the Cesar Uyesaka Baseball stadium at UC Santa Barbara, **requiring NATURAL GRASS, citing microplastic pollution** and noting that synthetic turf is not sustainable nor superior to natural grass.

Additional health hazards:

Failure to clean feces (including infectious diarrhea), urine, blood and saliva from synthetic turf can void the warranty.

Bacteria found on synthetic turf from animals include:

- Staphylococcus
- Streptomyces
- Nocardioldes
- Hymenobactia

Other bacteria found on synthetic turf include:

- Williamsia
- Methicillin Resistant Staph Aureus (MRSA)
- Chryseobacterium
- Rhodococcus

Silica sand, often used in landscape and other applications, has been on CA Proposition 65 list since 1988 as a known respirable carcinogen. In addition to human risk, dogs, lower to the ground and running across the plastic turf would be inhaling this toxic material as well.

Cumulative impacts under CEQA

- Synthetic turf will off-gass large amounts of greenhouse gasses
- Synthetic turf contributes to climate change, which has negative impacts on wild and aquatic life
- Synthetic turf will “provide substantial additional sources of polluted runoff”
- Synthetic turf and plastics leach PFAS and other toxic chemicals known to bioaccumulate in wild and aquatic and plant life; negatively impacts the food chain
- Synthetic turf will “cause substantial adverse effects on human beings, either directly or indirectly” via:
    - ** Toxic and carcinogenic chemicals known to be bioaccessible and bioaccumulative
    - ** Heat impacts: Heat islands/Heat illness/heat stroke/death
    - ** Increased utility costs for cooling; greater impact on social justice communities where air conditioning is less likely
    - ** Mental health impacts due to loss of green space
    - ** Increased injuries compared to natural grass
    - ** Thermal and friction burns
    - ** Concussions

***Many of these impacts also apply to dogs, wild and aquatic life

- Not recyclable - 32,000 pounds of plastic waste (the weight of 64,000 sq ft of plastic turf) to be landfilled or inappropriately discarded every 8 to 10 years on average
- Hazardous waste/Microplastic pollution - synthetic turf blades contribute 15% of macro- and mesoplastic pollution to waterways and the ocean.
  - ** Significant point sources of pollution
  - ** Degrade into microplastics, taking approximately 1000 years to fully decompose.
  - ** Increased off gassing of GHGs with greater degradation (increases surface area)
  - ** Continues to leach chemicals; adsorbs bacteria and other chemicals
- **The runoff from synthetic turf will negatively impact the *City's Multi-Habitat Planning Area (MHPA).***

CA Health & Safety Code Section 25249.6

> *"Required Warning Before Exposure To Chemicals Known to Cause Cancer Or Reproductive Toxicity. No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual, except as provided in Section 25249.10."*

In a press release issued 4 March 2024, the CEO of the Center for Environmental Health (CEH) in Oakland, CA stated:

> *"No one should be inadvertently exposed to toxic chemicals. Our lawns are places in our homes where we should be able to play and relax, safely. They should not be spaces where we worry about exposing ourselves to harm. Touching artificial turf lawns can expose us to PFAS chemicals when transferred from the turf to our hands and then our mouth."*

CEH sent a **Notice of Violation** under the California Safe Drinking Water and Toxic Enforcement Act (Proposition 65) for Perfluorooctane Sulfonate (PFOS) in synthetic turf sold by Lowes and Home Depot since at least March 2021. Both big box stores had made previous commitments to selling PFAS free carpeting and failed to notify customers of the carcinogenic PFAS chemicals in the products they sold. Synthetic turf is plastic grass carpeting, made by the same manufacturers and often in the same locations as household and commercial carpeting.

San Diego County District Attorney, **Summer Stephans** and San Diego Deputy City Attorney, **Mark Ankcorn**, are both in receipt of the CEH notice.

No one should be exposed to the toxic runoff, the heat or off gassing of toxic methane and ethylene, nor the microplastic pollution from their neighbor's yard, nor at a dog park.

Use of synthetic turf increases the city's risk of liability for all of the afore mentioned reasons.

CA Department of Toxic Substances Control (DTSC):

"Synthetic turf, the backing and fiber layers are made of similar materials as carpets and rugs, such as polyvinyl chloride, polypropylene, nylon, and polyurethane…It is estimated that by the end of 2020, 750 fields will be replaced each year, with the average field containing

approximately 40,000 pounds of plastic carpet and 400,000 pounds of infill, accounting for over 300 million pounds of waste annually (STC 2017)."

"The use of artificial turf at outdoor facilities is of concern since they are frequently used by sensitive subpopulations, including young children. While air circulation is generally better in an outdoor application, there is also an increased potential for exposure to Candidate Chemicals in turf due to faster material degradation by outdoor elements, such as ultraviolet light, and high-friction athletic use; in addition to increasing the release of chemicals from artificial turf during use, these factors also affect the product's life and make it necessary to replace it every eight to 10 years (STC 2017)."

DTSC has already brought PFAS in residential and commercial carpets under regulation. They will be holding a public meeting on PFAS and other chemical categories of concern in synthetic turf in the near future.

Viable Alternative:

Grass fields actively sequester carbon dioxide and provide a cooling function that is especially dramatic when compared to the heat generated by synthetic turf. Grass naturally filters toxins, performs important eco-services for the soil beneath, and provides widely dispersed rainwater infiltration allowing absorption and recharging of the water table. Additionally:

- Research suggests that grasses can accumulate and deposit carbon into the soil by approximately one-half ton of carbon ***per acre*** per year for 30 to 40 years.
- Net carbon sequestration rates in urban lawns have been estimated at between 200 and 1,800 lbs of carbon per acre per year.
- Organic management and zero emission maintenance equipment mitigate emissions, reduce costs over time, and increase carbon sequestration.
- Electric mowers are available (there are electric and robotic mowers that can cut 2 acres on a single charge for playing fields).
- Drought and desert tolerant varieties of natural grass appropriate for lawns, parks and high use playing fields are available.
- Bermuda hybrids and sea shore papsulum tolerate the nitrogen content of dog urine better than other varieties of natural grass.
- With soil sampling and soil food biome analysis, appropriate drought tolerant seed or sod selection, professionally installed and maintained natural grass can last without replacement for 30 years.
- Organic management becomes increasingly more cost effective over time.
- Removes the risks associated with synthetic pesticide use, which often contain PFAS, putting children and pets at higher risk for:

Humans:
- chronic diseases
- cancers
- diabetes
- reproductive disorders
- neurological diseases
- birth defects

Dogs:
- lymphoma
- mammary cancer
- bladder cancer

PFAS is known to be found in synthetic pesticides used in California.

It should be noted that **synthetic turf may not be replaceable with legislation and/or upcoming regulation.**

Plastic grass carpet is merely a way to attempt to sweep lack of maintenance of natural grass under the rug. It is not "set it and forget it." Failure to maintain synthetic turf, whether in dog park or other applications, including costly cleaning with toxic chemicals, and timely repairs can void a warranty almost as quickly as it is installed. Purchase, installation, maintenance, removal, disposal and replacement (if possible in the future) should not be a taxpayer burden - particularly when it poses clear risks to humans, wild and aquatic life and the environment.

California communities taking action:

Millbrae: banned synthetic turf effective 1 January 2024
San Marino: instituted an interim ordinance prior to signing of SB676. Effective through 12 September 2024.
Sunnyvale: committed to undertaking a study relating to the use of synthetic turf in January 2024.
Santa Clara County: staff was directed to bring a draft ordinance to the Board of Supervisors in June 2024, pending receipt and inclusion of a second report from the Santa Clara County Medical Association,
Los Angeles:

New Environmental Efforts to Ensure Clean Drinking Water and Reduce Health Risks from Artificial Turf

Recently the Council approved Councilmember Blumenfield's motion that instructs the Los Angeles Department of Water and Power (LADWP) to test for the presence of Polyfluoroalkyl / Perfluoroalkyl Substances (PFAS) and other similar contaminants and provide information on how to ensure safe potable drinking water for the City. This was prompted by recent revelations that DWP, for the first time ever, detected these contaminants in two water sources in the San Fernando Valley (the Pollock Well Field and at the Tujunga Well Field). While the levels were not deemed dangerous, it raised enough concern for Blumenfield to put together the motion.

Separately, Blumenfield introduced a motion to help Los Angeles transition away from artificial turf/synthetic grass and encourage the transition to California drought-friendly landscaping. Made from petroleum products, artificial turf/synthetic grass has been found to cause serious environmental issues as it degrades, can magnify the 'heat island effect,' and can burn in a wildfire. In the past it had been heralded as a good water-saving landscape alternative, but the conventional wisdom has been rapidly changing as the product has been studied, peer-reviewed and tested. Ultimately, a ban on future non-functional / decorative turf may be necessary.

Artificial turf is now known to contain harmful substances such PFAS, and other "forever chemicals". In April 2024, the Biden-Harris Administration, through the Environmental Protection Agency, categorized PFAS and other "forever chemicals" as hazardous substances dangerous to human health. The EPA has concluded that exposure to PFAS may lead to reproductive effects, developmental delays, and risks of some cancers. Exposure can occur through inhalation, ingestion, skin contact, and mucous membrane exposure, including microplastic dust kicked up on artificial turf fields.

On the effort regarding artificial turf, Charming Evelyn, Chair of the Sierra Club Angeles Chapter's Water Committee, said, "Sierra Club stands in strong support of this motion from City Councilmember Blumenfield. This is a crucial step for preventing widespread contamination and protecting public health."

Honoring Fallen Veterans at the West Valley's Memorial Day Parade

Additional commissions and committees are beginning the process of considering this important issue impacting human and environmental health.

The county of San Diego already has well in excess of 14.3 million square feet of plastic synthetic turf installed in parks and schools alone.

Again, we ask you, will San Diego continue to ignore the science while other cities and counties are moving to ban synthetic turf? Will San Diego continue to contribute to climate change, harm to human, domestic animal, wild and aquatic life, destruction of biodiversity, microplastic pollution and millions of pounds of unrecyclable plastic waste all at the expense of taxpayers?

Respectfully submitted,

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SAFER CONSUMER PRODUCTS

CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Background Document on Candidate Chemicals in Artificial Turf

August 2024

Prepared by

Department of Toxic Substances Control

Safer Consumer Products Program

California Environmental Protection Agency

DTSC Department of Toxic Substances Control

CalEPA California Environmental Protection Agency

OVERVIEW

The Safer Consumer Products (SCP) Regulations define the process and criteria we use to evaluate consumer products for possible designation as Priority Products. A Priority Product is a consumer product that (1) contains one or more Candidate Chemicals that have the potential to harm people or the environment, and (2) has been formally listed in the California Code of Regulations through rulemaking. We issue a Priority Product Work Plan (Work Plan), which identifies the product categories the SCP Program may evaluate over a three-year period. In addition to the factors outlined in the SCP Regulations, we evaluate these product categories based on the Work Plan's stated policy goals.

This document summarizes our preliminary findings on Candidate Chemicals in artificial turf, which falls under DTSC's current Work Plan within the product category of "Building Products and Materials Used in Construction and Renovation." The release of this document is part of our external engagement process, which helps us decide whether to conduct additional research or potentially list artificial turf containing one or more Candidate Chemicals as Priority Products. Further, this document shares our initial findings on Candidate Chemicals in artificial turf and asks for information to fill data gaps we have identified.

Based on our evaluation, we are concerned about the potential for adverse impacts from exposure to Candidate Chemicals in artificial turf, which is a product frequently used by sensitive subpopulations, including young children.

DEFINITION: Artificial turf is a synthetic surface material engineered to mimic natural grass. It is made of plastic, blade-like fibers woven into a backing.

Common synonyms for artificial turf include artificial grass, synthetic turf, synthetic grass, AstroTurf, artificial lawn, synthetic lawn, nylon grass, polyethylene grass, and polypropylene grass.

INTRODUCTION

Artificial turf is a synthetic surface material engineered to mimic the appearance of natural grass. This product has become an increasingly popular (Jastifer et al. 2019), cost-effective alternative to fields and lawns in California because it does not require irrigation, fertilizer and pesticide application, or mowing (STC 2022). Artificial turf is versatile and can be used for lawns, sports fields, landscaping, interior design, playgrounds, pet parks, and building rooftops (STC 2011; STC 2022). Modern artificial turf fields resemble natural grass in both look and feel (STC 2022). Despite higher upfront installation costs than natural turf fields, artificial turf fields prove cost-effective after approximately three to four years (STC 2022), with estimated lifespans ranging between five and 15 years (Bertling et al. 2021; Sick et al. 2019). Artificial turf fields also provide two to three times as much playing time as natural grass (STC 2011), because natural grass fields require frequent periods of inactivity to remain healthy (Cheng 2014). School districts and other field providers can schedule far more events on the same surface each year due to this increased activity time.

However, the use of artificial turf raises concerns due to its potential to expose humans and the environment to hazardous chemical constituents; these exposures may result in adverse impacts. Artificial turf was first included in the scope of our 2021-2023 Priority Product Work Plan (under the product category "Building Products and Materials Used in Construction and Renovation") in response to public comments received during the rulemaking to list carpets and rugs containing perfluoroalkyl or polyfluoroalkyl substances (PFASs) as a Priority Product (DTSC 2021). The comments expressed concern with PFASs and other Candidate Chemicals used in artificial turf, prompting us to evaluate this product. This document summarizes our results and remaining questions.

PRELIMINARY SCREENING RESULTS

How much artificial turf is used in California?

We are unable to identify state-specific data on the total amount of artificial turf used in California. We are, however, able to estimate its use in California based on national data.

Artificial turf's overall sales have increased 15% in North America since 2017 (STC 2020), and other measures confirm this upward trend in popularity. For instance, the Agency for Toxic Substances and Disease Registry (ATSDR) estimates that between 12,000 and 13,000 turf fields existed in the United States in 2016 (ATSDR 2020), up from 8,500 in 2014 (Berger 2016). Recent estimates show that there are 16,000 fields and 265 million square feet of artificial turf installed throughout North America (Penta Group 2022). The United States accounts for approximately 90% of this market (STC 2020).

In 2018, there were an estimated 800 to 1,000 artificial turf sports fields in California (Remke 2018) – approximately 10% of all turf fields in the United States (Berger 2016). More recent estimates show

that approximately 140-150 artificial turf fields were constructed in California in 2021 (CalRecycle 2021). But sports fields only make up a portion of artificial turf installations. The non-sports field segment of the market accounted for roughly one-third of all installed artificial turf projects in North America in 2020 (STC 2020).

The amount of waste artificial turf generates is expected to rise because a growing fraction of turf installations are replacements rather than new fields (Berger 2016). These replacements accounted for an estimated 22% of the 1,200 to 1,300 fields installed in the United States in 2013 and around 50% of the 1,500 fields installed in 2015 (Berger 2016). About 40,000 pounds of turf and 400,000 pounds of infill are used for an average field (STC 2017).

How is artificial turf manufactured and what is it made of?

Artificial turf is a simple-looking product made of plastic grass-like blades attached to a backing. Turf Factory (2019) describes the production of artificial turf as using a sewing process called tufting (Turf Factory 2019). First, resin is combined with additives to form a versatile, "taffy-like" mixture. Next, this mixture is extruded and stretched into blade-like fibers that can be woven and spooled just like a natural fiber (Turf Factory 2019). These artificial turf blades, most commonly made of polyethylene (Jastifer et al. 2019), are then woven into a backing, which typically consists of polyester or polypropylene (Kolitzus 2007). This backing is further coated with polyurethane to provide strength and produce a mat similar to carpet (Jastifer et al. 2019; Turf Factory 2019). The blades and backing are the primary components of artificial turf required to cover the surface it is placed upon (Jastifer et al. 2019).

Artificial turf may include additional materials, depending on the intended use. Layers of hidden material underneath the surface aid in drainage and provide padding but are not required (Jastifer et al. 2019). Infill material between the blades – most commonly rubber or silica sand – also provides cushioning (Jastifer et al. 2019; STC 2022).

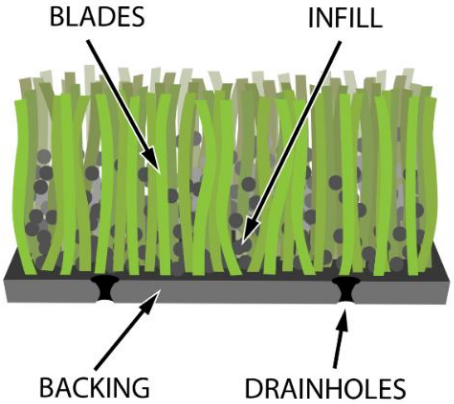

Figure 1. Artificial turf structure.

The use of infill material most easily distinguishes artificial turf designed for sports from turf used for aesthetics or domestic purposes (Hann et al. 2018). Infill material may help prevent injury during sports played on artificial turf fields but may not be necessary for installations with less cushioning needed, such as residential yards or interior designs (Jastifer et al. 2019). This report does not examine the makeup of infill material but focuses solely on artificial turf itself – the plastic, grass-like blades and the backing they are attached to.

Which Candidate Chemicals are present in artificial turf?

The manufacture of the artificial turf blades requires the use of a combination of chemical additives to ensure the integrity of the product throughout its lifespan (BASF 2022a; BASF 2022b; Hahladakis et al. 2018; Nilsson et al. 2008). Information on the exact chemical formulations used to enhance the plastics that make up artificial turf can be limited and inconsistent; however, common additives include the following chemical classes (Table 1):, per- or polyfluoroalkyl substances (PFASs) to reduce product surface defects, ortho-phthalates to improve plastic processing, colorants to produce a desired color, antioxidants to withstand weathering, and stabilizers to prevent degradation from sun exposure (3M 2016; Hansen et al. 2014; Nilsson et al. 2008).

Table 1: Chemical functional classes used as additives in artificial turf blades and backing.

Chemical Functional Class	Function	Example Additives
PFASs*	Enhance plastic extrusion and reduce surface defects (3M 2016)	Vinylidene fluoride-hexafluoropropylene polymer* (3M 2016; 3M 2018)
Ortho-phthalates*	Aid in plastic processing (Hansen et al. 2014)	Di(2-ethylhexyl) phthalate (DEHP)*, diisononyl phthalate (DINP)* (Plesser and Lund 2004)
Colorants	Add color to blades (BASF 2022a)	Green copper metallic complexes* or yellow azo compounds (Nilsson et al. 2008)
Antioxidants	Prevent degradation caused by oxidation (Nilsson et al. 2008)	Phenols and organic phosphites (Nilsson et al. 2008)
Light Stabilizers	Prevent degradation caused by light and heat (BASF 2022b)	Hindered amine light stabilizers (HALS) (BASF 2022b)
UV Light Stabilizers	Prevent degradation caused by UV light (Nilsson et al. 2008)	Zinc tinuvins, hindered amine light stabilizers (HALS) (BASF 2022b; Nilsson et al. 2008)

**Present on DTSC's Candidate Chemicals List (DTSC 2023a). Items without an asterisk are broad functional classes of chemicals and may contain compounds on the Candidate Chemicals List.*

PFASs are a class of chemicals present on DTSC's Candidate Chemicals List (DTSC 2023a). We plan to use our research on PFASs in carpets and rugs and other products in our evaluation of PFASs in artificial turf. The grass-like, plastic blades in artificial turf contain a subtype of PFASs called fluoropolymers (3M 2016; Lauria et al. 2022; Rice 2021). These fluoropolymers enhance the quality and processing of the plastic by preventing surface defects (3M 2016; Tolinski 2015). Additionally, Zuccaro et al. (2023) recently detected several fluorotelomer alcohols (FTOHs), which are known to degrade to more harmful PFASs, in artificial turf blades. However, we do not know why FTOHs would be present in artificial turf fiber and seek information to help understand which PFASs are used in artificial turf manufacturing beside fluoropolymers.

Ortho-phthalates are a class of plasticizers that may be used in artificial turf blades (Plesser and Lund 2004) and are also present on DTSC's Candidate Chemicals List (DTSC 2023a). Ortho-phthalates identified in artificial turf blades include dibutyl phthalate (DBP), di(2-ethylhexyl) phthalate (DEHP), diisononyl phthalate (DINP), and dimethyl phthalate (DMP) (Plesser and Lund 2004). Plasticizers enhance the processing and quality of products by softening the plastic (Hansen et al. 2014). Ortho-phthalates provide additional benefits by imparting qualities such as stain, extraction, and abrasion resistance (Hansen et al. 2014). They also reduce plastic processing time, resulting in higher production rates (Hansen et al. 2014).

Ortho-phthalates detected in the blades of artificial turf (Plesser and Lund 2004) may be contaminants originating from rubber infill (ATSDR 2019a). Ortho-phthalates are commonly used in polyvinyl chloride (PVC) products as plasticizers (OEHHA 2017; Harmon and Otter 2018); yet we found no information that PVC is used in artificial turf. The ortho-phthalates in Table 1 were detected in an artificial turf made of polyethylene/polypropylene copolymer, a plastic that generally does not require any plasticizers (Adewale and Olabisi 2016). In contrast, a larger study completed by the Agency for Toxic Substances and Disease Registry (ATSDR) identified the presence of multiple ortho-phthalates in many artificial turf rubber infill samples (ATSDR 2019a). One artificial turf patent lists the ortho-phthalate DEHP as an ingredient (Yu et al. 2021). We seek information to help fill these data gaps concerning the use of ortho-phthalates in artificial turf. Specifically, we are unsure whether manufacturers intentionally add ortho-phthalates as ingredients in artificial turf or whether they are present as contaminants in artificial turf blades.

Artificial turf also contains various other additives with different functions. For example, colorants dye artificial turf to a variety of colors (BASF 2017; Lambert et al. 2008; SGW 2022). Antioxidants and light stabilizers inhibit weathering and natural degradation caused by light and oxygen exposure (Nilsson et al. 2008), thus preventing color fading and increasing field lifetime (BASF 2022a; STC 2022). We seek more information about these additional additives to better understand their specific chemical identities, presence in artificial turf, environmental fate, and potential associated hazard traits.

Infill is a material that fills the space between artificial turf blades to provide cushioning (Jastifer et al. 2019). The most common type of infill is crumb rubber, which is made from recycled automotive tire rubber and contains many chemicals of potential concern (ATSDR 2019a; ATSDR 2019b), including multiple Candidate Chemicals. Other infill materials exist but are not widely used, including elastomer, polymer, sand, and organic materials such as coconut fiber, cork, and ground walnut shells (Jastifer et al. 2019). The Candidate Chemicals present in crumb rubber originate from tires and are not a chemical ingredient intentionally added during the manufacturing of artificial turf components. Additionally, the use of waste tires in California is regulated by the California Department of Resources Recycling and Recovery (CalRecycle 2024). Therefore, we did not evaluate crumb rubber as part of artificial turf. However, we are separately evaluating the potential adverse impacts and exposures to chemicals along the life cycle of tires.

What are the hazard traits and adverse impacts of Candidate Chemicals present in artificial turf?

PFASs display multiple hazard traits indicated in OEHHA's Green Chemistry Hazard Traits regulations (California Code of Regulations, title 22, section 69401 et seq.) including toxicological hazard traits, environmental hazard traits, and exposure potential hazard traits. Fluoropolymers possess unique properties that distinguish them from other PFASs (Korzeniowski et al. 2022). Fluoropolymers present in artificial turf are environmentally persistent due to their notable resistance to chemical, biological, physical, and thermal degradation (Henry et al. 2018). Also, fluoropolymers release trifluoromethane (HFC-23) in the manufacturing process, an extremely powerful greenhouse gas whose global warming potential is 12,400 times higher than of CO_2 (CARB 2023; Lohmann et al. 2020; U.S. EPA 2016a). In addition, fluoropolymers may release PFAS monomers[1] and processing aids[2] during manufacturing and from product use (Lohmann et al. 2020). Neither monomers nor processing aids are intended to be present in the final product (Korzeniowski et al. 2022; Lohmann et al. 2020). Alternatives to perfluorooctanoic acid (PFOA) and other PFAS processing aids exist, but the identity of these alternatives is not always clear (Lohmann et al. 2020; Pro-K 2021). Recent tests of artificial turf blades and backing reveal the presence of PFASs other than fluoropolymers (Ecology Center 2019; TRC 2022). The detected PFASs are short-chain PFASs, but are still of concern along with the entire class of PFASs (DTSC 2023b). It is unknown whether short-chain PFASs are an added ingredient or a byproduct of the manufacturing process (Ecology Center 2019; TRC 2022).

The hazard traits of ortho-phthalates include developmental toxicity, reproductive toxicity, endocrine toxicity, immunotoxicity, and respiratory toxicity (DTSC 2023a). Ortho-phthalates may also display the

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[1] PFAS monomers are unreacted PFAS building blocks that form the fluoropolymers themselves.
[2] Processing aids are additives used in the manufacturing of products to improve the processing and performance of the material.

hazard trait of mobility in environmental media because of their presence in all environmental compartments (Net et al. 2015). For example, members of this chemical class have been detected in river water and sediment, marine water and sediment, soil, air, wastewater treatment sludge, landfill leachate, and even drinking water (Net et al. 2015). Ortho-phthalates are not chemically bound to the plastics to which they are added, which means they can migrate into the environment throughout the product life cycle (i.e., manufacturing, usage, and disposal) (Prasad 2021). Some ortho-phthalates migrate more readily than others, depending on certain physical and chemical properties (Prasad 2021).[3]

We currently have limited information about the identity and hazard traits of the colorants, antioxidants, and light stabilizers used in artificial turf.

Who can be exposed to Candidate Chemicals from artificial turf?

Artificial turf users (e.g., athletes, children, and people with residential turf installations) may be exposed to the Candidate Chemicals in artificial turf during sport, play, and leisure. Children are particularly sensitive to the adverse effects that can result from exposure to toxic chemicals, due to "windows of vulnerability" that occur during the active stages of growth and development. In addition, children are more sensitive to toxic chemical exposure because of their low bodyweight compared to adults (ATSDR 2012; WHO 2006).

Exposure to Candidate Chemicals from artificial turf may occur via several pathways. Activities on artificial turf may cause contaminated dust and turf particles to be inhaled, microplastics to be ingested, and additives to be absorbed through the skin. For instance, the presence of ortho-phthalates in dust, indoor air, and outdoor air (He et al. 2020; Langer et al. 2010) suggests that people near the emission source (i.e., the turf field) may inhale contaminated air or ingest contaminated dust. The California Office of Environmental Health Hazard Assessment (OEHHA) is currently conducting an assessment of potential health impacts associated with exposures to chemicals released from artificial turf and crumb rubber (OEHHA 2015).

Aquatic organisms can be exposed to Candidate Chemicals in artificial turf when microplastics released from the product are carried to the aquatic environment with runoff and are ingested (Bridson et al. 2021; Li 2019). Plants and soil biota near artificial turf may also be impacted by Candidate Chemicals leaching out of microplastics from weathered artificial turf blades or backing (Ding et al. 2022; Li 2019). For example, artificial turf blades can release (i.e., leach) ortho-phthalates, metals, and organic compounds when exposed to water (Plesser and Lund 2004). Additionally, off-gassing of volatile

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[3] *The environmental fate and transport of individual ortho-phthalates is highly dependent on physical and chemical properties such as the alkyl chain length, which is a characteristic related to molecular size.*

chemicals may be another exposure pathway affecting biota near artificial turf fields. Non-polymeric PFASs tend to become widespread once released into the environment due to their persistence and mobility. For instance, PFAS processing aids and monomers have been detected in surface waters, groundwater, wastewater, and drinking water (Lohmann et al. 2020), and various PFASs have been detected in invertebrates, fish, amphibians, reptiles, birds, and mammals (De Silva et al. 2021).

What happens with artificial turf and the chemicals it contains after its useful life?

Artificial turf is most commonly disposed of in landfills after its intended use (Berger 2016). Evidence of artificial turf recycling is minimal (The Intercept 2019), and reuse is more common with artificial turf infill than with the blades and backing (Zandwijk RTS 2022). Landfill disposal is a concern because of the large mass of waste involved. The roughly 40,000 pounds of turf and 400,000 pounds of infill used in a single average field (STC 2017) has the potential to leach or off-gas significant quantities of hazardous compounds over time. Incineration is another potential form of disposal, but it is problematic because the fluoropolymers in artificial turf can form toxic combustion products (e.g., halogenated benzene and naphthalene compounds) (Myers et al. 2014). Also, incineration only accounts for a small portion of overall waste management in the United States (U.S. EPA 2016b).

Different additives in artificial turf may have different long-term environmental fates (Kwon et al. 2017). While the fluoropolymers in artificial turf are not expected to be highly leachable or mobile in the environment (Henry et al. 2018), their eventual release from artificial turf is expected to increase over time due to weather exposure and frequency of turf use (Lohmann et al. 2020). Fluoropolymer particles degrade into microplastics and have the potential for long-distance environmental transport, as shown by the detection of polytetrafluoroethylene (PTFE) in deep-sea arctic sediment (Bergmann et al. 2017).

In contrast to fluoropolymers, research demonstrates that ortho-phthalates do leach from products (Plesser and Lund 2004; Prasad 2021), but they are only expected to be persistent under certain environmental conditions (e.g., cold, nutrient poor, low oxygen environments) (Net et al. 2015).

Does artificial turf generate microplastics?

Our Work Plan priorities give special consideration to the potential for products to release microplastics to the environment during their use and end-of-life stages. Artificial turf blades are expected to release microplastics to the outdoor environment through wear and tear when used for high-abrasion sports (Hann et al. 2018), such as football and soccer. In addition, weathered artificial turf may also release microplastics to the environment. A report based on data from the International Association Football Federation (FIFA) estimated that artificial turf with a roughly standard pile-height of 40 to 65 mm loses about 0.5% to 0.8% of its fiber mass per year due to microplastic weathering

(Hann et al. 2018). Finally, artificial turf fibers themselves fall within the dimensional guidelines for microplastics defined by the California State Water Resources Control Board (SWRCB 2020).

There is also concern that recycling of artificial turf may result in microplastic pollution. Some companies and recycling facilities have developed processes to recycle the plastic blades, backing, and infill of artificial turf (Re-Match 2022; TenCate Grass 2022); however, implementing this technology in plastic recycling facilities may be problematic. One study found that plastic recycling facilities may be a major source of microplastic pollution in receiving waters, particularly molecules smaller than 10 micrometers (Brown et al. 2023). These findings also suggest that workers at plastic recycling facilities may be exposed to microplastics through inhalation (Brown et al. 2023).

Research in China has demonstrated that microplastics can reach virtually all waterways (Zhang et al. 2018), raising the concern that microplastic release from artificial turf may have far-reaching effects. The capacity for artificial turf additives to travel with microplastics is expected to be related to the chemical structure of these additives(Kwon et al. 2017). Pollutants that do not mix well with water may attach to plastic fragments and be carried through the aquatic environment (Hirai et al. 2011).

Are there alternatives to the Candidate Chemicals used as additives in artificial turf?

Potential alternatives to the use of PFASs in artificial turf include boron nitride, thermoplastic urethane elastomers, polyethylene terephthalate (PET), and the alteration of engineering processes (Kulikov 2005; Lambert et al. 2008; NETZSCH Analyzing & Testing 2022; Seth 1997).

Alternatives to ortho-phthalates that have demonstrated lower toxicity potential include citrate-derived plasticizers (Chiellini et al. 2013; ECHA 2005; RSC 2018) and polymeric plasticizers (Cabeza et al. 2017; Chiellini et al. 2013; Kim et al. 2003; Tan et al. 2013). These are typically considered preferable alternatives either because of their better safety profiles or because of a reduction in migration from the product (Chiellini et al. 2013). Migration of ortho-phthalates can also be reduced by applying cross-linking treatments (Jayakrishnan and Sunny 1996) or heparin coatings (Hildenbrand et al. 2005; Karle et al. 1997) to the surface of products, thereby reducing exposure. According to a market report summary by S&P Global, ortho-phthalates account for a smaller share of the plasticizer market than they did a few years ago, in part due to the rapid growth of alternatives such as terephthalate, epoxy, aliphatic, and benzoate compounds (S&P Global 2021).

While it is unknown to what extent these findings apply to California, the Toxics Use Reduction Institute (TURI) conducted an alternatives assessment evaluating three turf types – organic turf, conventional turf, and synthetic turf – and found organically managed natural grass to be safest and most cost effective when considering the full product life cycle (TURI 2018). Organic turf is natural grass that requires no synthetic pesticides or synthetic fertilizers but requires specific practices to

encourage healthy grass growth and reduce irrigation needs (TURI 2016). Conventional turf often involves the use of irrigation, as well as synthetic fertilizers and/or pesticides, which may either be applied infrequently in small areas or used routinely (TURI 2016). Synthetic turf does not typically require irrigation, though irrigation may be recommended to lower turf surface temperatures (TURI 2018). Synthetic turf may need to be treated with antimicrobial chemicals to reduce the risk from body fluid contamination and staph infections, something soil microbes typically manage in natural grass (Grassroots Environmental Education 2023). In addition, TURI recommends that communities who install synthetic turf require regular testing of the product for organic compounds and metals to help make more informed decisions about the installed components (TURI 2018).

Is the use of artificial turf regulated?

In 2015, Governor Jerry Brown issued an executive order requiring that 50 million square feet of lawns throughout California be replaced with drought-tolerant landscaping (Gatto 2015). In the wake of this directive, numerous bills were enacted to specifically allow for and protect the right to install residential artificial turf (Civil Code 4735; Gatto 2015). Examples include Assembly Bill 1164 of 2015 (ch. 671, stats. 2015), which prohibited municipalities and counties from restricting the use of artificial turf, and Assembly Bill 349 of 2015 (ch. 266, stats. 2015), which enacted the same prohibition for homeowner associations (Civil Code 4735; Gatto 2015; Government Code 53087.7). However, Senate Bill 676 of 2023 (ch. 498, stats. 2023) specifies that the installation of synthetic grass or artificial turf is no longer included in the definition of drought-tolerant landscaping, once again allowing municipalities and counties to restrict the use of the product. Additionally, Assembly Bill 1423 (2023, Schiavo) would have banned artificial turf containing PFASs in California. With the veto of the bill, we will continue to evaluate PFASs in addition to other Candidate Chemicals in artificial turf.

NEXT STEPS

We are asking you to consider and address the questions listed below. Please submit your answers and any other written comments via CalSAFER. The comment period will close on September 30, 2024, at 11:59 p.m. Pacific Standard Time. In addition, we will hold a public virtual workshop on August 27, 2024. Further details about this workshop will be available on our Workshops and Events Webpage.

This workshop and public comment period will focus on PFASs, ortho-phthalates, and other additives in artificial turf blades and backing, with the goal of soliciting information on data gaps, availability and feasibility of alternatives, and life cycle impacts. This will help inform whether additional research is needed that may result in one or more Priority Product listings.

QUESTIONS

General

- Is the following product definition clear and accurate?
    - Definition: Artificial turf is a synthetic material engineered to mimic natural grass. It is made of plastic, blade-like fibers woven into a backing.
- Are there additional chemicals in the blades and backing components not discussed in this document that SCP should evaluate?
- Can you provide information about any ongoing environmental toxicological or exposure studies on artificial turf?
- Are there any Life Cycle Assessments (LCAs) that evaluate artificial turf in California or U.S. environments?

Chemical Additives

- To what extent do artificial turf manufacturers or raw material suppliers have influence over the chemical additives in their products?
- Is there additional information on PFASs being intentionally added during the manufacturing of artificial turf?
- Are side-chain fluorinated polymers or other PFASs besides fluoropolymers intentionally added to artificial turf?
- Is there information on ortho-phthalates being intentionally added during the manufacturing of artificial turf? If so, what types of plastics used in artificial turf are ortho-phthalates typically added to? If not, what are the sources of contamination to artificial turf?
- Is there additional information on other additives being intentionally added in the manufacturing of artificial turf?

Market Research

- Do you know of any organizations that monitor or have information on the number of artificial turf fields in California?
- Do you have any national or California sales data for artificial turf to share?
- How many artificial turf fields are in California?
- How many residential artificial turf installations exist in California or the U.S.?
- Approximately what percentage of artificial turf used in California or the U.S. is imported?
- Approximately what percentage of artificial turf used in California or the U.S. is manufactured in California?

Alternatives Research

- Are there other safer chemical alternatives for Candidate Chemical additives used in artificial turf that were not identified in this document?
- Do you have any information demonstrating the successful or unsuccessful use of alternatives to the artificial turf additives of potential concern discussed in this document?
- Do you have any concerns regarding the potential use of the alternatives listed in this document?

Disposal of Artificial Turf

- In what ways, if any, is artificial turf recycled or reused after its initial use?
- What feasible end-of-life solutions could be implemented to prevent further plastic pollution from the continued use of artificial turf?

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Melissa Thurman

From: Kristina Pistone <kpistone.sustainability@gmail.com>
Sent: Tuesday, October 14, 2025 6:03 AM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Oct 14, 2025 Meeting

Dear Council,

I understand tonight you will be discussing using artificial turf at the Hillview dog park, and I'm writing to encourage you to support the option to

Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign.

My primary objections to artificial turf are sustainability related-- in a world where 95% of plastics are not recycled because infrastructure, capacity, demand, or even technology doesn't exist, the complicated plastic product that is artificial turf will almost certainly not be recycled at end of life (5-10 years for most, I believe, depending on use). In the meantime, they shed fibers of microplastics and PFAS-like chemicals into the air and water and thus our (and our pets'!) bodies. Even if the manufacturers have played the whack-a-mole and switched away from the currently regulated ones to one with not enough data yet on the potential harms of the new flavor, that's not actually indicative that the risks are smaller.

Also, while I'm admittedly a cat person, I enjoy going out with the dogs of friends and family, and if there's one thing I've seen, it's how gross their poops can be on any surface, which you only sometimes can choose (in Argentina they would refer to them as the "dulce de leche" variety, ... not firm)— but the great thing about living grass is it grows, gets watered, and all the microbes and critters in the grass soon return the fecal remnants to the ecosystem where it hopefully won't have negative health impacts. With artificial turf it just ... sits there, until maybe it's washed off, but there's nothing to break it down since that's a dead, artificial surface.

You may be interested to know that your neighbor city Sunnyvale is working on a Study Issue about artificial turf, which should lay out the pros and cons very clearly. San Jose also had a recent shorter summary of the issue saying much the same thing, but since I'm on travel at the moment I can't find the link right now.

The other thing I've learned reading into this issue is it's far more difficult to remove AT once it's installed (sunk costs) so I strongly encourage you to not pursue that avenue at present.

Thanks very much for your attention!
Kristina

Kristina Pistone, PhD
she/her/ella

Melissa Thurman

From: cat hung <cathung2@yahoo.com>
Sent: Tuesday, October 14, 2025 7:14 AM
To: Public Comment
Cc: beauandbijou@gmail.com
Subject: 10/14/25 #10 Dog Park Artificial Turf, -6" Parking Concerns

To Los Altos City Council :

I fully support Los Altos City Council's approval for a much needed dog park, however, at the last July 2024's meeting, approval was hastily* given for the option that went against a 60% plus majority vote Against artificial turf and for natural grass. This 60+% vote was taken from all 2024 community hearings, workshops and online polling for the proposed Hillview dog park, which is in the most public, centrally located Los Altos community area.

A second most recent 2025 poll from the Los Altos Town Crier also showed a majority 60+% voting for natural grass, and definitely Not for artificial turf.
Seems most reasonable to rectify a "bad** decision."

Artificial turf is just :
1-not sustainable (after ~8-maybe10 years requires replacement, so trashing to a landfill, and never decomposing.)
2-a heat sink with too hot temperatures for dogs (Los Altos resident cannot use their backyard's artificial turf with their 3rd cattle dog, when too hot.)
3-a health risk for dogs and people, besides smelly as it's difficult to keep high traffic plastic sanitary. (Los Altos resident's golden retriever's allergic reaction to Village Green's artificial turf-cleaning.)
Cleaning is the most significant issue for artificial turf. In a dog park, multiple dogs love to urinate/pee and need to poop every day. On artificial turf, daily cleaning is needed for proper sanitation, or the feces and remnants dry on the plastic.
Any cleaning chemicals, "enzymatic" no matter how "natural" needs to kill germs-bacteria and viruses. (Even in the rare occasions, when I spray Lysol "kills 99.9% bacteria & viruses" at my home, I won't allow my terrier-dog near and will leave the area for an extended time.) Some dogs will be more sensitive and allergic to cleaning substances and artificial turf materials, especially over a 8-10year period.

*hastily" approved as we had no discussion after the quick presentation of the two options, and the "no taj mahal dog park needed/Rosita happy free dogs" comments.

**bad decision including: 1) the short-sighted diesel fueled generator next to the proposed small dog area, and
2) deducting 6" from each parking space to create more spaces, where the 6" is critical for parking large cars/SUVs/vans, for large and oversize people to get out and in their vehicles,

pulling out backseat strollers- knee scooters-kids, strapping in toddlers, giving dogs space to jump in or be carried into the backseat. ...See photo of how tight a "legal size" parking space is.

Thank you each for your serious consideration and attention to the future and best quality of life of Los Altos.

Catherine Hung (current dog park user, frequents downtown, former resident, an investor whose mother chose, loved and died here in Los Altos.)

Melissa Thurman

From: cat hung <cathung2@yahoo.com>
Sent: Tuesday, October 14, 2025 7:36 AM
To: Public Comment
Cc: beauandbijou@gmail.com
Subject: Re: 10/14/25 #10 Dog Park Artificial Turf, -6" Parking Concerns
Attachments: IMG_1647.jpeg; IMG_1798.jpeg; IMG_2053.jpeg; IMG_3180.jpeg; IMG_3384.jpeg

+pics -parking & all size dogs in dog park
To Los Altos City Council :

I fully support Los Altos City Council's approval for a much needed dog park, however, at the last July 2024's meeting, approval was hastily* given for the option that went against a 60% plus majority vote Against artificial turf and for natural grass. This 60+% vote was taken from all 2024 community hearings, workshops and online polling for the proposed Hillview dog park, which is in the most public, centrally located Los Altos community area.

A second most recent 2025 poll from the Los Altos Town Crier also showed a majority 60+% voting for natural grass, and definitely Not for artificial turf.
Seems most reasonable to rectify a "bad** decision."

Artificial turf is just :
1-not sustainable (after ~8-maybe10 years requires replacement, so trashing to a landfill, and never decomposing.)
2-a heat sink with too hot temperatures for dogs (Los Altos resident cannot use their backyard's artificial turf with their 3rd cattle dog, when too hot.)
3-a health risk for dogs and people, besides smelly as it's difficult to keep high traffic plastic sanitary. (Los Altos resident's golden retriever's allergic reaction to Village Green's artificial turf-cleaning.)
Cleaning is the most significant issue for artificial turf. In a dog park, multiple dogs love to urinate/pee and need to poop every day. On artificial turf, daily cleaning is needed for proper sanitation, or the feces and remnants dry on the plastic.
Any cleaning chemicals, "enzymatic" no matter how "natural" needs to kill germs-bacteria and viruses. (Even in the rare occasions, when I spray Lysol "kills 99.9% bacteria & viruses" at my home, I won't allow my terrier-dog near and will leave the area for an extended time.) Some dogs will be more sensitive and allergic to cleaning substances and artificial turf materials, especially over a 8-10year period.

*hastily" approved as we had no discussion after the quick presentation of the two options, and the "no taj mahal dog park needed/Rosita happy free dogs" comments.

**bad decision including: 1) the short-sighted diesel fueled generator next to the proposed small dog area, and
2) deducting 6" from each parking space to create more spaces, where the 6" is critical for parking large cars/SUVs/vans, for large and oversize people to get out and in their vehicles,

pulling out backseat strollers- knee scooters-kids, strapping in toddlers, giving dogs space to jump in or be carried into the backseat. ...See photo of how tight a "legal size" parking space is.

Thank you each for your serious consideration and attention to the future and best quality of life of Los Altos.

Catherine Hung (current dog park user, frequents downtown, former resident, an investor whose mother chose, loved and died here in Los Altos.)

SMALL CAR
SMALL CAR
SMALL CAR

SMALL CAR
52

Melissa Thurman

From: Peter Fay <lpfay@pacbell.net>
Sent: Tuesday, October 14, 2025 9:44 AM
To: Public Comment
Subject: Dog Park Artificial Turf

Please REJECT ARTIFICIAL TURF as a surface at the Hillview Dog Park, for reasons of foul odor, environmental disaster, human health and canine health.
Thank You,
Peter Fay

Sent from my iPad

Melissa Thurman

From: shane fay <shanefay42@gmail.com>
Sent: Tuesday, October 14, 2025 10:16 AM
To: Public Comment
Subject: Public Comment - Agenda Item #10 – Dog Park Surfacing Discussion - Mtg Oct 14, 2025

Dear Mayor Daley, Vice Mayor Fligor and Councilmembers Lang, Meadows and Weinberg,

Please listen to the community and REJECT THE INSTALLATION OF ARTIFICIAL TURF at the Hillview Dog Park
I would never bring my dog to any park with artificial turf.

Sincerely,
Shane Fay

--
Shane Fay
LinkedIn Profile
(650)-906-4208 (mobile)

Melissa Thurman

From: Alice Mansell <ajmpaloalto@gmail.com>
Sent: Tuesday, October 14, 2025 12:54 PM
To: Public Comment
Subject: Public Comment City Council Meeting 10/14/25 #6

I request Council pull from its consent calendar item #6, the second reading of its proposed new historic ordinances. As I wrote and said in oral comment last month, there are substantial legal procedural flaws in attempting to promulgate these ordinance changes such as failure to follow State-mandated procedures involving the Certified Local Government City's Historical Commission (HC) .

I listened to Council members debate my concerns last month. One stated on the record there was "no vote" done by the
HC. Another said after the last HC meeting he communicated with more than one HC member privately (and/or through an intermediary(s)), all without prior public notice or comment. Thus, he stated he believed there was a consensus or other majority agreement by the HC to recommend the ordinance changes. Was that a violation of the Brown Act serial meetings law?

I was present at the most recent publicly noticed HC meeting, a "special" meeting during the late Summer holiday season done at a time when normally the HC never meets. The clerk called there for two different votes by polling the three HC members present. For both votes, the quorum of 3 of 5 State-mandated law required unanimous votes which could not be reached and thus there was, as college debate societies might say, either a "no" vote or a lack of a "yes" vote.

Council can't ignore procedural laws requiring these historic ordinance changes to go through proper procedures. Not even if Council has a supermajority to vote to ignore any HC's advice from public meetings with proper public notice & comment procedures. Doing so adds to a long list of Council and staff actions which have increasingly eroded since 2019 the legal procedural and substantive public protections for virtually every historic resource in this City which now under Item #6 will reduce public input and appeal rights while giving more power to staff such as increased ministerial discretion. This will continue the steady decline of legal protections for our historical resources on both public and City-owned lands.

This is being done at a time when City Hall has had several major plans to change the uses of now public lands which include trees over 50" in diameter and 50+ year old pistache groves:
- Downtown Parking Plazas 7 and 8 with major housing developer(s) "entitlement" contract(s) which once signed will severely limit public review. Zero environmental or historic mitigation discussions to date at any City commission before allowing developers to bid on every square inch of those lands, not even at the Parks commission.
- Downtown Parking Plazas 1 and/or 2
- Contract with a corporation to implement and enforce new downtown parking fees
- Public lands cleared of heritage trees with limited to no public input since Fall 2023 for multiple new construction projects at Civic Center from new paved parking places, new fenced patios, and new underground lines to a semi-budgeted police department expansion.

I asked Council last month "why the rush" at this particular time to push through these massive historic ordinance changes given its HC commissioners had most recently not voted "yes" on these changes. Item #6 will eliminate all administrative and civil court public appeal rights but for those living within 300' of bulldozers or construction fences. That will leave less than miniscule public appeal rights for projects on City-owned land.

What next at this rate? Allow only those who own property within 10' of any new building project to get a mailer warning about "special" historic and planning commission meetings? Allow public notice only from posted signage? Or, allow no public notice anywhere until construction fences go up or gravel is installed for new parking spaces as seen from several recent Civic Center projects permitted as piecemeal projects by staff with zero public review beforehand.

Regards,
Alice

Alice Mansell
Los Altos, California

On Sun, Oct 12, 2025 at 1:31 PM Alice Mansell <ajmpaloalto@gmail.com> wrote:

> Super note, Maria. I'll get a written public comment filed on time. Will send it to you asap before emailing to Council asap for review & comment. Got flattened again by my novel 20245 liver/bile issue again, mostly stuck with zero energy and zero appetite in bed at home since Tuesday morning but now on mend slowly with new meds, I hope. If humanely possible I will show up in person at Council on Tues. I can likely stand for at least 30 seconds.
>
> Any signs of life from Mills Act folks?

On Sat, Oct 11, 2025 at 9:20 PM PALLA <pallalosaltos@gmail.com> wrote:

> No one in Los Altos wants a dismantling of our historic and environmental protections.
>
> On Tuesday, October 14, City Council plans to adopt a new Historic Preservation Ordinance that has not been reviewed by the Historical Commission as is required by California state law.
>
> The new ordinance contains major changes that will negatively impact our historic and environmental resources.
>
> **Please write to City Council requesting they pull Item #6 Adopt Zoning Code Amendments from the Consent Calendar, and send the draft Historical Preservation and Mills Act ordinances to the Historical Commission for review and recommendation.**
>
> The proposed ordinances:

• Reduce which properties/natural elements qualify to be considered historic or culturally important

• Limit who can initiate a historic designation.

• Leave important decisions to Staff discretion only, including demolition

• Reduce noticing and appeals for public properties from "any interested party" to those within a 300' radius only

• Reduce City Council ability to control development mandated by the state

• Act in violation of the California Environmental Quality Act (CEQA)

• Allow for Joint Commission Meetings, reducing the opportunities for discovery and public input

• Treat historic properties like standard projects with no qualified oversight from the Historical Commission

Write to: PublicComment@losaltosca.gov
Subject Line: City Council October 14: Item #6 Zoning Code Amendments

-or-

Fill out Public Comment Form:

https://www.losaltosca.gov/FormCenter/City-Clerk-8/Public-Comment-Submission-to-City-Counci-66

Again, please urge City Council to pull Item #6 Adopt Zoning Code Amendments from the Consent Calendar, and send the draft Historical Preservation and Mills Act ordinances to the Historical Commission for their review and recommendation.

These ordinances need mindful and qualified consideration.

Together, we can achieve informed, efficient and effective historic and environmental preservation ordinances by following best practices, our own requirements, codes and state law.

Please share. And show your support in person on Tuesday at City Hall @ 7:00pm!

Reply with any questions.

Melissa Thurman

From:	Mike Sodergren <mike@preservation.org>
Sent:	Tuesday, October 14, 2025 12:55 PM
To:	Public Comment
Cc:	Mike Sodergren; Ben Leech
Subject:	Public Comment Oct 14 2025 Los Altos City Council Meeting Consent Calendar Item # 6: Historic Preservation Ordinances - Request to Remove From Consent and Return to Historical Commission Review.

Re: Resubmittal of Historic Preservation Ordinance Public Comment Letter - Request to Remove From Consent and Return to Historical Commission Review.

Dear Los Altos Mayor City Council Members,

On behalf of the Preservation Action Council of San Jose, please accept the resend of our September 30, 2025 public comment letter regarding the rewrite, repeal and adoption of new Historic Preservation Ordinances in the City of Los Altos.

It appears the original letter was not included in the Sept 30, 2025 agenda packet for deliberation or review record. We respectfully ask that it be entered into the record for tonight's consideration and any related Council actions.

We have had a chance to more fully review the proposed ordinances, staff report and their potential impacts, and feel that the original Sept 30 letter aptly presents some of the considerations and advantageous steps the Council may want to consider before adoption and waiving the second reading in the Consent Calendar of tonight's agenda.

Additionally, some areas in these ordinance adoptions and repeals appear confusing and may very well benefit from a formal referral to your Historical Commission for advisory review as the next step. This seems reasonable given that there has been no expression of urgency that I can see in Staff's recommendation relative to a matter of public interest that requires immediate action.

As noted in the letter, as we work with other municipalities in the region, we have seen the benefits of historic preservation when proper review takes place, to avoid making sweeping decisions that impact the community and cede local authority to others. Given recent actions taken at national and state levels, we strongly encourage all municipalities to be very careful when taking actions that might result in the unintended consequence of the loss of local land use decision authority.

Once again we are grateful for your consideration. We ask that the Clerk provide a receipt of this letter, its attachment and the public comment letter text below.

Best Regards,

J. Michael Sodergren
President
Preservation Actions Council of San Jose (PAC*SJ)
42A S. First Street
San Jose, CA 95113

408-930-2561
mike@preservation.org

From: **Mike Sodergren** <mike@preservation.org>
Date: Tue, Sep 30, 2025 at 6:04 PM
Subject: City of Los Altos City Council – Proposed Zoning Code Amendments for Historic Preservation –9-20-25 Agenda Item No. 7.
To: <publiccomment@losaltosca.gov>

Dear Los Altos City Council Members,

I wish that we could join you at your Council Meeting this evening, but perhaps you will read this short note or some else will read it on our behalf.

We share the concerns expressed by the Preservation Action League of Los Altos (PALLA) and strongly recommend that extreme caution be exercised by Los Altos Council Members and City Staff in making amendments to your existing Historic Preservation Ordinance (HPO). I do not know all the issues at play here, but we recommend that you seek to understand what other CLG's are doing before taking any action that might weaken your authority over historic preservation. It is our understanding that the proposed changes to your HPO will reduce protections for public and private properties, while restricting the breadth of criteria for historic designation, while also limiting community engagement,

and reducing your Historical Commission's responsibilities. From the outside looking in, those appear to be very sweeping decisions.

We echo the assertion by others within your City that Historical preservation programs offer cities such as yours the ability to direct development that impacts historical resources, and your City's overall wellbeing. No one can argue that local decision making relative to land use decisions is under increasing pressure by the State, so regardless of what any individual Council Member may feel about specific preservation initiatives, for the greater benefit of the citizens of Los Altos and Santa Clara County, please do not easily cede decision making control over projects that might impact your historical resources. We concur with PALLA's assertion that by weakening the City's preservation ordinance, the City can't help but reduce its own ability to control development within Los Altos. I would encourage the Council to take a deep look at the authority cities such as Berkeley, Los Angeles, Long Beach, Oakland, Riverside, San Diego, San Francisco, Santa Barbara, Santa Monica, West Hollywood, etc. have maintained for themselves over land use decisions affecting historic assets. Ironically, the only City that seems to have ceded power to the State is Sacramento. Our City(San Jose) is looking at possible changes to its HPO that it believes may be necessary to serve the greater needs of the people BUT without ceding control to the State. I would also encourage the Council and Staff to consider possible legal implications of making a decision of this nature. Our organization works very hard with City electeds, staff and property owners to find common ground. I would encourage everyone involved in this matter to do the same for the benefit of all your citizens.

Please take your time on making a sweeping decision that cedes local authority to others. Your City has an amazing history that we hope you will treasure and protect on behalf of your citizens and those of us who visit your wonderful city.

Best Regards,

J. Michael Sodergren
President
Preservation Actions Council of San Jose (PAC*SJ)
42A S. First Street
San Jose, CA 95113

408-930-2561
mike@preservation.org

Melissa Thurman

From: Maria Bautista <maria@specker.com>
Sent: Tuesday, October 14, 2025 1:23 PM
To: Public Comment
Subject: City Council Meeting October 14, 2025: Item #6 Zoning Amendments

Dear City Council,

Please pull Item #6 from the Consent Calendar and move to RECONSIDER this matter at a future date.

On September 30, there was clearly Council confusion about the will of the Historical Commission (HC); the HC has yet to approve minutes from their August 18 meeting. Moreover at that time, the HC was not fully seated as is required by our Certified Local Government status.

Also, there was clearly Council confusion about the tenets of the California Mills Act, Office of Historic Preservation Requirements under CLG as well as the Secretary of Interior Standards for Treatment of Historic Properties application.

Please schedule to consider both the Historical Preservation Ordinance and the Mills Act Ordinance in a forum that allows for broader discussion and clarification both for the City Council and the public.

Thank you,

Maria Batuista

Melissa Thurman

From: Christine Maralit <christinem@mitchtsailaw.com>
Sent: Tuesday, October 14, 2025 1:37 PM
To: Public Comment
Cc: Mitchell M. Tsai Attorney at Law, P.C.; Grace Holbrook
Subject: PALLA - Agenda Item No. 6 Comment Letter for the 10/14/25 City Council Meeting
Attachments: 20251014_PALLA_CityCouncil_CL.pdf

Hello,

Please see the attached comment letter our office is submitting for agenda item No. 6, the Proposed Zoning Code Amendments for Historic Preservation.

We would appreciate confirmation of receipt of this email and its attachment.

Thank you,
Christine

--
Christine Maralit, Assistant Office Manager
Mitchell M. Tsai Law Firm - *Environmental and Land Use Litigation*
139 South Hudson Avenue Suite 200
Pasadena, CA 91101
Phone: (626) 314-3821
Fax: (626) 389-5414
Email: christinem@mitchtsailaw.com
Website: https://www.mitchtsailaw.com

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P: (626) 314-3821
E: info@mitchtsailaw.com

Mitchell M. Tsai
Law Firm

139 S. Hudson Ave. Ste 200
Pasadena, California 91101

VIA E-MAIL

October 14, 2025

Los Altos City Council
Los Altos Council Chambers
1 N. San Antonio Rd
Los Altos, CA
Em: PublicComment@losaltosca.gov

RE: City of Los Altos City Council – Proposed Zoning Code Amendments for Historic Preservation – Agenda Item No. 6.

Dear Honorable Council Members,

On behalf of Preservation Action League of Los Altos ("**PALLA**"), my Office is submitting these comments on the City of Los Altos' ("**City**" or "**Lead Agency**") proposed amendments for the Zoning Code Amendments for Historic Preservation and Mills Act, which will be discussed at the City Council Meeting on October 14, 2025.

PALLA expressly reserves the right to supplement these comments at or prior to hearings on the proposed amendment, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

Moreover, PALLA requests that the City provide notice for any and all events or hearings referring or related to the proposed amendments, as issued under the California Environmental Quality Act ("**CEQA**"), Cal Public Resources Code ("**PRC**") § 21000 *et seq*, and the California Planning and Zoning Law ("**Planning and Zoning Law**"), Cal. Gov't Code §§ 65000–65010. California Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

I. THE HEARING SHOULD BE REMOVED FROM THE CONSENT CALENDAR AND RECONSIDERED AT A FUTURE DATE

The proposed ordinances should be removed from the consent calendar as significant public participation remains outstanding. This is especially relevant considering the late decision to remove all of the previously implemented revisions to the proposed ordinances. As such, a large portion of the public was unable to voice concerns or comments on this decision. Indeed, previously resolved issues with the proposed ordinances are now relevant again. PALLA respectfully requests that the City remove the agenda item from the consent calendar and reconsider the item at a future hearing date to allow for further public input and discussion on the items.

II. THE HEARING SHOULD BE POSTPONED UNTIL THE OFFICE OF HISTORIC PRESERVATION HAS REVIEWED AND COMMENTED ON THE PROPOSED ORDINANCES

When the City of Los Altos became a Certified Local Government, they entered into a Certified Local Government Agreement with the California Office of Historic Preservation ("**OHP**"). Within that agreement, the City is required to provide OHP the opportunity to review and comment on an ordinance change prior to adoption. (*See* Exhibit C – 2023-2024 Annual Report, p. 1.) The Staff Report has not mentioned any efforts to provide these ordinances to OHP for their review and comment. If the Council were to take action on these ordinances prior to OHP review, the City would be at risk of losing their Certified Local Government ("**CLG**") status. The loss of the CLG status would be in direct conflict with the City's General Plan and stated role and goals of the Historic Commission (i.e., 2024/2025 Work Plan Goal #7 Maintain the City's Certified Local Government Status), as well as remove a potential funding source for the City through the loss of the grant funding available to CLGs. As any action on these items is in direct conflict with the City's responsibilities as a CLG, the City Council must postpone the hearing on these ordinances until the OHP has reviewed and commented on the proposals, as outlined in the CLG Agreement.

At the previous hearing, the City dismissed OHP's need to review the changes by stating that they were told "minor" changes did not need to be reviewed.

However, the record must clearly provide documentation to ensure OHP actually considers these changes to be minor. Until OHP's position has been clearly established, the City should not take further action on the ordinances.

III. THE HEARING SHOULD BE POSTPONED UNTIL THE HISTORICAL COMMISSION HAS FINISHED THEIR REVIEW OF THE PROPOSED ORDINANCES

The Staff Report incorrectly summarizes the outcome of the August 18th meeting of the Historical Commission and minimizes the role the Commission is meant to play in the creation and implementation of ordinances impacting historical resources.

Initially, the Staff Report indicates that there is nothing in the zoning code that requires changes to be reviewed by the Historical Commission. However, the zoning code is not the area that creates the Historical Commission's duty to review the proposed ordinances. Rather, under the municipal code, the Historical Commission "shall advise the city council, the planning commission and the agencies and departments of the city[,]" as well as specifically dictated in the City's General Plan and policies. (Los Altos Municipal Code Section 2.12.030.) Importantly, the duty to advise the City Council, Planning Commission, and other City agencies is not permissive, as established by the use of "shall". Further, the power and duty cited in the Staff Report, to review and comment upon existing or proposed ordinances, plans or policies of the city as they relate to historic resources, is not limited to ordinances solely in Title 12 Chapter 44. Rather, the review and comment duty is for any existing or proposed ordinance with the ability to impact historic resources. As such, the proposed ordinances clearly fall within the purview of the Commission and should have been sent to them for review from the very beginning. The fact that the proposed ordinances would be located in the zoning chapter of the municipal code does not have an impact on the Historical Commission's power and duty to review and comment on these proposals.

Additionally, the Staff Report's discussion of the August 18th review of these ordinances fails to reflect the Commission's request for continued discussion and review of these ordinances by the Historical Commission. The video

recording of the meeting[1] clearly establishes that continuing edits were needed on the proposed ordinances. The Commission repeatedly asked, and was given confirmation by the City, that any changes would be brought back to the Commission in October. For the Council to now act on these ordinances shows a complete disregard for the Commission's role in historic resources, as codified in the municipal code. As such, the Council should respect and follow the municipal code's clear procedure and allow for the Commission to continue and finalize their review of these proposals. To act now would be to undermine an important part of the City's governing structure. PALLA urges the Council to postpone any activity on these proposals until the Commission has given their recommendation.

IV. THE PROPOSED ORDINANCE WOULD RESULT SIGNIFICANT REDUCTION OF PUBLIC PARTICIPATION

Certified Local Government Programs are required to provide for adequate public participation in their local historic preservation programs. (Appendix G, Certified Local Government Application and Procedures.) Specifically, Appendix G highlights the following areas for public participation:

> 1. Public participation shall be fully encouraged at local commission meetings. Commission meetings shall be open to the public, with published agenda and minutes in accordance with the Ralph M. Brown Act (G.C. Section 54950 et seq.) for open meetings. The published agenda shall be mailed in advance of meetings to individuals and citizen organizations interested in the commission's activities.
>
> 2. Public participation shall be fully encouraged in the performance of the historic survey program at all levels of responsibility to identify and inventory significant cultural resources in the jurisdiction of the CLG. The public can serve as volunteers to assist in the survey effort. Survey results shall be of public record and on file at a public institution, except in the case of sensitive resources, e.g., archeological sites subject to vandalism.
>
> 3. Public participation shall be fully encouraged in the nomination process for the National Register of Historic Places program. The

[1] August 18, 2025 Historical Commission Recording; available at https://www.youtube.com/watch?v=w4FKC2nXrHA&t=7470s

> CLG shall invite comments from the general public regarding National Register nominations.
>
> 4. Public participation shall be fully encouraged in all public hearings on projects related to CEQA and Section 106 processes.

As maintaining public participation in these areas is a clear requirement of the Certified Local Government Program, the City should consider revisions to the proposed ordinance, as outlined below.

A. <u>The Proposed Ordinance Unnecessarily Limits the Public from Designating Public Historic Resources</u>

Both the existing and proposed ordinance limit the public from identifying and seeking designation of historical resources, namely public properties. The City should revise the proposed ordinance to allow for any interested person or group within Los Altos to seek historical designation of a property based on the existing criteria. As the Office of Historical Preservation has made clear, historic resources are of interest to the entire community, not just individual property owners. By needlessly limiting who can seek historic designation of these community resources, the proposed ordinance would diminish public participation.

For example, the City of Whittier allows for any interested individual or group to seek designation of historic resources in the city.

> Any person or group, including the city, may nominate a historic resource(s) for designation as a historic landmark or district by submitting an application to the planning department. Applications shall include, but are not limited to, submittal of the following:
>
> > A. Documentation indicating how the nominated resource satisfies the designation criteria;
> >
> > B. Any other information determined to be necessary for review of the proposed work; and
> >
> > C. Required filing fees, as set by council resolution. City initiated nominations are not subject to filing fees.
>
> (Whittier Municipal Code Section 18.84.070.)

In allowing for individuals and groups beyond property owners to seek designation of a property, the City would allow for greater protection of public

resources that may otherwise go undesignated and would preserve the public participation that is central to Certified Local Government Programs. This is especially relevant for City-owned properties that residents cannot otherwise nominate themselves with the current ordinance.

B. The Proposed Ordinance Would Dramatically Reduce the Ability of the Public to Appeal Decisions Regarding Historical Resources.

The changes to the Historic Preservation Ordinance include a dramatic change in who is allowed to appeal decisions impacting historical resources. Specifically, the proposed changes would remove the ability of any interested party to appeal a decision and would impose the limitations for appeals as outlined in Title 14 of the Municipal Code. This title limits appeals to property owners or residents *within a 300-ft radius* of the impacted property. (*See* Los Altos Municipal Code, Sec. 14.01.100.)

Limiting the appeal opportunities by an arbitrary radius ignores the fact that historic resources are of interest to the entire citizenry. In Drafting Historic Ordinances, the California Office of Historic Preservation notes that many cities have chosen to incorporate broad appeal rights into their preservation ordinances.

> The community should consider what parties have the right to appeal decisions under the ordinance. Some communities, such as the City of Los Angeles, state in their ordinance that "an appeal may be filed by the applicant or any aggrieved party." This broad authority allows any member of the community a right to appeal a preservation decision. Similarly, the City of Davis gives an unqualified right of appeal to "any resident of the city," but requires that the appeal must have at least one advocate from within the local community.

(California Office of Historic Preservation, Technical Assistance Bulletin #14, *Drafting Effective Historic Preservation Ordinances*, p. 76.)

If the City has actual interest in fostering a robust historic preservation program, including protection of broad public participation, the proposed amendment should be revised to ensure a broad right to appeal.

V. THE PROJECT WOULD REDUCE THE CITY COUNCIL'S AUTHORITY OVER FUTURE PROJECTS

Historical preservation programs offer cities the ability to direct development that impacts historical resources. As city authority continues to be chipped away by statewide mandates surrounding development, historical ordinances allow cities maintain control over projects that would impact these historical resources. These programs offer cities a chance to have input on projects that would otherwise be taken out of local control due to streamlining efforts. By weakening the City's preservation ordinance, the City will reduce its own ability to control development within Los Altos.

VI. THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. The City's Interpretation of CEQA Guidelines Section 15061(b)(3) is Flawed.

CEQA Section 15061(b)(3), also known as the common sense exemption, states that the exemption applies "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment[.]" In making the determination that there is no possibility that the activity in question may have a significant effect on the environment, the City must make a ***factual review of the record*** to determine whether the exemption applies. As the California Supreme Court stated in *Muzzy Ranch*, "whether a particular activity qualifies for the common sense exemption presents an issue of fact, and the agency invoking the exemption has the burden of demonstrating that it applies." *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 386.

Here, the City has failed to provide such a factual review. Rather, a single paragraph is provided in the Staff Report as support for the CEQA Exemption. There are material differences between the existing and proposed historical ordinances that must be reviewed for environmental impact relating to the historical resources. Without such support, the City's use of the common sense exemption is improper.

B. The Ordinances Will Have a Significant Impacts on Historical Resources

The adoption of the proposed amendment constitutes a project under CEQA. "To encapsulate the *Muzzy Ranch* test, a proposed activity is a CEQA project if,

by its general nature, the activity is capable of causing a direct or reasonably foreseeable indirect physical change in the environment." (*Union of Medical Marijuana Patients, Inc. v. City of San Diego* (2019) 7 Cal.5th 1171, 1198 [citing *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372].) Here, the Court determined that the City had incorrectly determined that the project was exempt from CEQA and should have continued with additional environmental review to determine the potentially significant impacts associated with the project.

CEQA Section 21060.5 defines the "environment" to include "historic" conditions within an area which will be affected by a proposed project. According to Section 21084.1, a "project that may cause substantial adverse change in the significance of an *historical resource* is a project that may have a significant effect on the environment." (Emphasis added.)

Here, the proposed amendment results in reduced oversight on developments impacting historical resources, the loss of appeal rights for the majority of community members, and the removal of the portions of the historical ordinance that discuss hardships and financial incentives, require separate advisory review by the Historical Commission, and note that a purpose of the historical preservation program is to fulfill the City's CEQA and Federal Section 106 review responsibilities. These changes will result in significant, cumulative impacts on all of the City's historic resources by reducing the efficacy of the protection embedded in the original ordinance. As such, the City must prepare an initial study and determine whether a Mitigated Negative Declaration or Environmental Impact Report is necessary for the project. Until additional CEQA analysis is performed, the City must refrain from adopting the proposed ordinance amendment.

The commonsense exemption from CEQA environmental review can only be relied upon "where it can be seen with *certainty* that there is *no possibility* that the activity in question may have a significant effect on the environment." (CEQA Guidelines § 15061(b)(3).) The agency has the burden of providing substantial evidence, with both evidence and analysis, to provide the support for its decision that a project is exempt. (*California Farm Bureau Federation v. California Wildlife Conservation Bd.* (2006) 143 Cal.App.4th 173, 187; *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106 [finding that the City failed to support its

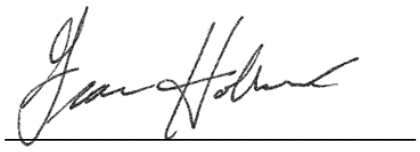
decision to exempt an ordinance under the "common sense" exemption].) Here, no such support has been provided to support the findings. As such, the exemption is improper.

As the proposed ordinance ***directly impacts*** how the City treats historic resources, there is a reasonably foreseeable, direct change in the "environment" as it relates to the City's historical resources. Thus, the significant impacts of the discretionary project upon historic resources must be reviewed through, at a minimum, an initial study.

I. CONCLUSION

PALLA requests that the pull the item from the consent calendar and reconsider the item at a future hearing date to allow for outstanding public input. PALLA additionally requests that the City formally review the environmental impacts of the proposed amendment through the preparation of an initial study considering the proposed ordinance's significant impacts on the City's historical resources. Further, PALLA requests that the City revise the proposed changes to ensure local engagement in decisions impacting historical resources is not arbitrarily limited. Lastly, PALLA urges the City to follow the procedure required by the CLG Agreement and Municipal Code by allowing the OHP and Historical Commission to review and recommend changes for these proposal prior to any final action taken by the City Council. If the City has any questions or concerns, feel free to contact my Office.

Sincerely,



Grace M. Holbrook
Attorneys for the Preservation Action League of Los Altos

Melissa Thurman

From: Catherine Nunes <nunescath@gmail.com>
Sent: Tuesday, October 14, 2025 2:04 PM
To: Public Comment
Subject: Public Comment Oct 14 2025 Los Altos City Council Meeting Consent Calendar Item # 6: Historic Preservation Ordinances - Request to Remove From Consent and Return to Historical Commission Review.

Dear Mayor and Council Members,

No one in Los Altos wants a dismantling of our historic and environmental protections. Or to reduce our treasured heritage spaces, sites, structures and public lands and their oversight to only items and code tied to Building and Construction under Zoning.

The purpose of a historical preservation ordinance is to align with the best principles and stewardship of our history and cultural assets for today and the future..

From the beginning, Los Altos has been committed to historic preservation in planning, policies, decisions and actions. In 1991, the City strengthened its historic preservation ordinance alongside its certification as a Certified Local Government.

The Council's position to waive the second reading of new Historic Preservation Ordinances and adopt these ordinances without formal review by the Historic Commission or justification on the intent and purpose of these new ordinances seems out of step with your commitment as governing representatives of the City of Los Altos.

These proposed major changes will negatively impact our historic and environmental resources, and our commitment to steward these historic resources in the public's best interests.

It seems reasonable to request that Item #6 for the Council to adopt these ordinances under Consent should not be voted on today. Instead, a vote to send back to the Historic Commission for review seems the right step in the right direction.

Sincerely,

Catherine Nunes

Melissa Thurman

From: noreply@civicplus.com
Sent: Tuesday, October 14, 2025 2:22 PM
To: Public Comment
Subject: Online Form Submittal: Public Comment Submission to City Council

Public Comment Submission to City Council

Submitting Written Comments on Agenda Items

Please note: Personal information, such as email addresses, telephone numbers, home addresses, and other contact information are not required to be included with your comments. If this information is included, they will become part of the public record. Redactions and/or edits will not be made to public comments, and the comments will be posted as they are submitted. Please do not include any information in your communication that you do not want to be made public.

Public comments submitted by 5:00 PM of the meeting date will be included in the agenda packet.

Public comments and any associated attachments are subject to the California Public Records Act.

Your Public Comment	Regarding Agenda Item 10 for the October 14, 2025 Council Meeting Please do not approve of synthetic turf for the proposed dog park. This material is neither aesthetically pleasing nor healthy for animals (including humans). Thank you very much, Caroline Horn Los Altos Resident
Attachments	*Field not completed.*
Name	*Field not completed.*
Email	b

Email not displaying correctly? View it in your browser.

CITY OF LOS ALTOS
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 30, 2025
7:00 p.m.
1 N. San Antonio Rd. ~ Los Altos, CA

Pete Dailey, Mayor
Neysa Fligor, Vice Mayor
Larry Lang, Councilmember
Sally Meadows, Councilmember
Jonathan D. Weinberg, Councilmember

CALL MEETING TO ORDER – Pete Dailey, Mayor, called the meeting to order at 7:00 p.m.

ESTABLISH QUORUM – All Councilmembers were present.

PLEDGE OF ALLEGIANCE – Pete Dailey, Mayor, led the Pledge of Allegiance.

REPORT ON CLOSED SESSION

There was no Closed Session meeting.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following member of the public spoke during Public Comment:
- Kirsti Elder

CONSENT CALENDAR

The following members of the public spoke on an item on the Consent Calendar:
- Nathan Godderis (Item 4)
- Maria Bautista (Item 6)

Motion by Lang and Second by Meadows to approve the Consent Calendar. **Motion carried unanimously by roll call vote.**

1. **Approve Draft Meeting Minutes for the Special and Regular Meeting of September 9, 2025**

2. **Approval of Short-Term Seat of Parks, Arts, Recreation & Cultural Commissioner**
   Approve the short-term seat of Parks, Arts, Recreation & Cultural Commissioner (PARC)

3. **Adoption of Resolution - Comprehensive General Plan Update - Professional Services Agreement**
   Adopt a Resolution authorizing the City Manager to execute a professional services agreement with Dyett & Bhatia for the preparation of a comprehensive General Plan Update and associated Environmental Impact Report (EIR)

4. **Adoption of Resolution – Outdoor Fitness Equipment Replacement at Hillview Park**
   Adopt a resolution to authorize the City Manager to enter into an agreement with Greenfields Outdoor Fitness, Inc. to design, purchase, and install outdoor fitness equipment to replace the old fitness equipment at Hillview Park in an amount not to exceed $145,000

5. **Adoption of Resolution - Contract Amendment for Fremont Bridge Pedestrian Bridge**
   Adopt a resolution authorizing the City Manager to execute Amendment No. 1 on behalf of the City with Dewberry Engineers Inc. in the amount of $17,228 and authorize additional $30,000 contingency for design professional consulting services for the Fremont Avenue Pedestrian Bridge Rehabilitation Project, TS-01055, for FY2025/26, and find that this action is Exempt from Environmental Review Pursuant to Section 15301(c) of the State Guidelines Implementing the California Environmental Quality Act of 1970

6. **Adoption of Resolution - Accepting North Council Library Authority Funds for Main Library Improvements Project**
   Two actions for Council consideration:

   - Adopt a resolution accepting North County Library Authority Funds for Main Library Improvements Project, Recognize $1,254,000 Revenue from North County Library Authority, and Appropriate $1,254,000 Revenue to Main Library Improvements Project (LI01001).
   - Adopt a resolution authorizing the City Manager to amend the contract with Anderson Brule Architects for the Main Library Improvements Project in an amount not to exceed $1,254,000, inclusive of a 10% contingency, and to execute any necessary change orders within that amount on behalf of the City

PUBLIC HEARING

7. **Introduction of Ordinances - Zoning Code Amendments for Historic Preservation and Mills Act**
   Four actions for Council consideration:

   Introduce and waive first reading of draft ordinances and consider June 5, 2025, Planning Commission recommendation for the adoption of the proposed ordinances, which include:

   - An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code; and
   - An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code; and

- An Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations; and
- Find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

Neysa Fligor, Vice Mayor, recused herself from the discussion and consideration of the item due to a potential conflict of interest.

Nick Zornes, Assistant City Manager, presented the report.

Pete Dailey, Mayor, opened the Public Hearing.

The following members of the public spoke during the Public Hearing:

• Jon Baer	• Daniil Reouk
• Lois Baer	• Acorn Pooley
• Roberta Phillips	• Warren Yang
• Maria Bautista	• Alice Mansell
• Kirsti Elder	• Teresa Morris

Pete Dailey, Mayor, closed the Public Hearing.

The City Council amended the ordinances to affirm the decisions made by the Planning Commission at its meeting on June 5, 2025.

Motion by Weinberg and Second by Meadows to Introduce an Ordinance by title only of the City Council of the City of Los Altos, adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

Motion by Weinberg and Second by Meadows to Introduce an Ordinance by title only of the City Council of the City of Los Altos, adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

Motion by Weinberg and Second by Meadows to Introduce an Ordinance of the City Council of the City of Los Altos repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations and to find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

The City Council took a recess at 8:53 p.m.

The City Council reconvened at 9:04 p.m.

DISCUSSION ITEMS

8. **Program Implementation - Drone as a First Responder**
   Authorize staff to move forward with the development and implementation of a Drone as First Responder (DFR) Program to enhance emergency response capabilities, improve situational awareness for first responders and promote public safety

Kathryn Krauss, Police Captain, presented the report.

The following members of the public spoke regarding the item:

- Brian Jones
- Pierre Bedard

The City Council authorized staff to move forward with the development and implementation of a Drone as a First Responder (DFR) Program to enhance emergency response capabilities, improve situational awareness for first responders and promote public safety. **No motion taken.**

INFORMATIONAL ITEMS / COUNCIL Q&A

9. **Tentative Council Calendar and Housing Element Update Implementation Calendar**

10. **09-30-2025 Council QA**

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

- **Jonathan D. Weinberg, Councilmember –** Requested a future agenda item:
  - Adopt a Resolution recognizing United Against Hate Week *(Supported by Fligor and Lang)*

ADJOURNMENT – The regular meeting adjourned at 10:15 p.m. in honor of Los Altos resident and long-time community volunteer Pinky Whelan.

The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the regular meeting on October 14, 2025.

Pete Dailey Mayor	Melissa Thurman, MMC City Clerk

The September 30, 2025, City Council meeting recording may be viewed via the following external website: https://www.youtube.com/@CityofLosAltosCA

The City of Los Altos does not own or operate YouTube. The video referenced in these minutes was live at the time the minutes were published.

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Melissa Thurman
Approved By: Gabe Engeland

Subject: Adopt a Resolution Designating the City Council Meetings of November 18, 2025 and December 2, 2025 as Regular Meeting Dates in Accordance with Los Altos Municipal Code Section 2.04.010 "Meetings."

COUNCIL PRIORITY AREA
General Government

RECOMMENDATION
Adopt a Resolution Designating the City Council Meetings of November 18, 2025 and December 2, 2025 as Regular Meeting Dates in Accordance with Los Altos Municipal Code Section 2.04.010 "Meetings."

ENVIRONMENTAL IMPACT
N/A

FISCAL IMPACT
N/A

PREVIOUS COUNCIL CONSIDERATION
On April 8, 2025, staff presented the City Council with an ordinance amendment to Section 2.04.010 “Meetings.” of the Los Altos Municipal Code, which would allow regular meeting dates to be moved to alternate dates, by resolution adoption. The ordinance was adopted on April 8, 2025.

BACKGROUND
At the November 12, 2024 City Council meeting, the City Council adjusted their annual calendar to create two special meetings at the end of 2025. The special meeting of November 18, 2025 was created due to a city closure on November 11, 2025, a regular City Council meeting day, in recognition of Veterans Day.

The special meeting of December 2, 2025 was approved, as this is typically when the City Council conducts their reorganization meetings. However, the City Council reorganization date will be held during the regular meeting of December 9, 2025. To allow for business to be conducted, and to not interrupt the reorganization ceremony, staff is requesting the meeting date of December 2nd be changed to a regular meeting.

Adoption of the attached resolution will designate the meetings of November 18 and December

2, 2025 as regular meetings of the City Council.

ANALYSIS
N/A

DISCUSSION
N/A

ATTACHMENTS
1. Attachment 1
2. Attachment 2

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS DESIGNATING THE CITY COUNCIL MEETINGS OF NOVEMBER 18 AND DECEMBER 2, 2025 AS REGULAR MEETINGS IN ACCORDANCE WITH LOS ALTOS MUNICIPAL CODE SECTION 2.04.010 "MEETINGS."

WHEREAS, Section 2.04.010 "Meetings." of the Los Altos Municipal Code details regular and special meetings of the City Council; and

WHEREAS, on April 8, 2025, the City Council adopted Ordinance 2025-524, amending Section 2.04.010 "Meetings." of the Los Altos Municipal Code, allowing for exceptions to regular and special meeting designations; and

WHEREAS, the City Council may change the day and/or time of a regular or special meeting by resolution; and

WHEREAS, on November 12, 2024 the City Council approved two special meetings in late 2025, on November 18th and December 2nd; and

WHEREAS, the regular meeting of November 11, 2025 was cancelled due to a city closure in recognition of Veterans Day, and a special meeting on November 18th was created in its place; and

WHEREAS, December 2nd is a special meeting date typically reserved for the City Council Re-Organization meeting; and

WHEREAS, the 2025 City Council Reorganization meeting will be held during the regular meeting of December 9, 2025.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos does hereby designates the City Council meetings of November 18 and December 2, 2025 as regular meetings.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October, 2025, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Pete Dailey
Mayor

ATTEST:

_____
Melissa Thurman, MMC
City Clerk

ORDINANCE NO. 2025-524

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 2, SECTION 2.04.010 OF THE LOS ALTOS MUNICIPAL CODE "MEETINGS."

WHEREAS, the Ralph M. Brown Act requires the City Council to set the place and time of its regular meetings "by ordinance, resolution, bylaws, or whatever other rules is required for the conduct of business"; and

WHEREAS, the City of Los Altos last amended the ordinance which set the regular meeting date and time schedule in 2012 as Ordinance No. 2012-376; and

WHEREAS, the amendment to Section 2.04.010 aims to provide more liberties to the City Council in creating and/or canceling meetings; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 2.04.010. **AMENDMENT OF CHAPTER 2 OF THE MUNICIPAL CODE**. Chapter 2, Section 2.04.010 is hereby amended in the Los Altos Municipal Code as set forth in Appendix A to this Ordinance.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the City Clerk, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on March 25, 2025, and was thereafter, at a regular meeting held on April 8, 2025, passed and adopted by the following vote:

AYES: Dailey, Fligor, Lang, Meadows, Weinberg
NOES:
ABSENT:
ABSTAIN:

Pete Dailey
MAYOR

Attest:

Melissa Thurman (May 21, 2025 09:07 PDT)

Melissa Thurman, MMC
City Clerk

2.04.010 Meetings.

A. The council shall hold its regular meetings in the community meeting chambers located at One North San Antonio Road, Los Altos, California on the second and fourth Tuesday of each month at 7:00 p.m. A special meeting of the city council may be called at any time by the mayor, or by a majority of the members of the city council, in accordance with state law. Any meeting of the city council may be cancelled in advance by majority vote of the council. The mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing their unavailability to attend a meeting.

B. Exception. The city council may from time to time, by resolution, change the day and/or time of a regular or special meeting or meetings as provided in subsection A of this section. If the city council so elects, a resolution shall be adopted which clearly states the duration of the change, or if no termination is stated, the revised start time shall prevail until altered by a resolution of the city council.

Ordinance 2025-524 - Meeting Dates

Final Audit Report 2025-05-21

Created:	2025-05-20
By:	Taylor Soleno (tsoleno@losaltosca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAR6UheOHOfg99_x57kkGYI5KHhUcK6VVH

"Ordinance 2025-524 - Meeting Dates" History

Document created by Taylor Soleno (tsoleno@losaltosca.gov)
2025-05-20 - 0:47:47 AM GMT- IP address: 12.202.14.68

Document emailed to pdailey@losaltosca.gov for signature
2025-05-20 - 0:48:15 AM GMT

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2025-05-20 - 6:03:50 AM GMT- IP address: 104.28.123.101

Signer pdailey@losaltosca.gov entered name at signing as Pete Dailey
2025-05-21 - 3:39:48 PM GMT- IP address: 99.144.119.125

Document e-signed by Pete Dailey (pdailey@losaltosca.gov)
Signature Date: 2025-05-21 - 3:39:50 PM GMT - Time Source: server- IP address: 99.144.119.125

Document emailed to Melissa Thurman (mthurman@losaltosca.gov) for signature
2025-05-21 - 3:39:51 PM GMT

Email viewed by Melissa Thurman (mthurman@losaltosca.gov)
2025-05-21 - 4:07:42 PM GMT- IP address: 12.202.14.68

Document e-signed by Melissa Thurman (mthurman@losaltosca.gov)
Signature Date: 2025-05-21 - 4:07:51 PM GMT - Time Source: server- IP address: 12.202.14.68

Agreement completed.
2025-05-21 - 4:07:51 PM GMT

Adobe Acrobat Sign

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Melissa Thurman
Approved By: Gabe Engeland

Subject: Adopt a Resolution recognizing October 19 - 25, 2025 as United Against Hate Week

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COUNCIL PRIORITY AREA
General Government

RECOMMENDATION
Adopt a Resolution recognizing October 19 - 25, 2025 as United Against Hate Week

ENVIRONMENTAL IMPACT
N/A

FISCAL IMPACT
N/A

PREVIOUS COUNCIL CONSIDERATION
N/A

BACKGROUND
During the regular meeting of September 30, 2025, Councilmember Jonathan D. Weinberg requested a future agenda item for a resolution recognizing United Against Hate Week. This request was supported by Councilmember Lang and Vice Mayor Fligor.

ANALYSIS
N/A

DISCUSSION
United Against Hate is a non-profit organization whose aim is to promote religious tolerance, greater economic security and stand against racism and division in local communities. Founded in 2017, a poster campaign in the Bay Area began, in response to rallies organized by hate groups in other parts of the country. The movement was popular, and spread to a nationwide campaign in 2018, and has expanded to a national "United Against Hate Week", in October of each year.

ATTACHMENTS
1. Attachment 1

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS RECOGNIZING "UNITED AGAINST HATE WEEK" AS OCTOBER 19 – 25, 2025

WHEREAS, "United Against Hate Week" is October 19 – 25, 2025; and

WHEREAS, the "United Against Hate Week" campaign embodies our collective commitment to foster an environment where every member of our community can live, work, and flourish without fear of hatred; and

WHEREAS, the City of Los Altos stands for diversity, inclusivity, and respect for all, irrespective of race, ethnicity, religion, gender, sexual orientation, disability, or any other characteristic; and

WHEREAS, we reject hate, discrimination, and violence, and pledge to stand up against hate and support victims of hate incidents; and

WHEREAS, we celebrate the richness of our diverse community and the strength it brings to our city; and

WHEREAS, we encourage open dialogue and respectful conversations to bridge divides and promote understanding.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby recognizes October 19 – 25, 2025 as "United Against Hate Week".

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC
City Clerk

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Jane Hou
Approved By: Gabe Engeland

Subject: Adoption of Resolutions - Addendum No. 13 to Regional Water Quality Control Plant Basic Agreement

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COUNCIL PRIORITY AREA
Environmental Sustainability
General Government

RECOMMENDATION
Two actions for Council consideration:

- Adopt a Resolution Authorizing the City Manager to Execute Addendum No.13 to the Regional Water Quality Control Plant Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos; and find that the Council's action is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301 and that none of the circumstances in CEQA Guidelines Section 15300.2 applies; and
- Adopt a Resolution for the appropriation of $281,911 to the Sewer Operating Fund

ENVIRONMENTAL IMPACT
The construction of this project is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, subsection (b), as it involves the repair and maintenance of an existing publicly owned utility used to provide sewerage treatment services with no expansion on the existing facility. A Notice of Exemption was submitted to the Santa Clara Clerk-Recorder's office and was recorded on August 7, 2023 (File No. ENV24700).

FISCAL IMPACT
The current estimated total project construction costs contributed by the contributing partner agency for the Joint Intercepting Sewer Rehabilitation (Phase 1) project are summarized in the table below.

Contributing Partner Agency	Cost Sharing
Mountain View	$6,726,000
Palo Alto	$3,141,000
Los Altos	$1,658,000
Los Altos Hills	$425,000
East Palo Alto Sanitary District	$268,000

Stanford University	$310,000
Total:	**$12,528,000**

The cost share amount for the City of Los Altos was recently updated from $1,262,089, approved on November 28, 2023, to $1,658,000 as communicated at the Partners' Meeting on September 8, 2025 and presented on September 22, 2025. The increase in the total project costs is based on various factors explained in the background section of this report.

To cover the increase of $395,911 for the City of Los Altos' share amount, an additional appropriation will need to be allocated to the sewer operating budget account # 03042200-5270 in FY25/26.

During the budget preparation in the Spring of 2025, the City of Palo Alto asked the City of Los Altos to include $114,000 for additional costs related to the construction delay of the Joint Intercepting Rehabilitation Project (Phase 1). This amount of $114,000 was included in the adopted budget. However, it is not sufficient to cover the updated increase of $395,911 presented on September 22nd. For this reason, an appropriation of $281,911 is necessary at this time.

PREVIOUS COUNCIL CONSIDERATION

- June 26, 2012 – Oral presentation from the City of Palo Alto regarding the Final Draft report of the Long-Range Facilities Plan for the RWQCP for informational purposes only.
- February 23, 2016 – Approval of Addendum 8 for the design of the Primary Sedimentation Tank Rehabilitation and Secondary Treatment Upgrades Projects.
- May 26, 2020 – Approval of Addendum No. 10 for constructing the Primary Sedimentation Tank Rehabilitation Project.
- November 29, 2022 – Approval of Addendum No. 11 for constructing the Primary Sedimentation Tank Rehabilitation and the Secondary Treatment Upgrade Projects.
- November 28, 2023 – Approval of Addendum No. 12 for the Acquisition, Construction, and Maintenance of a Joint Sewer System

BACKGROUND

The Joint Intercepting Sewer (JIS) is a 72-inch diameter reinforced concrete trunk sewer constructed in 1972. It extends approximately 9,000 feet parallel to Highway 101, through the Baylands Nature Preserve and along the closed City of Palo Alto landfill, before discharging into the Palo Alto Regional Water Quality Control Plant (RWQCP). The JIS conveys wastewater from Mountain View, Los Altos, Los Altos Hills, and a portion of Palo Alto, representing more than half of the RWQCP's influent flow.

A 2020 field investigation, which included closed-circuit television, sonar, and visual inspection, revealed corrosion, cracks, exposed rebar, and other structural defects. Based on those findings, the highest-priority 2,364-foot section of pipe was selected for rehabilitation as Phase 1 of the JIS Rehabilitation Project.

On May 16, 2022, the Palo Alto Council approved a contract with Jacobs Engineering Group for design services. On December 11, 2023, the Palo Alto Council approved Addendum No. 12 to the Basic Agreement between Palo Alto, Mountain View, and Los Altos, which set a maximum project cost of $8.9 million and authorized related construction and construction management contracts. Construction began in 2024. During implementation, unforeseen field conditions, complications with bypass pumping, and additional structural evaluation of critical infrastructure (e.g., Junction Box JB-0) increased project costs beyond the previously authorized maximum project cost amount. On June 9, 2025, the Palo Alto Council approved amendments to related contracts for Jacobs Engineering Group, Inc., Tanner Pacific, Inc., and Carollo Engineers, Inc. to support continued engineering and construction management services through the extended schedule. On August 11, 2025, the Palo Alto Council approved an increase to the construction contingency to address these issues.

ANALYSIS
N/A

DISCUSSION
Addendum No. 13 (Attachment 2) is required to increase the maximum authorized project cost and update the not-to-exceed amounts for partner contributions under the Basic Agreement. Addendum No. 13 will go to the City of Mountain View and the City of Los Altos' city councils on October 14, 2025, for their approval. The City of Palo Alto's agreement with the town of Los Altos Hills does not require approval for capital improvement projects.

Without this addendum, the three (3) cities would lack the necessary budget authority to complete the project. The addendum reflects cost increases due to construction market escalation, unforeseen field conditions, and extended construction management needs.

Stakeholder Engagement
This project is part of the RWQCP's major capital improvement program, which is funded by Palo Alto and the five additional partner agencies that use the RWQCP for wastewater treatment. Mountain View and Los Altos have been regularly updated on the need for and progress of wastewater capital work. Updates are provided each year at an annual meeting and at other periodic meetings established to inform Mountain View and Los Altos staff about the major capital improvement program.

ATTACHMENTS
1. Attachment 1
2. Attachment 2
3. Attachment 3

ATTACHMENT 1

RESOLUTION NO. 2025-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM NO. 13 TO THE REGIONAL WATER QUALITY CONTROL PLANT BASIC AGREEMENT BETWEEN THE CITY OF PALO ALTO, THE CITY OF MOUNTAIN VIEW, AND THE CITY OF LOS ALTOS FOR THE ACQUISITION, CONSTRUCTION, AND MAINTENANCE OF THE JOINT SEWER SYSTEM

WHEREAS, the City of Palo Alto and the City of Los Altos have entered a Joint Sewer System Agreement and subsequent addenda No. 1 through No. 12; and

WHEREAS, Addendum No. 13 will fund the additional costs related to the construction delay, construction market escalation, unforeseen field conditions, and extended construction management needs for the Joint Interceptor Project. The original budget for this major CIP project was approved under Addendum No. 12; and

WHEREAS, Addendum No. 13 includes the updated cost-sharing amounts for the contributing partner agencies; and

WHEREAS, the construction of this project is exempt from review under the California Environmental Quality Act for reasons stated in the staff report;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos does hereby:

1. Finds that the foregoing recitals are true and correct.
2. Authorizes the City Manager to execute Addendum No. 13 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund the additional funds needed to complete the rehabilitation of the Joint Interception Sewer Rehabilitation Phase 1 Project.
3. Authorizes the City Manager to take such further actions as may be necessary to implement the foregoing agreement.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October 2025, by the following vote:

ATTACHMENT 1

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Pete Dailey, MAYOR

ATTEST:

_____
Melissa Thurman, MMC CITY CLERK

ATTACHMENT 2

RESOLUTION NO. 2025-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ALLOCATING ADDITIONAL FUNDING IN THE AMOUNT OF $373,911 INTO FISCAL YEAR 2025/26 SEWER OPERATING BUDGET FOR THE COMPLETION OF THE JOINT INTERCEPTING SEWER REHABILITATION PROJECT (PHASE 1)

WHEREAS, the City of Palo Alto and the City of Los Altos have entered a Joint Sewer System Agreement and subsequent addenda No. 1 through No. 12; and

WHEREAS, the current CIP project does not have sufficient funds to complete the project as specified in Addendum No. 12; and

WHEREAS, Addendum No. 13 will fund the additional costs of $281,911 for the City of Los Altos' cost share related to the construction delay, construction market escalation, unforeseen field conditions, and extended construction management needs for the Joint Interceptor Project. The original budget for this major CIP project was approved under Addendum No. 12; and

WHEREAS, the construction of this project is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, subsection (b), as it involves the repair and maintenance of an existing publicly owned utility used to provide sewerage treatment services with no expansion on the existing facility. A notice of Exemption was submitted to the Santa Clara Clerk-Recorder's office and was recorded on August 7, 2023 (File No. ENV24700); and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby allocates additional funding in the amount of $281,911 into the Fiscal Year 2025/26 Sewer Operating Budget for the completion of the Joint Intercepting Sewer Rehabilitation Project (Phase 1).

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October 2025, by the following vote:

ATTACHMENT 2

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

ADDENDUM NO. THIRTEEN TO THE BASIC AGREEMENT BETWEEN THE CITY OF PALO ALTO, THE CITY OF MOUNTAIN VIEW, AND THE CITY OF LOS ALTOS FOR THE ACQUISITION, CONSTRUCTION AND MAINTENANCE OF A JOINT SEWER SYSTEM

This Addendum No. Thirteen (13) to the Basic Agreement for the Acquisition, Construction and Maintenance of a Joint Sewer System is made and entered into on TBD, 2025, by and among the CITY OF PALO ALTO ("Palo Alto"), the CITY OF MOUNTAIN VIEW ("Mountain View"), and the CITY OF LOS ALTOS ("Los Altos") (individually, a "Party", collectively, the "Parties"), all municipal corporations under the laws of the State of California.

RECITALS

A. The Parties have entered into that certain Basic Agreement Between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction, and Maintenance of a Joint Sewer System, executed on October 10, 1968, as amended by the Addenda described below (collectively, the "Basic Agreement"). The Basic Agreement has been amended twelve times by addenda, as follows:
    1. Addendum No. One (1) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of December 5, 1977;
    2. Addendum No. Two (2) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of January 14, 1980;
    3. Addendum No. Three (3) to an Agreement By and Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of April 9, 1985;
    4. Addendum No. Four (4) to the Agreement By and Between the Cities of Mountain View, Los Altos, and Palo Alto as further amended and dated May 30, 1991;
    5. Addendum No. Five (5) to Basic Agreement Between the Cities of Palo Alto, Mountain View, and Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System, dated as of July 31, 1992;
    6. Addendum No. Six (6) to Basic Agreement Between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of March 16, 1998;
    7. Addendum No. Seven (7) to Basic Agreement Between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for Acquisition, Construction and Maintenance of a Joint Sewer System dated as of April 15, 2009;
    8. Addendum No. Eight (8) to the Basic Agreement between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction, and Maintenance of a Joint Sewer System dated as of October 17, 2016;
    9. Addendum No. Nine (9) to the Basic Agreement between the City of Palo Alto, the City of Mountain View and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated March 4, 2019;

10. Addendum No. Ten (10) to the Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated May 17, 2021;
11. Addendum No. Eleven (11) to the Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated December 5, 2022;
12. Addendum No. Twelve (12) to the Basic Agreement between the City of Palo Alto, the City of Mountain View, and the City of Los Altos for the Acquisition, Construction and Maintenance of a Joint Sewer System dated December 11, 2023 (collectively, the "Addenda").

B. Palo Alto owns and operates the sanitary sewage treatment and disposal works and system (the "Joint System") pursuant to the Basic Agreement and is responsible for making capital additions to the Joint System. Under the Basic Agreement, any major capital additions for the replacement of obsolete or worn-out units require an agreement by the Parties amending the Basic Agreement.

C. Pursuant to Addendum No. Twelve (12), the Parties approved the construction of the Joint Interceptor Sewer Rehabilitation Phase 1 Project. Since then, the estimated costs of the Project have increased due to factors including design engineering, construction management, program management, and construction expenses.

D. The Parties now desire to increase the amount authorized for the construction of the Joint Interceptor Sewer Rehabilitation Phase 1 Project to reflect increases in Project Costs as defined in Paragraph 43 of the Basic Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the terms, conditions and covenants set forth in this Addendum No. Thirteen (13), the Basic Agreement is hereby amended, as follows:

Section 1. Paragraph 44 is hereby added to the Basic Agreement to read, as follows:

"44. INCREASED PROJECT COSTS FOR THE JOINT INTERCEPTOR SEWER REHABILTIATION PHASE 1 PROJECT. The maximum amount of the Project Costs for the Joint Interceptor Sewer Rehabilitation Phase 1 Project described in paragraph 43 is increased from $8.9 million to $13.6 million.

Each Party shall pay its share of the Project Costs for the Project, excluding bypass pumping costs inside the Plant, in the proportion to the capacity rights in the Joint System with an increased not-to-exceed amount from $7.0 million to $7.7 million as previously established and presented herein:

- Mountain View 62.50%
- Palo Alto 18.24%

- Los Altos 15.00%
- Los Altos Hills 4.26%

Bypass pumping costs within the Plant shall continue to be allocated based on the annual flow share calculated at the end of each fiscal year, in accordance with Paragraph 43.

Section 2. Except as modified herein, the Basic Agreement shall remain unchanged, and is hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have by their duly authorized representatives executed this Addendum as of the date first written above.

SIGNATURE PAGE:

CITY OF PALO ALTO

APPROVED:

_____
Mayor

_____
Date

_____
City Manager

ATTEST:

_____
City Clerk

_____
APPROVED AS TO FORM:

_____
City Attorney or Designee

_____
Date

CITY OF MOUNTAIN VIEW

_____
Kimbra McCarthy, City Manager

_____
Date

ATTEST:

_____
Heather Glaser, City Clerk

APPROVED AS TO CONTENT:

_____
Jennifer Ng, Public Works Director

_____
Date

FINANCIAL APPROVAL:

_____
Derek Rampone
Finance and Administrative Services Director

APPROVED AS TO FORM:

_____
Mitesh Bhakta
Senior Assistant City Attorney

_____
Date

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CITY OF LOS ALTOS

BY:

_____
City Manager
Gabriel Engeland

_____
Date

ATTEST:

_____
City Clerk
Melissa Thurman, MMC

_____
Date

APPROVED AS TO FORM:

_____
City Attorney
Jolie Houston

_____
Date

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Vency Woo
Approved By: Gabe Engeland

Subject: Adoption of Resolution - Annual Streets Resurfacing Project

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COUNCIL PRIORITY AREA
Public Safety
Business Communities
Circulation Safety and Efficiency
General Government
Housing

RECOMMENDATION
Adoption a Resolution authorizing the City Manager to execute a professional services agreement with BKF Engineers for the FY2025-2026 Annual Street Resurfacing Project in the amount of $258,643.00 and authorize a project contingency of $25,864.00 for a total project amount not to exceed $284,507

ENVIRONMENTAL IMPACT
The approval of a professional service agreement for annual street resurfacing project design is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Section 15301(c).

FISCAL IMPACT
FY2025/2026 annual budget, Council budgeted $2,768,946.00 for the Annual Street Resurfacing Project (TS-01001) and $970,000 for the Annual Street Slurry Seal Project (TS-01004). The awarding of the design contract project to BKF Engineers will not have an adverse impact on the project budget. Both projects are sufficiently funded, and no additional funding is anticipated.

PREVIOUS COUNCIL CONSIDERATION
N/A

BACKGROUND
N/A

ANALYSIS
N/A

DISCUSSION
Staff prepared a multi-year list of streets requiring resurfacing before they deteriorate beyond

repair. The complete list of streets was presented to the Complete Streets Commission on September 25, 2024, with no opposition from the Commissioners or the public to the multi-year project list recommended by staff. The multi-year list of street resurfacing will cover fiscal years up to FY2028. The purpose of preparing a multi-year list is to establish priorities and set long-term goals for maintaining existing streets with anticipated annual funding. The list was developed based on the Council's priority, with emphasis placed first on safe routes to school, followed by street classification, Pavement Condition Index (PCI), and the need for maintenance and re-stripping.

On July 31, 2025, the Request for Proposals (RFP) was advertised on PlanetBids, with a submission deadline of August 21, 2025. The scope of work for this professional engineering design service includes surveying and preparing a design to upgrade existing corner ramps to meet current ADA requirements; providing a core sample of existing roads listed on the mill and overlay; and preparing technical plans and specifications for the FY 25-26 Annual Streets Project. The proposed streets will implement recommendations from the Complete Street Master Plan when practical.

The FY2025-2026 Annual Street Resurfacing project locations are shown below:

FY2025-2026 Mill and Overlay

	Street Name	Begin	End	Road Classification	Safe Routes to School	Current PCI
1	Oakhurst Ave	Fremont Ave	Portland Ave	Residential	Y	45
2	Formway Ct	Almond Ave	End	Residential	N	40
3	Gabilan St	Cuesta Dr	Lyell St	Residential	N	44
4	Hawthorne Ave	Eleanor Ave	El Monte Ave	Residential	N	43
5	Larnel Pl	Granger Ave	End	Residential	N	43
6	Solana Dr	Almond Ave	End	Residential	N	40
7	St Charles Ct	St Matthew Way	End	Residential	N	44
8	Traverso Ct	Traverso Ave	End	Residential	N	48
9	Carvo Ct	Portland Ave	End	Residential	N	43
10	Casita Ct	Casita Way	End	Residential	N	41
11	Otis Wy	Mills Ave	End	Residential	N	41
12	Springer Rd	905 Springer Rd	Rosita Ave	Collector	Y	57
13	S Clark Ave	Cuesta Dr	El Monte Ave	Residential	Y	48
14	Grant Park Ln	Holt Ave	End	Residential	N	48

FY2025-2026 Slurry Seal (Micro-Surfacing)

	Street Name	Begin	End	Road Classification	Safe Routes to School	Current PCI
1	Santa Rita Ave	Los Altos Ave	W Portola Ave	Residential	Y	70
2	Santa Rita Ave	W Portola Ave	End	Residential	Y	74
3	W Portola Ave	Dixon Way	Los Altos Ave	Residential	Y	70
4	Kent Dr	Regent Dr	Andover Wy	Residential	Y	65

5	Kent Dr	Andover Wy	Stonehaven Dr	Residential	Y	58
6	Kent Dr	St Joseph Ave	Regent Dr	Residential	Y	61
7	St Joseph Ave	Eva Ave	End	Residential	Y	53
8	Morton Ave	Newcastle Dr	Grant Rd	Residential	Y	70
9	Grant Rd	Fremont Ave	1335 Grant Rd	Collector	Y	69

The city received proposals from BKF Engineers, CSG Consultants, Inc., and Kimley-Horn and Associates, Inc. Staff reviewed all the proposals submitted by the August 21, 2025, deadline. While all the proposals were impressive, the proposal from BKF Engineer appears to be best suited for the project based on their experience with the city, the experience of their staff on similar projects, and the project team that will be participating in the project.

ATTACHMENTS

1. Attachment 1

ATTACHMENT 1

RESOLUTION NO. 2025-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BKF ENGINEERS FOR THE FY2025-2026 ANNUAL STREET RESURFACING PROJECT (TS-01001 AND TS-01004)

WHEREAS, the City has selected BKF Engineers to provide professional engineering design services; and

WHEREAS, the FY2025-2026 Council-approved Capital Improvement Projects (CIP) budget has adequate funding to fund the project; and

WHEREAS, BKF Engineers has proposed a fee amount for these services that requires the City Council approval pursuant to the Los Altos Purchasing Policy.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos does hereby adopt a resolution:

1. Authorize the City Manager to execute the agreement with BKF Engineers in an amount of $258,643.00 and authorize a project contingency of $25,864.00 for a contract total not to exceed $284,507.00 for the design of the FY2025-2026 Annual Resurfacing Project.

2. Authorize the City Manager to take such further actions as may be necessary to implement the foregoing agreement.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Pete Dailey
Mayor

ATTEST:

ATTACHMENT 1

_____

Melissa Thurman, MMC
City Clerk

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Stephanie Williams
Approved By: Gabe Engeland

Subject: Adopt Zoning Code Amendments - Historic Preservation & Mills Act

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COUNCIL PRIORITY AREA
General Government

RECOMMENDATION
Adopt the three (3) draft ordinances which include:

- An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code; and
- An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code; and
- An Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations; and
- Find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

ENVIRONMENTAL IMPACT
Zoning Code text amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The Zoning Code text amendments can be seen with certainty that there is no possibility that the proposed action may result in a significant effect on the environment as the ordinance further implements State law and creates procedural requirements locally for how to do so. Additionally, the proposed amendments are designed to preserve and protect existing and future historic resources of such structures that already exist today and do or will qualify as a historic resource within the City of Los Altos. The proposed revisions to the Zoning Code are exempt from further review under CEQA.

FISCAL IMPACT
There is no fiscal impact associated with the development of this ordinance. However, continuation of the approval of Mills Act Contracts with individual properties within the City does lower the tax base for qualifying properties which in return reduces the property taxes collected by the County of Santa Clara and dispersed to the City of Los Altos. Mills Act properties receive a 40-60% reduction in property taxes annually.

PREVIOUS COUNCIL CONSIDERATION
September 30, 2025

BACKGROUND
The Los Altos Municipal Code contains various regulations for items that include Historic Preservation. However, the Code does not include specific standards, processes or procedures for Mills Act Properties and the associated contracts for historic preservation.

The Historic Preservation Ordinance, as a part of this Agenda Item, aims to modernize and strengthen the process for identifying, designating, preserving, and regulating historic resources in the City of Los Altos. This update codifies existing best practices, integrates preservation into land use and development processes, and provides clear procedures and definitions for designations and alterations to historic properties. Much of the proposed ordinance language is consistent with existing standards within the Los Altos Municipal Code, but should be relocated from Title 12 (Building and Safety Code) to Title 14 (Zoning Code) and reorganized into its ordinance structure.

The proposed Mills Act Chapter introduces an economic incentive program authorized by California Government Code §§50280–50290. It allows owners of qualified historic properties to enter into contracts with the City for reduced property tax assessments in exchange for commitments to restore and maintain those properties according to preservation standards. The proposed ordinance largely codifies existing practice, which is enabled by State law. The integration of the proposed ordinance into the local code allows for consistency and integrity of the Mills Act program within the City.

ANALYSIS
Historic Preservation Ordinance:
The Ordinance establishes a comprehensive regulatory framework for designating properties as historic resources or landmarks based on criteria related to age, integrity, and significance. Introduces formalized procedures for applications, reports, Historical Commission review, and City Council action. Defines a new Historic Alteration Permit process for review and approval of proposed changes to designated properties, ensuring compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Identifies ordinary maintenance activities exempt from permit requirements and emphasizes the duty to maintain designated historic properties in good repair. Clarifies appeal rights, enforcement mechanisms, and the option for joint public hearings with other review authorities.

Mills Act Ordinance:
The draft Ordinance has been modeled after State law and incorporates all necessary provisions. The Ordinance 1) establishes eligibility requirements for entering into historic property preservation contracts, limiting participation to properties designated on local, state, or national registers; 2) sets out a robust application process including a 10-year maintenance plan, cost estimates, photographs, proof of eligibility, and property tax assessment projections; 3) requires formal contract review and execution by the City Council, subject to compliance with applicable codes and preservation standards; 4) mandates periodic inspections and documentation (every five years) to ensure ongoing compliance with preservation obligations; and 5) includes

provisions for nonrenewal, amendment, and cancellation of contracts, consistent with state law and local enforcement authority.

As previously noted, the proposed Mills Act Ordinance is a codification of existing practices which are enabled by State law. The proposed ordinance further provides processes and procedures for review, approval, and enforcement of the Mills Act for the City of Los Altos. Unless otherwise amended, existing Mills Act Contracts remain intact and unaltered with adoption of the proposed ordinance.

DISCUSSION

The revised Historic Preservation Ordinance and the new Mills Act Chapter function in tandem to preserve the City's cultural and architectural heritage through both regulatory oversight and financial incentives. The operative framework provides the following:

- Designation to Protection: Properties must first be designated as Historic Resources (via the Historic Preservation Ordinance) to become eligible for Mills Act contracts. The preservation ordinance provides the process and criteria for such designation, ensuring resources meet thresholds of significance and integrity.
- Alterations and Integrity: Once designated, any significant changes to a property must go through the Historic Alteration Permit process to protect character-defining features. This ensures that physical modifications do not compromise historical integrity.
- Financial Incentives and Long-Term Maintenance: The Mills Act contract offers a property tax reduction in exchange for a binding 10-year plan (which renews annually) to rehabilitate and maintain the historic property. City inspections verify ongoing compliance, while cancellation provisions protect the public interest and further ensure that a reduction in the property tax levy is only commensurate with the need to upgrade or restore the historic property.
- Enforcement and Oversight: Both ordinances include clear roles for staff, the Historical Commission, and the City Council in reviewing, approving, and enforcing regulations or contracts. Joint hearing procedures further streamline multi-authority reviews where necessary.

Planning Commission June 5th Meeting

On June 5, 2025, the Los Altos Planning Commission held a public hearing to consider the draft ordinances. During that meeting public testimony was received which identified concern over the requirement for interior inspection in addition to a required exterior inspection of a historic property with Mills Act Contract. The Planning Commission considered the public testimony and requested a modification to clarify what the interior inspection would entail. Additionally, during the commissioner discussion, it was identified that pursuant to Government Code Section 50281 interior and exterior inspections of historic properties with Mills Act Contracts is statutorily required. The draft Mills Act Program Ordinance was drafted consistent with the Office of Historic Preservation (OHP) Technical Assistance document.

Additionally, public testimony regarding the Historic Preservation Ordinance was received. Comments were concerned that too much of the ordinance was being modified without

consideration of what was lost or what was retained in the drafted ordinance. A side-by-side comparison of red lines to the existing ordinance was requested by two members of the public. Staff explained that since the Ordinance was being relocated from Title 12 to Title 14, and the Ordinance has been reorganized for ease of application of the code which would result in the entire existing ordinance being strikethrough and underlined.

The proposed ordinances were passed by a vote of 4-1. It is important to note that the one dissenting vote was cast on the basis that the commissioner believed the ordinances should have been sent to the Historical Commission for consideration.

The one dissenting vote by the Planning Commission gave staff the opportunity to re-evaluate the necessity for the proposed ordinances to be reviewed by the Historical Commission. Ordinances contained within the Zoning Code are not legally required to be reviewed by any commission with the exception of the Planning Commission prior to consideration of the City Council. Pursuant to Section 2.12.030 the Historical Commission *Review and comment upon existing or proposed ordinances, plans or policies of the city as they relate to historic resources.* Since the Historic Preservation Ordinance and Mills Act Ordinance contain regulations for historic resources, staff agendized this item for Review and Comment by the Historical Commission.

Historical Commission August 18th Meeting
On August 18, 2025, the Los Altos Historical Commission held a meeting to review and comment on the proposed ordinances. The Historical Commission review concluded no objection to the moving of Historic Preservation Regulations from Title 12 to Title 14 as proposed. During that meeting, public testimony was received which identified various changes that should be made based on the public comment.

Meeting with Residents
On August 6, 2025, City Manager, Gabe Engeland, and Assistant City Manager, Nick Zornes met with four (4) residents, three (3) of which are owners of Historic Properties within the City and each hold Mills Act Contracts. During this meeting dialogue received informed potential modifications to the draft ordinances. Following the meeting a Summary of Comments was received on August 7, 2025; appropriate comments received were integrated into the draft ordinances which were reviewed by the Historical Commission.

On September 4, 2025, City Manager, Gabe Engeland, and Assistant City Manager, Nick Zornes met with three (3) residents, all of which are owners of Historic Properties within the City and each hold Mills Act Contracts. During this meeting City staff reviewed each issue, concern, or comment raised by the residents, and made changes based on the suggestions presented. Additional modifications to the proposed ordinances were integrated during the discussion with residents; all modifications identified in Blue and Underline are based on comments received and discussed at these meetings.

City Council September 30th Public Hearing
The City Council conducted a Public Hearing on September 30, 2025, received a presentation from staff, asked clarifying questions, received public testimony, and deliberated on the

proposed ordinances. The City Council introduced the three (3) draft ordinances with the modification of utilizing the June 5, 2025, Planning Commission draft ordinances. The City Council elected not to include the requested modifications of requested by public comments during the August 6, 2025, and September 4, 2025, meetings with residents.

ATTACHMENTS

1. Attachment 1
2. Attachment 2
3. Attachment 3
4. Attachment 4
5. Attachment 5
6. Attachment 6

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADDING CHAPTER 14.93 (HISTORIC PRESERVATION) TO THE LOS ALTOS MUNICIPAL CODE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City Council held a duly noticed public hearing on September 30, 2025, and October 14, 2025; and

WHEREAS, the amendments were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended, The Zoning Code text amendments can be seen with certainty that there is no possibility that the proposed action may result in a significant effect on the environment as the ordinance further implements State law and creates procedural requirements locally for how to do so. The proposed amendments are designed to preserve and protect existing and future historic resources of such structures that already exist today and do or will qualify as a historic resource within the City of Los Altos; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. **AMENDMENT OF CHAPTER 14.93 OF THE MUNICIPAL CODE**. Chapter 14.93 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

I HEREBY CERTIFY that the foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 30, 2025, and was thereafter, at a regular meeting held on October 14, 2025, passed, and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

APPENDIX A
CHAPTER 14.93

APPENDIX A

Chapter 14.93 – HISTORIC PRESERVATION

14.93.010 Purpose.

The purpose of this chapter is to:

A. Safeguard the heritage of the city by providing for the protection of historic resources representing significant elements of its history;
B. Enhance the visual character of the city by encouraging the compatibility of architectural styles which reflect established architectural traditions on individual property and parcels of land;
C. Encourage public knowledge, understanding and appreciation of the city's past, and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the city's historic resources;
D. Stabilize and improve property values within the city and increase the economic and financial benefits to the city and its inhabitants derived from the preservation, rehabilitation, and use of historic resources;
E. Integrate the conservation of historic resources into the public and private development process and identify as early as possible and resolve conflicts between the preservation of such resources as possible.

14.93.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:

"Alteration" means any act or process that changes any portion of the exterior architectural appearance of a structure or object, including, but not limited to, the erection, construction, reconstruction, removal of exterior architectural features or details, or the addition of new structures, but does not include painting, ordinary maintenance and landscaping.

"California Historical Building Code" applies to all qualified historic structures and sites, designated under federal, state and local authority. It provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as qualified historic buildings.

"California Office of Historic Preservation" means the governmental agency primarily responsible for the statewide administration of the historic preservation program in California.

"California Register of Historical Resources" is a comprehensive listing of California's historical resources, including those of local, state and national significance.

"Character defining features" means the defining elements, such as prominent architectural features, materials, craftsmanship or other elements, that, individually or in combination, identify a historic property, building or landscape.

"Commission staff" means the staff liaison assigned to the historical commission.

"DPR 523" means the California Department of Parks and Recreation Historic Resource Inventory Forms used for historic evaluations. The DPR 523A form provides descriptive information about a resource. The DPR 523B form provides an evaluation of the resources and includes a determination as to whether the resource is eligible for the National or State Register of Historic Places or listing on the Los Altos Historic Resources Inventory.

"Exterior architectural feature" means the architectural elements embodying style, design, general arrangement and components of all the outer surfaces of an improvement, including but not limited to, the kind, size, shape and texture of building materials, and the type and style of windows, doors, lights, signs and other fixtures appurtenant to such improvement.

"Historic landmark" means a building, improvement, structure, natural feature, site or area of land, under single or common ownership that has significant historical, architectural, cultural, and/or aesthetic interest or value, and is designated as a historic landmark by the city council.

"Historic resource" is a property or structure that has been determined to be over fifty (50) years old, or has been identified as eligible for listing in a local, state, or national historic register per CEQA Guidelines Section 15064.5, retains its physical integrity, has historical, architectural, cultural, and/or aesthetic value, and is listed on the historic resources inventory (HRI).

"Historic resources inventory" (HRI) means the city's official inventory of the historic resources, as adopted and amended from time to time by resolution of the city council. A

property or structure must be designated as a historic landmark or a historic resource to be listed.

"Historical commission" is an advisory commission appointed by the city council that is tasked with maintaining the historic resources inventory, making recommendations on historic landmarks, working with property owners on preservation, maintenance and other development activities related to historic resources, and other activities as identified in the municipal code.

"Improvement" means any building, structure, parking facility, wall, work of art or other appurtenance or addition thereto constitute a physical betterment of real property or any part of such betterment.

"Integrity" is the authenticity of the characteristics, also referred to as character defining features, from which resources derive their significance. Integrity is the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.

"Mills Act" is an economic incentive program in California for the restoration and preservation of qualified historic structures. The Mills Act grants participating local governments the authority to enter into contracts with owners of qualified historic properties to reduce the property tax assessment in exchange for the restoration and maintenance of the historic resource.

"National Register of Historic Places" is the official inventory of districts, sites, buildings, structures and objects significant in American history, architectural, archeology and culture, maintained by the Secretary of Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966.

"Preservation" means the act of identification, study, protection, reconstruction, restoration, rehabilitation or enhancement of historic and/or cultural resources.

"Reconstruction" means the act or process of reproducing by new construction, the exact form and detail of a vanished building, structure or any part thereof, as it appeared at a specific period.

"Rehabilitation" means the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while

preserving those portions or features of the property which are significant to its historical, architectural and cultural value.

"Restoration" means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period by means of the removal of later work or by the replacement of missing earlier work.

"Secretary of Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68)" are the Federal Standards for the Treatment of Historic Properties that are utilized in the identification, evaluation, registration and treatment of historic properties. The list of ten (10) Rehabilitation Standards, published as the Secretary of the Interior's Standards, is aimed at retaining and preserving those features and materials that are important in defining the historic character of a resource.

14.93.030 Identification of Historic Resource.

For a property to be placed on the HRI following the adoption of this Chapter, an historic resource survey (DPR 523A) shall be prepared by a qualified consultant in compliance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation: Professional Qualifications Standards.

14.93.040 Historic Resource Designation

A. **Designation Criteria.** For the purposes of this Chapter, a structure, property or object may be eligible for designation as a historic resource or historic landmark, if it/they satisfy all three (3) criteria listed below:
    1. Age. A structure or property shall be more than fifty (50) years in age.
    2. Determination of Integrity. A structure or property should retain sufficient historic integrity in most of the following areas:
        a. Location. The place where the historic property was constructed or where the historic event occurred. Integrity of location is maintained when the property remains at its original site.
        b. Design: The combination of elements that create the form, plan, space, structure and style of a property.
        c. Materials: The physical elements that were combined or deposited during a particular period and in a particular pattern or configuration.
        d. Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in prehistory or history.

e. Characteristic: A property's expression of the aesthetic or historic sense of a particular period.

f. Association: The direct connection between a property and the historic event, activity, or person for which it is significant.

3. Historic Significance. A structure or property should be clearly associated with one or more of the following areas of significance:

a. Event: Associated with a single significant event or a pattern of events that have made a significant contribution to broad patterns of local or regional history, or cultural heritage of California or the United States.

b. Person/People: Associated with the lives of people important to the local or regional, California or national history.

c. Architecture/Design: Embodies the distinctive characteristics of a design-type, period, region or method of construction, or represents the work of a master or possesses high artistic value.

d. Archaeology: Yields important information about prehistory or history of the local area, California or the nation.

B. **Initiation for Designation.**

1. Designation of a property proposed for inclusion on the HRI may be initiated by any of the following parties:

a. Owner(s) of the property proposed for inclusion or authorized representative of the owner(s);

b. Historical Commission and affirmed by the City Council;

c. City Council.

2. If designation is initiated by the owner(s), an application for designation shall be made to the Development Services Department through submittal of the prescribed application form accompanied by a nonrefundable filing fee as specified in the adopted Fee Schedule. The Development Services Department shall establish what supporting documentation shall accompany the application, including, but not limited to, State of California DPR 523 series forms or other HRI forms as may be approved by the State.

3. At the time of submission of an application for designation, the owner(s) or authorized representative of the owner(s) shall be notified of the proposed designation and given the opportunity to comment; however, owner consent is not required for designation to proceed.

4. The application shall indicate the parameters of the property proposed for inclusion, specifying any related structures or resources that are to be included for consideration and an evaluation of the property's conformance with the applicable criteria.

5. If designation is initiated by the Historical Commission or the City Council, the Development Services Department shall notify the owner(s) of the property by certified mail within ninety (90) days of the initiation and request written consent from the owner. The notice shall inform the owner(s) of the proposed designation and provide an opportunity to comment during the public hearing process. Owner consent shall not be required for the designation to proceed.

C. **Approval of Permits When Designation is Pending.** Except as provided by this chapter no Building Permit, Demolition Permit, or other permit that would result in a major alteration of the property shall be issued for any property when an HRI designation application has been initiated with the Development Services Department until all hearings on the matter are concluded.

D. **Historical Commission Hearing.**
   1. The Historical Commission shall conduct a hearing on the application for designation at its next regularly scheduled meeting following the application being deemed complete by the Development Services Department.
   2. A staff report, including the supporting documentation concerning the property proposed for inclusion shall be provided to the Historical Commission. The report shall address the significance and integrity of the property proposed for inclusion as it relates to the designation criteria, provide other relevant information, and include a recommendation concerning the application and the basis therefor.
   3. The Historical Commission shall consider the evidence provided by a licensed design professional specializing in historic preservation or qualified historic preservation professional who meet the Secretary of Interior's Professional Qualification Standards, as established by the National Park Service. The Historical Commission shall recommend to the City Council approval, modification, or denial of the designation proposal, including the reasons for such recommendation.

E. **City Council Review.** Following the recommendation of the Historical Commission, the City Council shall take final action on the request for designation by resolution approving or denying the recommendation.

F. **Notice of Designation.**
   1. Following action by the City Council, a copy of the findings shall be sent by first class mail to the owner(s) of the newly designated HRI property, and a notice of the designation, along with a legal description of the property, shall be recorded in the records of the County Recorder.
      a. Failure to record with the County Recorder shall not invalidate a designation or any of the requirements of this Chapter.
   2. The City Council also shall send notice of the designation to California State Parks, Office of Historic Preservation.

G. **Designation Repeal or Amendment.**

1. Designation may be repealed or amended in the same manner and procedure as was followed to designate the property initially. This action shall result from new information, the discovery of earlier misinformation or change of original circumstances, conditions, or factors that justified the designation.
2. If a repeal of designation is approved by the City Council, a notice shall be sent by first class mail to the owner(s) of the property.

14.93.050 Historic Alteration Permit.

A. Historic Alteration Permit(s) are required in order to alter, demolish, remove, relocate or change any exterior architectural features of an HRI listed property, or remove or relocate any improvements, structures that contribute to the integrity or the historic significance of the resource.
B. For non-residential properties that are on the HRI, non-permanent improvements such as signage, fences/walls, minor accessory structures and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from Historical Commission review by the Zoning Administrator.
C. For residential properties that are on the HRI, improvements such as swimming pools, fences/walls, minor accessory structures and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from Historical Commission review by the Zoning Administrator.
D. Where applicable, applicants shall use the California Historic Building Code (CHBC) to accommodate necessary code compliance in a manner that retains character-defining features and ensures life-safety without compromising historic integrity. Any condition deemed unsafe or warranting removal of historic features shall first be evaluated for compliance under the CHBC prior to initiating demolition or alteration.

14.93.060 Review of Historic Alteration Permit.

A. For projects that require a historical alteration permit, the historical commission shall complete its review and issue a recommendation at its next available scheduled meeting. The commission shall determine if:
    1. The project complies with all provisions of this chapter; and
    2. The project does not adversely affect the physical integrity or the historic significance of the subject property.
    3. The project is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

B. The Historical Commission recommendation on the historical alteration permit, shall be forwarded to the Zoning Administrator for consideration. The Zoning Administrator may approve or deny the recommendation of the Historical Commission based on the applicable provisions of this code.

14.93.070 Application for Historic Alteration Permit.

A. Applications for historical alteration permits shall be submitted to the Development Services Department. Applications shall at minimum include the following information:
   1. A clear statement of the proposed work;
   2. A site plan and boundary survey showing all existing buildings, structures, trees over six inches in diameter, property lines, easements and the proposed work;
   3. Detailed plans showing both the existing and proposed exterior elevations, including a street elevation, photographs of windows and/or special features, materials and grading;
   4. Specifications describing all materials to be used and all processes that would affect the appearance or nature of the materials;
   5. Notes indicating any deviation from the Secretary of the Interior's Standards for Historic Rehabilitation; and
   6. Such other information or documents as may be requested by the Zoning Administrator.

14.93.080 Joint Meeting Procedures.

When a project requires multiple discretionary approvals from multiple review authorities, the project shall be reviewed at a Joint Meeting of the respective review authorities when practical. Procedures for Joint Meetings shall be as follows:

A. The Historical Commission will attend a regularly scheduled or special meeting of the Zoning Administrator, Planning Commission, and/or City Council.
B. One (1) public meeting notice, agenda, and meeting minutes shall be prepared for the item being reviewed at the Joint Meeting.
C. The Historical Commission shall conduct its review first and render its recommendation followed by the Zoning Administrator, Planning Commission, and/or City Council.

14.93.090 Appeal Procedures.

Any decisions rendered under regulations contained within this Chapter are appealable pursuant to Section 14.01.100 of the Los Altos Municipal Code.

14.93.100 Notice of Public Meetings.

Any decisions rendered under regulations contained within this Chapter are subject to public meeting notice requirements pursuant to Section 14.01.130 of the Los Altos Municipal Code.

14.93.110 Ordinary Maintenance and Repair.

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance, painting, landscaping or repair of any exterior feature in or upon any historic resource or historic landmark that does not involve a change in design, material or the external appearance thereof, nor does this chapter prevent the construction, reconstruction, alteration, restoration, demolition or removal of any historic resource or historic landmark which has been certified in writing by the city building inspector, or fire chief, or other code enforcement officer as being in unsafe or dangerous condition as contained within the California Building Code and/or Property Maintenance Code which cannot be rectified through the use of the California State Historic Building Code.
B. Ordinary Maintenance and Repair as described in this Section shall be exempt from the requirements of obtaining a Historic Alteration Permit.

14.93.120 Duty to keep in good repair.

A. The owner, occupant or the person in actual charge of a historic resource or a historic landmark shall keep and maintain in good condition and repair all exterior portions of the improvement or structure, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature or natural feature.
B. It shall be the duty of the development services director or their designee to enforce this section.

14.93.130 Enforcement.

The violation of any provision contained in this chapter is hereby declared to be unlawful and shall constitute a misdemeanor, subject to the penalties as prescribed in Title 1, Chapter 1.20 of this code.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADDING CHAPTER 14.95 (MILLS ACT PROGRAM) TO THE LOS ALTOS MUNICIPAL CODE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City Council held a duly noticed public hearing on September 30, 2025, and October 14, 2025; and

WHEREAS, the amendments were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended. The Zoning Code text amendments can be seen with certainty that there is no possibility that the proposed action may result in a significant effect on the environment as the ordinance further implements State law and creates procedural requirements locally for how to do so. The proposed amendments are designed to preserve and protect existing and future historic resources of such structures that already exist today and do or will qualify as a historic resource within the City of Los Altos; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. **AMENDMENT OF CHAPTER 14.95 OF THE MUNICIPAL CODE**. Chapter 14.95 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

I HEREBY CERTIFY that the foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 30, 2025, and was thereafter, at a regular meeting held on October 14, 2025, passed, and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

APPENDIX A
CHAPTER 14.95

APPENDIX A

Chapter 14.95 - MILLS ACT PROGRAM

14.95.010 - Authority for Adoption.

This Chapter is adopted pursuant to California Government Code Sections 50280 through 50290, commonly known as the "Mills Act."

14.95.020 - Purpose and applicability.

State law provides that the City Council may contract with the owner of any qualified historical property in a manner which they deem as reasonable to carry out the purposes of the Mills Act. The Mills Act enables the City Council, in its discretion, to enter into historic property preservation contracts with the owner(s) of qualified historical properties within the City of Los Altos. The historic property contract allows the owner of a qualified historical property to obtain preferential property tax assessment in exchange for restrictions on the property to help preserve, restore, and maintain the historic property.

14.95.030 - Definitions.

The following definitions shall apply for the purposes of this Chapter:

"Anniversary date" means the date of final execution by all parties of the historic property contract and the same date each subsequent year that the historic property contract is in effect.

"Historic property preservation contract" means a contract between the owner(s) of a qualified historic property and the City of Los Altos, meeting all requirements of State law and this Chapter. The "historic property preservation contract" may also be referred to in this Chapter as "historic contract."

"Owner" means all persons and entities that have a right, title, or interest in the property which is the subject of the historic property contract. The term "owner" includes agents authorized in writing by the owner to act on owner's behalf. The term "owner" also includes owner's successors-in-interest.

"Qualified historical property" means a privately owned property, inclusive of the qualified historical improvements and any land on which the qualified historical improvements are located, which is not exempt from property taxation and which meets any one of the following criteria:

1. A property or structure listed individually in the National Register of Historic Places;

2. A property or structure listed individually in the California Register of Historical Resources;
3. A property or structure listed individually in the City of Los Altos' adopted Historical Resource Inventory;

14.95.040 - Limitations on historic property contracts.

A. The City Council may, in its sole discretion and pursuant to the terms of this Chapter, enter into historic contracts with the owners of qualified historical properties that are located within the City of Los Altos.
B. Only qualified historical properties shall be eligible to enter into historical contracts.
C. Applications for historic contracts must be received prior to July 1 of any calendar year to be processed during that calendar year. Historic property contracts must be approved, signed, and recorded in the Office of the Recorder of the County of Santa Clara on or before December 31 of a calendar year to be eligible for property tax reassessment for the following fiscal year.
D. The intent of this Chapter is to establish procedures whereby property subject to a historic property contract approved, executed, and recorded pursuant to this Chapter will be eligible for property tax valuation as an enforceable restricted historical property pursuant to state law (Sections 439 through 439.4 of the California Revenue and Taxation Code, as may be periodically amended). In the event that only a portion of a property or structure is the subject of a historic contract, only that portion of the property or structure covered by the historic property contract shall be considered for preferential property tax assessment treatment under state law. The rest of the property or structure shall be subject to standard property tax assessment, and the total assessed value shall be a combination of the two methods as determined by the County Assessor. This section shall not be construed to circumvent or diminish any requirements of the Subdivision Map Act.
E. Properties with recorded historic contracts must comply with all applicable City of Los Altos rules, regulations, policies, permit requirements, and associated fees, including those needed to carry out the provisions of the historic contract. Entry into a historic contract does not relieve the property which is the subject of the contract from compliance with any and all applicable federal and state laws and local regulations.
F. Applications for historic contracts on properties on which a notice of violation has been recorded will not be accepted under this Chapter until the violation has been cleared.

14.95.050 - Required provisions of historic property contracts.

A. The historic contract shall be in a form acceptable to City Attorney and the City Manager or their designee and shall be retained in the records of the City of Los Altos, City Clerk's Office. The Development Services Department may develop and maintain a historic contract template.

B. Each historic property contract shall at a minimum include, without limitation, the following terms, conditions, restrictions, and requirements:

1. The contract shall contain a legal description of the property which is the subject of the contract.
2. The contract shall have a minimum term of ten (10) years. Each year, on the anniversary date of the contract or such other annual date as is specified in the contract, a year shall be added automatically to the initial term of the contract unless the owner or the City of Los Altos has given timely written notice of non-renewal.
3. The contract shall run with the land and be binding upon, and inure to the benefit of, all successors in interest of the owner(s). A successor in interest shall have the same rights and obligations under the contract as the original owner(s) who entered into the contract.
4. The contract shall include a written ten (10) year maintenance/rehabilitation work program to confirm a commitment to restore, rehabilitate, and/or preserve the subject property in conformance with all of the following as applicable:
    a. The rules and regulations of the Office of Historic Preservation of the California State Parks Department;
    b. The United States Secretary of the Interior's Standards for the Treatment of Historic Properties;
    c. The California Building Standards Code (Title 24 of the California Code of Regulations), including the California Historical Building Code (Part 8 of Title 24) where applicable; and
    d. The requirements, provisions, and conditions set forth in the historic property contract.
5. The contract shall provide for an inspection of the interior and exterior of the premises as required by Government Code Section 50281 and 50282 by the City of Los Altos five (5) years after entry into the contract and every five (5) years thereafter to determine the owner's continued compliance with the contract. Photographs of the interior and exterior shall not substitute the requirement for an onsite inspection of the property by city staff.

a. Interior and exterior inspection(s) of a property will review the integrity of the property to ensure the continued maintenance and rehabilitation of the property in compliance with the contract.

6. The contract shall provide that the City of Los Altos may cancel the contract, subject to the terms of this Chapter, if the City determines that any of the following have occurred:
   a. The owner has breached any of the conditions of the contract including any agreed upon improvements to the property; or
   b. The owner has allowed the property to deteriorate to the point that it no longer meets the definition of a qualified historical property.
7. The contract shall provide that the owner shall furnish the City with any information the City requires in order to enable it to determine the eligibility of the property for contract renewal, including the documentation required for the annual review for compliance with the historic property contract's work program.
8. The contract shall contain a clause in a form acceptable to City Attorney that requires the owner to defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action or proceeding against the City or its agents, officers, and employees arising in connection with the historic property contract.

C. At the time rehabilitation or restoration of the subject property is achieved and so long as the contract is in effect, the owner shall commit to and be responsible for appropriate maintenance and preservation of the subject property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

14.95.060 - Application for historic property contracts.

A. Only qualified historical properties, as defined by this Chapter, are eligible for historic contracts under this Chapter. The owner of a qualified historical property may file an application to enter into a historic contract. Only the owner(s) or agent of the owner(s) may file the application. If the application is made by an agent of the owner(s), the agent must provide written documentation as part of the application of the owner's authorization of the agent to act on the owner's behalf.

B. All applications for historic property contracts shall be filed with the Development Services Department on the form and in the manner prescribed by the Zoning Administrator. The application shall contain, without limitation, the following information and documentation:

1. The name and address of the owner(s) and signature of the applicant and the names and addresses of all persons and entities having any right, title, or interest in the property which is the subject of the proposed historic property contract;
2. Written consent to make the application from all persons and entities having a right, title, or interest in the real property which is the subject of the proposed historic property contract;
3. A nonrefundable application fee as set by resolution of the City Council;
4. A legal description of the real property and a listing of the Assessor's parcel number(s) for the property;
5. Color photos of the property and each elevation of the subject structure(s);
6. Site plans drawn to scale (the number of site plans required shall be as determined by the Zoning Administrator based on the specific property characteristics);
7. An itemized ten-year maintenance/rehabilitation work program containing, at a minimum, the following information:
    a. A description of the improvements to be done. The proposed improvements must be appropriate to restore, preserve, and/or maintain the historic structure in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
    b. Schedule of improvements;
    c. Verifiable cost estimates associated with the proposed improvements to be verified by City staff;
    d. Preliminary plans, elevations, or any appropriate documentation needed to substantiate and illustrate proposed improvements.
8. Proof that the property is a "qualified historical property." Such proof shall be in the form of the property already listed on the City's adopted HRI, or as part of a dual application for historical designation of the property with the City of Los Altos, or on the State of California or National Register of Historic Places.
9. A property tax adjustment worksheet, on a form acceptable to the Zoning Administrator providing the owner's calculated estimate of the property tax reassessment that would result from the contract. The property tax adjustment worksheet should be completed in consultation with the County of Santa Clara Assessors Office.
    a. If the property owner(s) are unable to obtain confirmation or data from the County Assessor's Office after documented reasonable attempts, the worksheet may be submitted based on publicly available information and clearly state assumptions.

10. A copy of the most recent real property tax bill for the property.
    a. In the event that the property has recently transacted or transferred ownership the application shall be accompanied by supplemental documentation which reflects the anticipated real property tax bill for the property.
11. An appraisal of the fair market value of the property (land plus improvement value), prepared by an independent certified appraiser no more than one (1) year prior to the application for the contract and as determined prior to the improvements proposed in the application for the contract.
12. Such other information as the Zoning Administrator may request to evaluate and process the application.

C. A separate application shall be filed for each property on which a historic property contract is requested.

D. The owner shall allow for an inspection of the interior and exterior of the premises by the City of Los Altos Development Services Department staff prior to entry into the contract. Inspection shall verify exiting conditions of the property and cannot be substituted by photographs.

14.95.070 - Fees.

The applicant for a historic property contract shall pay such application fees as have been adopted by resolution of the City Council. The fees include an initial fee for processing the application, and any deposit to pay the full cost recovery of any City consultants such as an independent historian, and/or environmental review as applicable. Any fees required shall be paid upon submittal of application.

14.95.080 - Eligibility criteria.

A. To be eligible for a historic property contract, the application must meet all of the following criteria:
    1. The property that is the subject of the application is a qualified historical property as defined by this Chapter.
    2. The application is consistent with the City's historic preservation goals and policies, as set forth in any adopted policies and ordinances.
    3. The application is consistent with the applicable Secretary of the Interior's Standards for the Treatment of Historic Properties, the rules and regulations of the Office of Historic Preservation of the California State Parks Department, and the California Historical Building Code.
    4. The application is consistent with the requirements of this Chapter.

14.95.090 - Review of applications.

A. The Zoning Administrator shall review the applications for completeness and accuracy and may require such additional information from the applicant as is needed to make the application complete. Only applications filed on or before July 1 of a calendar year shall be eligible for consideration for a historic property contract for the subsequent fiscal year.
B. All applications deemed complete by the Zoning Administrator shall be referred to the Historical Commission for recommendation to the City Council on eligibility of the property for a historic property contract.
C. The Historical Commission shall make a recommendation on the eligibility of the property for a historic property contract for consideration by the City Council.
D. If the Historical Commission finds that the application meets the criteria for eligibility for a historic property contract, the Historical Commission shall recommend approval to the City Council. If the Historical Commission finds that the application does not meet the criteria for eligibility, the Historical Commission shall recommend to the City Council that the application be denied for a historic property contract.
E. The historic property contract shall be consistent with the requirements of this Chapter and state law and in a form acceptable to the City Attorney. The contract shall be approved as to form by City Attorney prior to submission of the contract to the City Council for its consideration.
F. Final action on the contract shall be considered by the City Council at a noticed public hearing. The City of Los Altos shall not execute any contract until authorized by the City Council and until all persons and entities having any right, title, or interest in the property which is the subject of the contract have signed the contract or provided written authorization for an agent to execute the contract on their behalf and until the owner(s) have submitted to the city the appropriate fee for recordation of the contract.

14.95.100 - Recordation of approved historic property contracts.

No later than twenty (20) calendar days after execution by all parties of the historic property contract, the City Clerk shall cause a copy of the executed historic property contract to be recorded in the Office of the Recorder of the County of Santa Clara accompanied by the fee paid by owner for recordation of the contract.

14.95.110 - Review of approved historic property contracts.

A. The owner shall allow for inspection of the interior and exterior of the premises by the City of Los Altos Development Services Department staff after five (5) years from entry into the contract and every five (5) years thereafter to determine the owner's continuing compliance with the historic property contract. Photographs of the interior and exterior shall not substitute the requirement for an onsite inspection of the property by city staff.

B. No later than ninety (90) days prior to each five (5) year inspection date, the owner shall submit documentation to the Development Services Department in sufficient detail to demonstrate compliance with the historic property contract's work program, including but not limited to the following documentation:

    1. Color photos of actual work done in conformance with the contract;
    2. Receipts and copies of financial transactions related to work carried out in conformance with the recorded contract;
    3. Copies of building permits, planning entitlements, and/or historic alteration permits for work carried out in conformance with the recorded historic property contract; and
    4. Such other information as may be required by the Zoning Administrator.

C. The Zoning Administrator shall review the documentation to determine compliance with the recorded historic property contract. If documentation is not submitted within the required timeframe or the documentation submitted demonstrates in the determination of the Zoning Administrator that the owner has breached any of the conditions of the historic property contract or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historical property, the Zoning Administrator shall begin the process for cancellation of the contract pursuant to this Chapter.

D. At least sixty (60) days prior to the tenth anniversary date of the historic property contract, the owner shall submit a report from a qualified historian to the Development Services Department. The report shall describe the work carried out pursuant to the contract and shall recommend any appropriate improvements needed to achieve rehabilitation, restoration, or preservation of the property. Based on the recommendations, the City of Los Altos may require an amendment to the contract to update the maintenance/rehabilitation program. If the Zoning Administrator determines, as part of the tenth year review, that rehabilitation or restoration for the subject property has been achieved, the owner shall commit to and be responsible for appropriate maintenance and preservation of the subject property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties so long as the contract remains in effect.

14.95.120 - Nonrenewal of historic property contracts.

A. Each year on the anniversary date of the contract or such other date as is specified in the contract, a year shall be added automatically to the initial term of the contract, unless the owner or the City has given timely written notice of nonrenewal in accordance with the requirements of state law and this Chapter. If the owner desires in any year not to renew the contract, the owner shall serve written notice of nonrenewal of the contract to the Zoning Administrator at least ninety (90) days in advance of the annual renewal date of the contract. If the City Council determines in any year not to renew the contract, the City Council or their authorized designee shall serve written notice of nonrenewal of the contract on the owner at least sixty (60) days in advance of the annual renewal date of the contract. The City of Los Altos shall serve a notice of nonrenewal only after the City Council has conducted a noticed public hearing to consider the nonrenewal. Unless the notice of nonrenewal is served by the owner(s) or the City in accordance with these requirements, one year shall automatically be added to the term of the contract.

B. Upon receipt by the owner of a notice from the City for nonrenewal of the contract, the owner may make a written protest of the notice to the City Council. Such protest must be in writing and filed with the City Clerk within fourteen (14) days after the written notice of nonrenewal was mailed to the owner. If a written notice of protest is timely filed, the City Clerk shall schedule the protest for a noticed public hearing before the City Council within sixty (60) days of the filing of the protest and notify the owner of the hearing date. The City Council may, at any time prior to the renewal date, withdraw the notice of non-renewal. Following the hearing, the City Council may withdraw or affirm the notice of non-renewal. If the City Council affirms the notice of nonrenewal, the existing contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of the contract.

C. Following the nonrenewal of the contract, the property shall be assessed in accordance with state law (Section 439.3 of the Revenue and Taxation Code, as may be periodically amended).

14.95.130 - Amendment of historic property contracts.

A. A historic property contract may be amended, in whole or in part, in accordance with the provisions of this Chapter.

B. For owner-initiated amendments to a historic property contract, the owner must file an application for an amendment with the Development Services Department on the form and in the manner prescribed by the Zoning Administrator. The owner shall pay such application fees as have been set by resolution of the City Council. The

Zoning Administrator shall review the amendment application for completeness and adequacy. The Zoning Administrator may request additional information as necessary to evaluate the amendment.

C. For City of Los Altos-initiated amendments to a historic property contract, the Zoning Administrator shall inform existing owner(s) of intended amendments. City-initiated amendments shall be in conformance with the provisions of this Chapter and are to ensure the continued preservation of historic resources with historic property contracts.
    1. City-initiated amendments shall be considered during the annual review of historic property contracts in order to ensure each existing contract adheres to the provisions of this Chapter as amended from time to time.

D. At such time that the Zoning Administrator has determined the amendment to be complete, the Zoning Administrator shall refer the amendment to the Historical Commission for a recommendation to the City Council.

E. Following receipt of the Historical Commission recommendation and following all applicable environmental review, the City Council shall render a decision on the proposed amendment.

F. No later than twenty (20) calendar days after City of Los Altos execution of the amendment to the historic property contract, the City Clerk shall cause a copy of the executed amendment to be recorded in the Office of the Recorder of the County of Santa Clara accompanied by the fee paid by owner for recordation of the contract amendment.

14.95.140 - Cancellation of historic property contracts.

A. The City of Los Altos may cancel a historic property contract, subject to the process described in this section, if the City finds that one of the following conditions has occurred:
    1. The owner has breached any of the conditions of the historic property contract; or
    2. The owner has allowed the property to deteriorate to the point that it no longer meets the definition of a qualified historical property.

B. The following process shall be followed for cancellation of a historic property contract:
    1. If the Zoning Administrator determines at any time that the owner has breached any of the conditions of the historic property contract or has allowed the property to deteriorate to the point that it no longer meets the definition of a qualified historical property, the Zoning Administrator shall notify the owner in writing describing the deficiencies. If the owner has not

corrected the deficiencies to the satisfaction of the Zoning Administrator within sixty (60) days of the issuance of the notification, the Zoning Administrator may refer the cancellation of the contract to the Historical Commission for a recommendation to the City Council on the cancellation.

2. The Historical Commission shall, at a noticed public hearing, evaluate the evidence in the record and provide a written recommendation to the City Council as to whether one of the conditions for cancellation has occurred.
3. Following receipt of the Historical Commission recommendation, the City Council shall, at a noticed public hearing, consider whether to cancel the contract. No contract shall be cancelled until after the City Council has given notice of and has held a public hearing on the cancellation.

C. To cancel the contract, the City Council must make a finding, based on substantial evidence that one of the following conditions has occurred:
   1. The owner has breached a condition of the historic property contract; or
   2. The owner has allowed the property to deteriorate to the point that it no longer meets the definition of a qualified historical property.

D. If a historic property contract is cancelled under this section, the owner shall, in accordance with Government Code Sections 50284 and 50286, pay a cancellation fee equal to twelve and one-half (12½) percent of the property's current fair market value, as determined by the County Assessor as though the property were free of the contractual restriction.

14.95.150 - Notice of hearing.

Any decisions rendered under regulations contained within this Chapter are subject to public meeting notice requirements pursuant to Section 14.01.130 of the Los Altos Municipal Code.

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REPEALING IN ITS ENTIRETY CHAPTER 12.44 FOR EXISTING HISTORIC PRESERVATION REGULATIONS

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City Council held a duly noticed public hearing on September 30, 2025, and October 14, 2025; and

WHEREAS, the amendments were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the City Council repeals in its entirety Chapter 12.44 of the Los Altos Municipal Code; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. **REPEAL CHAPTER 12.44 OF THE LOS ALTOS MUNICIPAL CODE**. Chapter 12.44 of the Los Altos Municipal Code is hereby amended as set forth in Appendix A to this Ordinance, underline indicating addition, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof.

I HEREBY CERTIFY that the foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on September 30, 2025, and was thereafter, at a regular meeting held on October 14, 2025, passed, and adopted by the following vote:

AYES:
NOES:

ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

~~Chapter 12.44 HISTORIC PRESERVATION[1]~~

~~Sections:~~

~~*Article 1. General Provisions*~~

~~12.44.010 Purpose.~~

~~It is hereby declared as a matter of public policy that the recognition, preservation, enhancement and use of historic resources within the City of Los Altos is required in the interest of health, economic prosperity, cultural enrichment and general welfare of the people. The purpose of this chapter is to:~~

~~A. Safeguard the heritage of the city by providing for the protection of irreplaceable historic resources representing significant elements of its history;~~

~~B. Enhance the visual character of the city by encouraging the compatibility of architectural styles which reflect established architectural traditions;~~

~~C. Encourage public knowledge, understanding and appreciation of the city's past, and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the city's historic resources;~~

~~D. Stabilize and improve property values within the city and increase the economic and financial benefits to the city and its inhabitants derived from the preservation, rehabilitation, and use of historic resources;~~

~~E. Integrate the conservation of historic resources into the public and private development process and identify as early as possible and resolve conflicts between the preservation of such resources and alternative land uses; and~~

~~F. Fulfill the city's responsibilities for Federal Section 106 reviews and for the California Environmental Quality Act.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011)~~

~~12.44.020 Area of application.~~

~~This chapter shall apply to all historic resources listed in the historic resources inventory, historic landmarks and properties, and structures.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~12.44.030 Definitions.~~

~~For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:~~

~~"Alteration" means any act or process that changes any portion of the exterior architectural appearance of a structure or object, including, but not limited to, the erection, construction, reconstruction, removal of exterior architectural features or details, or the addition of new structures, but does not include painting, ordinary maintenance and landscaping.~~

~~"California Historical Building Code" is Part 8 of Title 24 (State Building Standards Code) and applies to all qualified historic structures and sites, designated under federal, state and local authority. It provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as qualified historic buildings.~~

~~"California Office of Historic Preservation" means the governmental agency primarily responsible for the statewide administration of the historic preservation program in California.~~

~~"California Register of Historical Resources" is a comprehensive listing of California's historical resources, including those of local, state and national significance.~~

~~"Character defining features" means the defining elements, such as prominent architectural features, materials, craftsmanship or other elements, that, individually or in combination, identify a historic property, building or landscape.~~

~~"Commission staff" means the staff liaison assigned to the historical commission.~~

~~"DPR 523" means the California Department of Parks and Recreation Historic Resource Inventory Forms used for historic evaluations. The DPR 523A form provides descriptive information about a resource. The DPR 523B form provides an evaluation of the resources and includes a determination as to whether the resource is eligible for the National or State Register of Historic Places or listing on the Los Altos Historic Resources Inventory.~~

~~"Exterior architectural feature" means the architectural elements embodying style, design, general arrangement and components of all the outer surfaces of an improvement, including but not limited to, the kind, size, shape and texture of building materials, and the type and style of windows, doors, lights, signs and other fixtures appurtenant to such improvement.~~

~~"Historic landmark" means a building, improvement, structure, natural feature, site or area of land, under single or common ownership that has significant historical, architectural, cultural, and/or aesthetic interest or value, and is designated as a historic landmark by the city council.~~

~~"Historic resource" is a property or structure that has been determined to be over fifty (50) years old, retains its physical integrity, has historical, architectural, cultural, and/or aesthetic value, and is listed on the historic resources inventory.~~

~~"Historic resources inventory" means the city's official inventory of the historic resources, as adopted and amended from time to time by resolution of the historical commission and/or the city council. A property or structure must be designated as a historic landmark or a historic resource in order to be listed.~~

~~"Historical commission" is a seven-member advisory commission appointed by the city council that is tasked with maintaining the historic resources inventory, making recommendations on historic landmarks, working with property owners on preservation, maintenance and other development activities related to historic resources, and other activities as identified in the municipal code.~~

~~"Improvement" means any building, structure, parking facility, wall, work of art or other appurtenance or addition thereto constituting a physical betterment of real property or any part of such betterment.~~

~~"Integrity" is the authenticity of the characteristics, also referred to as character defining features, from which resources derive their significance. Integrity is the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.~~

~~"Mills Act" is an economic incentive program in California for the restoration and preservation of qualified historic structures. Enacted in 1972, the Mills Act grants participating local governments the authority to enter into~~

~~contracts with owners of qualified historic properties to reduce the property tax assessment in exchange for the restoration and maintenance of the historic resource.~~

~~"National Register of Historic Places" is the official inventory of districts, sites, buildings, structures and objects significant in American history, architectural, archeology and culture, maintained by the Secretary of Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966.~~

~~"Preservation" means the act of identification, study, protection, reconstruction, restoration, rehabilitation or enhancement of historic and/or cultural resources.~~

~~"Reconstruction" means the act or process of reproducing by new construction, the exact form and detail of a vanished building, structure or any part thereof, as it appeared at a specific period of time.~~

~~"Rehabilitation" means the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural value.~~

~~"Restoration" means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.~~

~~"Secretary of Interior's Standards" are the Federal Standards for the Treatment of Historic Properties that are utilized in the identification, evaluation, registration and treatment of historic properties. The list of ten (10) Rehabilitation Standards, published as the Secretary of the Interior's Standards, is aimed at retaining and preserving those features and materials that are important in defining the historic character of a resource.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~*Article 2. Designation of Historic Resources*~~

~~12.44.040 Criteria for designation.~~

~~A structure, property or object may be eligible for designation as a historic resource or historic landmark, if it/they satisfy each of the three criteria listed below:~~

~~A. Age. A structure or property should be more than fifty (50) years in age. (Exceptions can be made to this rule if the building(s) or site(s) is/are truly remarkable for some reason - such as being associated with an outstanding architect, personage, usage or event).~~

~~B. Determination of Integrity. A structure or property should retain sufficient historic integrity in most of the following areas:~~

~~1. Design: The combination of elements that create the form, plan, space, structure and style of a property.~~

~~2. Setting: The physical environment of a historic property.~~

~~3. Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.~~

~~4. Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.~~

~~5. Feeling: A property's expression of the aesthetic or historic sense of a particular period of time.~~

~~C. Historic Significance. A structure or property should be clearly associated with one or more of the following areas of significance:~~

1. Event: Associated with a single significant event or a pattern of events that have made a significant contribution to broad patterns of local or regional history, or cultural heritage of California or the United States;

2. Person/People: Associated with the lives of persons important to the local, California or national history;

3. Architecture/Design: Embodies the distinctive characteristics of a design-type, period, region or method of construction, or represents the work of a master or possesses high artistic value; or

4. Archaeology: Yields important information about prehistory or history of the local area, California or the nation.

The city's historic resource evaluation methodology, which provides more details about the above listed criteria, is available from the planning division.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

12.44.050 Applications for designation.

A. Applications for designation as a historic landmark, or listing a historic resource on the historic resources inventory may be initiated by the owner or owners of a building, improvement, structure, natural feature, site or area of land, requesting designation of their property as a historic resource or historic landmark.

B. The city council or the planning commission may, by resolution or motion, refer a proposed designation to the historical commission. The historical commission may also consider a proposed designation upon its own initiative or by referral by the development services director.

C. Applications for designation as a historic landmark, or listing a historic resource on the historic resources inventory shall be made to the historical commission. Applications must be accompanied by such historical and architectural information as is required by the historical commission in order to make an informed recommendation concerning the request.

Applications for designation shall be acted on as set forth in sections 12.44.050, 12.44.060 and 12.44.070 of this chapter.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

12.44.060 Historic resource listing.

A. Once the application for designating a property as a historic resource and listing it on the historic resources inventory has been received, the historical commission shall consider the request at its next available scheduled meeting.

B. The commission shall conduct a public hearing to consider the proposed listing. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing by mail to the applicant, to the owner or owners of the property and to the owners of abutting properties, and by posting a notice on the property near the front property line in accordance with the standards set by commission staff.

C. The commission shall consider the proposed historic resource and determine whether or not the property satisfies the three criteria outlined in Section 12.44.040. The commission shall by motion either approve or disapprove the designation of the property as a historic resource and listing it in the historic resources inventory.

D. If the commission approves the historic resource for listing on the historic resources inventory, the listing shall become effective immediately and the designated property shall be subject to the regulations set forth in this chapter.

E. Until final action has been taken by the commission on the request to list a property, no building, alteration, grading, demolition or tree removal permit(s) shall be issued for any work to be performed upon or within the subject property, unless approved by the historical commission or the development services director. This restriction shall become effective as of the time the application is submitted, and shall extend until the commission has taken action.

F. Within fifteen (15) days of the action taken by the historical commission, the decision may be appealed to the city council. The appeal may be filed by the applicant or any interested party.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

12.44.070 Historic landmark designation.

A. Once the application for the proposed designation has been received, the historical commission shall consider the request at its next available scheduled meeting.

B. The commission shall conduct a public hearing to consider the proposed designation. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing by publication in at least one newspaper of general circulation within the city, by mail to the applicant, to the owner or owners of the property, and to the owners of abutting properties, and by posting a notice on the property near the front property line in accordance with the standards set by commission staff.

C. The commission shall make a recommendation to the city council on the proposed designation. In order to make a positive recommendation, the commission shall make the following findings:

1. That the proposed historic landmark satisfies the three criteria outlined in Section 12.44.040; and

2. That the proposed landmark has special historical, cultural, archeological, scientific, architectural or aesthetic interest or value as part of the heritage or history of the city, the county, the state or the nation.

D. The city council shall consider the proposed designation at its next available regular meeting and determine whether or not to accept the historical commission's recommendation. The city council shall by resolution either approve the proposed designation, in whole or in part or as modified, or shall, by motion, disapprove the proposal in its entirety.

E. If the city council approves the landmark designation, the resolution shall become effective immediately and the designated property shall be subject to the regulations set forth in this chapter and to such further restrictions or controls as may be specified in the designating resolution.

F. Adoption of a designating resolution by the city council shall be based upon the findings outlined in subsection (C) of this section.

G. Until final action has been taken by the city council on the proposed landmark, no building, alteration, grading, demolition or tree removal permit(s) shall be issued for any work to be performed upon or within the subject property, unless approved by the historical commission or the city council. This restriction shall become effective as of the time the application is submitted, and shall extend until the designating resolution becomes effective.

(Ord. No. 2011-363, § 1, 3-8-2011)

~~12.44.080 Notice of designation.~~

~~A. Following adoption by the city council of a resolution designating a historic landmark, the commission staff shall send notice of the designation, together with a copy of the resolution or ordinance, to the owner or owners of the designated historic landmark. The city council also shall send notice of the designation to:~~

~~1. The Santa Clara County Historical Heritage Commission; and~~

~~2. The California State Historic Preservation Officer.~~

~~B. The designating resolution or ordinance shall be recorded with the county clerk-recorder.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Ord. No. 2017-437, § 1, adopted March 13, 2018, repealed § 12.44.080, which pertained to historic district designation, and derived from Ord. No. 2011-363, § 1, adopted March 8, 2011, and subsequently renumbered the remaining sections 12.44.090—12.44.220 as 12.44.080—12.44.210. Historical notations for former sections have been retained for reference.~~

~~12.44.090 Termination of designation.~~

~~The only legitimate reason for terminating the designation of a historic resource or historic landmark is when clear evidence is presented that shows the resource no longer meets the criteria of Section 12.44.040 due to loss of integrity and/or historic significance.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.100, see editor's note § 12.44.080.~~

~~*Article 3. Permits*~~

~~12.44.100 Applicability.~~

~~A. For historic landmark properties, a historical alteration permit (Section 12.44.150) is required in order to alter, demolish, remove, relocate or change any exterior architectural features of the designated landmark structure(s), or remove or relocate any improvements, structures or natural features that contribute to the integrity or the historic significance of the historic landmark.~~

~~B. For historic resources listed on the historic resources inventory, an advisory review (Section 12.44.140) is required in order to alter, demolish, remove, relocate or otherwise change in any manner any exterior architectural feature or natural feature that contributes to the integrity or the historic significance of a historic resource.~~

~~C. For subsection (B) of this section, the historical commission's review will take into account whether or not the proposed work adversely affects the physical integrity or the historic significance of the resource. The historical commission's recommendation to the development services director, planning commission, or city council, shall be advisory only.~~

~~D. For non-residential properties that are historic landmarks or historic resources, non-permanent improvements such as signage, awnings and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from historical commission review by the development services director.~~

E. For residential properties that are historic landmarks or historic resources, improvements such as swimming pools, fences, minor accessory structures such as trellises or barbecues, and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from historical commission review by the development services director.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.110, see editor's note § 12.44.080.

12.44.110 Applications.

Applications for historical alteration permits or advisory review shall be submitted to the development services director. Applications shall include the following information:

A. A clear statement of the proposed work;

B. A site plan showing all existing buildings, structures, trees over six inches in diameter, property lines, easements and the proposed work;

C. Detailed plans showing both the existing and proposed exterior elevations, including a street elevation, photographs of windows and/or special features, materials and grading;

D. Specifications describing all materials to be used and all processes that would affect the appearance or nature of the materials;

E. Notes indicating any deviation from the Secretary of the Interior's Standards for Historic Rehabilitation; and

F. Such other information or documents as may be requested by the development services director or the historical commission.

Applications shall be noticed as set forth in Section 12.44.120 and shall be acted on as set forth in Section 12.44.130 and 12.44.140 of this chapter.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.120, see editor's note § 12.44.080.

12.44.120 Notice of public meetings.

A. Notification shall be provided when an application for a historical alteration permit is required for a historic landmark. Applicants shall be responsible for providing notification via first class mail to the adjoining property owners, in the manner set forth by the commission staff, at least ten (10) days prior to the meeting at which the application is to be reviewed. The property owners who shall be mailed notice include, but are not limited to, the following:

1. The two adjoining property owners on each side;

2. The three adjoining rear property owners; and

3. The five adjoining front property owners across the street.

4. As deemed appropriate or necessary, the commission staff may require that notification be mailed to a greater or lesser number of property owner(s) than are identified above based on the configuration of the properties adjoining the site of the application.

5. Notice shall also be posted on the project site near the front property line in accordance with the standards set by the commission staff.

B. Notice shall be provided when an application for an advisory review is required for a historic resource. Applicants shall be responsible for posting a notice on the project site near the front property line in accordance with the standards set by the commission staff.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

Editor's note(s)—Former § 12.44.130, see editor's note § 12.44.080.

12.44.130 Advisory review.

A. For projects that require an advisory review, the historical commission shall complete its review and issue a recommendation at its next available scheduled meeting. In order to recommend approval, the commission shall find that:

1. The project complies with all provisions of this chapter; and

2. The project does not adversely affect the physical integrity or the historic significance of the subject property.

B. The historical commission recommendation shall be forwarded to the development services director, the planning commission, or the city council to be considered as part of their decision.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.140, see editor's note § 12.44.080.

12.44.140 Historical alteration permit.

A. For projects that require a historical alteration permit, the historical commission shall complete its review and issue a decision at its next available scheduled meeting. In order to approve a permit, the commission shall find that:

1. The project complies with all provisions of this chapter; and

2. The project does not adversely affect the physical integrity or the historic significance of the subject property.

3. The project is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

B. If the historical commission approves the historical alteration permit, or approves such permit subject to conditions, the development services director shall issue the permit in accordance with the recommendation, provided that no other approval is required under this code. In the event the historical commission recommends denial of the permit, the development services director shall notify the applicant that the requested permit will not be granted.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.1500, see editor's note § 12.44.080.

~~12.44.150 Appeal.~~

~~Within fourteen (14) days of any approval or denial by the historical commission, the decision may be appealed to the city council. The appeal may be filed by the applicant or any interested party and shall be accompanied by a fee to cover the administrative cost of handling the appeal as set by city council resolution.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.160, see editor's note § 12.44.080.~~

~~*Article 4. Miscellaneous Provisions*~~

~~12.44.160 Incentives for preserving historic resources.~~

~~A. California Historical Building Code. It is the purpose of the state historical building code to provide regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation as applicable to all historical buildings, structures and properties deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction. Such standards and regulations are intended to facilitate the restoration or change of occupancy so as to preserve their original or restored elements and features, to encourage energy conservation and a cost effective approach to preservation, and to provide for reasonable safety from fire, seismic forces or other hazards for occupants and users of such "buildings, structures and properties" and to provide reasonable availability and usability by the physically disabled. The state historical building code is defined in sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code (H&SC) Health and Safety Code, a part of California Law.~~

~~B. Economic incentives. In order to carry out more effectively and equitably the purposes of this chapter, the city council may, by resolution, adopt a program of economic (i.e., Mills Act contracts) and other incentives to support the preservation, maintenance and appropriate rehabilitation of the city's historic resources.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.170, see editor's note § 12.44.080.~~

~~12.44.170 Hardship.~~

~~Notwithstanding the criteria of this chapter, the development services director, on the recommendation of the historical commission or the planning commission or city council on appeal, may approve an application for a permit to conduct any proposed work upon or within a historic resource or historic landmark if the applicant presents clear and convincing evidence demonstrating that a disapproval of the application will cause immediate and substantial hardship on the applicant because of conditions peculiar to the person seeking to carry out the proposed work or because of conditions peculiar to the particular improvement, building, structure, topography or other feature involved. If a hardship is found to exist under this section, the historical commission or the planning commission or city council shall make a written finding to that effect, and shall specify the facts and reasons relied upon in making such finding.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.180, see editor's note § 12.44.080.~~

~~12.44.180 Fees.~~

~~A. No fee shall be charged for the filing, processing or public noticing of any application for designation.~~

~~B. The city council shall by resolution adopt a schedule of fees to be charged for any application for termination of a designation, for the filing and processing of applications for any permit required under this chapter, and for appeals pursuant to this chapter.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.190, see editor's note § 12.44.080.~~

~~12.44.190 Ordinary maintenance and repair.~~

~~Nothing in this chapter shall be construed to prevent the ordinary maintenance, painting, landscaping or repair of any exterior feature in or upon any historic resource or historic landmark that does not involve a change in design, material or the external appearance thereof, nor does this chapter prevent the construction, reconstruction, alteration, restoration, demolition or removal of any historic resource or historic landmark which has been certified by the city building inspector, or fire chief, or other code enforcement officer as being in unsafe or dangerous condition which cannot be rectified through the use of the California State Historic Building Code.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.200, see editor's note § 12.44.080.~~

~~12.44.200 Duty to keep in good repair.~~

~~A. The owner, occupant or the person in actual charge of a historic resource or a historic landmark shall keep and maintain in good condition and repair all exterior portions of the improvement or structure, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature or natural feature.~~

~~B. It shall be the duty of the development services director or their designee to enforce this section.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.210, see editor's note § 12.44.080.~~

~~12.44.210 Enforcement.~~

~~The violation of any provision contained in this chapter is hereby declared to be unlawful and shall constitute a misdemeanor, subject to the penalties as prescribed in Title 1, Chapter 1.20 of this code.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.220, see editor's note § 12.44.080.~~

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Anthony Carnesecca
Approved By: Gabe Engeland

Subject: Adoption of Resolution - Amend Contract with Los Altos Chamber of Commerce

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COUNCIL PRIORITY AREA
Business Communities

RECOMMENDATION
Amend contract with Los Altos Chamber of Commerce

ENVIRONMENTAL IMPACT
This report is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

FISCAL IMPACT
This contract is currently incorporated into the approved FY25-26 budget.

PREVIOUS COUNCIL CONSIDERATION
May 23, 2023 & September 12, 2023

BACKGROUND
At the May 23, 2023 City Council meeting, City Council directed City staff to draft a contract with the Los Altos Chamber of Commerce in the amount of $67,500 annually for five years. City staff worked with the Chamber of Commerce to draft a contract that will execute specific objectives and achieve accomplishments regarding tourism and visitor attraction on an annual basis.

At the September 12, 2023 City Council meeting, City Council unanimously directed the City Manager to sign a contract with the Los Altos Chamber of Commerce in the amount of $67,500 annually for five years as previously directed during the budget process, which was intended to be for Tourism and Visitor Attraction services that support visitor attraction efforts of the City and will increase the amount of visitors supporting our local economy.

ANALYSIS

DISCUSSION
Per the staff report from September 12, 2023, the City of Los Altos and Los Altos Chamber of Commerce entered into an agreement requiring the following items to be completed on a fiscal year basis.

Service	Topic	Expense
Printing 20,000 copies of full color high-quality destination guide: Los Altos Magazine. This includes 1. A two-page spread for the City of Los Altos on a topic agreed upon with City staff (ex. “Doing Business in Los Altos”) 2. A Recreation Department full-page ad. The Los Altos Magazine is a destination guide for the community that builds a stronger local economy through shopping, dining, and hotel stays through sales and hotel (TOT) tax.	Magazine	$44,155
Distribution of 16,000 Los Altos Magazines to households in Los Altos and neighboring communities	Magazine	$6,735
Distribution of 4,000 Los Altos Magazines for local pickup at hotels, coffee shops	Magazine	$1,110
Creation of a digital copy of the Los Altos Magazine for electronic use promoting the community to support tourism.	Magazine	$1,500
Operation of the Visitors Center at the office located at 321 University Avenue. Prominently located at the intersection of Foothill Expressway & Main Street. Supporting tourism by providing information and answering questions for both residents and visitors to our community both in person, by phone, and by email. Maintaining a community calendar of events to aid the community in scheduling events & festivals.	Visitors Center	$14,000
	Total	$67,500

The Los Altos Chamber of Commerce successfully completed these tasks in fulfillment of their obligations for Fiscal Year 23-24.

In Fiscal Year 24-25, the Los Altos Chamber of Commerce was able to successfully operate the Visitors Center, but was unable to complete the tasks outlined relating to the Los Altos Magazine due to extenuating circumstances. Their staff has requested an extension that would allow them to complete these tasks from Fiscal Year 24-25 before the end of this calendar year and provide another Los Altos magazine nearer to the end of FY 25-26 in June 2026 in fulfillment of their obligations for the current fiscal year, Fiscal Year 25-26. City staff believes this would accomplish their required tasks outlined in the contract if the amendment is approved by the City Council.

The Los Altos Chamber of Commerce has provided a request letter attached to this staff report with additional information on their behalf.

ATTACHMENTS

1. Attachment 1

2. Attachment 2

October 7, 2025

Los Altos City Council
1 North San Antonio Road
Los Altos, CA 94022

Re: Los Altos Magazine Publication Schedule

Honorable Mayor and Members of the City Council,

The Los Altos Chamber of Commerce is proud to continue its long-standing partnership with the City of Los Altos in producing the Los Altos Magazine, an important publication that showcases our community, supports local businesses, and connects residents to our community.

While unforeseen circumstances prevented us from meeting the original timeline for the 2024/25 edition, those matters have now been resolved. Out of respect for privacy and in compliance with HIPAA regulations, the details cannot be shared. What is most important to note, however, is that the publication is back on track, and we are excited to share the following schedule:

• Printing of the 2024/25 edition begins this month (October 2025).
• Distribution will begin by November 30 2025, highlighted by a community "pickup party" to celebrate the release and engage our residents.
• The subsequent 2025/26 edition will follow before the end of this fiscal year, ensuring full alignment with the City's contract and reinforcing our commitment to timely publication.

We are confident this revised timeline not only fulfills the Chamber's obligation but also provides an opportunity to re-energize community enthusiasm around the magazine. With Council's acknowledgment of this adjusted schedule, we look forward to moving ahead.

Thank you for your understanding and continued support of the Chamber's work. We will ensure that Los Altos Magazine continues to be a source of pride for our city.

Most Sincerely,

Kimberly Mosley
President & CEO

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO AMEND AN AGREEMENT ON BEHALF OF THE CITY OF LOS ALTOS WITH LOS ALTOS CHAMBER OF COMMERCE FOR TOURISM AND VISITOR ATTRACTION SERVICES FOR LOS ALTOS

WHEREAS, the City desires to retain the Chamber of Commerce as an essential partner to our business community that supports the tourism and visitor attraction efforts; and

WHEREAS, at the May 23, 2023 City Council meeting, City Council directed City staff to draft a contract with the Los Altos Chamber of Commerce in the amount of $67,500 annually for five years; and

WHEREAS, at the September 12, 2023 City Council meeting, City Council unanimously directed the City Manager to sign a contract with the Los Altos Chamber of Commerce in the amount of $67,500 annually for five years as previously directed during the budget process, which was intended to be for Tourism and Visitor Attraction services that support visitor attraction efforts of the City and will increase the amount of visitors supporting our local economy; and

WHEREAS, the City and Chamber of Commerce entered into an agreement in October 2023; and

WHEREAS, in Fiscal Year 24-25, the Los Altos Chamber of Commerce was able to successfully operate the Visitors Center, but was unable to complete the tasks outlined relating to the Los Altos Magazine due to extenuating circumstances; and

WHEREAS, the Los Altos Chamber of Commerce has committed to delivering the Fiscal Year 24-25 edition of the Los Altos Magazine by the end of this calendar year and the Fiscal Year 25-26 edition prior to June 30, 2026 in fulfillment of their contractual obligations for both fiscal years; and

WHEREAS, this resolution is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos adopt a resolution to:

1. Authorize the City Manager to amend the contract with Los Altos Chamber of Commerce for both Fiscal Year 24-25 and Fiscal Year 25-26, and

2. Authorize the City Manager to take such further actions as may be necessary to implement the foregoing agreement.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of October 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC
CITY CLERK

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Stephanie Williams
Approved By: Gabe Engeland

Subject: 2025 Los Altos Building Code Updates

COUNCIL PRIORITY AREA
General Government
Environmental Sustainability

RECOMMENDATION
Three separate actions for Council consideration:

- Introduce an Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Title 12 for Buildings and Construction of the Los Altos Municipal Code; and
- Introduce an Ordinance of the City Council of the City of Los Altos Adding Title 12 for Buildings and Construction to the Los Altos Municipal Code Including Chapters 12.04, 12.06, 12.08, 12.10, 12.12, 12.14, 12.16, 12.18, 12.20, 12.22, 12.24, 12.26, 12.28, 12.30, 12.32, 12.34, 12.36, 12.38, and 12.40 to Adopt by Reference the 2025 California Building Codes with Local Amendments; and Find that both actions are exempt from environmental review pursuant to Section 15061(b)(3) and 15308 of the California Environmental Quality Act (CEQA) Guidelines; and
- Direct staff to place the introduced Ordinances on the October 28, 2025, meeting agenda for a public hearing, waiving of second reading, and adoption.

ENVIRONMENTAL IMPACT
This Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant adverse effect on the environment because the changes made to the California Green Buildings Standards Code within are enacted to provide more protection to the environment and therefore is exempt from CEQA. It is also exempt from CEQA pursuant to CEQA Guidelines, § 15308 which exempt actions taken by regulatory agencies for the enhancement and protection of the environment. As such, the Ordinance is categorically exempt from CEQA, and none of the circumstances set forth in CEQA Guidelines Section 15300.2 apply.

FISCAL IMPACT

The creation of this report has no direct fiscal impact on the City. The proposed local amendments to the building code could lead to additional costs during the building plan check and inspection processes. If the State requires a separate cost-effectiveness study in addition to the one provided by SVCE, the City may incur further costs. These potential costs have been included in the adopted FY25-26 Budget.

PREVIOUS COUNCIL CONSIDERATION
The City Council considers updates to the California Building Standards Code every 3 years.

BACKGROUND
Every three (3) years the California Building Standards Commission updates the California Building Standards Code. Each jurisdiction must adopt the updated California Building Standards prior to the effective date. The 2025 California Building Standards become effective on January 1, 2026.

Historically, state law has allowed local jurisdictions to modify or adopt more restrictive building standards than those in the California Building Code when justified by local climatic, geological, or topographical conditions. With the passage of Assembly Bill (AB) 130 in 2025, a moratorium has been placed on the adoption or enforcement of residential local amendments that go beyond statewide standards from October 1, 2025 through June 1, 2031. However, AB 130 includes specific exceptions that preserve local authority under certain conditions. Notably, local jurisdictions may still adopt code amendments if those amendments are necessary to implement the jurisdiction's existing General Plan or are consistent with adopted greenhouse gas (GHG) reduction goals. The City's proposed amendments to the 2025 California Building Code fall within this exception, as they are essential to implement both the City's General Plan and its Climate Action and Adaptation Plan (CAAP).

ANALYSIS
Contained within Assembly Bill 130 (AB130) are multiple exceptions, one of which, provides that local governments may adopt changes to the state building code provisions for residential buildings after October 1, 2025, if *"the changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy."* This provision allows changes to the state code when the amendment (1) aligns with a general plan approved before June 10, 2025; (2) permits mixed-fuel construction, incentivizes all-electric construction, and is consistent with federal law (i.e., the federal Energy Policy & Conservation Act, or EPCA); and (3) is part of an adopted greenhouse gas emissions reductions strategy. In this instance, the City's existing General Plan was adopted prior to the June 10, 2025 date; the City's proposed ordinance allows for mixed-fuel construction while incentivizing all-electric alternatives; and the proposed ordinance further implements the City's Climate Action and Adaptation Plan (CAAP) which is the existing greenhouse gas emissions reduction strategy of the City.

General Plan
The General Plan is the primary source of long-rang planning and policy direction that is used to

guide growth and preserve the quality of life within the Los Altos community. Building codes are a direct and effective mechanism for influencing development in line with this guidance. By amending the building codes to reduce reliance on gas appliances, the City ensures that future development inherently supports improved "environmental quality" (through reduced air pollution) and addresses "potential hazards" (through improved indoor air quality and reduced safety risks). This strengthens the comprehensive and integrated approach to planning that the General Plan emphasizes.

Furthermore, Los Altos is located within the Bay Area Air District (formerly known as the Bay Area Air Quality Management District), which is considered a non-attainment air basin since it exceeds the allowable levels for various air pollutants. As such, the General Plan's Natural Environment & Hazards Element focuses on Air Quality:

- Goal 8: Maintain or improve air quality in Los Altos.
- Policy 8.1: Support the principles of reducing air pollutants through land use, transportation, and energy use planning.
- Policy 8.3: Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan, as periodically updated.
- Policy 8.4: Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants.

The amendments to the 2025 Building Code help implement the General Plan's Natural Environment & Hazards Element goals and policies. Reducing pollutants like nitrogen oxides (NOx) and particulate matter from gas appliances is a step toward this goal and complements regional compliance efforts with the Bay Area Air District.

Climate Action and Adaptation Plan
The Climate Action and Adaptation Plan (CAAP) outline a set of actions and mitigation strategies designed to reduce the City's greenhouse gas emissions (GHG) emissions and prepare the community for the future impacts of climate change. In other words, the adopted CAAP is the City's greenhouse gas reduction strategy. The plan sets a goal of achieving carbon neutrality by 2035, which is achieved through minimizing the amount of carbon dioxide and other greenhouse gases released into the atmosphere from various activities.

The CAAP identifies several key goals that are supported by the proposed building code amendments:

- Goal 2.1: Encourage Energy Conservation Measures in Homes and Businesses
- Goal 2.2: Incentivize All-electric New Buildings and Major Retrofits
- Goal 2.3: Reduce or Eliminate Methane Gas Use in Existing Building
- Goal 2.4: Disincentives Methane Gas
- Goal 2.5: Expand Community Solar and Battery Storage

The amendments to the 2025 California Building Standards Code help implement the CAAP goals to reach carbon neutrality by 2035 and, more importantly, reduce GHG emissions. Energy

use is the second-largest source of emissions in Los Altos and Residential Gas made up approximately 20% of Los Altos' 2022 GHG emissions; therefore, encouraging the reduction of fossil fuels is an important part of the City's overall strategy.

In summary, the proposed local amendments to the 2025 California Building Standards Code are allowed by an exception in AB130 and are a direct mechanism for implementing the City's long-standing policy objectives as outlined in both the General Plan and the CAAP. They represent a tangible step toward enhancing community health, safety, and environmental stewardship.

DISCUSSION

The following provisions are modeled from the SVCE Model Codes, which were developed in collaboration with various Community Choice Energy providers and the Statewide Local Energy Codes Program, a team of policy and technical experts. The model codes are designed to promote electric construction through energy performance standards, aligning with legal interpretations following the Berkeley ruling and avoiding prohibitions of gas infrastructure.

At the August 13, 2025, meeting, the Environmental Commission unanimously recommended these model codes be incorporated into the 2025 Building Code adoption.

Two-Way AC Amendments

The proposed two-way AC amendments aim to encourage the installation of heat pumps whenever a home's air conditioning system is replaced or newly installed. The goal is to reduce greenhouse gas emissions by shifting away from gas furnaces, as heat pumps are significantly more energy efficient. The policy would apply to single-family homes, duplexes, and townhomes.

The amendments are based on an existing, voluntary section of CALGreen but would be adopted as a mandatory part of the California Energy Code (Title 24, Part 6). There are several different ways a project could comply:

1. The simplest way would be to install a heat pump (an air conditioner that is also configured to function as a space heater). This could be done either by replacing the furnace with a heat pump system or leaving the furnace in place to serve as the air handler for the heat pump, and as a back-up heating system. California Energy Code requirements would apply; these vary depending upon whether the duct system is replaced at the same time.

2. Alternatively, a project could comply by installing an air conditioner (cooling only) but relying on a gas furnace for space heating. Again, certain California Energy Code requirements would apply when replacing an air conditioner. In addition, this alternative would require other energy efficiency measures.

Attachment 2, Table 1 presents compliance requirements for heat pump systems under the two scenarios, one using the existing ducts, the other with new ducts. Table 2 presents compliance requirements for systems that still use furnaces as the primary heating source, under the same

duct scenarios.

Exceptions
The proposed ordinance offers two (2) general exceptions:

1. Projects where the electrical panel capacity is insufficient to meet the load of a heat pump.
2. Projects where the heat pump would need to be sized more than 12,000 Btu/hr (1-ton) over the air conditioner that would be installed in order to meet the heating load.

There are also exceptions to the duct sealing and airflow requirements that specify alternative methods of compliance. All applicable exceptions in the California Energy Code apply.

Cost-Effectiveness
Attachment 25 provides a summary of the cost-effectiveness and benefits of two (2) heat pump system options for existing homes in Climate Zone 4, based on the Comprehensive Cost-effectiveness Study (Attachment 24).

Electric Readiness Amendments
The proposed electric readiness amendments would mandate "electric-ready" components for renovations, remodels and additions. “Electric-ready” refers to the presence of electric outlets near natural gas appliances, such as clothes dryers, cooktops, gas-fueled furnaces, or gas-fueled water heaters for a future electric appliance. This requirement includes reserved and labeled breakers in the electrical panel for future electric appliance(s).

The 2025 California Energy Code already mandates "electric-ready" components in new mixed-fuel homes but does not extend this requirement to renovations, remodels, or additions. The proposed policy aims to close this gap by mandating the installation of these "electric-ready" components whenever permitted electrical work is performed near existing gas appliances in existing homes. Opportunities for future-proofing homes that install gas equipment include:

1. Gas Cooking Range
    - Install a 125-volt 20-amp receptacle
    - Pathway for a 240-volt 50-amp circuit for a future electric cooktop

2. Gas Clothes Dryer
    - Install a 125-volt 20-amp receptacle
    - Pathway for a 240-volt 30-amp circuit for a future electric clothes dryer

3. Water Heating
    - Install a 125-volt 20-amp receptacle
    - Pathway for a 240-volt 30-amp circuit for a future heat pump water heater
    - Pathway for a condensate drain
    - Physical space reserved for a future heat pump water heater (2.5’ x 2.5x 7’)

4. Space Heating
    - Physical space reserved for a future heat pump space heater

5. Gas Line Extensions for Outdoor Gas Appliances
    - Install conduit
    - Reserve breaker space for future electric appliance
    - Physical space for future electric appliance

6. Electrical Power Upgrades (The purpose of this requirement is to educate contractors and the industry on ways to minimize panel upgrades when electrifying equipment):
    - Demonstrate upgrades to electrical power infrastructure are required by documenting:
        1. Calculations in accordance with California Electrical Code Article 220.83 demonstrating future loads exceed current electrical power infrastructure.
        2. If the data are available, calculations in accordance with California Electrical Code Article 220.87 demonstrating future loads exceed current electrical power infrastructure.

    - Calculations above must include at least one of the following:
        1. One power management or circuit controlling device
        2. One 120 volt electric-only clothes dryer, water heater or range
        3. Circuit control between whole home load and ether Level 2 EV charging receptacle or Low Power Level 2 EV charging receptacle

Exceptions
The proposed ordinance offers six (6) exceptions:

1. Repairs and safety improvements.
2. An electrical permit is not otherwise required for the project other than compliance with this section.
3. Panel capacity is not required to exceed the existing utility electrical service to the building to meet the requirements of this section.
4. Mobile homes, manufactured housing, factory-built housing.
5. Emergency housing.
6. ADU conversions pursuant to Government Code 66323.

ATTACHMENTS
1. Attachment 1
2. Attachment 2
3. Attachment 3
4. Attachment 4
5. Attachment 5
6. Attachment 6
7. Attachment 7
8. Attachment 8
9. Attachment 9

10. Attachment 10
11. Attachment 11
12. Attachment 12
13. Attachment 13
14. Attachment 14
15. Attachment 15
16. Attachment 16
17. Attachment 17
18. Attachment 18
19. Attachment 19
20. Attachment 20
21. Attachment 21
22. Attachment 22
23. Attachment 23
24. Attachment 24
25. Attachment 25
26. Attachment 26

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REPEALING IN ITS ENTIRETY TITLE 12 FOR BUILDINGS AND CONSTRUCTION OF THE LOS ALTOS MUNICIPAL CODE

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City Council held a duly noticed public hearing on **DATE TO BE INSERTED**, and **DATE TO BE INSERTED**; and

WHEREAS, the amendments were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the City Council repeals in its entirety Title 12 of the Los Altos Municipal Code; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. **REPEAL TITLE 12 OF THE LOS ALTOS MUNICIPAL CODE**. Title 12 of the Los Altos Municipal Code is hereby amended as set forth in Appendix 1 to this Ordinance, strikethrough indicating deletion.

SECTION 2. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof or January 1, 2026 whichever occurs last.

I HEREBY CERTIFY that the foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on **DATE TO BE INSERTED**, and was thereafter, at a regular meeting held on **DATE TO BE INSERTED**, passed, and adopted by the following vote:

AYES:
NOES:

ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

~~Title 12~~

~~BUILDINGS AND CONSTRUCTION~~

~~**Chapters:**~~

~~Chapter 12.04 ADMINISTRATIVE CODE~~[1]

~~12.04.010 Adoption of the California Administrative Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2022 California Administrative Code, contained in the California Code of Regulations, Title 24, Part 1, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the building official.~~

~~(Ord. No. 2013-395, § 3, 12-10-2013; Ord. No. 2016-426, §§ 2, 3, 11-8-2016; Ord. No. 2019-464, §§ 2, 3, 12-10-2019; Ord. No. 2022-487, §§ 2, 3, 11-29-2022)~~

~~Chapter 12.08 BUILDING CODE~~[2]

~~12.08.010 Adoption of the California Building Code.~~

~~The 2022 California Building Code (2 volumes), contained in the California Code of Regulations, Title 24, Part 2, which incorporates and amends the International Building Code 2021 Edition, published by the California Building Standards Commission and the International Code Council, with the amendments and certain appendices as set forth in Section 12.08.020, is hereby adopted by reference as if fully set forth here. One copy of said code is on file in the office of the building official for use and examination by the public.~~

~~(Ord. No. 2019-464, §§ 4, 5, 12-10-2019; Ord. No. 2022-487, §§ 4, 5, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)~~

~~12.08.020 Amendments.~~

~~The 2022 California Building Code referred to in Section 12.08.010 is adopted, together with Chapter 1 of the 2022 California Building Code, with the following amendments and certain Appendix Chapters as follows:~~

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[1]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.04 and enacted a new chapter as set out herein. The former Ch. 12.04, § 12.04.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 2 and Ord. No. 10-359, § 3, adopted Nov. 23, 2010.

[2]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.08 and enacted a new chapter as set out herein. The former Ch. 12.08, §§ 12.08.010—12.08.040, pertained to similar subject matter and derived from Ord. No. 10-359, § 5, adopted Nov. 23, 2010.

~~Chapter 1, Division II, Section 105.2 Building: #1, is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 6.B.1 of this Ordinance.~~

~~A. Work exempt from building permits. Building permits shall not be required for freestanding unenclosed play structures. Enclosed accessory structures used as playhouses, tool and storage sheds and similar uses that are less than 120 square feet constructed without electrical, plumbing, or mechanical features do not require building permits, but do require zoning approval to comply with local zoning regulations.~~

~~Chapter 1, Division II, Section 110.3.4 is deleted and replaced to read as follows, based upon the express findings of necessity set forth in Section 6.B.2 of this Ordinance.~~

~~B. Frame Inspection. Framing inspection shall be made after the following components are completed: Roof deck and/or sheathing has been inspected and approved; complete finish roofing materials are installed; the building exterior envelope has all windows and doors installed; all framing, fire-blocking, bracing, pipes, chimneys and vents to be concealed are complete; and all sub-trades including, but not limited to, building, electrical, plumbing and mechanical are roughed in and under required tests.~~

~~C. Only the following Appendix Chapters from the Building Code are adopted:~~

~~1. Appendix I, Patio Covers.~~

~~2. Appendix J, Grading.~~

~~**Section 903.2 is amended to read as follows:**~~

~~903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.~~

~~For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.~~

~~1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:~~

~~a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.~~

~~b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.~~

~~c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:~~

~~i. Noncombustible construction.~~

~~ii. Maximum 5,000 square feet in building area.~~

~~iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.~~

~~iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.~~

~~d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.~~

~~2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.~~

~~Exception: Detached Accessory Dwelling Unit, provided that all of the following are met:~~

a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

b. The existing primary residence does not have automatic fire sprinklers.

c. The accessory detached dwelling unit does not exceed 1,200 square feet in size.

d. The unit is on the same lot as the primary residence.

e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An approved automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages).

5. An approved automatic sprinkler system shall be provided throughout all new and existing basements.

6. An approved automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18.

7. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

[1]Life Safety - Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2]Fire Risks - Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

8. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.

b. No waiver shall be granted from compliance with fire sprinklers.

Section 903.2.11.7 is amended to read as follows:

903.2.11.7 Chemical Fume Hood Fire Protection. Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.

2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

Section 907.8 is amended to read as follows:

907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

(Ord. No. 2013-395, § 5, 12-10-2013; Ord. No. 2016-426, §§ 4, 5, 11-8-2016; Ord. No. 2019-464, §§ 4, 5, 12-10-2019; Ord. No. 2022-487, §§ 4, 5, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)

12.08.030 Correction of violations.

The issuance or granting of a permit or approval of plans under this title shall not prevent the administrative authority from thereafter requiring the correction of errors in such plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any other law, or from revoking any certificate of approval when issued in error.

A. The 2022 California Building Code referred to in Section 12.08.010 is adopted, together with Chapter 1 of the 2022 California Building Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.5 and 105.5.1 is deleted and replaced to read as follows, as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5. This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within twelve (12) months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of twelve (12) months after the time the work is commenced. For the purpose of this section, failure to progress a project to the next level of required inspection, as determined by the building official, shall be deemed to be suspension of the work.

The building official is authorized to grant, in writing, no more than three extensions or reactivations of permits that would otherwise expire or reactivations of expired permits, for periods not more than 180 days each and may require:

1. That construction documents be revised to partially or fully to comply with current codes and ordinances; and

2. Payment of all applicable permit fees; and

3. Payment of a penalty pursuant to Chapter 12.72 of the Los Altos Municipal Code.

Extensions and reactivations shall be requested in writing and justifiable cause demonstrated. Additional extensions or reactivations beyond three may only be granted with the approval of the City Council.

Term limit for permits. All work associated with a building permit must be completed, and final inspection issued, within forty-eight (48) months of permit issuance. Once a term limit has been exhausted without obtaining an approved final inspection the permit will automatically become void. The building official is authorized to allow a new permit application to be applied for the original scope of work and may require:

1. That construction documents be revised to partially or fully to comply with current codes and ordinances; and

2. Payment of all plan review and permit fees; and

3. Payment of a penalty pursuant to Chapter 12.72 of the Los Altos Municipal Code.

For those projects that are residential only, the Building Official may modify expired permit fees when the owner can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of five hundred dollars ($500) shall be required within ten (10) working days of notice and the project shall achieve a final inspection within thirty (30) days of payment received, otherwise expired permit fees as noted above shall be required.

B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this chapter has been commenced without first obtaining said permit, the building official shall charge a minimum of two times and/or up to four times, for repeat offenders, on all applicable plan review and permit (inspection) fees related to the required permit(s), including, but not limited to, building permits (including, but not limited to electrical, fire, mechanical and plumbing), sign permits and demolition permits. The legal registered owner of said property shall obtain a building permit within thirty (30) days of any violation letter or stop-work notice issued by the City of Los Altos. The payment of the increased fee(s) shall not relieve any person from fully complying with the requirements of this code, other codes adopted by the City, or the requirements of the zoning ordinance. Failure to comply with the provisions of this chapter may also subject the violator to any other penalties, sanctions or remedies provided elsewhere in this code. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a fee as provided in this section shall be charged.

Once building permits are issued pursuant to work commenced without required permits, it is the responsibility of the permit holder to obtain their first required building inspection within thirty (30) days from permit issuance date and shall receive a project final inspection within a one-year period. Any further delays will require additional building permit fees charged again in the original amount with an additional 30-day extension. If the project continues without meeting these deadlines, Administration Citation Fees and/or other legal remedies allowed by local, or state law shall be imposed.

Failure to contact the Building Division within five business days of receiving the violation notice may result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

(Ord. No. 2013-395, § 5, 12-10-2013; Ord. No. 2016-426, §§ 4, 5, 11-8-2016; Ord. No. 2019-464, §§ 4, 5, 12-10-2019; Ord. No. 2022-487, §§ 4, 5, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)

12.08.040 Fee refunds.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

~~The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.~~

~~(Ord. No. 2013-395, § 5, 12-10-2013; Ord. No. 2016-426, §§ 4, 5, 11-8-2016; Ord. No. 2019-464, §§ 4, 5, 12-10-2019; Ord. No. 2022-487, §§ 4, 5, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)~~

~~Chapter 12.10 RESIDENTIAL CODE[3]~~

~~12.10.010 Adoption of the California Residential Code.~~

~~The 2022 California Residential Code, contained in the California Code of Regulations, Title 24, Part 2.5, published by the California Building Standards Commission and the International Code Council, which incorporates and amends the 2021 International Residential Code 2021 Edition, is hereby adopted. There is one copy of said code on file in the office of the Building Official for use and examination by the public.~~

~~(Ord. No. 2013-395, § 7, 12-10-2013; Ord. No. 2016-426, § 7, 11-8-2016; Ord. No. 2019-464, §§ 7, 8, 12-10-2019; Ord. No. 2022-487, §§ 7, 8, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)~~

~~12.10.020 Amendments.~~

~~The 2022 California Residential Code referred to in Section 12.10.10 is adopted, together with Chapter 1 of the 2022 California Residential Code, with the following amendments to read as follows:~~

~~Chapter 3 Section R301.1.3.2 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.1. of this Ordinance.~~

~~**R301.1.3.2 Wood frame structures.** The building official shall require construction documents to be approved and stamped for structural compliance by a California licensed architect or engineer for all dwellings of wood frame construction more than one story in height located in Seismic Design Category D0, D1, D2, or E.~~

~~Chapter 3 Section R313.1 and Section R313.2 are deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.2. of this Ordinance.~~

~~**Section R313.1 is amended to read as follows:**~~

~~**R313.1 Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new townhouses and in existing townhouses, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix B, Tables B105.1(1) and B105.1(2) of the 2022 California Fire Code, and/or additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated attached garages shall be included. Additions over fifty (50) percent and/or seven hundred and fifty (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of~~

[3]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, amended Ch. 12.10 in its entirety, in effect repealing and reenacting said chapter to read as set out herein. The former Ch. 12.10, §§ 12.10.010—12.10.030, pertained to similar subject matter and derived from Ord. No. 10-359, § 7, adopted Nov. 23, 2010.

~~this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:~~

~~The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions undertaken over a three-year period. The permit issuance dates of past additions where these regulations were in effect shall be used for determining compliance.~~

~~a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.~~

~~b. No waiver shall be granted from compliance with fire sprinklers.~~

~~**Section R313.2 is amended to read as follows:**~~

~~**R313.2 One and two-family dwellings automatic fire sprinklers systems.** An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new one and two-family dwellings and in existing dwellings, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix Tables B105.1(1) and B105.1(2) of the 2022 California Fire Code, and/or additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated garages shall be included. Additions over fifty (50) percent and/or seven hundred and (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:~~

~~The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two California Building Standards Code Cycles. The permit issuance date of past additions where these regulations were in effect shall be used for determining compliance.~~

~~a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.~~

~~b. No waiver shall be granted from compliance with fire sprinklers.~~

~~Exceptions:~~

~~1. Detached Accessory Dwelling Unit, provided that all of the following are met:~~

~~1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.~~

~~1.2. The existing primary residence does not have automatic fire sprinklers.~~

~~1.3. The accessory detached dwelling unit does not exceed 1,200 square feet in size.~~

~~1.4. The unit is on the same lot as the primary residence.~~

~~1.5. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.~~

~~Chapter 6 Section R602.10.4.3.1 and Table R602.10.3 (3) footnote "i" are new sections added to read as follows, based upon the express finding of necessity set forth in section 9.B.3. of this Ordinance.~~

Amend Section R328.7 to read as follows:

R328.7 Fire detection. Rooms and areas within dwelling units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314. A heat detector, listed and interconnected to the smoke alarms, shall be installed in locations within dwelling units and attached garages where smoke alarms cannot be installed based on their listing.

ESS installed in Group R-3 and townhomes shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314.
2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

Exceptions:

1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.
2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

Add a new subsection R602.10.4.3.1 to read as follows:

R602.10.4.3.1 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to accessory structures.

Add a new footnote "i" to the end of CRC Table R602.10.3(3), after the five footnotes (a) - (f) currently shown, to read:

g. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted, and the use of Method PCP is limited to accessory structures.

C. Only the following Appendix Chapters from the California Residential Code are adopted:

1. Appendix H, Patio Covers.

(Ord. No. 2013-395, § 7, 12-10-2013; Ord. No. 2016-426, § 7, 11-8-2016; Ord. No. 2019-464, §§ 7, 8, 12-10-2019; Ord. No. 2022-487, §§ 7, 8, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)

12.10.030 Correction of violations.

Correction of violations shall be pursuant to Chapter 12.08 of the Los Altos Municipal Code.

(Ord. No. 2016-426, § 7, 11-8-2016; Ord. No. 2019-464, §§ 7, 8, 12-10-2019; Ord. No. 2022-487, §§ 7, 8, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)

Editor's note(s)—Ord. No. 2016-426, § 7, adopted November 8, 2016, repealed former § 12.10.030, and enacted a new § 12.10.030 as set out herein. Former § 12.10.030 pertained to definitions and derived from Ord. No. 2013-395, adopted December 10, 2013.

~~12.10.040 Fee refunds.~~

~~The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.~~

~~The building official may authorize refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~

~~The building official may authorize refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.~~

~~The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.~~

~~(Ord. No. 2016-426, § 7, 11-8-2016; Ord. No. 2019-464, §§ 7, 8, 12-10-2019; Ord. No. 2022-487, §§ 7, 8, 11-29-2022; Ord. No. 2023-498, § 2(App. A), 9-12-2023)~~

~~Chapter 12.12 PLUMBING CODE~~[4]

~~12.12.010 Plumbing Code—Adoption of the California Plumbing Code.~~

~~The 2022 California Plumbing Code, contained in California Code of Regulations, Title 24, Part 5, which incorporates and amends the Uniform Plumbing Code 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, with amendments and certain appendices set forth in Section 12.12.020 is hereby adopted. There is one copy of said code on file in the office of the building official for use and examination by the public.~~

~~(Ord. No. 2013-395, § 10, 12-10-2013; Ord. No. 2016-426, §§ 9, 10, 11-8-2016; Ord. No. 2019-464, §§ 10, 11, 12-10-2019; Ord. No. 2022-487, §§ 10, 11, 11-29-2022)~~

~~12.12.020 Amendments.~~

~~The 2022 California Plumbing Code referred to in Section 12.12.010 is adopted with the following amendments and certain Appendix Chapters as follows:~~

~~A. Section 710.1 is deleted and replaced to read as follows, based upon the finding of express necessity set forth in Section 8.B.1 of this Ordinance.~~

~~B. **Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer level.**~~

~~**710.1Backflow Protection** All new, replaced, or repaired building sewers, both public and private, requiring sewer connections to the City main sewer system shall be protected from backflow of sewage by installing an accessible approved type of backwater and atmospheric relief valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating, "backwater valve downstream".~~

[4]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.12 and enacted a new chapter as set out herein. The former Ch. 12.12, §§ 12.12.010 and 12.12.020, pertained to similar subject matter and derived from Ord. No. 08-319, § 7 (part) and Ord. No. 10-359, § 10, adopted Nov. 23, 2010.

~~Building sewers shall have an atmospheric relief valve installed upstream of the backwater valve outside the building in close proximity to the foundation.~~

~~Exception: Sewer repairs where there is no existing cleanout located at or near the building foundation, may have these atmospheric relief devices placed near the repair upstream of the newly installed backwater valve.~~

~~C. Chapter 12 Section 1211.8 is amended to read as follows, based upon express finding of necessity set forth in section 8.B.2 of this Ordinance.~~

~~**1211.7Earthquake-Actuated Gas Shutoff Valves** Earthquake-actuated gas shutoff valves designed to automatically shut off the gas at the location of the valve in the event of a seismic disturbance and certified by the State Architect as conforming to California Code of Regulations, Title 24, Part 12, Chapter 12-16-1, shall be installed in all new buildings, and when reinstalling meters at the same location, and when relocating gas utility meters. Said gas shutoff valves shall be at or near the meter supplying gas to individual buildings.~~

~~D. Only the following Appendix Chapters from the Plumbing Code are adopted:~~

~~1. Appendix A, Recommended Rules for Sizing the Water Supply System.~~

~~2. Appendix B, Explanatory Notes on Combination Waste and Vent Systems.~~

~~3. Appendix D, Sizing Storm Water Drainage Systems.~~

~~4. Appendix H, Private Sewage Disposal Systems.~~

~~5. Appendix I, Installation Standard for Pex Tubing Systems for Hot and - Cold-Water Distribution.~~

~~(Ord. No. 2013-395, § 10, 12-10-2013; Ord. No. 2016-426, §§ 9, 10, 11-8-2016; Ord. No. 2019-464, §§ 10, 11, 12-10-2019; Ord. No. 2019-464, §§ 13, 14, 12-10-2019; Ord. No. 2022-487, §§ 10, 11, 11-29-2022)~~

~~Chapter 12.16 MECHANICAL CODES[5]~~

~~12.16.010 Adoption of the California Mechanical Code.~~

~~The 2022 California Mechanical Code, contained in the 2022 California Code of Regulations, Title 24, Part 4, which incorporates and amends the Uniform Mechanical Code 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted. There is one copy of said code on file in the office of the building official for use and examination by the public.~~

~~(Ord. No. 2013-395, § 13, 12-10-2013; Ord. No. 2016-426, §§ 12, 13, 11-8-2016; Ord. No. 2019-464, §§ 13, 14, 12-10-2019; Ord. No. 2022-487, §§ 13, 14, 11-29-2022)~~

~~Chapter 12.20 ELECTRICAL CODE[6]~~

[5]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.16 and enacted a new chapter as set out herein. The former Ch. 12.16, § 12.16.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 10 and Ord. No. 10-359, § 13, adopted Nov. 23, 2010.

[6]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.20 and enacted a new chapter as set out herein. The former Ch. 12.20, § 12.20.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 12 and Ord. No. 10-359, § 15, adopted Nov. 23, 2010.

~~12.20.010 Adoption of the California Electrical Code.~~

~~The 2022 California Electrical Code, contained in the 2022 California Code of Regulations, Title 24, Part 3, incorporates and amends the National Electrical Code 2020 Edition, published by the National Fire Protection Association, is hereby adopted. There is one copy of said code on file in the office of the building official for use and examination by the public.~~

~~(Ord. No. 2013-395, § 15, 12-10-2013; Ord. No. 2016-426, §§ 14, 15, 11-8-2016; Ord. No. 2019-464, §§ 15, 16, 12-10-2019; Ord. No. 2022-487, §§ 15, 16, 11-29-2022)~~

~~Chapter 12.22 ENERGY CODE~~[7]

~~12.22.010 Adoption of the California Energy Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2019 California Energy Code, contained in the California Code of Regulations, Title 24, Part 6, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the building official.~~

~~(Ord. No. 2013-395, § 16, 12-10-2013; Ord. No. 2016-426, § 16, 11-8-2016; Ord. No. 2019-464, §§ 17, 18, 12-10-2019; Ord. No. 2020-470B, § 1, 11-10-2020; Ord. No. 2022-487, §§ 17, 18, 11-29-2022)~~

~~12.22.020 Amendments for all-electric buildings.~~

~~City of Los Altos local amendments to the 2022 California Energy Code. Upon adoption of this Code in the event that there is any conflict between local amendments and the 2022 California Energy Code the most restrictive shall prevail.~~

~~A. Amend Section 100.1(b) of the Energy Code by adding the following definitions to read as follows:~~

~~ALL-ELECTRIC BUILDING is a building that has no natural gas or propane plumbing installed within the building.~~

~~NEWLY CONSTRUCTED BUILDING (Applicable to Chapter 12.22 Energy Code Section 12.22.020 Amendments) is a building that has never been used or occupied for any purpose and supported by 1) a new structural foundation, 2) an existing, structural foundation where a building has been demolished and removed to floor or below, or 3) a combination of 1) and 2).~~

~~PUBLIC BUILDING is a building used by the public for any purpose, such as assembly, education, entertainment, or worship.~~

~~SCIENTIFIC LABORATORY BUILDING is a building or area where research, experiments, and measurement in medical, life, and physical sciences are performed and/or stored requiring examination of fine details. The building may include workbenches, countertops, scientific instruments, and supporting offices.~~

[7]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, amended Ch. 12.22 in its entirety, in effect repealing and reenacting said chapter to read as set out herein. The former Ch. 12.22, § 12.22.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 13 and Ord. No. 10-359, § 16, adopted Nov. 23, 2010.

~~Subchapter 1 Section 100.0(e)2.A. is deleted and replaced to read as follows, based on express finding of necessity set forth of this Ordinance.~~

~~B. Amend Section 100.0(e)2.A. of the Energy Code to read as follows:~~

~~**2.Newly constructed buildings.**~~

~~A. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsections B, C, D or E, as applicable and shall be an all-electric building as defined in Section 100.1(b).~~

~~**Exception 1:** Residential Single-Family Dwellings, Detached ADUs (Accessory Dwelling Units), Multifamily Dwellings with two to nine units may install non-electric (natural gas-fueled) cooking and fireplace appliances if the applicant complies with the prewiring provisions, Subsection 12.22.020B.3.~~

~~**Exception 2:** Non-residential Buildings containing for-profit restaurant open to the public may install gas-fueled cooking appliances. The applicant shall comply with the pre-wiring provision of Subsection 12.22.020B.3.~~

~~**Exception 3:** Non-residential buildings, Scientific Laboratory Buildings and Public Buildings may apply to the Building Division of the Los Altos Development Services Department for an exception to install a non-electric fueled appliance or piece of equipment. The Building Division of the Los Altos Development Services Department shall grant an exception if they find the following conditions are met:~~

~~i. The applicant shows that there is a public or business-related need that cannot be reasonably met with an electric fueled appliance or piece of equipment.~~

~~ii. The applicant complies with the pre-wiring provisions to the non-electric appliance or piece of equipment noted at Subsection 12.22.020B.3.~~

~~The decision of the Building Division of the Los Altos Development Services Department shall be final unless the applicant appeals the decision to the City Manager or his or her designee within 15 days of the date of the decision. The City Manager's or his or her designee's decision on the appeal shall be final.~~

~~**3.Wiring to accommodate future electric appliances or equipment.**~~

~~(a) If a non-electric appliance or piece of equipment is allowed to be installed, the appliance or equipment location must also be electrically pre-wired for future electric appliance or equipment installation, including:~~

~~i. A dedicated circuit, phased appropriately, with a minimum amperage requirement for a comparable electric appliance with an electrical receptacle or junction box that is connected to the electric panel with conductors of adequate capacity, extending to within 3 feet of the appliance and accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and~~

~~ii. Both ends of the unused conductor or conduit shall be labeled with the words "For Future Electric appliance or equipment" and be electrically isolated; and~~

~~iii. A reserved circuit breaker space shall be installed in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled for each circuit, an example is as follows (i.e. "For Future Electric Range;"); and~~

~~iv. All electrical components, including conductors, receptacles, junction boxes, or blank covers, related to this section shall be installed in accordance with the California Electrical Code.~~

~~(Ord. No. 2020-470A, § 1, 11-10-2020; Ord. No. 2020-470B, § 1, 11-10-2020; Ord. No. 2020-470C, § 1, 11-10-2020; Ord. No. 2022-487, §§ 17, 18, 11-29-2022)~~

~~Chapter 12.24 FIRE CODE~~[8]

~~12.24.010 Adoption of the 2022 California Fire Code.~~

~~There is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2022 California Fire Code, contained in the 2022 California Code of Regulations, Title 24, Part 9, which incorporates and amends the International Fire Code 2021 Edition, published by the International Code Council, including Appendix Chapters B, C, D and O, save and except such portions as are hereinafter deleted, modified or amended by this chapter. One copy has been filed for use and examination by the public in the office of the Building Official. Said codes are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect.~~

~~(Ord. No. 2013-395, § 18, 12-10-2013; Ord. No. 2016-426, § 16, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2022-487, §§ 20, 21, 11-29-2022)~~

~~12.24.015 Findings.~~

~~The City Council of the City of Los Altos hereby expressly finds that amendments to the California Fire Code adopted by this chapter and commencing with Section 12.24.080 are reasonably necessary for the protection of the public health, safety, and welfare, due to the local climatic, geologic, or topographical conditions specified as follows:~~

~~The City of Los Altos experiences low humidity, high winds and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires. Additionally, the City of Los Altos is geographically situated adjacent to active earthquake faults capable of producing substantial seismic events. Since the City of Los Altos is divided by creeks, an expressway and other substantial traffic corridors, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. In addition, fire suppression capabilities would be severely limited should the water system be extensively damaged during the seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials and other safeguards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.~~

~~The below table provides the express findings and determinations (where necessary pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5) justifying the City of Los Altos' amendments to the 2022 Edition of the California Fire Code as reasonably necessary because of local climatic, geologic, or topographic conditions.~~

[8]Ord. No. 2022-487, § 20, adopted November 29, 2022, repealed Ch. 12.24 and enacted a new chapter as set out herein. The former Ch. 12.24, §§ 12.24.010—12.24.080, pertained to similar subject matter and derived from Ord. No. 08-319, § 15 (part); Ord. No. 10-359, § 18, adopted Nov. 23, 2010; and Ord. No. 2013-395, adopted Dec. 10, 2013.

~~Admin = This amendment is necessary for administrative clarification and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5. This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.~~

~~I = This amendment is reasonably necessary because of climatic conditions.~~

~~II = This amendment is reasonably necessary because of topographical conditions.~~

~~III = This amendment is reasonably necessary because of geological conditions.~~

~~Code Section~~	~~California Fire Code Local Amendment~~	~~Findings~~
~~108.5~~	~~Final Inspection~~	~~Admin~~
~~112.4~~	~~Violation penalties~~	~~Admin~~
~~Chapter 2~~	~~Definitions~~	~~Admin~~
~~503.1~~	~~Where required~~	~~Admin~~
~~503.1.1~~	~~Buildings and facilities~~	~~Admin~~
~~503.2.1~~	~~Dimensions~~	~~Admin~~
~~503.2.4~~	~~Turning Radius~~	~~Admin~~
~~503.2.7~~	~~Grade~~	~~Admin~~
~~503.5~~	~~Required Gates or Barricades~~	~~Admin~~
~~503.6~~	~~Security Gates~~	~~Admin~~
~~504.5~~	~~Access control devices~~	~~II & III~~
~~505.1~~	~~Address identification~~	~~Admin~~
~~510.1~~	~~Emergency responder communication coverage in new buildings~~	~~Admin~~
~~510.1.1~~	~~Obstruction by new buildings~~	~~Admin~~
~~510.3~~	~~Permit required~~	~~Admin~~
~~510.4~~	~~Technical requirements~~	~~Admin~~
~~510.4.1.1~~	~~Minimum signal strength into the building~~	~~Admin~~
~~510.4.1.2~~	~~Minimum signal strength out of the building~~	~~Admin~~
~~510.5~~	~~Installation requirement~~	~~Admin~~
~~510.5.1~~	~~Approval prior to installation~~	~~Admin~~
~~510.5.3~~	~~Acceptance test procedure~~	~~Admin~~
~~603.11~~	~~Immersion Heaters~~	~~Admin~~
~~605.5~~	~~Portable unvented heaters~~	~~Admin~~
~~605.5.2.1.1~~	~~Prohibited locations~~	~~Admin~~
~~703.3~~	~~Fire-resistant penetrations and joints~~	~~Admin~~
~~901.6.2~~	~~Integrated testing~~	~~Admin~~
~~901.6.2.1~~	~~High-rise buildings~~	~~Admin~~
~~901.6.3~~	~~Records~~	~~Admin~~
~~903.2~~	~~Where required~~	~~II & III~~
~~909.20.1~~	~~Schedule~~	~~Admin~~
~~1202.1~~	~~Definitions~~	~~Admin~~
~~1207.1.5~~	~~Large-scale fire test~~	~~Admin~~
~~1207.2.2.1~~	~~Ongoing inspection and testing~~	~~Admin~~
~~1207.5.2~~	~~Maximum allowable quantities~~	~~Admin~~
~~1207.5.5~~	~~Fire suppression systems~~	~~III~~

~~1207.11.3~~	~~Location~~	~~Admin~~
~~1207.11.6~~	~~Fire detection~~	~~III~~
~~3305.5~~	~~Fire watch~~	~~Admin~~
~~3305.10~~	~~Fire Walls~~	~~II & III~~
~~3311.1.1~~	~~Fire Department Access Roadways~~	~~II & III~~
~~3312.1~~	~~Stairways required~~	~~Admin~~
~~3312.4~~	~~Required Means of Egress~~	~~II & III~~
~~3315.1~~	~~Completion before occupancy~~	~~Admin~~
~~4901.3~~	~~Where applicable~~	~~Admin~~
~~4901.4~~	~~Exemptions~~	~~Admin~~
~~4906.1.1~~	~~Hazardous vegetation and fuels mgmt..~~	~~Admin~~
~~4906.1.2~~	~~Maintenance required~~	~~Admin~~
~~4906.1.3~~	~~4906.1.3 Additional measures~~	~~Admin~~
~~4906.1.4~~	~~Exemption~~	~~Admin~~
~~4907.3~~	~~Requirements~~	~~Admin~~
~~5001.2.2.2~~	~~Health Hazards~~	~~Admin~~
~~5002.1~~	~~Definitions~~	~~Admin~~
~~5003.1.3.1~~	~~Toxic, Highly Toxic, Moderately Toxic Gases~~	~~III~~
~~5003.1.5~~	~~Health Hazards - Other~~	~~III~~
~~5003.1.6~~	~~Additional Spill Control and Secondary Containment Requirements~~	~~III~~
~~5003.2.2.1~~	~~Design and Construction~~	~~III~~
~~5003.2.2.2~~	~~Additional Regulation for Supply Piping for Health Hazard Materials~~	~~III~~
~~5003.5.2~~	~~Ventilation Ducting~~	~~III~~
~~5003.5.3~~	~~"H" Occupancies~~	~~III~~
~~5003.10.4.x.x~~	~~Elevators utilized to transport hazardous materials~~	~~Admin~~
~~5004.2.1~~	~~Spill Control for Hazardous Material Liquids~~	~~Admin~~
~~5004.2.2.2~~	~~Incompatible Materials~~	~~Admin~~
~~**5402.1**~~	~~**Definition**~~	~~Admin~~
~~5601.1.1.3~~	~~Fireworks~~	~~Admin~~
~~5704.2.7.5.8~~	~~Overfill Prevention~~	~~Admin~~
~~5704.2.7.5.9~~	~~Automatic Filling of Tanks~~	~~Admin~~
~~5704.2.9.6.1~~	~~Locations where above-ground tanks are prohibited~~	~~Admin~~
~~5706.2.4.4~~	~~Locations where above-ground tanks are prohibited~~	~~Admin~~
~~5707.3.3~~	~~Site plan~~	~~Admin~~
~~5809.3.4~~	~~Site plan~~	~~Admin~~
~~6104.2~~	~~Maximum capacity within established limits~~	~~Admin~~
~~6001.1~~	~~Scope~~	~~Admin~~
~~6004.1~~	~~General~~	~~Admin~~
~~6004.1.1~~	~~Special limitations for indoor storage and use by occupancy~~	~~Admin~~
~~6004.1.1.1~~	~~Group A, E, I or U occupancies~~	~~Admin~~
~~6004.1.1.2~~	~~Group R occupancies~~	~~Admin~~

~~6004.1.1.3~~	~~Offices, retail sales and classrooms~~	~~Admin~~
~~6004.2~~	~~Indoor storage and use~~	~~Admin~~
~~6004.2.1~~	~~Applicability~~	~~Admin~~
~~6004.2.1.4~~	~~Quantities exceeding the minimum threshold~~	~~Admin~~
~~6004.4~~	~~General indoor requirements~~	~~Admin~~
~~6004.4.1~~	~~Cylinder and tank location~~	~~Admin~~
~~6004.4.2~~	~~Ventilated areas~~	~~Admin~~
~~6004.4.3~~	~~Piping and controls~~	~~Admin~~
~~6004.4.4~~	~~Gas rooms~~	~~Admin~~
~~6004.4.5~~	~~Treatment systems~~	~~Admin~~
~~6004.4.5.1~~	~~Design~~	~~Admin~~
~~6004.4.5.2~~	~~Performance~~	~~Admin~~
~~6004.4.5.3~~	~~Sizing~~	~~Admin~~
~~6004.4.5.4~~	~~Stationary tanks~~	~~Admin~~
~~6004.4.5.5~~	~~Portable tanks and cylinders~~	~~Admin~~
~~6004.4.6~~	~~Emergency power~~	~~Admin~~
~~6004.4.6.1~~	~~Fail-safe systems~~	~~Admin~~
~~6004.4.7~~	~~Automatic fire detection system~~	~~Admin~~
~~6004.4.8~~	~~Gas detection system~~	~~Admin~~
~~6004.4.8.1~~	~~Alarms~~	~~Admin~~
~~6004.4.8.2~~	~~Shut off of gas supply~~	~~Admin~~
~~6104.2~~	~~Maximum capacity within established limits~~	~~Admin~~
~~6405.3.1~~	~~Silane distribution systems automatic shutdown~~	~~Admin~~

~~(Ord. No. 2013-395, § 18, 12-10-2013; Ord. No. 2016-426, § 17, 18, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2022-487, §§ 20, 21, 11-29-2022)~~

~~12.24.020 Establishment and duties of the fire prevention division.~~

~~A. The California Fire Code shall be enforced by the Santa Clara County Fire Department which shall be operated under the supervision of the Chief of the Fire Department.~~

~~B. The City fire marshal shall be the chief of the fire prevention division and shall be appointed by the Chief of the Fire Department.~~

~~C. The Chief of the Fire Department may assign members of the fire department as deputy fire marshals as shall be necessary.~~

~~(Ord. No. 2013-395, § 18, 12-10-2013; Ord. No. 2016-426, § 17, 18, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2022-487, §§ 20, 21, 11-29-2022)~~

~~12.24.030 Definitions.~~

~~A. Wherever the words "board of appeal" are used, they shall mean the City Council of the City of Los Altos, or the body appointed by the Council to pass on matters pertaining to fire safety.~~

~~B. Wherever the words "fire prevention bureau" are used in the California Fire Code, they shall mean the fire prevention division of the fire department.~~

C. Wherever the term "fire code official" is used, it shall mean the chief of the fire department.

D. Wherever the word "jurisdiction" is used in the California Fire Code, it shall mean the City of Los Altos.

(Ord. No. 2013-395, § 18, 12-10-2013; Ord. No. 2016-426, § 17, 18, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2022-487, §§ 20, 21, 11-29-2022)

12.24.080 Fire code—Amendments.

The 2022 California Fire Code referred to in Section 12.24.010 is adopted with the following amendments and certain Appendix Chapters as follows:

Chapter 1 SCOPE AND ADMINISTRATION

Section 105 PERMITS

Section 108.5 Final inspection.

Section 112.4 Violation penalties.

Section 108 INSPECTIONS

Section 108.5 is added to read as follows:

Section 108.5 Final Inspection.

No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Division.

Section 112 VIOLATIONS

Section 112.4 is amended to read as follows:

Section 112.4Violation penalties.

Violation penalties shall be in accordance with Title 1, Chapter 1.30 of the City of Los Altos Municipal Code.

Chapter 2 DEFINITIONS

Chapter 2 of the 2022 California Fire Code and 2021 International Fire Code is amended to include the following definitions:

CORROSIVE LIQUID. Corrosive liquid is:

1. any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action; or
2. any liquid having a pH of 2 or less or 12.5 or more; or
3. any liquid classified as corrosive by the U.S. Department of Transportation; or
4. any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

LARGE-SCALE FIRE TESTING. Testing a representative energy storage system that induces a significant fire into the device under test and evaluates whether the fire will spread to adjacent energy storage system units, surrounding equipment, or through an adjacent fire-resistance-rated barrier.

MODERATELY TOXIC GAS. A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when

~~administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.~~

~~*HEALTH HAZARD - OTHER.* A hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage), sensitizers or teratogens (effect on fetuses).~~

~~*SPILL CONTROL.* That level of containment that is external to and separate from the primary containment and is capable of safely and securely containing the contents of the largest container and prevents the materials from spreading to other parts of the room.~~

~~*SECONDARY CONTAINMENT.* Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.~~

~~*WORKSTATION.* A defined space or an independent principal piece of equipment using flammable or unstable (Class 3 or 4 as ranked by NFPA 704) hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.~~

~~Chapter 5 FIRE SERVICE FEATURES~~

~~Section 503 FIRE APPARATUS ACCESS ROADS~~

~~Section 503.1 Where required.~~

~~Section 503.1.1 Buildings and facilities.~~

~~Section 503.2.1 Dimensions.~~

~~Section 503.2.4 Turning Radius.~~

~~Section 503.2.7 Grade.~~

~~Section 503.5 Required Gates or Barricades.~~

~~Section 503.6 Security Gates.~~

~~Section 503.1 is amended to read as follows:~~

> **~~Section 503.1 Where required.~~** ~~Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and as per Fire Department access road Standards.~~

~~Section 503.1.1 is amended to read as follows:~~

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

~~Exceptions:~~

1. ~~In other than R-3 or U occupancies, when the building is equipped throughout with an approved automatic sprinkler system, installed in accordance with Section 903.3.1.1 the dimension may be increased to a maximum of 300 feet when approved by the fire code official.~~

2. When there are not more than two Group R-3 or accessory Group U occupancies, the dimension may be increased to a maximum of 200 feet.

3. When apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Section 503.2.1 is amended to read as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6 and the unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Exception: When there are not more than two Group R, Division 3, or Group U parcels, the access road width may be modified by the fire code official.

Section 503.2.4 is amended to read as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15 percent, unless approved by the fire code official.

Section 503.5 is amended to read as follows:

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Section 503.6 is amended to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings.

Section 504 ACCESS TO BUILDINGS AND ROOFS

Section 504.5 is added to read as follows:

Section 504.5 Access control devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire code official.

Access control devices shall also comply with Chapter 10 Means of Egress.

Section 505 PREMISES IDENTIFICATION

Section 505.1 is amended to read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than *6* inches (*153* mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

The following is a guideline for adequate address number dimensions:

a. The number posted up to 49 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a half (½) inch stroke.

b. The number posted from 50 to 100 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a one (1) inch stroke.

c. The number posted over 100 to 199 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (10) inches high with a one and a half (1½) inch stroke.

d. The number posted over 200 to 299 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (18) inches high with a one and a half (2) inch stroke.

e. The number posted over 300 to 400 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (24) inches high with a one and a half (2½) inch stroke.

Section 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

Section 510.1 is amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within all buildings meeting any one of the following conditions:

1. There are more than 3 stories above grade plane (as defined by the California Building Code Section 202);

2. The total building area is 30,000 square feet or more;

3. The total basement area is 5,000 square feet or more;

4. Where required by the fire code official and radio coverage signal strength levels are not consistent with the minimum levels set forth in Section 510.4.1

   Exceptions:

   1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.12.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.

   2. Where it is determined by the fire code official that the radio coverage system is not needed.

   3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

4. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the Silicon Valley Regional Interoperability Authority (SVRIA) P25 Phase 2 700 MHz Digital Trunked Radio System within the building in accordance with Section 510.4.1 without the use of an indoor radio coverage system.

The radio coverage system shall be installed and maintained in accordance with Sections 510.4 through 510.6.4 of this code and with the applicable provisions of NFPA 1221, Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems.

The coverage shall be based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Section 510.1.1 is amended to read as follows:

510.1.1Obstruction by new buildings. No obstruction of the public safety system backhaul shall be allowed without an approved mitigating plan.

Section 510.3 is amended to read as follows:

510.3 Permit required. A construction permit, for the installation of, or modification of, emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A frequency change made to an existing system is considered to be new construction and will require a construction permit Section 510.4 is amended to read as follows:

510.4 Technical requirements. Systems, components, and equipment required to provide the emergency responder radio coverage system shall comply with the current Emergency Responders Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.4.1.1 is amended to read as follows:

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology.

Section 510.4.1.2 is amended to read as follows:

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent SINR applicable to the technology.

Section 510.5 is amended to read as follows:

510.5 Installation requirement. The installation of the emergency responder radio coverage system shall be in accordance with NFPA 1221 and the current Emergency Responder Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5.1 is amended to read as follows:

510.5.2 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the fire code official and the agency FCC license holder or systems administrator.

~~The first paragraph of Section 510.5.3 is amended to read as follows:~~

> ~~**510.5.3 Acceptance test procedure.** Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. Final system acceptance will require ERRCS power level and DAQ testing with agency FCC license holder, systems administrators, or designee.~~

~~Chapter 6 BUILDING SERVICES AND SYSTEMS~~

~~Section 603 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS~~

> ~~Add Section 603.11 to read as follows:~~
>
> ~~**603.11 Immersion Heaters.** All electrical immersion heaters used in dip tanks, sinks, vats, and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.~~

~~Section 605 FUEL-FIRED APPLIANCES~~

~~Section 605 is amended to read as follows:~~

> ~~**605.5 Portable unvented heaters.** Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities. Portable unvented fuel-fired heating equipment shall be prohibited in the public rights-of-way.~~
>
> ~~Exceptions:~~
>
> ~~1. Portable unvented fuel-fired heaters listed in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer's instructions.~~
>
> ~~2. Portable outdoor gas-fired heating appliances in accordance with Section 605.5.2.~~
>
> ~~Section 605.5.2.1.1 is amended to read as follows and the exception in the Section is deleted:~~
>
> ~~**605.5.2.1.1 Prohibited locations.** The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:~~
>
> ~~1. Inside of any occupancy where connected to the fuel gas container.~~
>
> ~~2. Inside of tents, canopies, and membrane structures.~~
>
> ~~3. On exterior balconies and rooftops~~

~~Chapter 7 FIRE AND SMOKE PROTECTION FEATURES~~

~~Section 703 PENETRATIONS~~

~~Section 703.3 is amended to read as follows:~~

> ~~703.3 Fire-resistant penetrations and joints. In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 100, and other occupancies as determined necessary special inspections for through-penetrations, membrane penetration firestops, fire resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with CBC Sections 714.4.1.2, 714.5.1.2, 715.3.1 and 715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.~~

~~Chapter 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS~~

~~Section 901 GENERAL~~

~~Section 901.6.2 is amended as follows:~~

~~**901.6.2 Integrated testing.** Where two or more fire protection or life safety systems are interconnected, the intended response of subordinate fire protection and life safety systems shall be verified when required testing of the initiating system is conducted. In addition, integrated testing shall be performed in accordance with Sections 901.6.2.1 and 901.6.2.2.~~

~~**901.6.2.1 High-rise buildings.** For high-rise buildings, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.~~

~~**901.6.2.2 Smoke control systems.** Where a fire alarm system is integrated with a smoke control system as outlined in Section 909, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.~~

~~Section 901.6.3 is amended to read as follows:~~

~~**901.6.3 Records.** Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises for a minimum of five years. See 907.7 & 907.8 for fire alarm system inspection, testing and maintenance documentation requirements.~~

~~**Section 903 AUTOMATIC SPRINKLER SYSTEMS**~~

~~**Section 903.2 Where required.**~~

~~**Section 903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.**~~

~~Section 903.2 is amended to read as follows:~~

~~**Section 903.2Where required**. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.~~

~~For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.~~

~~1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:~~

~~a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.~~

~~b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.~~

~~c. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.~~

~~d. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:~~

~~i. Noncombustible construction.~~

ii. Maximum 5,000 square feet in building area.

iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.

iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

Exception: Detached Accessory Dwelling Unit, provided that all of the following are met:

a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

b. The existing primary residence does not have automatic fire sprinklers.

c. The accessory detached dwelling unit does not exceed 1,200 square feet in size.

d. The unit is on the same lot as the primary residence.

e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An approved automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas).

5. An approved automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.

6. An approved automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18.

7. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

[1] Life Safety - Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2] Fire Risks - Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

8. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.

a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement

~~floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.~~

~~b. No waiver shall be granted from compliance with fire sprinklers.~~

~~Section 903.2.11.7 is added as follows:~~

~~**903.2.11.7 Chemical Fume Hood Fire Protection.** Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:~~

~~3. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.~~

~~4. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.~~

~~**SECTION 907 FIRE ALARM AND DETECTION SYSTEMS**~~

~~Section 907.8 is amended as follows:~~

~~907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.4 and NFPA 72. *Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.*~~

~~**Section 909 SMOKE CONTROL SYSTEMS**~~

~~**Section 909.20.1 Schedule**~~

~~Section 909.20.1 is amended to read as follows:~~

~~**909.20.1 Schedule.** A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing shall occur at least annually.~~

~~**Chapter 12 ENERGY SYSTEMS**~~

~~**SECTION 1202 DEFINITIONS**~~

~~Section 1202.1 is amended as follows:~~

~~1202.1 Definitions. The following terms are defined in Chapter 2:~~

~~BATTERY SYSTEM, STATIONARY STORAGE.~~

~~BATTERY TYPES.~~

~~CAPACITOR ENERGY STORAGE SYSTEM.~~

~~CRITICAL CIRCUIT.~~

~~EMERGENCY POWER SYSTEM.~~

~~ENERGY STORAGE MANAGEMENT SYSTEMS.~~

~~ENERGY STORAGE SYSTEM (ESS).~~

~~ENERGY STORAGE SYSTEM, ELECTROCHEMICAL.~~

~~ENERGY STORAGE SYSTEM, MOBILE.~~

~~ENERGY STORAGE SYSTEM, WALK-IN UNIT.~~

~~ENERGY STORAGE SYSTEM CABINET.~~

~~ENERGY STORAGE SYSTEM COMMISSIONING.~~

~~ENERGY STORAGE SYSTEM DECOMMISSIONING.~~

~~FUEL CELL POWER SYSTEM, STATIONARY.~~

~~*LARGE-SCALE FIRE TESTING*~~

~~PORTABLE GENERATOR.~~

~~STANDBY POWER SYSTEM.~~

~~SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)~~

~~Section 1207.1.5 is amended as follows:~~

~~1207.1.5 Large-scale fire test. Where required elsewhere in Section 1207, large-scale fire testing shall be conducted in accordance with *NFPA 855, and* UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the fire-resistance rating of the room separation specified in Section 1207.7.4. The test report shall be provided to the fire code official for review and approval in accordance with Section 104.8.2.~~

~~Section 1207.2.2.1 is amended as follows:~~

~~1207.2.2.1 Ongoing inspection and testing. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual and made available to the fire code official upon request.~~

~~Section 1207.5.2 is amended as follows:~~

~~1207.5.2 Maximum allowable quantities. Fire areas within rooms, areas and walk-in units containing electrochemical ESS shall not exceed the maximum allowable quantities in Table 1207.5. The allowable number of fire areas, maximum allowable quantity, and fire-resistance rating of fire-barriers shall comply with Table 1207.5.1.~~

~~Exceptions: Where approved by the fire code official, rooms, areas and walk-in units containing electrochemical ESS that exceed the amounts in Table 1207.5 shall be permitted based on a hazardous mitigation analysis in accordance with Section 1207.1.4 and large-scale fire testing complying with Section 1207.1.5.~~

~~1. Lead-acid and nickel-cadmium battery systems installed in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.~~

~~2. Dedicated-use buildings in compliance with Section 1207.7.1.~~

~~TABLE 1207.5.1~~ ~~DESIGN AND NUMBER OF ESS FIRE AREAS~~				
~~STORY~~		~~PERCENTAGE OF MAXIMUM ALLOWABLE QUANTITY PER FIRE AREA~~	~~NUMBER OF FIRE AREAS PER STORY~~	~~FIRE-RESISTANCE RATING FOR FIRE BARRIERS IN HOURS~~
~~Above grade plan~~	~~Higher than 9~~ ~~7-9~~	~~25~~ ~~50~~	~~1~~ ~~2~~	~~3~~ ~~2~~

	~~6~~ ~~5~~ ~~4~~ ~~3~~ ~~2~~ ~~1~~	~~50~~ ~~50~~ ~~75~~ ~~100~~ ~~100~~ ~~100~~	~~2~~ ~~2~~ ~~4~~ ~~6~~ ~~6~~ ~~6~~	~~2~~ ~~2~~ ~~2~~ ~~2~~ ~~2~~ ~~2~~
~~Below grade plan~~	~~1~~ ~~2~~ ~~Lower than 2~~	~~100~~ ~~50~~ ~~Not Allowed~~	~~4~~ ~~2~~ ~~Not Allowed~~	~~3~~ ~~3~~ ~~Not Allowed~~

~~Section 1207.5.5 is amended as follows:~~

~~1207.5.5 Fire suppression systems. Rooms and areas within buildings and walk-in units containing electrochemical ESS shall be protected by an automatic fire suppression system designed and installed in accordance with one of the following:~~

~~1. An automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a minimum density of 0.3 gpm/ft2 (1.14 L/min) based on the fire area or 2,500 square-foot (232 m2) design area, whichever is larger.~~

~~2. Where approved, an automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a sprinkler hazard classification based on large-scale fire testing complying with Section 1207.1.5.~~

~~3. The following alternative automatic fire-extinguishing systems designed and installed in accordance with Section 904, provided that the installation is approved by the fire code official based on large-scale fire testing complying with Section 1207.1.5:~~

~~3.1. NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*.~~

~~3.2. NFPA 15, *Standard for Water Spray Fixed Systems for Fire Protection*.~~

~~3.3. NFPA 750, *Standard on Water Mist Fire Protection Systems*.~~

~~3.4. NFPA 2001, *Standard on Clean Agent Fire-Extinguishing Systems*.~~

~~3.5. NFPA 2010, *Standard for Fixed Aerosol Fire-Extinguishing Systems*.~~

~~Exception: Fire suppression systems for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities that operate at less than 50 VAC and 60 VDC shall be provided where required by NFPA 76.~~

~~Section 1207.11.3 is amended as follows:~~

~~1207.11.3 Location. ESS shall be installed only in the following locations:~~

~~1. Detached garages and detached accessory structures.~~

~~2. Attached garages separated from the dwelling unit living space and sleeping units in accordance with Section R302.6.~~

~~3. Outdoors or on the exterior side of the exterior walls not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit and not below or above any emergency escape and rescue openings.~~

~~4. Enclosed utility closets, basements, storage, or utility spaces within dwelling units with finished or noncombustible walls and ceilings. Walls and ceilings of unfinished wood-framed construction shall be provided with not less than 5/8-inch (15.9 mm) Type X gypsum wallboard.~~

5. ESS shall not be installed in sleeping rooms, closets, spaces opening directly into sleeping rooms or in habitable spaces of dwelling units.

Section 1207.11.6 is amended as follows:

1207.11.6 Fire detection. ESS installed in Group R-3 and R-4 occupancies shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section 907.2.11.

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

Exceptions:

1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.

2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

Chapter 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 3305 PRECAUTIONS AGAINST FIRE

Section 3305.5 is amended to read as follows:

3305.5 Fire watch. Where required by the fire code official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Section 3305.10 is amended to read as follows:

Section 3305.10 Fire Walls.

When firewalls are required in combustible construction, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather protected at the location of the wall(s).

Section 3311 ACCESS FOR FIRE FIGHTING

Add Section 3311.1.1 to read:

3311.1.1 Fire Department Access Roadways: All construction sites shall be accessible by fire department apparatus by means of roadways having an all-weather driving service of not less than 20 ft. of unobstructed width. The roads shall have the ability to withstand the live loads of fire apparatus and have a minimum 13 ft. 6 in. of vertical clearance. Dead end fire access roads in excess of 150 ft. in length shall be provided with approved turnarounds.

When approved by the Fire Code Official, temporary access roadways may be utilized until such time that the permanent roadways are installed. As a minimum, the roadway shall consist of a compacted subbase and six (6) inches of road base material (Class 2 aggregate base rock) both compacted to a minimum 95% and sealed. The perimeter edges of the roadway shall be contained and delineated by curb and gutter or other approved method. The use of geotextile reinforcing fabric underlayment or soils lime-treatment may be required if so, determined by the project civil engineer. Provisions for surface drainage shall also be provided where necessary. The integrity of the roadway shall be maintained at all times.

Section 3312 MEANS OF EGRESS

Section 3312.1 Stairways Required.

~~Section 3312.4 Required Means of Egress.~~

~~Section 3312.1 is amended to read as follows:~~

> **~~Section 3312.1Stairways Required~~**.
>
> ~~Each level above the first story in new multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.~~
>
> > ~~Exception: For new multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).~~

~~Section 3312.4 is added to read as follows:~~

> **~~Section 3312.4 Required Means of Egress.~~**
>
> ~~All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in written fire safety plan as required by Section 3303.1.~~

~~Section 3315 AUTOMATIC FIRE SPRINKLER SYSTEM~~

~~Section 3315.1 is amended as follows:~~

> ~~3315.1 Completion before occupancy. In buildings where an automatic sprinkler system is required by this code or the California Building Code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved.~~
>
> ~~In new buildings of combustible construction where, automatic fire sprinkler systems are required to be installed, the system shall be placed in service as soon as possible. Immediately upon the completion of sprinkler pipe installation on each floor level, the piping shall be hydrostatically tested and inspected. After inspection approval from the Fire department, each floor level of sprinkler piping shall be connected to the system supply riser and placed into service with all sprinkler heads uncovered. Protective caps may be installed on the active sprinklers during the installation of drywall, texturing and painting, but shall be removed immediately after this work is completed. For system activation notification, an exterior audible waterflow alarm shall bell can be installed and connected to the sprinkler waterflow device prior to installation of the monitoring system.~~
>
> ~~For buildings equipped with fire sprinkler systems that are undergoing alterations, the sprinkler system(s) shall remain in service at all times except when system modifications are necessary. Fire sprinkler systems undergoing modifications shall be returned to service at the end of each workday unless otherwise approved by the fire department. The General contractor or his/her designee shall check the sprinkler control valve(s) at the end of each workday to confirm that the system has been restored to service.~~

~~Chapter 49 REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS~~

~~Chapter 49 of the 2022 California Fire Code is amended as follows:~~

~~Section 4901 GENERAL~~

~~Section 4901.3 is added as follows:~~

> ~~4901.3 Where applicable. These requirements shall apply to all areas within the City of Los Altos as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data and other information shown thereon are hereby adopted and made a part of this Chapter. The map properly attested, shall be on file in the Office of the City of Los Altos.~~

~~Section 4901.3 is added as follows:~~

~~4901.4 Exemptions. These requirements shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:~~

1. ~~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.~~
2. ~~Lands kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.~~
3. ~~Open space lands that are environmentally sensitive parklands.~~
4. ~~Other lands having scenic values, as declared by the local agency, or by state or federal law.~~

~~Section 4906 VEGETATION MANAGEMENT~~

~~Section 4906.1.1 is added as follows:~~

~~4906.1.1 Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings, to reduce the risk of fire spreading to buildings, and provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently, as required by applicable laws and standards.~~

~~Section 4906.1.2 is added as follows:~~

~~4906.1.2 Maintenance required. Maintenance is required to ensure conformance with these standards and measures, and to assure continued availability, access, and utilization, of the defensible space during a wildfire.~~

~~Section 4906.1.3 is added as follows:~~

~~4906.1.3 Additional measures. No person subject to these regulations shall permit any fire hazard, as defined in this chapter, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.~~

~~Section 4906.1.4 is added as follows:~~

~~4906.1.4 Exemption. For the purposes of this chapter, vegetation removal or management, undertaken in whole or in part, for fire prevention or suppression purposes shall not be deemed to alter the natural condition of public property.~~

~~Section 4907 DEFENSIBLE SPACE~~

~~Section 4907.3 is amended as follows:~~

~~4907.3 Requirements. Hazardous vegetation and fuels around all buildings, roads, driveways, and structures shall be maintained in accordance with the following laws and regulations:~~

1. ~~Public Resources Code, Sections 4291 through 4296.~~
2. ~~California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Article 3, Section 1299.03.~~
3. ~~California Government Code, Sections 51175 - 51189.~~
4. ~~California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.~~
5. ~~Any local ordinance of the City of Los Altos.~~

~~Chapter 50. HAZARDOUS MATERIALS-GENERAL PROVISIONS~~

~~Chapter 50 of the 2022 California Fire Code and 2021 International Fire Code are amended as follows:~~

~~Section 5001 GENERAL~~

~~Section 5001.2.2.2 is amended as follows:~~

~~5001.2.2.2 Health Hazards The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.~~

~~1. Highly toxic and toxic materials.~~

~~2. Corrosive materials.~~

~~3. Moderately toxic gas.~~

~~4. Health hazards - Other.~~

~~Section 5002 DEFINITIONS~~

~~Amend Section 5002.1 to read:~~

~~5002.1 Definitions. The following terms are defined in Chapter 2:~~

~~BOILING POINT.~~

~~CEILING LIMIT.~~

~~CHEMICAL.~~

~~CHEMICAL NAME.~~

~~CLOSED CONTAINER.~~

~~CONTAINER.~~

~~CONTROL AREA.~~

~~CYLINDER.~~

~~DAY BOX.~~

~~DEFLAGRATION.~~

~~DESIGN PRESSURE.~~

~~DETACHED BUILDING.~~

~~DISPENSING.~~

~~EXCESS FLOW CONTROL.~~

~~EXHAUSTED ENCLOSURE.~~

~~EXPLOSION.~~

~~FLAMMABLE VAPORS OR FUMES.~~

~~GAS CABINET.~~

~~GAS ROOM.~~

~~HANDLING.~~

~~HAZARDOUS MATERIALS.~~

~~HEALTH HAZARD.~~

~~HEALTH HAZARD - OTHER.~~

~~IMMEDIATELY DANGEROUS TO LIFE AND~~

~~HEALTH (IDLH).~~

~~INCOMPATIBLE MATERIALS.~~

~~LIQUID.~~

~~LOWER EXPLOSIVE LIMIT (LEL).~~

~~LOWER FLAMMABLE LIMIT (LFL).~~

~~MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA.~~

~~MODERATELY TOXIC GAS.~~

~~NORMAL TEMPERATURE AND PRESSURE (NTP).~~

~~OUTDOOR CONTROL AREA.~~

~~PERMISSIBLE EXPOSURE LIMIT (PEL).~~

~~PESTICIDE.~~

~~PHYSICAL HAZARD.~~

~~PRESSURE VESSEL.~~

~~SAFETY CAN.~~

~~SAFETY DATA SHEET (SDS).~~

~~SECONDARY CONTAINMENT.~~

~~SEGREGATED.~~

~~SOLID.~~

~~SPILL CONTROL.~~

~~STORAGE, HAZARDOUS MATERIALS.~~

~~SYSTEM.~~

~~TANK, ATMOSPHERIC.~~

~~TANK, PORTABLE.~~

~~TANK, STATIONARY.~~

~~TANK VEHICLE.~~

~~UNAUTHORIZED DISCHARGE.~~

~~USE (MATERIAL).~~

~~VAPOR PRESSURE.~~

~~Section 5003 GENERAL REQUIREMENTS~~

~~Section 5003.1.3.1 is added as follows:~~

~~5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used or Handled Materials. The storage, use and handling of toxic, highly toxic, and moderately toxic gases in amounts exceeding Table 6004.2.1.4 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic, or moderately toxic material~~

~~that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic, or moderately toxic gases.~~

~~Section 5003.1.5 is added as follows:~~

~~5003.1.5 Health Hazards - Other. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5003.~~

~~Section 5003.1.6 is added as follows:~~

~~5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property, or the environment. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.~~

~~Section 5003.2.2.1 is amended as follows:~~

~~5003.2.2.1 Design and Construction. Piping, tubing, valves, fittings, and related components used for hazardous materials shall be in accordance with the following:~~

~~1. Piping, tubing, valves, fittings, and related components shall be designed and fabricated from materials that are compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.~~

~~2. Piping and tubing shall be identified in accordance with ASME A13.1 and the *Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste* to indicate the material conveyed.~~

~~3. Manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing and provided with ready access at the following locations:~~

~~3.1. The point of use.~~

~~3.2. The tank, cylinder, or bulk source.~~

~~4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be clearly visible, provided with ready access and identified in an approved manner.~~

~~5. Backflow prevention or check valves shall be provided where the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.~~

~~6. Where gases or liquids having a hazard ranking of:~~

~~Health hazard Class 3 or 4~~

~~Flammability Class 4~~

~~Reactivity Class 4~~

~~in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff or excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.~~

~~Exceptions:~~

~~1. Piping for inlet connections designed to prevent backflow.~~

2. Piping for pressure relief devices.

7. Secondary containment or equivalent protection from spills or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Table 6004.2.1.4. Secondary containment includes but is not limited to double-walled piping.

Exceptions:

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.

2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

Section 5003.2.2.2 is amended as follows:

5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with NFPA 704 shall be in accordance with ASME B31.3 and the following:

8.1. Piping and tubing utilized for the transmission of highly toxic, toxic, or highly volatile corrosive liquids and gases shall have welded, or brazed connections threaded or flanged connections throughout except for connections within an exhausted ventilated enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.

8.2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.

8.3. All primary piping for toxic, highly toxic, and moderately toxic gases shall pass a helium leak test of 1x10-9 cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed spaces above other occupancies where installed in accordance with Section 415.11.7.4 of the *California Building Code* for Group H-5 occupancies.

Section 5003.5.2 is added as follows:

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

Section 5003.5.3 is added as follows:

5003.5.3 "H" Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

Section 5003.10.4 is amended as follows:

5003.10.4 Elevators utilized to transport hazardous materials.

5003.10.4.1 When transporting hazardous materials, elevators shall have no other passengers other than the individual(s) handling the chemical transport cart.

~~5003.10.4.1.1 When transporting cryogenic or liquefied compressed gases, there shall be no occupants in the elevator.~~

~~5003.10.4.2 Hazardous materials liquid containers shall have a maximum capacity of 20 liters (5.28 gal).~~

~~5003.10.4.3 Toxic, moderately toxic, and highly toxic gases shall be limited to a container of a maximum water capacity of 1 pound.~~

~~5003.10.4.4 When transporting cryogenic or liquefied compressed gases, means shall be provided to prevent the elevator from being summoned to other floors.~~

~~Section 5004 STORAGE~~

~~Section 5004.2.1 is amended as follows:~~

~~5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings, or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:~~

~~1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.~~

~~2. Liquid-tight floors in indoor and outdoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.~~

~~3. Sumps and collection systems~~

~~4. Other approved engineered systems.~~

~~Except for surfacing, the floors, sills, dikes, sumps, and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.~~

~~Section 5004.2.2.2 is amended as follows:~~

~~5004.2.2.2 Incompatible Materials. Incompatible materials used in open systems shall be separated from each other in *independent secondary containment systems*.~~

~~Chapter 54 CORROSIVE MATERIALS~~

~~Chapter 54 of the 2022 California Fire Code is adopted with the following amendments:~~

~~Section 5402 DEFINITION~~

~~Section 5402.1 is amended as follows:~~

~~5402.1 Definition. The following term is defined in Chapter 2:~~

~~CORROSIVE.~~

~~CORROSIVE LIQUIDS.~~

~~Chapter 56 EXPLOSIVES AND FIREWORKS~~

~~Section 5601 GENERAL~~

~~Section 5601.1.3 Fireworks.~~

~~Section 5601.1.1.3 is added to read as follows:~~

~~Section 5601.1.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.~~

~~Exceptions: The use of fireworks for firework displays as allowed in Section 5608.~~

~~Chapter 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS~~

~~Section 5704 STORAGE~~

~~Section 5704.2.7.5.8 Overfill Prevention.~~

~~Section 5704.2.7.5.9 Automatic Filling of Tanks.~~

~~Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited.~~

~~Section 5706.2.4.4 Locations where above-ground tanks are prohibited.~~

~~Section 5707.3.3 Site Plan.~~

~~Section 5704.2.7.5.8 is amended to read as follows and the exception in the Section is deleted:~~

~~Section 5704.2.7.5.8 Overfill Prevention.~~

~~An approved means or method in accordance with Section 5704.2.9.7.5. shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.~~

~~Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).~~

~~An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.~~

~~Section 5704.2.7.5.9 is added to read as follows:~~

~~Section 5704.2.7.5.9 Automatic Filling of Tanks~~~~. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.~~

~~Section 5704.2.9.6.1 is amended to read as follows:~~

~~5704.2.9.6.1 Locations where above-ground tanks are prohibited.~~ ~~Storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.~~

~~Section 5706.2.4.4 is amended to read as follows:~~

~~5706.2.4.4 Locations where above-ground tanks are prohibited.~~ ~~Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited~~

~~In all locations of the City of Los Altos which are residential or congested commercial areas as determined by the fire code official.~~

~~Section 5707.3.3 is amended to read as follows:~~

~~5707.3.3 Site plan.~~ ~~A site plan shall be developed for each location at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:~~

~~1. All buildings and structures.~~

~~2. Lot lines or property lines.~~

~~3. Electric car chargers.~~

4. Solar photovoltaic parking lot canopies.

5. Appurtenances on-site and their use or function.

6. All uses adjacent to the lot lines of the site.

7. Fueling locations.

8. Locations of all storm drain openings and adjacent waterways or wetlands.

9. Information regarding slope, natural drainage, curbing and impounding.

10. How a spill will be kept on the site property.

11. Scale of the site plan.

Chapter 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS.

Section 5806.2 Limitations.

Section 5809.3.4 Site Plan.

Section 5809.3.4 is amended to read as follows:

5809.3.4 Site plan. For other than emergency roadside service, a site plan shall be developed for each location at which mobile gaseous hydrogen fueling occurs. The site plan shall be in sufficient detail to indicate, all buildings, structures, lot lines, property lines and appurtenances on site and their use and function, and the scale of the site plan.

Chapter 60 HIGHLY TOXIC AND TOXIC MATERIALS

Chapter 60 of the 2022 California Fire Code and 2021 International Code is amended as follows:

Section 6001 GENERAL

Section 6001.1 is amended as follows:

6001.1 Scope. The storage and use of highly toxic, toxic, and moderately toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 53.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.11.

2. Conditions involving pesticides or agricultural products as follows:

2.1 Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instruction and label directions.

2.2 Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.

2.3 Storage in dwellings or private garages of pesticides registered by the US Environmental Protection Agency to be utilized in and around the home, garden, pool, spa, and patio.

Section 6004 HIGHLY TOXIC AND TOXIC COMPRESSED GASES

Section 6004.1 is amended as follows:

6004.1 General. The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

~~**6004.1.1 Special limitations for indoor storage and use by occupancy.** The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.~~

~~**6004.1.1.1 Group A, E, I or U occupancies.** Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.~~

~~Exception: Cylinders not exceeding 20 cubic feet (0.566 m^3) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.~~

~~**6004.1.1.2 Group R occupancies.** Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.~~

~~**6004.1.1.3 Offices, retail sales and classrooms.** Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies.~~

~~Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m3) at NTP are allowed in gas cabinets or fume hoods.~~

~~Section 6004.2 is amended as follows:~~

~~**6004.2 Indoor storage and use.** The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.~~

~~Section 6004.2.1 is amended as follows:~~

~~**6004.2.1 Applicability**. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.~~

~~Section 6004.2.1.4 is amended as follows:~~

~~**6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area.** The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4~~

~~Add Table 6004.2.1.4 as follows:~~

~~**Minimum Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use**~~	
~~Highly Toxic~~	~~20~~
~~Toxic~~	~~405 cubic feet~~
~~Moderately Toxic~~	~~405 cubic feet~~

~~Section 6004.4 is amended as follows:~~

~~**6004.4. General indoor requirements.** The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2~~

~~**6004.4.1 Cylinder and tank location.** Cylinders shall be located within gas cabinets, exhausted enclosures, or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.~~

~~Exceptions:~~

~~1. Where a gas detection system is provided in accordance with 6004.4.8~~

~~**6004.4.2. Ventilated areas.** The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.~~

~~**6004.4.3. Piping and controls**. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:~~

~~1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.~~

~~Exceptions:~~

~~1. Inlet connections designed to prevent backflow.~~

~~2. Pressure relief devices.~~

~~**6004.4.4 Gas rooms**. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:~~

~~1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.~~

~~2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire-extinguishing systems shall not be used.~~

~~**6004.4.5 Treatment systems.** The exhaust ventilation from gas cabinets, exhausted enclosures, and gas rooms, required in Section 6004.4.1 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 of the California Mechanical Code.~~

~~Exceptions:~~

~~1. Highly toxic, toxic, and moderately toxic gases—storage. A treatment system is not required for cylinders, containers, and tanks in storage where all the following controls are provided:~~

~~1.1 Valve outlets are equipped with gas- tight outlet plugs or caps.~~

~~1.2 Hand wheel-operated valves have handles secured to prevent movement.~~

~~1.3 Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.~~

~~2. Highly toxic, toxic, and moderately toxic gases—use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved automatic-closing fail- safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail- safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure, or gas room.~~

~~**6004.4.5.1. Design.** Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.~~

~~**6004.4.5.2. Performance**. Treatment systems shall be designed to reduce the maximum allowable dis-charge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.~~

~~**6004.4.5.3. Sizing.** Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.~~

~~**6004.4.5.4 Stationary tanks.** Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m3/s) of gas at normal temperature and pressure (NTP).~~

~~**6004.4.5.5 Portable tanks and cylinders.** The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.~~

~~**6004.4.6. Emergency power.** Emergency power shall be provided for the following systems in accordance with Section 604:~~

~~1. Exhaust ventilation system.~~

~~2. Treatment system.~~

~~3. Gas detection system.~~

~~4. Smoke detection system.~~

~~**6004.4.6.1. Fail-safe systems.** Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.~~

~~**6004.4.7. Automatic fire detection system**. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.~~

~~**6004.4.8. Gas detection system**. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.~~

~~Exceptions:~~

~~1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.~~

~~2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.~~

~~**6004.4.8.1. Alarms.** The gas detection system shall initiate a local alarm and transmit a signal to an approved location.~~

~~**6004.4.8.2. Shut off of gas supply.** The gas detection system shall automatically close the shut off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.~~

~~Exception: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all the following controls are provided:~~

1. Constantly attended/supervised.

2. Provided with emergency shutoff valves that have ready access.

Chapter 61 LIQUEFIED PETROLEUM GASES

Section 6104.2 is amended to read as follows:

6104.2 Maximum capacity within established limits. Within The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

Exception: LPG may be used for industrial operations or when natural gas would not provide a viable substitute for LPG. Portable containers for temporary heating and/or cooking uses may be permitted if stored and handled in accordance with this code. Facilities in commercial areas for refueling portable or mobile LPG containers may be approved by the fire code official on a case-by-case basis.

Chapter 64 PYROPHORIC MATERIALS

Chapter 64 of the 2022 California Fire Code and 2021 International Code is amended as follows:

Section 6405 USE

Section 6405.3.1 is amended to read:

6405.3.1 Silane distribution systems automatic shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

Chapter 80 REFERENCE STANDARD

NFPA

Add the following reference standard to read:

855—20: Standard for the Installation of Stationary Energy Storage Systems

Appendix B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Appendix B of the 2022 California Fire Code and 2021 International Code is amended as follows:

Section B105 FIRE=FLOW REQUIRES FOR BUILDINGS

Section B105.2 is amended as follows:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.

Exceptions: [SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).

2. Safety roadside rest areas (SRRA), public restrooms.

3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.

4. Sand/salt storage buildings, storage of sand and salt.

~~The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).~~

~~Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION~~

~~Appendix C of the 2022 California Fire Code and 2021 International Code is amended as follows:~~

~~Section C102 NUMBER OF FIRE HYDRANTS~~

~~Section C102.1 is amended to read:~~

~~**C102.1 Minimum number of fire hydrants for a building**. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.~~

~~Appendix D FIRE APPARATUS ACCESS ROADS~~

~~Appendix D of the 2022 California Fire Code and 2021 International Code is amended as follows:~~

~~Section D103 MINIMUM SPECIFICATION~~

~~Section D103.1 is deleted:~~

~~**D103.1 Access Road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).~~

~~Section D103.2 is amended as follows:~~

~~**D103.2 Grade.** The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official.~~

~~Section D103.3 is amended as follows:~~

~~**D103.3 Turning radius**. The required turning radius of a fire apparatus access roads shall be a minimum of 30 feet inside, and a minimum of 50 feet outside.~~

~~Section D103.4 is amended as follows:~~

~~**D103.4 Dead ends.** Dead-end fire apparatus access roads and/or driveways in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 the Santa Clara County Fire Department apparatus access and turnaround standards, as approved by the fire code official.~~

~~Section D103.6 is amended as follows:~~

~~**D103.6 Signs.** Where required by the Fire Code Official, fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code and the Santa Clara County Fire Department A-6 Standard. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.~~

~~(Ord. No. 2013-395, § 18, 12-10-2013; Ord. No. 2016-426, § 17, 18, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2022-487, §§ 20, 21, 11-29-2022)~~

~~Chapter 12.26 CALIFORNIA GREEN BUILDING STANDARDS CODE~~[9]

~~12.26.010 Adoption of the California Green Building Standards Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2022 California Green Building Standards Code, contained in the California Code of Regulations, Title 24, Part 11, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the building official.~~

~~(Ord. No. 2013-395, § 19, 12-10-2013; Ord. No. 2016-426, § 19, 11-8-2016; Ord. No. 2019-464, §§ 21, 22, 12-10-2019; Ord. No. 2020-471, § 11-10-2020; Ord. No. 2022-487, §§ 22, 23, 11-29-2022)~~

~~12.26.020 Amendments, additions or deletions.~~

~~The 2022 California Green Building Standards Code referred to in Section 12.26.010 is adopted, together with Chapters 1 Administration, 4 Residential Mandatory Measures, and 5 Nonresidential Mandatory Measures, of the 2022 California Green Building Standards Code, with the following amendments as follows:~~

~~Chapter 1 Section 102.4 Scope and Mandatory Compliance is hereby added to read as follows.~~

~~**Section 102.4 Scope and Mandatory Compliance**~~

~~A. This code contains both mandatory and voluntary green building measures. Mandatory and voluntary measures are identified in the appropriate chapters contained in this code. Compliance measures and methods shall be by one of the following measures approved by the Building Official.~~

~~The means by which compliance measures are achieved shall be mandatory measures with appendix sections voluntarily applied, building division mandatory check list, whole house Build it Green GreenPoint check list, LEED, other recognized point systems, Title 24 Part 6 Energy Efficiency Standards, or equivalent approved methods. Green Building Compliance measures in addition to checklists shall be incorporated into the project drawings approved by the Building Official prior to building permit submittal.~~

~~Prior to issuance of a building permit, the owner or responsible Registered Design Professional acting as the owner's agent shall employ and/or retain a Qualified Green Building Professional to the satisfaction of the Building Official, and prior to final inspection shall submit verification that the project is in compliance with this ordinance.~~

~~Chapter 4 Section 4.106.4.1 Electric vehicle (EV) charging for new construction thru 4.106.4.2.2 are deleted and replaced to read as follows, based upon express findings set forth in this Ordinance.~~

~~**Section 4.106.4.1 and 4.106.4.2.1 and 4.106.4.2.2 are amended to read as follows:**~~

~~**4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages**.~~

~~For each dwelling unit, install at least one Level 2 EV Ready Space in the garage. If multiple (two or more) garage parking spaces are provided for a dwelling unit, install at least two Level 2 EV Ready Spaces.~~

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[9]Ord. No. 2022-487, §§ 22, adopted Nov. 29, 2022, amended Ch. 12.26 in its entirety, in effect repealing and reeancting said chapter to read as set out herein. The former Ch. 12.26, §§ 12.26.010—12.26.030, pertained to similar subject matter and derived from Ord. No. 10-359, § 19, adopted Nov. 23, 2010 and Ord. No. 2013-395, adopted Dec. 10, 2013.

~~**4.106.4.2.1 Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms.** The number of dwelling units, sleeping units or guest rooms shall be based on all buildings on a project site subject to this section.~~

1. ~~**EV Capable**. Twenty-five (25) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future Level 2 EVSE. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.~~

~~The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging purposes as "EV CAPABLE" in accordance with the California Energy Code.~~

~~Exceptions:~~

1. ~~When EV chargers (Level 2 EVSE) are installed in a number equal to or greater than the required number of EV capable spaces.~~
2. ~~When EV chargers (Level 2 EVSE) are installed in a number less than the required number of EV capable spaces, the number of EV capable spaces required may be reduced by a number equal to the number of EV chargers installed.~~

~~The following requirements apply to all multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms:~~

1. ~~Calculations for the required minimum number of Level 2 EVSE spaces shall be rounded up to the nearest whole number.~~
2. ~~In addition, each remaining dwelling unit with parking space(s) shall be provided with at least one Level 2 EV Ready Space.~~

~~**4.106.4.2.2 Multifamily development projects with 20 or more dwelling units; and hotels and motels with 20 or more sleeping units or guest rooms.** The number of dwelling units, sleeping units or guest rooms shall be based on all buildings on a project site subject to this section.~~

2. ~~**EV Capable**. Twenty-five (25) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future Level 2 EVSE. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.~~

~~The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging purposes as "EV CAPABLE" in accordance with the California Energy Code.~~

~~Exceptions:~~

3. ~~When EV chargers (Level 2 EVSE) are installed in a number equal to or greater than the required number of EV capable spaces.~~
4. ~~When EV chargers (Level 2 EVSE) are installed in a number less than the required number of EV capable spaces, the number of EV capable spaces required may be reduced by a number equal to the number of EV chargers installed.~~

~~The following requirements apply to all multifamily development projects with 20 or more dwelling units; and hotels and motels with 20 or more sleeping units or guest rooms:~~

3. ~~Calculations for the required minimum number of Level 2 EVSE spaces shall be rounded up to the nearest whole number.~~

4. In addition, each remaining dwelling unit with parking space(s) shall be provided with at least one Level 2 EV Ready Space.

Chapter 5 Section 5.106.5.3 Electric vehicle (EV) charging thru 5.106.5.3.5 are deleted and replaced to read as follows, based upon express findings set forth in this Ordinance

Section 5.106.5.3 thru 5.106.5.3.5 are amended to read as follows:

5.106.5.3 Electric vehicle (EV) charging. [N] New construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 and shall be provided in accordance with regulations in the California building Code and the California Electrical Code.

Exceptions:

1. Where there is no local utility power supply.

2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

5.106.5.3.1 Office and Institutional buildings. In nonresidential new construction buildings designated primarily for office use and institutional buildings, with parking:

1. When 10 or more parking spaces are constructed, 50% of the available parking spaces on site shall be equipped with Level 2 EVSE;

2. An additional 20% shall be provided with at least Level 1 EV Ready Spaces; and

3. An additional 30% shall be at least Level 2 EV Capable.

Calculations for the required minimum number of spaces equipped with Level 2 EVSE, Level 1 EV Ready spaces and EV Capable spaces shall all be rounded up to the nearest whole number.

Construction plans and specifications shall demonstrate that all raceways shall be a minimum of 1" and sufficient for installation of EVSE at all required Level 1 EV Ready and EV Capable spaces; Electrical calculations shall substantiate the design of the electrical system to include the rating of equipment and any on-site distribution transformers, and have sufficient capacity to simultaneously charge EVs at all required EV spaces including Level 1 EV Ready and EV Capable spaces; and service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

5.106.5.3.2Other nonresidential buildings. In nonresidential new construction buildings that are not designated primarily for office use, such as those for retail uses:

1. When 10 or more parking spaces are constructed, 6% of the available parking spaces on site shall be equipped with Level 2 EVSE;

2. An additional 5% shall be at least Level 1 EV Ready.

Calculations for the required minimum number of spaces equipped with Level 2 EVSE and Level 1 EV Ready spaces shall be rounded up to the nearest whole number.

(Ord. No. 2013-395, § 19, 12-10-2013; Ord. No. 2016-426, § 19, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2020-471, § 11-10-2020; Ord. No. 2022-487, §§ 22, 23, 11-29-2022)

12.26.030 Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

"Affordable Housing" means a housing development project, as defined in Government Code Section 65589.5(h)(2), in which at least forty (40) percent of the units within the project are required by deed, regulatory

~~restriction contained in an agreement with a government agency, or other recorded document, to be made available at an affordable housing cost as defined in Health and Safety Code Section 50052.5, or at an affordable rent as defined in Health and Safety Code Section 50053, to persons and families of low or moderate income as defined by Section 50093 of the Health and Safety Code, lower income households as defined by Section 50079.5 of the Health and Safety Code, very low income households as defined by Section 50105 of the Health and Safety Code, or extremely low income households as defined by Section 50106 of the Health and Safety Code, for a period of fifty-five (55) years for rental housing or forty-five (45) years for owner-occupied housing.~~

~~"Automatic Load Management Systems (ALMS)" means a control system which allows multiple EV chargers or EV-Ready electric vehicle outlets to share a circuit or panel and automatically reduce power at each charger, providing the opportunity to reduce electrical infrastructure costs and/or provide demand response capability. ALMS systems must be designed to deliver at least 1.4kW to each EV Capable, EV Ready or EVCS space served by the ALMS. The connected amperage on-site shall not be lower than the required connected amperage per Part 11, 2019 California Green Building Code for the relevant building types.~~

~~"Build It Green" means the Build It Green organization. Build It Green is a California professional non-profit membership organization whose mission is to promote healthy, energy and resource-efficient buildings.~~

~~"Direct Current Fast Chargers" capable of charging at 20-400kW and delivers DC power directly to the battery and therefore able to charge faster. Examples of this type of charger include Superchargers and DC Fast Chargers currently used at some public and commercial sites.~~

~~"Electric Vehicle Charging Station (EVCS)" means a parking space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of thirty (30) amperes connected to a circuit serving a Level 2 EV Ready Space. EVCS installation may be used to satisfy a Level 2 EV Ready Space requirement.~~

~~"EV Capable" means a parking space linked to a listed electrical panel with sufficient capacity to provide at least 110/120 volts and 20 amperes to the parking space. Raceways linking the electrical panel and parking space only need to be installed in spaces that will be inaccessible in the future, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits. Raceways must be at least one inch in diameter and may be sized for multiple circuits as allowed by the California Electrical Code. The panel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging as "EV CAPABLE." Construction documents shall indicate future completion of raceway from the panel to the parking space, via the installed inaccessible raceways.~~

~~"Green Point Rated" means the rating system developed by Build It Green.~~

~~"LEED" means the "Leadership in Energy and Environmental Design" program developed by the U.S. Green Building Council. The U.S. Green Building Council is a National professional non-profit membership organization whose mission is to promote buildings that are environmentally responsible.~~

~~"LEED Accredited Professional" means a person or organization determined by the Building Official to be qualified to perform inspections and provide documentation to assure compliance with the U.S. Green Building Council LEED requirements.~~

~~"Level 1 EV Ready Space" means a parking space served by a complete electric circuit with a minimum of 110/120 volt, 20-ampere capacity including electrical panel capacity, overprotection device, a minimum one inch diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled "Electric Vehicle Outlet" with at least a ½" font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE).~~

~~"Level 2 EV Ready Space" means a parking space served by a complete electric circuit with 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum one inch diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled "Electric Vehicle Outlet" with at least a ½" font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum output of thirty (30) amperes.~~

~~"Structural Renovations" means existing portions of roof framing and/or exterior walls removed for the purpose of rebuilding and remodeling.~~

~~"Qualified Green Building Professional" means a person trained through the USGBC as a "LEED AP" (accredited professional), or through Build It Green as a GreenPoint Rater, or other qualifications when acceptable to the Building Official. A certified green building professional, architect, designer, builder, or building inspector may be considered a qualified green building professional when determined appropriate by the Building Official.~~

~~(Ord. No. 2013-395, § 19, 12-10-2013; Ord. No. 2016-426, § 19, 11-8-2016; Ord. No. 2019-464, §§ 19, 20, 12-10-2019; Ord. No. 2020-471, § 11-10-2020)~~

~~Chapter 12.28 UNIFORM HOUSING CODE~~

~~**Sections:**~~

~~12.28.010 Adoption of the Uniform Housing Code.~~

~~The 1998 edition of the California Building Standards Code, incorporating the Uniform Housing Code, 1997 edition, published by the International Conference of Building Officials, is hereby adopted. There is one copy of said code on file in the office of the building official for use and examination by the public.~~

~~(Ord. 03-242 § 15 (part))~~

~~Chapter 12.30 CALIFORNIA EXISTING BUILDING CODE[10]~~

~~12.30.010 Adoption of the California Existing Building Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2022 California Existing Building Code, contained in the California Code of Regulations, Title 24, Part 10, and also the International Existing Building Code 2021 Edition, published by the International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the building official.~~

~~(Ord. No. 2013-395, § 22, 12-10-2013; Ord. No. 2016-426, § 22, 11-8-2016; Ord. No. 2019-464, §§ 23, 24, 12-10-2019; Ord. No. 2022-487, §§ 25, 26, 11-29-2022)~~

~~Chapter 12.32 CALIFORNIA HISTORICAL BUILDING CODE[11]~~

[10]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.30 and enacted a new chapter as set out herein. The former Ch. 12.30, § 12.30.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 16 and Ord. No. 10-359, § 22, adopted Nov. 23, 2010.

[11]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.32 and enacted a new chapter as set out herein. The former Ch. 12.32, § 12.32.010, pertained to similar subject matter and derived from Ord. No. 10-359, § 24, adopted Nov. 23, 2010.

~~12.32.010 Adoption of the California Historical Building Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2022 California Historical Building Code, contained in the California Code of Regulations, Title 24, Part 8, published by the International Code Council, is hereby adopted. There is one copy of said code on file in the office of the building official for use and examination by the public.~~

~~(Ord. No. 2013-395, § 24, 12-10-2013; Ord. No. 2016-426, § 23, 24, 11-8-2016; Ord. No. 2019-464, §§ 25, 26, 12-10-2019; Ord. No. 2022-487, §§ 27, 28, 11-29-2022)~~

~~Chapter 12.36 WATER EFFICIENT LANDSCAPE REGULATIONS ADOPTED~~

~~**Sections:**~~

~~12.36.010 Adoption of water efficient landscape regulations.~~

~~Water efficient landscape regulations, dated December 8, 1992, and any amendments thereto, are hereby adopted by reference, as if fully set forth herein, including each and all of the regulations, provisions, penalties, conditions, and terms thereof. A copy is available at Los Altos City Hall for use and examination.~~

~~(Prior code § 9-11.01)~~

~~Chapter 12.40 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS~~

~~**Sections:**~~

~~12.40.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings.~~

~~The 1998 edition of the California Code of Regulations, incorporating the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is hereby adopted. There is one copy of said code on file in the office of the city clerk for use and examination by the public.~~

~~(Ord. 08-319 § 18)~~

~~Chapter 12.42 CALIFORNIA REFERENCED STANDARDS CODE[12]~~

~~12.42.010 Adoption of the California Referenced Standards Code.~~

~~There is hereby adopted by reference as if fully set forth herein, the 2022 California Referenced Standards Code, contained in the 2022 edition of the California Code of Regulations, Title 24, Part 12, published by the~~

[12]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, repealed Ch. 12.42 and enacted a new chapter as set out herein. The former Ch. 12.42, § 12.42.010, pertained to similar subject matter and derived from Ord. No. 08-319, § 19 and Ord. No. 10-359, § 26, adopted Nov. 23, 2010.

~~International Code Council, and each and all of its regulations and provisions. One copy is on file for use and examination by the public in the office of the building official.~~

~~(Ord. No. 2013-395, § 26, 12-10-2013; Ord. No. 2016-426, § 25, 26, 11-8-2016; Ord. No. 2019-464, §§ 27, 28, 12-10-2019; Ord. No. 2022-487, §§ 29, 30, 11-29-2022)~~

~~Chapter 12.44 HISTORIC PRESERVATION[13]~~

~~**Sections:**~~

~~*Article 1. General Provisions*~~

~~12.44.010 Purpose.~~

~~It is hereby declared as a matter of public policy that the recognition, preservation, enhancement and use of historic resources within the City of Los Altos is required in the interest of health, economic prosperity, cultural enrichment and general welfare of the people. The purpose of this chapter is to:~~

~~A. Safeguard the heritage of the city by providing for the protection of irreplaceable historic resources representing significant elements of its history;~~

~~B. Enhance the visual character of the city by encouraging the compatibility of architectural styles which reflect established architectural traditions;~~

~~C. Encourage public knowledge, understanding and appreciation of the city's past, and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the city's historic resources;~~

~~D. Stabilize and improve property values within the city and increase the economic and financial benefits to the city and its inhabitants derived from the preservation, rehabilitation, and use of historic resources;~~

~~E. Integrate the conservation of historic resources into the public and private development process and identify as early as possible and resolve conflicts between the preservation of such resources and alternative land uses; and~~

~~F. Fulfill the city's responsibilities for Federal Section 106 reviews and for the California Environmental Quality Act.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011)~~

~~12.44.020 Area of application.~~

~~This chapter shall apply to all historic resources listed in the historic resources inventory, historic landmarks and properties, and structures.~~

[13]Editor's note(s)—Ord. No. 2011-363, § 1, adopted March 8, 2011, amended Ch. 12.44 in its entirety to read as herein set out. The former Ch. 12.44, §§ 12.44.010—12.44.220, pertained to similar subject matter and derived from Ord. No. 04-257, § 1(part) and Ord. No. 08-324, § 2(part). Previously, said chapter derived from §§ 2-8.101, 2-8.102 and 2-8.301—2-8.504 of the prior code.

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~12.44.030 Definitions.~~

~~For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:~~

~~"Alteration" means any act or process that changes any portion of the exterior architectural appearance of a structure or object, including, but not limited to, the erection, construction, reconstruction, removal of exterior architectural features or details, or the addition of new structures, but does not include painting, ordinary maintenance and landscaping.~~

~~"California Historical Building Code" is Part 8 of Title 24 (State Building Standards Code) and applies to all qualified historic structures and sites, designated under federal, state and local authority. It provides alternative building regulations for the rehabilitation, preservation, restoration or relocation of structures designated as qualified historic buildings.~~

~~"California Office of Historic Preservation" means the governmental agency primarily responsible for the statewide administration of the historic preservation program in California.~~

~~"California Register of Historical Resources" is a comprehensive listing of California's historical resources, including those of local, state and national significance.~~

~~"Character defining features" means the defining elements, such as prominent architectural features, materials, craftsmanship or other elements, that, individually or in combination, identify a historic property, building or landscape.~~

~~"Commission staff" means the staff liaison assigned to the historical commission.~~

~~"DPR 523" means the California Department of Parks and Recreation Historic Resource Inventory Forms used for historic evaluations. The DPR 523A form provides descriptive information about a resource. The DPR 523B form provides an evaluation of the resources and includes a determination as to whether the resource is eligible for the National or State Register of Historic Places or listing on the Los Altos Historic Resources Inventory.~~

~~"Exterior architectural feature" means the architectural elements embodying style, design, general arrangement and components of all the outer surfaces of an improvement, including but not limited to, the kind, size, shape and texture of building materials, and the type and style of windows, doors, lights, signs and other fixtures appurtenant to such improvement.~~

~~"Historic landmark" means a building, improvement, structure, natural feature, site or area of land, under single or common ownership that has significant historical, architectural, cultural, and/or aesthetic interest or value, and is designated as a historic landmark by the city council.~~

~~"Historic resource" is a property or structure that has been determined to be over fifty (50) years old, retains its physical integrity, has historical, architectural, cultural, and/or aesthetic value, and is listed on the historic resources inventory.~~

~~"Historic resources inventory" means the city's official inventory of the historic resources, as adopted and amended from time to time by resolution of the historical commission and/or the city council. A property or structure must be designated as a historic landmark or a historic resource in order to be listed.~~

~~"Historical commission" is a seven-member advisory commission appointed by the city council that is tasked with maintaining the historic resources inventory, making recommendations on historic landmarks, working with property owners on preservation, maintenance and other development activities related to historic resources, and other activities as identified in the municipal code.~~

~~"Improvement" means any building, structure, parking facility, wall, work of art or other appurtenance or addition thereto constituting a physical betterment of real property or any part of such betterment.~~

~~"Integrity" is the authenticity of the characteristics, also referred to as character defining features, from which resources derive their significance. Integrity is the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.~~

~~"Mills Act" is an economic incentive program in California for the restoration and preservation of qualified historic structures. Enacted in 1972, the Mills Act grants participating local governments the authority to enter into contracts with owners of qualified historic properties to reduce the property tax assessment in exchange for the restoration and maintenance of the historic resource.~~

~~"National Register of Historic Places" is the official inventory of districts, sites, buildings, structures and objects significant in American history, architectural, archeology and culture, maintained by the Secretary of Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966.~~

~~"Preservation" means the act of identification, study, protection, reconstruction, restoration, rehabilitation or enhancement of historic and/or cultural resources.~~

~~"Reconstruction" means the act or process of reproducing by new construction, the exact form and detail of a vanished building, structure or any part thereof, as it appeared at a specific period of time.~~

~~"Rehabilitation" means the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural value.~~

~~"Restoration" means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.~~

~~"Secretary of Interior's Standards" are the Federal Standards for the Treatment of Historic Properties that are utilized in the identification, evaluation, registration and treatment of historic properties. The list of ten (10) Rehabilitation Standards, published as the Secretary of the Interior's Standards, is aimed at retaining and preserving those features and materials that are important in defining the historic character of a resource.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~*Article 2. Designation of Historic Resources*~~

~~12.44.040 Criteria for designation.~~

~~A structure, property or object may be eligible for designation as a historic resource or historic landmark, if it/they satisfy each of the three criteria listed below:~~

~~A. Age. A structure or property should be more than fifty (50) years in age. (Exceptions can be made to this rule if the building(s) or site(s) is/are truly remarkable for some reason - such as being associated with an outstanding architect, personage, usage or event).~~

~~B. Determination of Integrity. A structure or property should retain sufficient historic integrity in most of the following areas:~~

~~1. Design: The combination of elements that create the form, plan, space, structure and style of a property.~~

~~2. Setting: The physical environment of a historic property.~~

3. Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

4. Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

5. Feeling: A property's expression of the aesthetic or historic sense of a particular period of time.

C. Historic Significance. A structure or property should be clearly associated with one or more of the following areas of significance:

1. Event: Associated with a single significant event or a pattern of events that have made a significant contribution to broad patterns of local or regional history, or cultural heritage of California or the United States;

2. Person/People: Associated with the lives of persons important to the local, California or national history;

3. Architecture/Design: Embodies the distinctive characteristics of a design-type, period, region or method of construction, or represents the work of a master or possesses high artistic value; or

4. Archaeology: Yields important information about prehistory or history of the local area, California or the nation.

The city's historic resource evaluation methodology, which provides more details about the above listed criteria, is available from the planning division.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

12.44.050 Applications for designation.

A. Applications for designation as a historic landmark, or listing a historic resource on the historic resources inventory may be initiated by the owner or owners of a building, improvement, structure, natural feature, site or area of land, requesting designation of their property as a historic resource or historic landmark.

B. The city council or the planning commission may, by resolution or motion, refer a proposed designation to the historical commission. The historical commission may also consider a proposed designation upon its own initiative or by referral by the development services director.

C. Applications for designation as a historic landmark, or listing a historic resource on the historic resources inventory shall be made to the historical commission. Applications must be accompanied by such historical and architectural information as is required by the historical commission in order to make an informed recommendation concerning the request.

Applications for designation shall be acted on as set forth in sections 12.44.050, 12.44.060 and 12.44.070 of this chapter.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

12.44.060 Historic resource listing.

A. Once the application for designating a property as a historic resource and listing it on the historic resources inventory has been received, the historical commission shall consider the request at its next available scheduled meeting.

B. The commission shall conduct a public hearing to consider the proposed listing. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing by mail to the applicant, to the owner or owners of the property and to the owners of abutting properties, and by posting a notice on the property near the front property line in accordance with the standards set by commission staff.

C. The commission shall consider the proposed historic resource and determine whether or not the property satisfies the three criteria outlined in Section 12.44.040. The commission shall by motion either approve or disapprove the designation of the property as a historic resource and listing it in the historic resources inventory.

D. If the commission approves the historic resource for listing on the historic resources inventory, the listing shall become effective immediately and the designated property shall be subject to the regulations set forth in this chapter.

E. Until final action has been taken by the commission on the request to list a property, no building, alteration, grading, demolition or tree removal permit(s) shall be issued for any work to be performed upon or within the subject property, unless approved by the historical commission or the development services director. This restriction shall become effective as of the time the application is submitted, and shall extend until the commission has taken action.

F. Within fifteen (15) days of the action taken by the historical commission, the decision may be appealed to the city council. The appeal may be filed by the applicant or any interested party.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

12.44.070 Historic landmark designation.

A. Once the application for the proposed designation has been received, the historical commission shall consider the request at its next available scheduled meeting.

B. The commission shall conduct a public hearing to consider the proposed designation. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing by publication in at least one newspaper of general circulation within the city, by mail to the applicant, to the owner or owners of the property, and to the owners of abutting properties, and by posting a notice on the property near the front property line in accordance with the standards set by commission staff.

C. The commission shall make a recommendation to the city council on the proposed designation. In order to make a positive recommendation, the commission shall make the following findings:

1. That the proposed historic landmark satisfies the three criteria outlined in Section 12.44.040; and

2. That the proposed landmark has special historical, cultural, archeological, scientific, architectural or aesthetic interest or value as part of the heritage or history of the city, the county, the state or the nation.

D. The city council shall consider the proposed designation at its next available regular meeting and determine whether or not to accept the historical commission's recommendation. The city council shall by resolution either approve the proposed designation, in whole or in part or as modified, or shall, by motion, disapprove the proposal in its entirety.

E. If the city council approves the landmark designation, the resolution shall become effective immediately and the designated property shall be subject to the regulations set forth in this chapter and to such further restrictions or controls as may be specified in the designating resolution.

F. Adoption of a designating resolution by the city council shall be based upon the findings outlined in subsection (C) of this section.

G. Until final action has been taken by the city council on the proposed landmark, no building, alteration, grading, demolition or tree removal permit(s) shall be issued for any work to be performed upon or within the subject property, unless approved by the historical commission or the city council. This restriction shall become effective as of the time the application is submitted, and shall extend until the designating resolution becomes effective.

(Ord. No. 2011-363, § 1, 3-8-2011)

12.44.080 Notice of designation.

A. Following adoption by the city council of a resolution designating a historic landmark, the commission staff shall send notice of the designation, together with a copy of the resolution or ordinance, to the owner or owners of the designated historic landmark. The city council also shall send notice of the designation to:

1. The Santa Clara County Historical Heritage Commission; and

2. The California State Historic Preservation Officer.

B. The designating resolution or ordinance shall be recorded with the county clerk-recorder.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

Editor's note(s)—Ord. No. 2017-437, § 1, adopted March 13, 2018, repealed § 12.44.080, which pertained to historic district designation, and derived from Ord. No. 2011-363, § 1, adopted March 8, 2011, and subsequently renumbered the remaining sections 12.44.090—12.44.220 as 12.44.080—12.44.210. Historical notations for former sections have been retained for reference.

12.44.090 Termination of designation.

The only legitimate reason for terminating the designation of a historic resource or historic landmark is when clear evidence is presented that shows the resource no longer meets the criteria of Section 12.44.040 due to loss of integrity and/or historic significance.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

Editor's note(s)—Former § 12.44.100, see editor's note § 12.44.080.

Article 3. Permits

12.44.100 Applicability.

A. For historic landmark properties, a historical alteration permit (Section 12.44.150) is required in order to alter, demolish, remove, relocate or change any exterior architectural features of the designated landmark structure(s), or remove or relocate any improvements, structures or natural features that contribute to the integrity or the historic significance of the historic landmark.

B. For historic resources listed on the historic resources inventory, an advisory review (Section 12.44.140) is required in order to alter, demolish, remove, relocate or otherwise change in any manner any exterior architectural feature or natural feature that contributes to the integrity or the historic significance of a historic resource.

C. For subsection (B) of this section, the historical commission's review will take into account whether or not the proposed work adversely affects the physical integrity or the historic significance of the resource. The

historical commission's recommendation to the development services director, planning commission, or city council, shall be advisory only.

D. For non-residential properties that are historic landmarks or historic resources, non-permanent improvements such as signage, awnings and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from historical commission review by the development services director.

E. For residential properties that are historic landmarks or historic resources, improvements such as swimming pools, fences, minor accessory structures such as trellises or barbecues, and landscaping that do not adversely affect the physical integrity or the historic significance of the resource may be exempted from historical commission review by the development services director.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.110, see editor's note § 12.44.080.

12.44.110 Applications.

Applications for historical alteration permits or advisory review shall be submitted to the development services director. Applications shall include the following information:

A. A clear statement of the proposed work;

B. A site plan showing all existing buildings, structures, trees over six inches in diameter, property lines, easements and the proposed work;

C. Detailed plans showing both the existing and proposed exterior elevations, including a street elevation, photographs of windows and/or special features, materials and grading;

D. Specifications describing all materials to be used and all processes that would affect the appearance or nature of the materials;

E. Notes indicating any deviation from the Secretary of the Interior's Standards for Historic Rehabilitation; and

F. Such other information or documents as may be requested by the development services director or the historical commission.

Applications shall be noticed as set forth in Section 12.44.120 and shall be acted on as set forth in Section 12.44.130 and 12.44.140 of this chapter.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.120, see editor's note § 12.44.080.

12.44.120 Notice of public meetings.

A. Notification shall be provided when an application for a historical alteration permit is required for a historic landmark. Applicants shall be responsible for providing notification via first class mail to the adjoining property owners, in the manner set forth by the commission staff, at least ten (10) days prior to the meeting at which the application is to be reviewed. The property owners who shall be mailed notice include, but are not limited to, the following:

1. The two adjoining property owners on each side;

2. The three adjoining rear property owners; and

3. The five adjoining front property owners across the street.

4. As deemed appropriate or necessary, the commission staff may require that notification be mailed to a greater or lesser number of property owner(s) than are identified above based on the configuration of the properties adjoining the site of the application.

5. Notice shall also be posted on the project site near the front property line in accordance with the standards set by the commission staff.

B. Notice shall be provided when an application for an advisory review is required for a historic resource. Applicants shall be responsible for posting a notice on the project site near the front property line in accordance with the standards set by the commission staff.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)

Editor's note(s)—Former § 12.44.130, see editor's note § 12.44.080.

12.44.130 Advisory review.

A. For projects that require an advisory review, the historical commission shall complete its review and issue a recommendation at its next available scheduled meeting. In order to recommend approval, the commission shall find that:

1. The project complies with all provisions of this chapter; and

2. The project does not adversely affect the physical integrity or the historic significance of the subject property.

B. The historical commission recommendation shall be forwarded to the development services director, the planning commission, or the city council to be considered as part of their decision.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

Editor's note(s)—Former § 12.44.140, see editor's note § 12.44.080.

12.44.140 Historical alteration permit.

A. For projects that require a historical alteration permit, the historical commission shall complete its review and issue a decision at its next available scheduled meeting. In order to approve a permit, the commission shall find that:

1. The project complies with all provisions of this chapter; and

2. The project does not adversely affect the physical integrity or the historic significance of the subject property.

3. The project is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

B. If the historical commission approves the historical alteration permit, or approves such permit subject to conditions, the development services director shall issue the permit in accordance with the recommendation, provided that no other approval is required under this code. In the event the historical commission recommends denial of the permit, the development services director shall notify the applicant that the requested permit will not be granted.

(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)

~~Editor's note(s)—Former § 12.44.1500, see editor's note § 12.44.080.~~

~~12.44.150 Appeal.~~

~~Within fourteen (14) days of any approval or denial by the historical commission, the decision may be appealed to the city council. The appeal may be filed by the applicant or any interested party and shall be accompanied by a fee to cover the administrative cost of handling the appeal as set by city council resolution.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.160, see editor's note § 12.44.080.~~

~~*Article 4. Miscellaneous Provisions*~~

~~12.44.160 Incentives for preserving historic resources.~~

~~A. California Historical Building Code. It is the purpose of the state historical building code to provide regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation as applicable to all historical buildings, structures and properties deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction. Such standards and regulations are intended to facilitate the restoration or change of occupancy so as to preserve their original or restored elements and features, to encourage energy conservation and a cost effective approach to preservation, and to provide for reasonable safety from fire, seismic forces or other hazards for occupants and users of such "buildings, structures and properties" and to provide reasonable availability and usability by the physically disabled. The state historical building code is defined in sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code (H&SC) Health and Safety Code, a part of California Law.~~

~~B. Economic incentives. In order to carry out more effectively and equitably the purposes of this chapter, the city council may, by resolution, adopt a program of economic (i.e., Mills Act contracts) and other incentives to support the preservation, maintenance and appropriate rehabilitation of the city's historic resources.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.170, see editor's note § 12.44.080.~~

~~12.44.170 Hardship.~~

~~Notwithstanding the criteria of this chapter, the development services director, on the recommendation of the historical commission or the planning commission or city council on appeal, may approve an application for a permit to conduct any proposed work upon or within a historic resource or historic landmark if the applicant presents clear and convincing evidence demonstrating that a disapproval of the application will cause immediate and substantial hardship on the applicant because of conditions peculiar to the person seeking to carry out the proposed work or because of conditions peculiar to the particular improvement, building, structure, topography or other feature involved. If a hardship is found to exist under this section, the historical commission or the planning commission or city council shall make a written finding to that effect, and shall specify the facts and reasons relied upon in making such finding.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.180, see editor's note § 12.44.080.~~

~~12.44.180 Fees.~~

~~A. No fee shall be charged for the filing, processing or public noticing of any application for designation.~~

~~B. The city council shall by resolution adopt a schedule of fees to be charged for any application for termination of a designation, for the filing and processing of applications for any permit required under this chapter, and for appeals pursuant to this chapter.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.190, see editor's note § 12.44.080.~~

~~12.44.190 Ordinary maintenance and repair.~~

~~Nothing in this chapter shall be construed to prevent the ordinary maintenance, painting, landscaping or repair of any exterior feature in or upon any historic resource or historic landmark that does not involve a change in design, material or the external appearance thereof, nor does this chapter prevent the construction, reconstruction, alteration, restoration, demolition or removal of any historic resource or historic landmark which has been certified by the city building inspector, or fire chief, or other code enforcement officer as being in unsafe or dangerous condition which cannot be rectified through the use of the California State Historic Building Code.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.200, see editor's note § 12.44.080.~~

~~12.44.200 Duty to keep in good repair.~~

~~A. The owner, occupant or the person in actual charge of a historic resource or a historic landmark shall keep and maintain in good condition and repair all exterior portions of the improvement or structure, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature or natural feature.~~

~~B. It shall be the duty of the development services director or their designee to enforce this section.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018; Ord. No. 2023-490, § 2(App. A), 3-28-2023)~~

~~Editor's note(s)—Former § 12.44.210, see editor's note § 12.44.080.~~

~~12.44.210 Enforcement.~~

~~The violation of any provision contained in this chapter is hereby declared to be unlawful and shall constitute a misdemeanor, subject to the penalties as prescribed in Title 1, Chapter 1.20 of this code.~~

~~(Ord. No. 2011-363, § 1, 3-8-2011; Ord. No. 2017-437, § 1, 3-13-2018)~~

~~Editor's note(s)—Former § 12.44.220, see editor's note § 12.44.080.~~

~~Chapter 12.48 BUILDING NUMBERS~~

~~**Sections:**~~

~~12.48.010 Proper number to be displayed.~~

~~Any property owner may display, and is encouraged to display, the official building number designated for such property by the naming and numbering project of the city. It shall be unlawful to display, so as to be visible from the street, any number other than the number officially designated for such property under the street naming and numbering project adopted in accordance with the provisions of the Government Code of the state.~~

~~(Prior code § 9-7.01)~~

~~12.48.020 City clerk to distribute numbers.~~

~~The city clerk is hereby directed to supply any property owner with his/her official building number upon application for such number by the owner.~~

~~(Prior code § 9-7.02)~~

~~Chapter 12.52 MOVING OF BUILDINGS~~

~~**Sections:**~~

~~12.52.010 Definitions.~~

~~For the purposes of this chapter, certain terms used in this chapter are defined as follows:~~

~~A. "Building" shall mean a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 and any structure designed, built, or occupied as a shelter or roofed enclosure for persons, animals, or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational, or recreational purposes. A building of ten (10) feet or less in width, length, and height shall not be deemed as coming under the regulations of this chapter.~~

~~B. "Building inspector" shall mean the building inspector of the city.~~

~~(Prior code § 9-6.01)~~

~~12.52.020 Permits required for placement of buildings upon lots within the city.~~

~~No person shall move a building from one lot within the city onto another lot within the city or from a lot outside the city onto a lot within the city without first obtaining a permit from the council.~~

~~(Prior code § 9-6.02)~~

~~12.52.030 Filing fees.~~

~~The filing fee shall be as set by the council by resolution.~~

~~(Prior code § 9-6.03)~~

~~12.52.040 Hearings—Notices.~~

~~At least one public hearing shall be conducted by the planning commission and one by the council, and notice thereof shall be given in accordance with Section 14.80.030 of Chapter 14.80 of Title 14 of this code. At the public hearing any person may appear to support or object to the granting of the permit.~~

~~(Prior code § 9-6.04)~~

~~12.52.050 Approval of moving.~~

~~A. The applicant shall present evidence of approval of moving by the police department, fire department, city engineer, public utility companies, and building inspector prior to setting the application for a public hearing. No such public hearing shall be held until all approvals have been filed with the application.~~

~~B. The building inspector's report shall be based upon the following standards, and, prior to his approving the application, the following standards shall be cause for disapproval:~~

~~1. That any application requirement or any fee deposit or insurance requirement has not been complied with;~~

~~2. That the building is too large to move without endangering persons or property in the city;~~

~~3. That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city;~~

~~4. That the building is structurally unsafe or unfit for the purpose for which moved if the removal location is in the city;~~

~~5. That the applicant's equipment is unsafe and that persons and property would be endangered by its use;~~

~~6. That zoning or other provisions of this code would be violated by the building in its new location; or~~

~~7. That for any other reason persons or property in the city would be endangered by the moving of the building.~~

~~(Prior code § 9-6.05)~~

~~12.52.060 Indemnification—Insurance.~~

~~A. An application for a moving permit shall be accompanied by a cash deposit or bond in the sum of four thousand dollars ($4,000.00) as an indemnity for any damage which the city may sustain by reason of damage or injury to any highway, street, alley, sidewalk, fire hydrant, or other property of the city which may be caused by or be incidental to the removal of any building over, along, or across any street in the city, and to indemnify the city against any claim of damages to persons or private property, and to satisfy any claims by private individuals arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the city. The deposit shall also be used to guarantee the completion of any house moving undertaken, from the initial moving to the final setting of such building on its foundation at the destination, and in compliance with all conditions of the permit.~~

~~B. The applicant shall present evidence before the issuance of a house moving permit by the building inspector of public liability and property damage insurance in the amount of two hundred thousand dollars ($200,000.00).~~

~~(Prior code § 9-6.06)~~

~~12.52.070 Architectural and site control committee action.~~

~~Whenever a permit is applied for to move a building over a public street, and the final location or site upon which the building is to be placed is within the city, the request for the permit shall be referred to the architectural and site control committee of the planning commission to ascertain whether the structure upon its new site will be in conformity with the zoning, subdivision, or other provisions of this code which may be applicable.~~

~~(Prior code § 9-6.07)~~

~~12.52.080 Responsibilities of permittees.~~

~~Every permittee under this chapter shall:~~

~~A. Move a building only over streets designated for such use in the written permit;~~

~~B. Notify the building inspector, fire department, police department, and city engineer in writing of a desired change in the moving date and hours as proposed in the application;~~

~~C. Notify the building inspector in writing of any and all damage done to property belonging to the city within twenty-four (24) hours after the damage or injury has occurred;~~

~~D. Cause red lights to be displayed during the nighttime on every side of the building while standing or moving on a street in such manner as to warn the public of the obstruction and at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building;~~

~~E. Comply with all applicable provisions of this code upon relocating the building in the city;~~

~~F. Pay the expense of such police protection as may be required during the occupancy of the public property to protect the public from any damage;~~

~~G. Remove all rubbish and materials and fill all excavations to existing grade at the original building site if the site is within the city so that the premises are left in a safe and sanitary condition; and~~

~~H. See that the sewer line is plugged with an approved stopper.~~

~~(Prior code § 9-6.08)~~

~~12.52.090 Hearings.~~

~~A. The planning commission, at the public hearing required by Section 12.52.040 of this chapter, shall review the application, all required reports submitted pursuant to this chapter, and such evidence as may be submitted, either oral or documentary. The planning commission shall recommend to the council either the approval or disapproval of the application or may recommend the application subject to such conditions as the planning commission may prescribe.~~

~~B. When reviewing an application for other than a mobile home, the planning commission shall determine that the exterior architectural appeal and functional plan of the proposed site will be compatible with the exterior architectural appeal and functional plan of structures existing in the immediate neighborhood.~~

~~C. The planning commission, in its review of a mobile home application, shall limit its consideration to setbacks, building orientation, roof overhang, roofing material, and siding material in order to assure aesthetic compatibility with conventional standard single-family residences existing in the immediate neighborhood.~~

D. The council at its public hearing shall review the application and all plans, drawings, records, and other data transmitted by the planning commission. The council may sustain, modify, or reject the recommendation of the planning commission.

(Prior code § 9-6.09)

12.52.100 Clean-up work and damages—Liability.

A. The city shall proceed to do the work necessary to leaving the original premises in a safe and sanitary condition when the permittee does not comply with the requirements of this chapter, and the cost thereof shall be charged against the permittee's deposit and/or bond.

B. The permittee shall be liable for any expense, damage, or cost in excess of deposited amounts or securities, and, if not paid, the city attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such amounts which exceed the deposit.

(Prior code § 9-6.10)

12.52.110 Permit required for transporting a building through the city.

A. No person shall move a building over, along, or across any street or highway within the city without first securing a permit from the building inspector. A person seeking such a permit shall file an application therefor with the building inspector. The application shall be made in writing upon forms provided by the building inspector and shall be filed in his office. The application shall set forth:

1. Evidence of public liability and property damage insurance in the amount of two hundred thousand dollars ($200,000.00);

2. The proposed moving date and hours;

3. The proposed route over which the building will travel;

4. The indemnification insurance; and

5. Such additional information as the building inspector may require.

B. The application shall be accompanied by a permit fee in the amount set by the council by resolution.

(Prior code § 9-6.11)

12.52.120 Enforcement.

A. The building inspector and the police department shall enforce and carry out the requirements of this chapter.

B. The city shall proceed to do the work necessary to leave the street in a safe and sanitary condition when the permittee does not comply with the requirements of this chapter, and the cost thereof shall be charged against the deposit and/or bond of the permittee.

(Prior code § 9-6.12)

Chapter 12.56 HOUSE TRAILERS AND MOTOR COURTS

Sections:

~~12.56.010 Definitions.~~

~~For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:~~

~~A. "Automobile house trailer" shall mean any unit used for living or sleeping purposes and which is equipped with wheels or similar devices used for the purpose of transporting the unit from one location to another by its own or other vehicle power.~~

~~B. "Motor court" shall mean any premises used, or held out for use to the public, as a place where one or more persons may rent or lease sleeping and/or eating accommodations, or accommodations for house trailers, for a transient period and shall include auto camps, auto courts, motel courts, trailer camps, and any other similar accommodation used by the traveling public, other than a duly approved hotel in the business section of the city.~~

~~(Prior code § 5-9.01)~~

~~12.56.020 Placing of automobile house trailers.~~

~~A. It shall be unlawful for any person to place, keep, or maintain any automobile house trailer on any land within the city without the express written permission of the owner of such land. No person shall allow, suffer, or permit any trailer to be placed, kept, or maintained on any land owned or controlled by him; provided, however, the occupant of any single-family dwelling may permit not more than one automobile house trailer of a non-paying guest to be placed, kept, or maintained on the premises of such dwelling for a total of not more than thirty (30) days in each calendar year by complying with all of the applicable ordinances of the city and securing a permit from the county health department.~~

~~B. Nothing in this chapter shall be deemed to prohibit the storage of an automobile house trailer on the home premises of its owner when located to the rear of the front setback line of the property, or in the case of a corner lot, when located five feet to the rear of any front setback line of any street, and not nearer than ten (10) feet from the sideline of any adjoining property, or twenty-five (25) feet from any public thoroughfare, dedicated or otherwise, in the case of a corner lot, and so long as said automobile house trailer is not used for living or sleeping purposes. Nothing, however, in this chapter shall conflict with Title 14 of this code with regard to side yard setback for any building site shown as one entire lot of record in the office of the Santa Clara County recorder prior to December 1, 1952.~~

~~C. Upon written application to the office of the building inspector, a variance from the requirements of this chapter may be given on a yearly permit basis for the storage of an unoccupied automobile house trailer at least five feet to the rear of the front or secondary setback line but closer than ten (10) feet from the side property line when the planning commission, after thorough investigation, has determined:~~

~~1. That it would involve an economic hardship to comply with the provisions of this chapter in the storage of an automobile house trailer because of existing buildings or landscaping;~~

~~2. That said variance from the provisions of this chapter will not be harmful to the surrounding neighborhood in appearance, and that it will be properly screened so as not to detract from orderly community planning and development; and~~

~~3. That there has been no substantial objection made by the surrounding and adjacent property owners within three hundred (300) feet from the property on which the variance is to be granted after posted notice that a hearing will be held upon the application for the variance from the provisions of this chapter, or by such other method of notice of hearing as the planning commission may prescribe.~~

~~(Prior code § 5-9.02)~~

~~12.56.030 Permit for motor court or trailer camp required.~~

~~No person shall operate, locate or construct any motor court or trailer camp without first having obtained a permit therefor from the building inspector.~~

~~(Prior code § 5-9.03)~~

~~12.56.040 Issuance of permit.~~

~~The building inspector shall not issue a permit under this chapter until the location of and arrangement of the proposed automobile trailer or motor court or trailer camp shall have been approved by the planning commission of the city, and until the approval of the county health department has been obtained as to sanitation and public health.~~

~~(Prior code § 5-9.04)~~

~~12.56.050 Parking of trailers on streets.~~

~~It shall be unlawful to park an automobile trailer upon any public street or alley within the city for a period of more than thirty (30) minutes during the period of 7:00 p.m. of one day to 7:00 a.m. of the following day.~~

~~(Prior code § 5-9.05)~~

~~Chapter 12.60 FLOODPLAIN MANAGEMENT~~[14]

~~*Article 1. General Provisions*~~

~~12.60.010 Title.~~

~~These regulations, in combination with the flood provisions of California Code of Regulations Title 24, the California Building Standards Code (hereinafter "building codes," consisting of the Part 2 (building), Part 2.5 (residential), Part 10 (existing building), and related codes), shall be known as the Floodplain Management Regulations of the City of Los Altos (hereinafter "these regulations").~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.020 Statutory authority.~~

~~Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.~~

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[14]Ord. No. 2021-480, § 2, adopted Sep. 14, 2021, amended Ch. 12.60 in its entirety to read as set out herein. Former Ch. 12.60, §§ 12.60.010—12.60.230 pertained to similar subject matter and derived from Prior code §§ 10-6.101—10-6.103, 10-6.201, 10-6.301—10-6.306, 10-6.401—10-6.403, 10-6.501—10-6.508, 10-6.601, 10-6.602, Ord. No. 09-335, § 1, adopted March 24, 2009, and Ord. No. 2021-479, § 2, adopted Aug. 24, 2021.

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.030 Scope.~~

~~The provisions of these regulations, in combination with the flood provisions of the building codes, shall apply to all proposed development entirely or partially in flood hazard areas established in Section 12.60.110 of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.040 Purposes and objectives.~~

~~The purposes and objectives of these regulations and the flood load and flood resistant construction requirements of the building codes are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:~~

~~A. Minimize unnecessary disruption of commerce, access and public service during times of flooding.~~

~~B. Require the use of appropriate construction practices in order to prevent or minimize future flood damage.~~

~~C. Manage the alteration of natural floodplains, stream channels and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain.~~

~~D. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential.~~

~~E. Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.~~

~~F. Contribute to improved construction techniques in the floodplain.~~

~~G. Minimize damage to public and private facilities and utilities.~~

~~H. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.~~

~~I. Minimize the need for rescue and relief efforts associated with flooding.~~

~~J. Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.~~

~~K. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.~~

~~L. Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.050 Coordination with California Building Standards Code.~~

~~Pursuant to the requirement established in State statute that the City of Los Altos administer and enforce the *California Building Standards Code*, the city council of the City of Los Altos hereby acknowledges that the building codes contain certain provisions that apply to the design and construction of buildings and structures in flood~~

~~hazard areas. Therefore, these Regulations are intended to be administered and enforced in conjunction with the building codes.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.060 Warning.~~

~~The degree of flood protection required by these regulations and the building codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these Regulations and the building codes does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these Regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.070 Disclaimer of liability.~~

~~These regulations shall not create liability on the part of the City of Los Altos, the city council, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made hereunder. The floodplain administrator and any employee charged with the enforcement of these regulations, while acting for the community in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by a legal representative of the community until the final termination of the proceedings. The floodplain administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.080 Other laws.~~

~~The provisions of these regulations shall not be deemed to nullify any provisions of local, state or federal law.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.090 Abrogation and greater restrictions.~~

~~These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these~~

~~regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 2. Applicability*~~

~~12.60.100 General applicability.~~

~~These regulations, in conjunction with the building codes, provide minimum requirements for development located in flood hazard areas, including the subdivision of land; filling, grading and other site improvements; installation of utilities; installation, placement and replacement of manufactured homes; placement of recreational vehicles; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; certain building work exempt from permit under the building codes; and flood control projects.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.110 Establishment of flood hazard areas.~~

~~The flood insurance study for the City of Los Altos, Santa Clara County, California and Incorporated Areas dated January 1980, and all subsequent amendments and revisions, and the accompanying flood insurance rate maps (FIRM), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these Regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the FIS and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the Community Development Department, One North San Antonio Road, Los Altos, CA 94022.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.120 Interpretation.~~

~~In the interpretation and application of these regulations, all provisions shall be:~~

~~A. Considered as minimum requirements.~~

~~B. Liberally construed in favor of the governing body.~~

~~C. Deemed neither to limit nor repeal any other powers granted under state statutes.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 3. Duties and Powers of The Floodplain Administrator*~~

~~12.60.130 Designation.~~

~~The Community Development Director, or his or her designee, is designated the floodplain administrator. The floodplain administrator shall have the authority to delegate performance of certain duties to other employees.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.140 General authority.~~

~~The floodplain administrator is authorized and directed to administer and enforce these regulations. the floodplain administrator shall have the authority to render interpretations of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article 7 of these regulations. The floodplain administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified California (CA) Licensed Land Surveyor or Civil Engineer when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.150 Coordination.~~

~~The floodplain administrator shall coordinate with and provide comments to the building official to administer and enforce the flood provisions of the building code and to ensure compliance with the applicable provisions of these regulations. The floodplain administrator and the building official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 12.60.170 of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.160 Duties.~~

~~The floodplain administrator, in coordination with other pertinent offices of the community, shall:~~

~~A. Review all permit applications and plans to determine whether proposed development is located in flood hazard areas.~~

~~B. Review all applications and plans for development in flood hazard areas for compliance with these regulations.~~

~~C. Review, in coordination with the building official, required design certifications and documentation of elevations specified by the building code to determine that such certifications and documentations are complete.~~

~~D. Review applications and plans for modification of any existing development in flood hazard areas for compliance with these regulations.~~

~~E. Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.~~

~~F. Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.~~

~~G. Determine whether additional flood hazard data shall be obtained from other sources or developed by the applicant.~~

H. Complete the appropriate section of the Department of Housing and Community Development Floodplain Ordinance Compliance Certification for Manufactured Home/Mobile home Installations when submitted by applicants.

I. Review requests submitted to the building official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the building code, to determine whether such requests require consideration as a variance pursuant to Article 7 of these regulations.

J. Coordinate with the building official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.

K. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the flood insurance rate maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within six months of such data becoming available.

L. Require applicants who propose alteration of a watercourse to notify adjacent communities and the NFIP State Coordinating Agency, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).

M. Inspect development in accordance with Article 6 of these regulations and inspect flood hazard areas to determine when development is undertaken without issuance of permits.

N. Prepare comments and recommendations for consideration when applicants seek variances for development other than buildings in accordance with Article 7 of these regulations.

O. Cite violations in accordance with Article 8 of these regulations.

P. Notify FEMA when the corporate boundaries of the City of Los Altos have been modified and provide a map and legal description of the changes in the corporate boundaries.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.170 Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator, in coordination with the building official, shall:

A. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

B. Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when applicable, to the market value of the building or structure.

C. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.

D. Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.180 Department records.~~

~~In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including flood insurance studies and flood insurance rate maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 4. Permits for Floodplain Development*~~

~~12.60.190 Permits required.~~

~~Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit for floodplain development. No permit shall be issued until compliance with the requirements of these regulations and all other applicable codes and regulations has been satisfied. No building permit shall be issued based on conditional letters of map revision issued by FEMA. Depending on the nature and extent of proposed development that includes a building or structure, the floodplain administrator may determine a permit for floodplain development is required in addition to a building permit.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.200 Application for permit.~~

~~The applicant shall file an application in writing on a form furnished by the floodplain administrator. The information provided shall:~~

~~A. Identify and describe the development to be covered by the permit.~~

~~B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitely locate the site.~~

~~C. Indicate the use and occupancy for which the proposed development is intended.~~

~~D. Be accompanied by a site plan and construction documents as specified in Article 5 of these regulations, including grading, excavation and filling plans and other information deemed appropriate by the floodplain administrator.~~

~~E. State the valuation of the proposed work.~~

~~F. Be signed by the applicant or the applicant's authorized agent.~~

G. Include such other data and information required by the floodplain administrator to demonstrate compliance with these Regulations.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.210 Validity of permit.

The issuance of a permit for floodplain development under these regulations or the building codes shall not be construed to be a permit for, or approval of, any violation of these regulations, the building code, or any other ordinance of the community. The issuance of a permit for floodplain development based on submitted documents and information shall not prevent the floodplain administrator from requiring the correction of errors and omissions. The floodplain administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.220 Other permits required.

The applicant shall obtain all other required state and federal permits prior to initiating work authorized by these regulations and shall provide documentation of such permits to the floodplain administrator. Such permits include but are not limited to the California State Water Resources Control Board for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.230 Expiration.

A permit for floodplain development shall become invalid when the proposed development is not commenced within one hundred eighty (180) days after its issuance, or when the work authorized is suspended or abandoned for a period of one hundred eighty (180) days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The floodplain administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each unless FEMA has issued notification of revision to the flood insurance rate study and flood insurance rate maps that alter the flood hazard area or floodway boundaries, flood zones, or base flood elevations, in which case the permit is invalid.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.240 Suspension or revocation.

The floodplain administrator is authorized to suspend or revoke a permit for floodplain development issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of these regulations or any ordinance or code of this community.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

~~12.60.250 Appeals of decisions.~~

~~When it is alleged there is an error in any decision or determination made by the floodplain administrator in the interpretation or enforcement of these regulations, such decision or determination may be appealed to the city manager by filing a written appeal setting forth the reasons of the appeal.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 5. Site Plans and Construction Documents*~~

~~12.60.260 Information for development in flood hazard areas.~~

~~The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:~~

~~A. Delineation of flood hazard areas; floodway boundaries and flood zone(s); base flood elevation(s); ground elevations; proposed filling, grading, and excavation; and drainage patterns and facilities when necessary for review of the proposed development.~~

~~B. Where base flood elevations or floodway data are not included on the FIRM or in the flood insurance study, they shall be established in accordance with Section 12.60.270 or Section 12.60.280 of these regulations.~~

~~C. Where the parcel on which the proposed development will take place will have more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM or in the flood insurance study, such elevations shall be established in accordance with Section 12.60.270.B of these regulations.~~

~~D. Location of the proposed activity and proposed structures; locations of water supply, sanitary sewer, and other utilities; and locations of existing buildings and structures.~~

~~E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.~~

~~F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.~~

~~G. Existing and proposed alignment of any proposed alteration of a watercourse.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.270 Information in flood hazard areas without base flood elevations (approximate Zone A).~~

~~Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator is authorized to:~~

~~A. Require the applicant to include base flood elevation data prepared by a qualified CA Licensed Civil Engineer in accordance with currently accepted engineering practices. Such analyses shall be performed and sealed by a qualified CA Licensed Civil Engineer. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the floodplain administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.~~

B. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

C. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

1. Require the applicant to include base flood elevation data in accordance with Section 12.60.270.A of these regulations; or

2. Specify that the base flood elevation is two feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two feet.

D. Where the base flood elevation data are to be used to support a request for a letter of map change from FEMA, advise the applicant that the analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.280 Additional analyses and certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of these Regulations, the applicant shall have the following analyses signed and sealed by a qualified CA Licensed Civil Engineer for submission with the site plan and construction documents:

A. For development activities proposed to be located in a floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 12.60.290 of these regulations and shall submit the conditional letter of map revision, when issued by FEMA, with the site plan and construction documents.

B. For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the flood insurance study or on the FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices that demonstrates the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 12.60.290 of these regulations. The applicant shall notify the chief executive officer of adjacent communities and the California Department of Water Resources. The floodplain administrator shall maintain a copy of the notification in the permit records and shall submit a copy to FEMA.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

~~12.60.290 Submission of additional data.~~

~~When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a letter of map change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a conditional letter of map revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a letter of map revision.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 6. Inspections*~~

~~12.60.300 Inspections, in general.~~

~~Development for which a permit for floodplain development is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.310 Inspections of development other than buildings and structures.~~

~~The floodplain administrator shall make or cause to be made, inspections of all development other than buildings and structures that is authorized by issuance of a permit for floodplain development under these regulations. The floodplain administrator shall inspect flood hazard areas from time to time to determine when development is undertaken without issuance of a permit.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.320 Inspections of manufactured homes installations.~~

~~The floodplain administrator shall make or cause to be made, inspections of installation and replacement of manufactured homes in flood hazard areas authorized by issuance of a permit for floodplain development under these regulations. Upon installation of a manufactured home and receipt of the elevation certification required in Section 12.60.580 of these regulations the floodplain administrator shall inspect the installation or have the installation inspected.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.330 Buildings and structures.~~

~~The building official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit, in accordance with the building code:~~

A. Lowest floor elevation. Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the building official.

B. Final inspection. Prior to the final inspection, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the building official.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

Article 7. Variances

12.60.340 Nature of variances.

The considerations and conditions for variances set forth in this article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be issued for a parcel of property with physical characteristics so unusual that complying with the requirements of these regulations would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The issuance of a variance is for floodplain management purposes only. Federal flood insurance premium rates are determined by the National Flood Insurance Program according to actuarial risk and will not be modified by the granting of a variance.

It is the duty of the City of Los Altos to promote public health, safety and welfare and minimize losses from flooding. This duty is so compelling and the implications of property damage and the cost of insuring a structure built below flood level are so serious that variances from the elevation or other requirements in the building codes should be quite rare. The long term goal of preventing and reducing flood loss and damage, and minimizing recovery costs, inconvenience, danger, and suffering, can only be met when variances are strictly limited. Therefore, the variance requirements in these regulations are detailed and contain multiple provisions that must be met before a variance can be properly issued. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.350 Variances; general.

The city manager shall hear and decide requests for variances from the strict application of these regulations.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.360 Limitations on authority.

The city manager shall base its determination on technical justifications submitted by applicants, the considerations and conditions set forth in this article, the comments and recommendations of the floodplain administrator and building official, as applicable, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations and the building code.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

~~12.60.370 Records.~~

~~The floodplain administrator shall maintain a permanent record of all variance actions, including justification for issuance.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.380 Historic structures.~~

~~A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic structure upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure. When the proposed work precludes the structure's continued designation as a historic building, a variance shall not be granted and the structure and any repair, improvement, and rehabilitation shall be subject to the requirements of the building code.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.390 Restrictions in floodways.~~

~~A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analyses required in Section 12.60.280.A of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.400 Functionally dependent uses.~~

~~A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the criteria in Section 1612 of the building code (CCR Title 24 Part 2) or Section R322 of the residential code (CCR Title 24 Part 2.5) are met, as applicable, and the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damages during the base flood and create no additional threats to public safety.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.410 Considerations for issuance of variances.~~

~~In reviewing applications for variances, all technical evaluations, all relevant factors, all other requirements of these Regulations and the building code, as applicable, and the following shall be considered:~~

~~A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.~~

~~B. The danger to life and property due to flooding or erosion damage.~~

~~C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.~~

~~D. The importance of the services provided by the proposed development to the community.~~

E. The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.

F. The compatibility of the proposed development with existing and anticipated development.

G. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

H. The safety of access to the property in times of flood for ordinary and emergency vehicles.

I. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, if applicable, expected at the site.

J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.420 Conditions for issuance of variances.

Variances shall only be issued upon:

A. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.

B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or future property owners, or conflict with existing local laws or ordinances.

D. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

E. When the request is to allow construction of the lowest floor of a new building or substantial improvement of a building below the base flood elevation, notification to the applicant in writing over the signature of the floodplain administrator specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that issuance of a variance to construct below the elevation required in the building code will result in increased premium rates for federal flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred dollars ($100.00) of insurance coverage, and that such construction below the required elevation increases risks to life and property.

F. Written agreement signed by the recipient of a variance to allow construction of the lowest floor below the required elevation to record the variance in the Office of the Santa Clara County Recorder in a manner so that it appears in the chain of title of the property.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

Article 8. Violations

~~12.60.430 Violations.~~

~~Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of the elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the building code, is presumed to be a violation until such time as required documentation is submitted. Violation of the requirements shall constitute a misdemeanor.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.440 Authority.~~

~~The floodplain administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.450 Unlawful continuance.~~

~~Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 9. Definitions*~~

~~12.60.460 General.~~

~~The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Where terms are not defined in these regulations and are defined in the building code (CCR Title 24 Part 2) and used in the residential code (CCR Title 24 Part 2.5), such terms shall have the meanings ascribed to them in those codes. Where terms are not defined in these Regulations or the building code, such terms shall have ordinarily accepted meanings such as the context implies.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.470 Definitions.~~

~~"Accessory structure" means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.~~

~~"Agricultural structure" means a walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.~~

~~"Alteration of a watercourse" means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.~~

~~"ASCE 24" means the standard *Flood Resistant Design and Construction,* referenced by the building code, developed and published by the American Society of Civil Engineers, Reston, VA. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the building code.~~

~~"Base flood" means the flood having a one-percent chance of being equaled or exceeded in any given year. [Also defined in CCR Title 24 Part 2.]~~

~~"Base flood elevation" means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in CCR Title 24 Part 2.]~~

~~"Basement" means, for the purpose of floodplain management, the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in CCR Title 24 Part 2.]~~

~~"Building code" means California Code of Regulations Title 24, the *California Building Standards Code,* the family of building codes specifically adopted by the State of California and composed of:~~

~~(1) Part 2, applicable to buildings and structures other than dwellings within the scope of this part.~~

~~(2) Part 2.5, applicable to one- and two-family dwellings and townhouses not more than three stories, and accessory structures.~~

~~(3) Part 10, applicable to existing buildings (as defined in that code).~~

~~(4) Other specified codes.~~

~~"Design flood" means the flood associated with the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]~~

~~(1) Area with a flood plain subject to a one-percent or greater chance of flooding in any year.~~

~~(2) Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.~~

~~"Design flood elevation" means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where a depth number is not specified on the map, the depth number shall be taken as being equal to two feet (610 mm). [Also defined in CCR Title 24 Part 2.]~~

~~"Development" means any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations, flood control projects, and other land-disturbing activities.~~

~~"Encroachment" means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.~~

~~"Exceptional hardship" means, for the purpose of variances from these regulations or the building code, the exceptional difficulty that would result from a failure to grant a requested variance. Mere economic or financial hardship is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors do not, as a rule, qualify as exceptional hardships. All of these circumstances~~

~~can be resolved through other means without granting variances, even when the alternatives are more expensive or require the property owner to build elsewhere or put the parcel to a different use than originally intended.~~

~~"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before July 24, 1980.~~

~~"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

~~"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land from:~~

~~(1) The overflow of inland or tidal waters.~~

~~(2) The unusual and rapid accumulation or runoff of surface waters from any source.~~

~~(3) Mudslides (i.e., mudflows) which are proximately caused by flooding.~~

~~"Flood control project" means a dam or barrier design and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.~~

~~"Flood damage-resistant materials" means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in CCR Title 24 Part 2.]~~

~~"Flood hazard area" means the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]~~

~~(1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.~~

~~(2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.~~

~~"Flood insurance rate map (FIRM)" means an official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community. [Also defined in CCR Title 24 Part 2.]~~

~~"Flood insurance study" means the official report provided by the Federal Emergency Management Agency containing the flood insurance rate map (FIRM), the flood boundary and floodway map (FBFM), the water surface elevation of the base flood and supporting technical data. [Also defined in CCR Title 24 Part 2.]~~

~~"Floodplain administrator" means the Community Development Director or his or her designee, to leave in administer and enforce the floodplain management regulations.~~

~~"Floodway" means the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Also defined in CCR Title 24 Part 2.]~~

~~"Fraud or victimization" means, for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.~~

~~"Functionally dependent use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding or ship repair facilities. The term does not include long-term storage, manufacture, sales or service facilities.~~

~~"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.~~

~~"Historic structure" means any structure that is:~~

~~(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~

~~(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;~~

~~(3) Individually listed on the inventory of historic places maintained by the California Office of Historic Preservation; or~~

~~(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by the California Office of Historic Preservation.~~

~~"Letter of map change (LOMC)" means an official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:~~

~~(1) Letter of map amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.~~

~~(2) Letter of map revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.~~

~~(3) Letter of map revision based on fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.~~

~~(4) Conditional letter of map revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.~~

~~"Light-duty truck" means, as defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:~~

~~(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or~~

~~(2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or~~

~~(3) Available with special features enabling off-street or off-highway operation and use.~~

~~"Lowest floor" means the lowest floor of the lowest enclosed area, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the building codes. [Also defined in CCR Title 24 Part 2.]~~

~~"Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, designed for use as a single-family dwelling with or without a permanent foundation when connected to the required utilities, and constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development. Also see definitions in Health and Safety Code Sections 18000(a)(2) and 18001(a). For the purposes of floodplain management, the term also includes mobile homes and recreational vehicles, park trailers, travel trailers and similar transportable structures that are placed on a site for one hundred eighty (180) consecutive days or longer.~~

~~"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

~~"Market value" means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the property appraiser, or (3) a qualified independent appraiser.~~

~~"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after July 24, 1980.~~

~~"Nuisance" means that which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.~~

~~"Permit for floodplain development" means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specified development activities that are located in flood hazard areas and that are determined to be compliant with these Regulations.~~

~~"Recreational vehicle" means a vehicle that is built on a single chassis, 400 square feet (37.16 m^2) or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use when it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices and has no permanently attached additions. Also see definitions in Health and Safety Code section 18010.~~

~~"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.~~

~~"Special flood hazard area (SFHA)" means the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Also defined in CCR Title 24 Part 2.]~~

~~"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. [Also defined in CCR Title 24 Part 2.]~~

~~"Substantial improvement" means any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of the market value~~

~~of the structure before the improvement or repair is started. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in CCR Title 24 Part 2.]~~

~~(1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.~~

~~(2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.~~

~~"Utility and miscellaneous Group U" means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as described in the building code.~~

~~"Variance" means a grant of relief from the requirements of these Regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.~~

~~"Violation" means a development that is not fully compliant with these regulations or the flood provisions of the building code, as applicable.~~

~~"Watercourse" means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 10. Buildings and Structures*~~

~~12.60.480 Requirements for buildings and structures in flood hazard areas.~~

~~Applications for building and structures within the scope of the building code that are proposed in flood hazard areas shall comply with the applicable requirements of the building code and local amendments to the building code specified in Title 12 Buildings and Construction.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.490 Detached garages and accessory storage structures.~~

~~Detached garages and accessory storage structures used only for parking or storage (and cannot be attached to any structure used for human habitation or converted to a use for human habitation) are permitted below the base flood elevation provided the garages and accessory storage structures:~~

~~A. Are one story and not larger than four hundred (400) square feet in area when located in special flood hazard areas.~~

~~B. Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.~~

~~C. Have flood openings in accordance with the building code.~~

~~D. Have flood damage-resistant materials used below the base flood elevation.~~

~~E. Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.500 Utility and Miscellaneous Group U.~~

~~Utility and miscellaneous Group U includes buildings that are accessory in character and miscellaneous structures not classified in any specific occupancy in the building code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, fences more than six feet (1829 mm) high, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, and towers. In addition to the building code requirements for fire and life safety, the following shall apply to utility and miscellaneous Group U buildings and structures in flood hazard areas:~~

~~A. New construction and substantial improvement of such buildings and structures shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions of the design flood.~~

~~B. New construction and substantial improvement of such buildings and structures, when fully enclosed by walls, shall be elevated such that the lowest floor, including basement, is elevated to or above the design flood elevation in accordance with ASCE 24 or shall be dry floodproofed in accordance with ASCE 24.~~

~~C. Unless dry floodproofed, fully enclosed areas below the design flood elevation shall be constructed in accordance with ASCE 24 and limited to parking, storage, and building access.~~

~~D. When fully enclosed by walls, flood openings shall be installed in accordance with ASCE 24.~~

~~E. Flood damage-resistant materials shall be used below the design flood elevation.~~

~~F. Mechanical, plumbing and electrical systems, including plumbing fixtures, shall be located or installed in accordance with ASCE 24.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 11. Subdivisions*~~

~~12.60.510 Minimum requirements.~~

~~Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:~~

~~A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.~~

~~B. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 12.60.540 and Section 12.60.550 of these regulations, as applicable, and appropriate codes.~~

~~C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.520 Subdivision requirements.~~

~~In addition to the requirements of Section 302-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:~~

~~A. The flood hazard area, including floodways, as appropriate, shall be delineated on preliminary subdivision plats.~~

~~B. Where the subdivision has more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 12.60.270.A of these regulations.~~

~~C. When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 12. Site Improvements, Utilities and Limitations*~~

~~12.60.530 Minimum requirements.~~

~~All proposed development in flood hazard areas shall be reviewed to determine that:~~

~~A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.~~

~~B. Where the proposed development has more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 12.60.270.A of these regulations.~~

~~C. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage.~~

~~D. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.540 Sanitary sewer facilities.~~

~~All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.550 Water supply facilities.~~

~~All new and replaced water supply facilities shall be designed in accordance with the provisions of Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the systems.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.560 Development in floodways.~~

~~Development, site improvements and land disturbing activity involving fill or regrading shall not be authorized in the floodway unless the floodway encroachment analysis required in Section 12.60.280.A of these regulations demonstrates the proposed work will not result in any increase in the base flood level during occurrence of the base flood discharge.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.570 Limitations on placement of fill.~~

~~Subject to the limitations of these Regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures, fill shall comply with the requirements of the building code. The placement of fill intended to change base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs shall be subject to the requirements of Section 12.60.290 of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 13. Installation of Manufactured Homes*~~

~~12.60.580 Installation.~~

~~All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) and the requirements of these regulations. In addition to permits pursuant to these regulations, permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes. Upon completion of installation and prior to the final inspection by the floodplain administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the floodplain administrator.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.590 Foundations.~~

~~All new and replacement manufactured homes, including substantial improvement of manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of Section R322.2 of the residential code (CCR Title 24 Part 2.5) and these regulations. Foundations for manufactured homes subject to Section 12.60.620 of these regulations are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.600 Anchoring.~~

~~All new and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring are authorized to include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind loads and seismic loads.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.610 General elevation requirement.~~

~~Unless subject to the requirements of Section 12.60.620 of these regulations, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the lowest floor, or bottom of the lowest horizontal member of the lowest floor, as applicable to the flood hazard area, is at or above the base flood elevation.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.620 Elevation requirement for certain existing manufactured home parks and subdivisions.~~

~~Manufactured homes that are not subject to Section 12.60.610 of these regulations, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as a result of flooding has occurred, shall be elevated such that either the:~~

~~A. Lowest floor, or bottom of the lowest horizontal structural member, as applicable to the flood hazard area, is at or above the base flood elevation.~~

~~B. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.630 Flood damage-resistant materials.~~

~~Materials below elevated manufactured homes shall comply with the flood-damage resistant materials requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.640 Enclosures.~~

~~Fully enclosed areas below elevated manufactured homes shall comply with the enclosed area requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.650 Protection of mechanical equipment and outside appliances.~~

~~Mechanical equipment and outside appliances shall be elevated to or above the lowest floor or bottom of the lowest horizontal structural member of the manufactured home, as applicable to the flood hazard area.~~

~~Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 12.60.610 or Section 12.60.620, as applicable, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 14. Recreational Vehicles*~~

~~12.60.660 Temporary placement.~~

~~Recreational vehicles in flood hazard areas, shall be placed on a site for less than one hundred eighty (180) consecutive days or shall be fully licensed and ready for highway use. Ready for highway use means the recreational vehicle is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, such as rooms, stairs, decks and porches.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.670 Permanent placement.~~

~~Recreational vehicles that do not meet the limitations in Section 12.60.660 for temporary placement shall meet the requirements of Article 14 for manufactured homes.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 15. Other Development*~~

~~12.60.680 General requirements for other development.~~

~~All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the building code, shall:~~

~~A. Be located and constructed to minimize flood damage.~~

~~B. Meet the limitations of Section 12.60.560 of these regulations when located in a regulated floodway.~~

C. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

D. Be constructed of flood damage-resistant materials.

E. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.690 Tanks.

Tanks that serve buildings shall comply with the requirements of the building code. Underground and above-ground tanks that serve other purposes shall be designed, constructed, installed and anchored in accordance with ASCE 24.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.700 Requirements for temporary structures and temporary storage in flood hazard areas.

Temporary structures shall be erected for a period of less than one hundred eighty (180) days and temporary storage of goods and materials shall be permitted for a period of less than one hundred eighty (180) days. Extensions may be granted in accordance with Section 12.60.230 of these regulations. In addition, the following apply:

A. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

B. Temporary stored materials shall not include hazardous materials.

C. The requirements of Section 12.60.560 of these regulations, when located in floodways.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.710 Fences in floodways.

Fences in floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 12.60.560 of these regulations.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

12.60.720 Oil derricks.

Oil derricks located in flood hazard areas shall be designed in conformance with flood loads required by the building code.

(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)

~~12.60.720 Retaining walls, sidewalks and driveways in floodways.~~

~~Retaining walls and sidewalks and driveways that involve placement of fill in floodways shall meet the limitations of Section 12.60.560 of these regulations and the requirements for site grading in Chapter 18 of the building code.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.730 Roads and watercourse crossings in floodways.~~

~~Roads and watercourse crossings that encroach into floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side shall meet the limitations of Section 12.60.560 of these regulations. Alteration of a watercourse that is part of work proposed for a road or watercourse crossing shall meet the requirements of Section 12.60.280.C of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.740 Swimming pools.~~

~~Above-ground swimming pools, on-ground swimming pools, and in-ground swimming pools that involve placement of fill in floodways shall meet the requirement of Section 12.60.560 of these regulations.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~*Article 16. Flood Control Projects*~~

~~12.60.750 Flood control projects; general.~~

~~In addition to applicable Federal, State and other local permits, a permit for floodplain development is required for construction of flood control projects. The purpose for the permit is to examine the impact on flood hazard areas, floodways, and base flood elevations shown on the FIRM. Unless otherwise authorized by separate regulations, issuance of this permit does not address the sufficiency of the structural elements of the proposed flood control project. Permits for floodplain development and building permits in areas affected by proposed flood control projects shall not be issued based on conditional letters of map revision issued by FEMA.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~12.60.760 Flood control projects; applications.~~

~~Applications for permits for flood control projects shall include documentation including but not limited to:~~

~~A. Site plan or document showing the existing topography and the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations shown on the FIRM.~~

~~B. Site plan or document showing the proposed topography and the proposed changes to the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations.~~

~~C. The documentation submitted to FEMA for a conditional letter of map revision (CLOMR) and, if issued, the conditional letter of map revision. Submittal requirements and processing fees shall be the~~

~~responsibility of the applicant. A CLOMR is required when a proposed flood control project alters a floodway and increases base flood elevations more than greater than 0.00 feet, or alters a watercourse a riverine flood hazard area for which base flood elevations are included in the flood insurance study or on the FIRM and floodways have not been designated and increases base flood elevations more than 1.0 foot.~~

~~(Ord. No. 2021-479, § 2, 8-24-2021; Ord. No. 2021-480, § 2, 9-14-2021)~~

~~Chapter 12.64 WOOD-BURNING APPLIANCES~~

~~**Sections:**~~

~~12.64.010 Purpose.~~

~~The purpose of this chapter is to improve and maintain air quality conditions in the city in order to protect and enhance the health and quality of life of its citizens, as well as contribute to improvements in regional air quality, by reducing air pollutant emissions from wood-burning fireplaces.~~

~~(Ord. 01-404 § 2 (part))~~

~~12.64.020 Definitions.~~

~~"EPA" means the United States Environmental Protection Agency.~~

~~"EPA certified wood-burning appliance" means any wood-burning device that meets the Code of Federal Regulation in effect at the time of installation and is certified and labeled pursuant to those regulations.~~

~~"Fireplace" means any permanently installed masonry or factory built wood-burning device designed to be used with an air-to-fuel ratio greater than or equal to 35-to-1, excluding pellet-fueled wood heaters.~~

~~"Gas fireplace" means any device designed to bun natural gas in a manner that simulates the appearance of a wood-burning fireplace.~~

~~"New construction" means construction of new structures and additions to existing structures.~~

~~"Pellet-fueled wood heater" means any wood-burning device that operates exclusively on wood pellets.~~

~~"Wood-burning appliance" means fireplace, wood heater, or pellet-fueled wood heater, or any similar device burning any solid fuel used for aesthetic or space-heating purpose.~~

~~(Ord. 03-253 § 4 (part): Ord. 01-404 § 2 (part))~~

~~12.64.030 Application.~~

~~A. Only gas fireplaces, pellet-fueled wood heaters, or EPA certified wood-burning appliances may be installed in new construction.~~

~~B. Excluded from these regulations are devices intended to be solely used for the preparation of food (i.e., wood-burning ovens and outdoor barbeques), and existing fireplaces.~~

~~C. Existing fireplaces, regardless of how many exist, may be used and maintained indefinitely. Once these existing fireplaces are removed, only gas fireplaces, pellet-fueled wood heaters, or EPA certified wood-burning appliances may be installed in their place.~~

D. It is unlawful to burn garbage, plastics, rubber, paints, solvents, oil, treated wood products, particle board, coal or any other material that produces noxious or toxic emissions when burned in a wood-burning fireplace.

(Ord. 03-253 § 4 (part): Ord. 01-404 § 2 (part))

Chapter 12.68 UNDERGROUNDING UTILITIES[15]

12.68.010 Purpose.

The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.

(Ord. No. 2013-395, § 27, 12-10-2013; Ord. No. 2016-426, § 27, 11-8-2016; Ord. No. 2019-464, §§ 29, 30, 12-10-2019; Ord. No. 2022-487, §§ 31, 32, 11-29-2022)

12.68.020 Undergrounding utilities.

It is the intent of the city to ensure that all new utility services and relocated existing utility services are placed underground, including additions exceeding fifty (50) percent of floor area and/or seven hundred and fifty (750) square feet or more, excluding basements and any non-habitable floor areas. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

A. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.

B. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of this municipal code.

C. Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.

D. The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two code cycles. The original addition permit issuance date where these regulations were in effect shall be used for compliance.

1. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with undergrounding of utility regulations.

2. No exception or waiver shall be granted from compliance with undergrounding utilities.

[15]Editor's note(s)—Ord. No. 2013-395, adopted Dec. 10, 2013, amended Ch. 12.68 in its entirety, in effect repealing and reenacting said chapter to read as set out herein. The former Ch. 12.68, §§ 12.68.010—12.68.030, pertained to similar subject matter and derived from Ord. No. 07-312, § 1 (part) and Ord. No. 10-359, § 28, adopted Nov. 23, 2010.

E. The Building Official may only grant exceptions to these requirements in cases where access across adjacent property is necessary but is not legally or practically available.

1. To demonstrate an exception the property owner shall provide a plan showing the required utility design, communication with adjacent property owners indicating the lack of access allowed, and a letter from the utility company which indicates that no alternative configuration for undergrounding of utilities is possible.

F. Completion of Work. Undergrounding utilities shall be completed prior to Building Final Inspection, and issuance of Certificate of Occupancy. No exception or waiver shall be granted which allows for a property owner to evade compliance with this requirement.

(Ord. No. 2013-395, § 27, 12-10-2013; Ord. No. 2016-426, § 27, 11-8-2016; Ord. No. 2019-464, §§ 29, 30, 12-10-2019; Ord. No. 2022-487, §§ 31, 32, 11-29-2022)

12.68.030 Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

"Tear-down" means existing portions of roof framing and/or exterior walls removed for the purpose of rebuilding and remodeling.

(Ord. No. 2013-395, § 27, 12-10-2013)

Chapter 12.70 RESIDENTIAL SOLAR SYSTEMS

12.70.010 Definitions.

A. A "Solar energy system" means either of the following:

1. Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating; and

2. Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

B. A "small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal;

2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the city and all state and city health and safety standards;

3. A solar energy system that is installed on a single or duplex family dwelling; and

4. A solar panel or module array that does not exceed the maximum legal building height as defined by the city zoning ordinance, Title 14 in the municipal code.

C. "Electronic submittal" means the utilization of one or more of the following:

1. Email;

2. The internet; and

3. Facsimile.

D. An "association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

E. A "common interest development" means any of the following:

1. A community apartment project;

2. A condominium project;

3. A planned development; or

4. A stock cooperative.

F. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

G. "Reasonable restrictions" on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

H. "Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance" means:

1. For water heater systems or solar swimming pool heating systems: an amount exceeding ten (10) percent of the cost of the system, but in no case more than one thousand dollars ($1,000.00), or decreasing the efficiency of the solar energy system by an amount exceeding ten (10) percent, as originally specified and proposed; and

2. For photovoltaic systems: an amount not to exceed one thousand dollars ($1,000.00) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten (10) percent as originally specified and proposed.

(Ord. No. 2015-413, § 1, 9-8-2015)

12.70.020 Purpose.

The purpose of the chapter is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. The chapter encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the city, and expanding the ability of property owners to install solar energy systems. The chapter allows the city to achieve these goals while protecting the public health and safety.

(Ord. No. 2015-413, § 1, 9-8-2015)

12.70.030 Applicability.

A. This chapter applies to the permitting of all small residential rooftop solar energy systems in the city.

B. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in

~~such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.~~

~~(Ord. No. 2015-413, § 1, 9-8-2015)~~

~~12.70.040 Solar energy system requirements.~~

~~A. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the city.~~

~~B. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.~~

~~C. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.~~

~~(Ord. No. 2015-413, § 1, 9-8-2015)~~

~~12.70.050 Duties of the building division and building official.~~

~~A. All documents required for the submission of an expedited solar energy system application shall be made available on the publicly accessible city website.~~

~~B. Electronic submittal of the required permit application and documents by email, the internet, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.~~

~~C. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.~~

~~D. The city's building division shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.~~

~~E. The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.~~

~~F. All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.~~

~~(Ord. No. 2015-413, § 1, 9-8-2015)~~

~~12.70.060 Permit review and inspection requirements.~~

~~A. The city building division shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems within thirty (30) days of the adoption of this chapter. The building division shall issue a building permit or other nondiscretionary permit within three business days of receipt of a complete application that meets the requirements of the approved checklist and standard plan.~~

B. Review of the application shall be limited to the building official's review of whether the application meets local, state, and federal health and safety requirements.

C. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

D. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the city on another similarly situated application in a prior successful application for a permit. The city shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

E. The city shall not condition approval of an application on the approval of an association, as defined in Section 4080 of the Civil Code.

F. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

G. Only one inspection shall be required and performed by the building division for small residential rooftop solar energy systems eligible for expedited review.

H. The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within one to two business days of a request and provide a three-hour inspection window.

I. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this chapter.

(Ord. No. 2015-413, § 1, 9-8-2015)

Chapter 12.72 PROPERTY MAINTENANCE CODE

12.72.010 Title.

This chapter shall be known and may be cited as the "Los Altos Property Maintenance Code" or "LAPMC" and will be referred to in this chapter as "this code."

(Ord. No. 2023-495, § 2, 6-27-2023)

12.72.020 Adoption of the 2021 International Property Maintenance with Amendments.

The 2021 Edition of the International Property Maintenance Code as published by the International Code Council is adopted as the property maintenance code of the city of Los Altos, California, as if fully set out in this chapter, and is amended as provided in this chapter. A copy of the 2021 LAPMC shall be maintained on file in the office of the building official.

(Ord. No. 2023-495, § 2, 6-27-2023)

12.72.030 Amendment of 2021 IPMC Section 102 (Applicability).

Section 102 of the 2021 IPMC is amended as follows:

~~102.1-102.7 {IPMC text not modified}~~

~~102.8.1 Conflicts. Where conflicts occur between the provision of this code and the referenced standards, the provisions of this code shall apply. Where conflicts occur between the provisions of this code and California Statutes, the provisions of the latter shall apply.~~

~~102.8.2-102.11 {IPMC text not modified}~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~12.72.040 Amendment of 2021 IPMC Section 103 (Code Compliance Agency).~~

~~Section 103 Code Compliance Agency of the 2021 IPMC is amended as follows:~~

~~103.1 Creation of agency. The Code Enforcement Division of the Development Services Department shall be responsible for the implementation, administration, and enforcement of the provisions of this code. The building official in charge of the Los Altos Building & Safety Division of the Development Services Department shall be known as the code official in this chapter.~~

~~103.2 {IPMC text not modified}~~

~~103.3 Deputies. The code official shall have the authority to appoint 1 or more deputies. Such employees shall have the powers as delegated by the code official.~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~12.72.050 Amendment of 2021 IPMC Section 105 (Duties and Powers of the Code Official).~~

~~Section 105 of the 2021 IPMC is amended as follows:~~

~~105.1-105.2 {IPMC text not modified}~~

~~105.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.~~

~~105.4-105.7.1 {IPMC text not modified}~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~12.72.060 Amendment of 2021 IPMC Section 107 (Means of Appeal).~~

~~Section 107 of the 2021 IPMC is amended as follows:~~

~~107.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code may appeal that decision, notice or order by filing an appeal with the city clerk within fourteen (14) calendar days of the date of service of that decision, notice, or order. The appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are~~

~~adequately satisfied by other means. The appeal shall identify the real property, state the grounds for the appeal, and state all material facts in support of the appeal.~~

~~107.2 Notice of hearing. Notice of hearing and the hearing shall be conducted as provided for in Chapter 1.12 of the Los Altos Municipal Code.~~

~~107.3 Court review. Judicial review of the hearing officer's decision shall be commenced in accordance with Cal. Code of Civil Procedure § 1094.6 no later than ninety (90) calendar days after the decision is signed. Cal. Code of Civil Procedure § 1094.6 is hereby adopted for purposes of this Title. Review shall be in accordance with Cal. Code of Civil Procedure § 1094.5.~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~12.72.070 Amendment of 2021 IPMC Section 109 (Violations).~~

~~Section 109 of the 2021 IPMC is amended as follows:~~

~~109.1 Unlawful acts. It is hereby declared to be unlawful and a public nuisance for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any premises, building, structure or building service equipment, or cause or permit the same to be done in violation of this code or this division.~~

~~109.2 Notice of violation. The code official shall serve a notice of violation in accordance with Section 111.4.~~

~~109.3 Prosecution of violation. Any person failing to comply with a notice of violation served in accordance with Section 111.4 shall be deemed guilty of a misdemeanor but may be charged with an infraction at the discretion of the city attorney, or civil infraction enforceable under Chapter 1.20 of the Los Altos Municipal Code as determined by the city and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate administrative, civil, or criminal proceeding to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of this code or of the order or direction made pursuant thereto.~~

~~109.4 Violation Penalties. Each day during any portion of which any violation of this ordinance is committed or continued by such person shall constitute a separate offense and shall be punishable as provided in this code and Title 1 of the Los Altos Municipal Code.~~

~~109.5 Abatement of violation. The city may abate a violation of this code pursuant to the abatement process set forth in the Los Altos Municipal Code.~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~12.72.080 Amendment of 2021 IPMC Section 110 (Stop Work Order).~~

~~Section 110 of the 2021 IPMC is amended as follows:~~

~~110.1 - 110.3 {IPMC text not modified}~~

~~110.4 Failure to comply. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for civil penalties pursuant to the Los Altos Municipal Code Chapter 1.20.~~

~~(Ord. No. 2023-495, § 2, 6-27-2023)~~

~~Chapter 12.74 PENALTY FOR EXPIRED PERMITS~~[16]

~~12.74.010 Application.~~

~~This chapter shall apply to all residential, non-residential, and commercial, construction and demolition, including, but not limited to, all additions, alterations, modifications, repairs, and improvements, that require a building permit or demolition permit.~~

~~(Ord. No. 2023-498, § 1(App. A), 9-12-2023)~~

~~12.74.020 Timely renewal of expired permits.~~

~~In the event a permit expires under Chapter 12 of the Los Altos Municipal Code for suspension or abandonment of work, the property owner shall seek renewal of the permit within thirty (30) days following its expiration.~~

~~(Ord. No. 2023-498, § 1(App. A), 9-12-2023)~~

~~12.74.030 Penalty for expired permits.~~

~~A property owner shall be subject to the following penalties for violation of Section 12.74.020:~~

~~Time for Permit Expiration~~	~~Penalty~~
~~0 to 30 days~~	~~$0.00~~
~~31st day through 60th day~~	~~$200.00 per day~~
~~61st day through 120th day~~	~~$400.00 per day~~
~~121st day and every day thereafter~~	~~$800.00 per day~~

~~A. For purposes of this section, if a renewed permit expires and the property owner has not advanced a project to the next level of required inspection, the calculation of penalties shall relate back to the date of the previous permit expiration.~~

~~B. The building official may reduce or waive a penalty accrued under this chapter upon finding that the property owner acted in good faith and either: (1) the delay was attributable to circumstances beyond the property owner's control; or (2) imposition of the full accrued penalty would harm the public interest, provided, however, that and reduction or waiver of more than ten thousand dollars ($10,000.00) must be approved by the development services director.~~

~~(Ord. No. 2023-498, § 1(App. A), 9-12-2023)~~

[16]Ord. No. 2023-498, § 1(App. A), adopted Sept. 12, 2023, set out provisions designated as Ch. 12.72, §§ 12.72.010—12.72.050, insofar as a Ch. 12.72 exists, and at the editor's discretion, these provisions have been codified as Ch. 12.74.

~~12.74.040 Appeal of assessed penalty.~~

~~A property owner may request a hearing to contest a citation issued under this chapter in accordance with Title 1 of the Los Altos Municipal Code.~~

~~(Ord. No. 2023-498, § 1(App. A), 9-12-2023)~~

~~12.74.050 Public nuisance declared.~~

~~Any violation of this chapter shall constitute a public nuisance and, in addition to being subject to any other remedies allowed by law, may be abated as provided in Chapter 11.10 of the Los Altos Municipal Code.~~

~~(Ord. No. 2023-498, § 1(App. A), 9-12-2023)~~

ORDINANCE NO. 2025-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADDING TITLE 12 FOR BUILDINGS AND CONSTRUCTION TO THE LOS ALTOS MUNICIPAL CODE INCLUDING CHAPTERS 12.04, 12.06, 12.08, 12.10, 12.12, 12.14, 12.16, 12.18, 12.20, 12.22, 12.24, 12.26, 12.28, 12.30, 12.32, 12.34, 12.36, 12.38, AND 12.40 TO ADOPT BY REFERENCE WITH LOCAL AMENDMENTS THE FOLLOWING:

2025 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.04;

2025 CALIFORNIA BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.06;

2025 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.08;

2025 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE PROTECTION AGENCY, CHAPTER 12.10;

2025 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, CHAPTER 12.12;

2025 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, CHAPTER 12.14;

2025 CALIFORNIA ENERGY CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.16;

2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.18;

2025 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.20;

2025 CALIFORNIA FIRE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.22;

2025 CALIFORNIA FIRE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.24;

2025 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.26;

2025 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.28;

CHAPTER 12.30 (PENALTY FOR EXPIRED PERMITS);

2024 INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, CHAPTER 12.32 (PROPERTY MAINTENANCE CODE);

1998 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS PUBLISHED BY THE INTERNATIONAL CONFERNECE OF BUILDING OFFICIALS, CHAPTER 12.34 (ABATEMENT OF DANGEROUS BUILDINGS);

1998 UNIFORM HOUSING CODE PUBLISHED BY THE INTERNATIONAL CONFERNECE OF BUILDING OFFICIALS, CHAPTER 12.36 (HOUSING);

CHAPTER 12.38 (UNDERGROUNDING UTILITIES);

AND CHAPTER 12.40 (FLOODPLAIN MANAGEMENT);

TOGETHER WITH CERTAIN ADMENDMENTS, ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO.

WHEREAS, the City Council is empowered pursuant to Article XI, Section 7 of the California Constitution to make and enforce within the City all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, The California Building Standards Commission has published the California Building Standards Code, 2025 edition, as provided in the California Code of Regulations, Title 24, and these State mandated regulations go into effect January 1, 2026; and

WHEREAS, pursuant to California Government Code Section 50022.1 et seq., the City of Los Altos may adopt by reference the California Building Standards Code, 2025 Edition, as provided in Title 24 of the California Code of Regulations, and the 2024 International Property Maintenance Code; and

WHEREAS, California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the 2025 California Building Standards Code; and

WHEREAS, the 2025 California Energy Code is Part 6 of the 2025 California Building Standards Code which implements minimum energy efficiency standards in buildings through mandatory requirements, prescriptive standards, and performance standards; and

WHEREAS, California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5 provide that the City of Los Altos may make changes or modifications to the building standards contained in the 2025 California Building Standards Code based upon express findings that such changes or modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, human activities that release greenhouse gases into the atmosphere contribute to the increase of the worldwide average temperature, drought conditions, and duration of fire seasons; and

WHEREAS, according to the California Department of Forestry and Fire Protection, nine of the ten largest wildfires in California history have occurred since 2017, destroying nearly 10,000 structures and burning of more than 4.5 million acres; and

WHEREAS, the City of Los Altos is situated along areas with a wildland-urban interface and as a result is extremely vulnerable to wildfires and firestorm; and

WHEREAS, these amendments are reasonably necessary because of health and safety concerns as the City of Los Altos residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of methane gas; and

WHEREAS, removing gas appliances from indoor environments reduces the risk of asthma associated with gas appliances, and removing combustible gas from structures aids in fire hardening and removes a known hazard during firefighting efforts; and

WHEREAS, on or about September 20, 2016, the State of California enacted Senate Bill (SB) 32, which added Health and Safety Code Section 38566 to require greenhouse gas emissions to be reduced to 40 percent below 1990 levels by no later than December 31, 2030; and

WHEREAS, consistent with federal law stated in the Energy Policy and Conservation Act, the standards contained within this ordinance permit mixed fuel residential construction; and

WHEREAS, consistent with AB130, the standards contained within this ordinance permit mixed fuel residential construction consistent with federal law while also incentivizing all-electric construction; and

WHEREAS, consistent with AB130, the standards imposed by this ordinance incentivize electric equipment through the cost-effective installation of electric appliances while preserving energy-equivalent pathways for mixed-fuel residential appliances; and

WHEREAS, pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the proposed amendments meet the following conditions to demonstrate local amendments are necessary: the changes are necessary to align local building codes with General Plan and Climate Action Plan goals while permitting mixed-fuel residential construction and incentivizing electric construction, and the changes are necessary to implement the standards contained in this ordinance; and

WHEREAS, the City of Los Altos adopted a General Plan on November, 12, 2002; and later adopted an updated Housing Element on January 24, 2023 and

WHEREAS, Policy 7.3 of the City of Los Altos' General Plan specifies that the City will continue to implement the 2022 Climate Action and Adaptation Plan to encourage reducing greenhouse gas emissions; and

WHEREAS, the City of Los Altos has adopted a Climate Action Plan that identifies actions that the City may take to reduce greenhouse gas emissions, including reducing emissions from buildings such as Focus Area 2: Energy, Strategy 2: Facilitate Building Decarbonization by reducing or eliminating methane gas use in and businesses by 2035, Goal 2.3: Reduce or eliminate methane gas use in existing buildings by increasing fuel switching, Action 2.2A: require all-electric new buildings and major retrofits in which the City adopt Reach Codes that go beyond Title 24 standard during every code cycle; and

WHEREAS, buildings constitute a significant source of greenhouse gas emissions in the City of Los Altos of approximately 42%, and taking reasonable regulatory actions to reduce greenhouse gas emissions from buildings is an important component of the City's strategy to reduce greenhouse gas emissions; and

WHEREAS, in alignment with the Climate Action and Adaptation Plan, the local amendments to the 2025 California Energy Code establish requirements which will reduce demands for local energy resources, reduce regional pollution, and promote a lower contribution to greenhouse gas emissions; and

WHEREAS, Public Resources Code Section 25402.1(h)2 and Section 10-106 of the 2025 California Administrative Code establish a process which allows local adoption of energy standards that are more stringent than the statewide Standards, provided that a determination that the standards are cost effective is adopted at a public meeting and subsequently filed with the California Energy Commission, and the California Energy Commission finds that the standards will require buildings to be designed to consume less energy than permitted by the 2025 California Energy Code; and

WHEREAS, staff has reviewed the cost-effectiveness studies prepared by the California Statewide Codes and Standards Reach Code Program and finds them sufficient to show that the local two-way AC modifications will comply with the requirements of Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code; and

WHEREAS, based on these studies, the City Council finds that the local two-way AC modifications are cost-effective and will require buildings to be designed to consume no more energy than permitted by the California Energy Code; and

WHEREAS, scientific evidence has established that methane gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change; and

WHEREAS, using electric appliances in buildings fueled by less greenhouse gas intensive electricity is linked to significantly lower greenhouse gas emissions; and

WHEREAS, the most cost-effective time to improve the energy efficiency of existing buildings is during alterations and additions, allowing for electrical infrastructure that is installed alongside other relevant improvements; and

WHEREAS, the local amendments support the City of Los Altos compliance with Bay Area Air District's amendments to Rule 9-4 and Rule 9-6, which limit the sale of nitrous oxide emitting water and space heating appliances; and

WHEREAS, because of the City of Los Altos' unique local climatic, geological and topographic conditions, the City of Los Altos finds and determines that amendment and additions to the code are reasonably necessary; and

WHEREAS, that, pursuant to the Public Resources Code section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code, the City Council of Los Altos finds and determines the following: (1) The locally adopted energy efficiency standards contained in this ordinance are cost-effective, and (2) the efficiency standards in this ordinance will require buildings to be designed to consume less energy compared to the 2025 California Energy Code; and

WHEREAS, adoption of these updated versions of the California Code of Regulations, with local amendments set forth in this ordinance, are necessary to enhance and safeguard public health, safety, general welfare and to provide safety to firefighters and emergency responders during emergency operations as required by the City's unique climatic, geological and topographical conditions; and

WHEREAS, pursuant to Sections 17958.5 and 17958.7 of the Health and Safety Code, the proposed amendments meet the following conditions to demonstrate local amendments are necessary: the changes are substantially equivalent to 2022 code amendment changes, and the changes are necessary to implement the standards contained in this ordinance; and

WHEREAS, the Development Services Department recommend that changes and modifications be made to the codes and advise that certain said changes and modifications to the California Building Codes, 2025 Edition, are reasonably necessary due to local conditions in the City of Los Altos and further advise that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the codes or are reasonably necessary to safeguard life and property within the City of Los Altos; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 36933; and

WHEREAS, the City Council held a duly noticed public hearing on **DATE TO BE INSERTED,** and **DATE TO BE INSERTED;** and

WHEREAS, the amendments were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) and 15308 of Division 6 of Title 14 of the California Code of Regulations.

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1.
The recitals set forth above are true and correct and are incorporated into this ordinance by reference as if fully set forth herein.

SECTION 2.
Findings. The City Council hereby finds that the amendments to the 2025 California Building Codes are reasonably necessary because of local climatic, geological, or topographic conditions, and adopts the following findings provided to support the modifications to the 2025 California Building Codes:

1. **Climatic Conditions.**
    - **a.** Santa Clara County and the City of Los Altos annually experience extended periods of high temperatures with little or no precipitation. Additionally, the region experiences storm events which include high to severe winds, which very annually. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and decreased humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County and City. Obstacles generated by a strong wind, such as fallen trees, streetlights and utility poles greatly impact the response time to reach an incident scene. This necessitates the need for an increased

level of fire protection. This added protection will supplement normal fire department responses and provide immediate protection for life and safety during fire occurrences.

b. The climate alternates between extended periods of drought and potential for brief flooding conditions. Flood conditions may affect the Santa Clara County Fire Department's ability to respond to fire or emergency conditions. Floods also disrupt utility services to buildings and facilities within the County and City. This necessitates the need for additional fire protection features.

c. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. Due to storage capacities and consumption, and a limited amount of rainfall, particularly during extended periods of drought, future water allocation is not fully dependable. This necessitates the need for additional fire protection features.

d. Dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing, including fuels such as wood shingles, or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin.

e. The City is located with the Bay Area Air District, which is considered a non-attainment air basin, which exceeds the allowable levels for air pollutants, the added measures which will reduce further greenhouse gas emissions and will supplement baseline measures while further implementing the City's greenhouse gas emissions reduction strategy effectively reducing additional air pollutants.

2. Topographical Conditions.

a. Traffic and circulation congestion is artificially created, due to obstructive topographical conditions, which are common throughout portions of Los Altos.

b. Topographical conditions combine to create a situation that places fire department response time to fire occurrences at risk and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

SECTION 3.

1. In accordance with Health and Safety Code Sections 17958, 17958.5, and 17958.7, the City Council finds that the two-way AC and electric-readiness changes to building standards affecting residential units in the 2025 California Energy Code are necessary to implement the City's local code amendment adding a two-way AC and electric-readiness requirement, and that the local code amendment:
   a. Is adopted to align with the City's General Plan adopted on November 12, 2002; and
   b. Permits mixed-fuel residential construction consistent with federal law; and
   c. Incentivizes all-electric construction, as part of the City's adopted greenhouse gas emissions reduction strategy in its 2022 Climate Action and Adaptation Plan

   In accordance with Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the 2025 California Administrative Code (Cal. Code Regs. Title 24, Part 1), the City Council finds that the City's two-way AC reach code modifications to the energy standards in the 2025 California Energy Code are cost-effective, and that the modifications will require the diminution of energy consumption levels permitted by the Energy Code.

2. The standards imposed by this Ordinance are substantially equivalent to changes or modifications that were previously passed by City Council on November 29, 2022, and previously filed on [filing date] and were in effect as of September 30, 2025 and will have no material change in regulatory effect.

SECTION 4. ADD TITLE 12 BUILDINGS AND CONSTRUCTION TO THE LOS ALTOS MUNICIPAL CODE. Title 12 of the Los Altos Municipal Code is hereby added as set forth in Appendix 1, Appendix 2, Appendix 3, Appendix 4, Appendix 5, Appendix 6, Appendix 7, Appendix 8, Appendix 9, Appendix 10, Appendix 11, Appendix 12, Appendix 13, Appendix 14, Appendix 15, Appendix 16, Appendix 17, Appendix 18, and Appendix 19 to this Ordinance, underline indicating addition. Title 12, and associated Appendices shall be adopted and codified in numerical order.

SECTION 5. CONSTITUTIONALITY; AMBIGUITIES. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions hereof. Any ambiguities in the Los Altos Municipal Code created by this Ordinance shall be resolved by the Development Services Director, in their reasonable discretion, after consulting the City Attorney.

SECTION 6. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption hereof or January 1, 2026 whichever occurs last.

I HEREBY CERTIFY that the foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on **DATE TO BE INSERTED**, and was thereafter, at a regular meeting held on **DATE TO BE INSERTED**, passed, and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Pete Dailey, MAYOR

Attest:

_____
Melissa Thurman, MMC, CITY CLERK

APPENDIX 1

APPENDIX 2

APPENDIX 3

APPENDIX 4

APPENDIX 5

APPENDIX 6

APPENDIX 7

APPENDIX 8

APPENDIX 9

APPENDIX 10

APPENDIX 11

APPENDIX 12

APPENDIX 13

APPENDIX 14

APPENDIX 15

APPENDIX 16

APPENDIX 17

APPENDIX 18

APPENDIX 19

APPENDIX 1

Chapter 12.04 – Administrative Code

Section 12.04.010 Adoption of the California Administrative Code.

The 2025 California Administrative Code, contained in the California Code of Regulations, Title 24, Part 1, published by the International Code Council, hereinafter called "Administrative Code", is adopted as the rules, regulations, and standards within the City of Los Altos as to all matters therein except as hereinafter modified or amended. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

APPENDIX 2

Chapter 12.06 – Building Code

Section 12.06.010 Adoption of the California Building Code.

Section 12.06.020 Amendments.

Section 12.06.030 Correction of Violations.

Section 12.06.040 Fee Refunds.

Section 12.06.010 Adoption of the California Building Code.

The 2025 California Building Code (2 volumes), contained in the California Code of Regulations, Title 24, Part 2, which incorporates and amends the International Building Code 2024 Edition, published by the California Building Standards Commission and the International Code Council, with the amendments and certain appendices as set forth in Section 12.06.020, is hereby adopted by reference as if fully set forth here. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Section 12.06.020 Amendments.

The 2025 California Building Code referred to in Section 12.06.010 is adopted, together with Chapter 1 of the 2025 California Building Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.2 Building: #1, is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 6.B.1 of this Ordinance.

A. Work exempt from building permits.

Building permits shall not be required for freestanding unenclosed play structures. Enclosed accessory structures used as playhouses, tool and storage sheds and similar uses that are less than 120 square feet constructed without electrical, plumbing, or mechanical features do not require building permits, but do require zoning approval to comply with local zoning regulations.

Chapter 1, Division II, Section 110.3.4 is deleted and replaced to read as follows, based upon the express findings of necessity set forth in Section 6.B.2 of this Ordinance.

B. Frame Inspection.

Framing inspection shall be made after the following components are completed: Roof deck and/or sheathing has been inspected and approved; complete finish roofing materials are installed; the building exterior envelope has all windows and doors installed; all framing, fire-blocking, bracing, pipes, chimneys and vents to be concealed are complete; and all sub-trades including, but not limited to, building, electrical, plumbing and mechanical are roughed in and under required tests.

C. Only the following Appendix Chapters from the Building Code are adopted:

1. Appendix I, Patio Covers.

2. Appendix J, Grading.

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:

a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.

b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.

c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:

i. Noncombustible construction.

ii. Maximum 5,000 square feet in building area.

iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.

iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.

d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

Exception: Detached Accessory Dwelling Unit, provided that all of the following are met:

a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

b. The existing primary residence does not have automatic fire sprinklers.

c. The accessory detached dwelling unit does not exceed 1,200 square feet in size.

d. The unit is on the same lot as the primary residence.

e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2025 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An approved automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages).

5. An approved automatic sprinkler system shall be provided throughout all new and existing basements.

6. An approved automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18

7. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

   [1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.
   [2] Fire Risks – Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

8. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.
   a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.
   b. No waiver shall be granted from compliance with fire sprinklers.

Section 903.2.11.7 is amended to read as follows:

903.2.11.7 Chemical Fume Hood Fire Protection. Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.

2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

Section 907.8 is amended to read as follows:

907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

Section 12.06.030 Correction of Violations.

The issuance or granting of a permit or approval of plans under this Title shall not prevent the administrative authority from thereafter requiring the correction of errors in such plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any other law, or from revoking any certificate of approval when issued in error.

A. The 2025 California Building Code referred to in Section 12.06.010 is adopted, together with Chapter 1 of the 2025 California Building Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.5 is deleted and replaced to read as follows, as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5 This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 Months after the time the work is commenced. The building official is authorized to grant, in writing, one (1) extension of time for periods not more than 180 days each. The building official is authorized to grant no more than two (2) extensions of time. The extension shall be requested in writing and justifiable cause demonstrated.

Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such

work provided no changes have been made, or will be made, in the original plans and specifications for such work; and provided, further, that such a suspension or abandonment has not exceeded one year. In order to renew action on a permit after one year expiration, the permittee shall be required to pay original full building permit fees.

For the purpose of this section, failure to progress a project to the next level of required inspection shall be deemed abandonment of the project.

For those projects that are residential only, the Building Official may modify expired permit fees when the owner can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of five hundred dollars ($500) shall be required within ten (10) working days of notice and the project shall achieve a final inspection within 30 days of payment received, otherwise expired permit fees as noted above shall be required.

B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this chapter has been commenced without first obtaining said permit, the building official shall charge a minimum of two (2) times and/or up to four times, for repeat offenders, on all applicable plan review and permit (inspection) fees related to the required permit(s), including, but not limited to, building permits (including, but not limited to electrical, fire, mechanical and plumbing), sign permits and demolition permits. The legal registered owner of said property shall obtain a building permit within 30 days of any violation letter or stop-work notice issued by the City of Los Altos. The payment of the increased fee(s) shall not relieve any person from fully complying with the requirements of this code, other codes adopted by the City, or the requirements of the zoning ordinance. Failure to comply with the provisions of this chapter may also subject the violator to any other penalties, sanctions or remedies provided elsewhere in this code. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a fee as provided in this section shall be charged.

Once building permits are issued pursuant to work commenced without required permits, it is the responsibility of the permit holder to obtain their first required building inspection within 30 days from permit issuance date and shall receive a project final inspection within a one-year period. Any further delays will require

additional building permit fees charged again in the original amount with an additional 30-day extension. If the project continues without meeting these deadlines, Administration Citation Fees and/or other legal remedies allowed by local, or state law shall be imposed.

Failure to contact the Building Division within five (5) business days of receiving the violation notice shall result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

Section 12.06.040 Fee Refunds.

The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than eighty (80%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than eighty (80%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

APPENDIX 3

Chapter 12.08 – Residential Code

Section 12.08.010 Residential Code – Adoption of the California Residential Code.

Section 12.08.020. Amendments.

Section 12.08.030 Correction of Violations.

Section 12.08.040 Fee Refunds.

Section 12.08.010 Adoption of the California Residential Code.

The 2025 California Residential Code, contained in the California Code of Regulations, Title 24, Part 2.5, published by the California Building Standards Commission and the International Code Council, which incorporates and amends the 2024 International Residential Code 2024 Edition, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Section 12.08.020 Amendments.

The 2025 California Residential Code referred to in Section 12.08.10 is adopted, together with Chapter 1 of the 2025 California Residential Code, with the following amendments to read as follows:

Chapter 1, Division II, Section 105.2 Building: #1, is deleted and replaced to read as follows, based upon the express finding of necessity set forth in Section 6.B.1 of this Ordinance.

A. Work exempt from building permits.

Building permits shall not be required for freestanding unenclosed play structures. Enclosed accessory structures used as playhouses, tool and storage sheds and similar uses that are less than 120 square feet constructed without electrical, plumbing, or mechanical features do not require building permits, but do require zoning approval to comply with local zoning regulations.

B. Only the following Appendix Chapters from the Building Code are adopted:

Appendix I, Patio Covers.

Chapter 3 Section R301.1.3.2 is deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.1. of this Ordinance.

R301.1.3.2 Wood frame structures. The building official shall require construction documents to be approved and stamped for structural compliance by a California licensed architect or engineer for all dwellings of wood frame construction more than one story in height located in Seismic Design Category D0, D1, D2, or E.

Chapter 3 Section R309.1 and Section R309.2 are deleted and replaced to read as follows, based upon the express finding of necessity set forth in section 9.B.2. of this Ordinance.

Section R309.1 is amended to read as follows:

R309.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new townhouses and in existing townhouses, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix B, Tables B105.1(1) and B105.1(2) of the 2025 California Fire Code, and/or additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated attached garages shall be included. Additions over fifty (50) percent and/or seven hundred and fifty (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions undertaken over a three-year period. The permit issuance dates of past additions where these regulations were in effect shall be used for determining compliance.

Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non- habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.

No waiver shall be granted from compliance with fire sprinklers.

Section R309.2 is amended to read as follows:

R309.2 One and two-family dwellings automatic fire sprinklers systems. An automatic residential fire sprinkler system shall be installed in accordance with National Fire Protection Association's (NFPA) Standard 13D in all new one and two-family dwellings and in existing dwellings, when additions are made that increase the building area to more than the allowable Fire-Flow Appendix Tables B105.1(1) and B105.1(2) of the 2025 California Fire Code, and/or additions exceeding fifty (50) percent of the existing living area (existing square foot calculations shall not include existing basement) and/or additions exceeding seven hundred and fifty (750) square feet. When automatic fire sprinkler systems are required by this section, all associated garages shall be included. Additions over fifty (50) percent and/or seven hundred and (750) square feet as referenced above, shall be treated as a new structure regarding installation of fire sprinkler systems. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two California Building Standards Code Cycles. The permit issuance date of past additions where these regulations were in effect shall be used for determining compliance.

a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non- habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.

b. No waiver shall be granted from compliance with fire sprinklers.

Exceptions:

1. Detached Accessory Dwelling Unit, provided that all of the following are met:

1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.

1.2. The existing primary residence does not have automatic fire sprinklers.

1.3. The accessory detached dwelling unit does not exceed 1,200 square feet in size.

1.4. The unit is on the same lot as the primary residence.

1.5. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2025 California Fire Code.

Amend Section R330.7 to read as follows:

R330.7 Fire detection. Rooms and areas within dwelling units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R310. A heat detector, listed and interconnected to the smoke alarms, shall be installed in locations within dwelling units and attached garages where smoke alarms cannot be installed based on their listing.

ESS installed in Group R-3 and townhomes shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314.
2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

Exceptions:

1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.
2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

Chapter 6 Section R602.10.4.3.1 and Table R602.10.3 (3) footnote "i" are new sections added to read as follows, based upon the express finding of necessity set forth in section 9.B.3. of this Ordinance

Add a new subsection R602.10.4.3.1 to read as follows:

R602.10.4.3.1 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In

Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to accessory structures.

Add a new footnote "i" to the end of CRC Table R602.10.3(3), after the eight footnotes (a) – (h) currently shown, to read:

i. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted, and the use of Method PCP is limited to accessory structures.

Section 12.08.030 Correction of Violations.

The issuance or granting of a permit or approval of plans under this Title shall not prevent the Administrative Authority from thereafter requiring the correction of errors in such plans and specifications, or from preventing construction operations being carried on thereunder when in violation of this Code or of any other law, or from revoking any certificate of approval when issued in error.

A. The 2025 California Residential Code referred to in Section 12.08.010 is adopted, together with Chapter 1 of the 2025 California Residential Code, with the following amendments and certain Appendix Chapters as follows:

Chapter 1, Division II, Section 105.5 is deleted and replaced to read as follows, as an administrative clarification, and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5 This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.

Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each.

Before such work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such work provided no changes have been made, or will be made, in the original plans and specifications for such work; and provided, further, that such a suspension or abandonment has not exceeded one year. In order to renew action on a permit after

one year expiration, the permittee shall be required to pay original full building permit fees.

For the purpose of this section, failure to progress a project to the next level of required inspection shall be deemed abandonment of the project.

For those projects that are residential only, the Building Official may modify expired permit fees when the owner can demonstrate that the project has received all required inspections, except for the Building Division final. The fee amount of five hundred dollars ($500) shall be required within 10 working days of notice and the project shall achieve a final inspection within 30 days of payment received, otherwise expired permit fees as noted above shall be required.

B. Work commencing before permit issuance. Whenever any work for which a permit is required by the California Code of Regulations as adopted in this chapter has been commenced without first obtaining said permit, the building official shall charge a minimum of two times and/or up to four times, for repeat offenders, on all applicable plan review and permit (inspection) fees related to the required permit(s), including, but not limited to, building permits (including, but not limited to electrical, fire, mechanical and plumbing), sign permits and demolition permits. The legal registered owner of said property shall obtain a building permit within 30 days of any violation letter or stop-work notice issued by the City of Los Altos. The payment of the increased fee(s) shall not relieve any person from fully complying with the requirements of this code, other codes adopted by the city, or the requirements of the zoning ordinance. Failure to comply with the provisions of this chapter may also subject the violator to any other penalties, sanctions or remedies provided elsewhere in this code. This provision shall not apply to emergency work when the administration authority determines that such work was urgently necessary and that it was not practical to obtain a permit therefore prior to the commencement of such work. In such cases, a permit shall be obtained as soon as it is practical to do so; and if there is an unreasonable delay (exceeding two working days) in obtaining such permit, a fee as provided in this section shall be charged.

Once building permits are issued pursuant to work commenced without required permits; it is the responsibility of the permit holder to obtain their first required building inspection within 30 days from permit issuance date and shall receive a project final inspection within a one-year period. Any further delays will require additional building permit fees charged again in the original amount with an

additional 30-day extension. If the project continues past this deadline to obtain a required building inspection, Administration Citation Fees and/or other legal remedies allowed by local, or state law shall be imposed.

Failure to contact the Building Division within five business days of receiving the violation notice may result in Administration Citation Fees, Chapter 1.30 of the Los Altos Municipal Code.

Section 12.08.040 Fee Refunds.

The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than eighty (80%) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than eighty (80%) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

APPENDIX 4

Chapter 12.10 – Electrical Code

Section 12.10.010 Adoption of the California Electrical Code.

The 2025 California Electrical Code, contained in the 2025 California Code of Regulations, Title 24, Part 3, incorporates and amends the National Electrical Code 2023 Edition, published by the National Fire Protection Association, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

APPENDIX 5

Chapter 12.12 Mechanical Codes

Section 12.12.010 Adoption of the California Mechanical Code.

The 2025 California Mechanical Code, contained in the 2025 California Code of Regulations, Title 24, Part 4, which incorporates and amends the Uniform Mechanical Code 2024 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.14 Plumbing Code

Section 12.14.010 Plumbing Code – Adoption of the California Plumbing Code.

Section 12.14.020 Amendments.

Section 12.14.010 Plumbing Code – Adoption of the California Plumbing Code.

The 2025 California Plumbing Code, contained in California Code of Regulations, Title 24, Part 5, which incorporates and amends the Uniform Plumbing Code 2024 Edition, published by the International Association of Plumbing and Mechanical Officials, with amendments and certain appendices set forth in Section 12.12.020 is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Section 12.14.020 Amendments.

The 2025 California Plumbing Code referred to in Section 12.12.010 is adopted with the following amendments and certain Appendix Chapters as follows:

A. Section 710.1 is deleted and replaced to read as follows, based upon the finding of express necessity set forth in Section 8.B.1 of this Ordinance.

B. Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer level.

710.1 Backflow Protection All new, replaced, or repaired building sewers, both public and private, requiring sewer connections to the City main sewer system shall be protected from backflow of sewage by installing an accessible approved type of backwater and atmospheric relief valve. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating, “backwater valve downstream”. Building sewers shall have an atmospheric relief valve installed upstream of the backwater valve outside the building in close proximity to the foundation.

Exception: Sewer repairs where there is no existing cleanout located at or near the building foundation, may have these atmospheric relief devices placed near the repair upstream of the newly installed backwater valve.

C. Chapter 12 Section 1211.8 is amended to read as follows, based upon express finding of necessity set forth in section 8.B.2 of this Ordinance.

1211.8 Earthquake-Actuated Gas Shutoff Valves Earthquake-actuated gas shutoff valves designed to automatically shut off the gas at the location of the valve in the event

of a seismic disturbance and certified by the State Architect as conforming to California Code of Regulations, Title 24, Part 12, Chapter 12-16-1, shall be installed in all new buildings, and when reinstalling meters at the same location, and when relocating gas utility meters. Said gas shutoff valves shall be at or near the meter supplying gas to individual buildings.

D. Only the following Appendix Chapters from the Plumbing Code are adopted:

1. Appendix A, Recommended Rules for Sizing the Water Supply System.
2. Appendix B, Explanatory Notes on Combination Waste and Vent Systems.
3. Appendix D, Sizing Storm Water Drainage Systems.
4. Appendix H, Private Sewage Disposal Systems.
5. Appendix I, Installation Standard for Pex Tubing Systems for Hot and –Cold-Water Distribution.

Chapter 12.16 – Energy Code

12.16.010 Adoption of the California Energy Code.

There is hereby adopted by reference as if fully set forth herein, the 2025 California Energy Code, contained in the California Code of Regulations, Title 24, Part 6, published by the International Code Council, and each and all of its regulations and provisions. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

12.16.020 Amendments

City of Los Altos local amendments to the 2025 California Energy Code. Upon adoption of this Code in the event that there is any conflict between local amendments and the 2025 California Energy Code the most restrictive shall prevail.

A. Amend Section 100.0 is to add a new section (i) as follows:

- **i.** Single Family Building Remodel Energy Reach Code - Purpose and Intent. In addition to all requirements of the California Energy Code applicable to Single Family building additions and alterations, the electric readiness measures specified in Sections 150.0(w) shall be required for certain single family additions and alterations.

B. Amend Section 100.1(b) by adding the following definitions:

LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 40-ampere minimum branch circuit and a receptacle.

LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE is a 208/240-volt 20-ampere minimum branch circuit and a receptacle.

C. Amend Section 150.0 to add a new section (w) as follows:

(w) Electric Readiness for Remodels, Alterations and Additions

1. Electric range. Where branch circuits or receptacles are added or altered in a kitchen and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:

- **A.** A 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor branch circuit rated at 50 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word “spare” and be electrically isolated. Space shall be reserved for a single

pole circuit breaker in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future Use".

B. A pathway for a future 240 volt 50 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future electric range installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as "240V ready".

2. Electric dryer. Where a branch circuit is added or altered within 3 feet of a gas or propane clothes dryer and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:

A. A dedicated 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor branch circuit rated at 30 amps minimum, within 3 feet from the appliance and accessible to the appliance with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future Use"; or,

B. A pathway for a future 240 volt 30 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future heat pump dryer installation. The reserved space shall be permanently marked as "For Future 240V use". The raceway or conductors shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as "240V ready".

3. Heat pump water heater.

A. If wall framing is removed or replaced within 3 feet of a gas or propane water heating appliance, space suitable for the future installation of a heat pump water heater (HPWH) shall be provided. The space shall be at least 2.5 feet by 2.5 feet wide and 7 feet tall and shall include a condensate drain that is no more than 2 inches higher than the base of an installed water heater and allows natural draining without pump assistance or installed piping or tubing within 3 feet of the water heater location to a condensate drain or exterior location. If pump assistance is needed, a receptacle on a 120 volt, minimum 15 amp branch circuit for a condensate pump must be available within 3 feet of the water heater location.

B. Where branch circuits are altered or added within 3 feet of an existing gas or propane water heater or within 10 feet of the designated future location of a heat pump water heater as required under Section 150.0(w)3A, and the work requires an electrical permit, install electrical components in accordance with the California Electrical Code. The electrical components shall include either of the following:

i. A dedicated 125 volt, 20 amp electrical receptacle that is connected to the electric panel with a 120/240 volt 3 conductor, 10 AWG copper branch circuit rated at 30 amps minimum, within 3 feet from the water heater and accessible to the water heater with no obstructions. Both ends of the unused conductor shall be labeled with the word "spare" and be electrically isolated. Space shall be reserved for a single pole circuit breaker space in the electrical panel adjacent to the circuit breaker for the branch circuit and labeled with the words "Future 240V Use"; or

ii. A pathway for a future 240 volt 30 amp minimum branch circuit that shall consist of either conductors or raceway from the main electrical service panel. The main electric panel shall have space reserved to allow for the installation of a double pole circuit breaker for a future HPWH installation. The reserved space shall be permanently marked as "For Future 240V use". The pathway shall terminate at a junction box within 3 feet of the appliance. The blank cover shall be identified as "240V ready".

4. Outdoor gas appliances. Where a gas line is added or extended to any pool water heater, spa water heater, sauna, fireplace, outdoor cooking appliance, or outdoor heating system, install infrastructure and reserve physical space to accommodate future installation of an electric equivalent of that system that serves the same function, as certified by a registered design professional or licensed electrical contractor.

A. Install conduit designed to serve a future electric appliance(s) with the same function, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions, in accordance with manufacturer requirements and the California Electrical Code. In lieu of or in addition to conduit, electrically isolated branch circuit wiring may be installed; and

B. Label both ends of the unused conduit or conductors "For Future Electrical Appliance"; and

C. Reserve circuit breakers in the electrical panel(s) for each branch circuit, appropriately labeled; and

D. Designate physical space for future electric appliances, including equipment footprint, on the construction drawings. The footprint necessary for future electric appliances may overlap with the location of currently designed combustion equipment.

Exception to Section 150.0(w)4: Generator systems used for emergency power generation.

5. Electrical Power Upgrades. Increases in the electrical power infrastructure capacity serving a building shall only be permitted when all the following are documented and submitted to the building official:

A. Calculations in accordance with California Electrical Code Article 220.83 determining future loads will exceed the capacity of the current electrical power infrastructure.

B. Where data is available, calculations in accordance with California Electrical Code Article 220.87 determining that future loads exceed the capacity of the current electrical service infrastructure.

C. Calculations for item (A) and item (B) above shall include at least one of the following:

i. At least one power management or circuit controlling device, serving electric-only appliances such as:

a. Water heater(s)

b. Clothes dryer(s)

c. Range(s)

d. Level 2 EV Charging Receptacle or

e. Low Power Level 2 EV Charging Receptacle

ii. At least one of the following electric-only appliances operating on 120V:

a. Water heater(s)

b. Clothes dryers(s)

c. Range(s)

iii. Circuit control between whole home load and Level 2 EV Charging Receptacle or Low Power Level 2 EV Charging Receptacle

Exception 1 to Section 150.0(w)5: The upgrade is solely the result of a project proposing electrical improvements supporting loads related to devices and uses not regulated by 150.0(w).

Exception 1 to Section 150.0(w): The project is solely related to a repair as defined by Title 24 Part 2 Section 202.

Exception 2 to Section 150.0(w): If an electrical permit is not otherwise required for the project other than compliance with this section.

Exception 3 to Section 150.0(w): Where upgrades to the existing electrical panel or utility service are not proposed, electrical panel capacity shall not be required to exceed the existing utility electrical service to the building to meet compliance with this section. Capacity and overcurrent protection spaces shall be reserved to the extent allowable under the existing electrical panel capacity using the methodology in Section 150(w)5. Tandem overcurrent protection devices shall be used to the extent permissible under the California Electrical Code.

Exception 4 to Section 150.0(w): A Covered Single-Family Project that consists solely of medically necessary improvements or solely of seismic safety improvements

Exception 5 to Section 150.0(w): Mobile Homes, Manufactured Housing, or Factory-built Housing as defined in Division 13 of the California Health and Safety 12 Code (commencing with Section 17000 of the Health and Safety Code).

Exception 6 to Section 150.0(w): Emergency Housing pursuant to Appendix P of the California Building Code.

Exception 7 to Section 150.0(w): Creation of a new accessory dwelling unit or junior accessory dwelling unit that is within the existing space of a single-family dwelling or accessory structure and includes an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. Or, if the project would not otherwise be a Covered Single-Family Project were it not for the inclusion of an accessory dwelling unit or junior accessory dwelling unit that meets the criteria above.

D. Amend Section 150.2(b)1C to read:

> **C.** Entirely new or complete replacement space-conditioning systems installed as part of an alteration, shall include all the system heating or cooling equipment, including but not limited to: condensing unit cooling or heating coil, and air handler for split systems; or complete replacement of a packaged unit; plus entirely new or replacement duct system (Section 150.2(b)1Diia).

Entirely new or complete replacement space-conditioning systems shall meet the requirements of Sections 150.0(h), 150.0(i), 150.0(j)1, 150.0(j)2, 150.0(m)1 through 150.0(m)10; 150.0(m)12; 150.0(m)13, 150.1(c)7,150.2(b)1G, and TABLE 150.2-A. Additionally, where an entirely new or complete replacement space conditioning system includes a new or replacement air-cooled air conditioner in Climate Zones 1 through 14 and 16, it shall meet the applicable requirements of Section 150.2(b)1Fiv. Where an entirely new or complete replacement space conditioning system includes a new or replacement heat pump, it shall meet the applicable requirements of Section 150.2(b)1Fv.

E. Amend Section 150.2(b)1F to read:

F. Altered space-conditioning system - mechanical cooling. Alterations which install new or replacement air-cooled air conditioners shall meet the applicable requirements of subsections i and iv. Alterations which install new or replacement heat pumps shall meet the applicable requirements of subsections i, ii, iii, and v. All other alterations to refrigerant containing components such as the compressor, condensing coil, evaporator coil, refrigerant metering device, or refrigerant piping, shall meet the applicable requirements of subsections i, ii, and iii.

i. All thermostats associated with the system shall be replaced with setback thermostats meeting the requirements of Section 110.2(c).

ii. Air-cooled air conditioners in Climate Zones 2 and 8 through 15 and air-source heat pumps in all climate zones, including but not limited to ducted split systems, ducted package systems, small duct high velocity air systems, and minisplit systems, shall comply with Subsections a and b, unless the system is of a type that cannot be verified using the specified procedures. Systems that cannot comply with the requirements of 150.2(b)1Fii shall comply with Section 150.2(b)1Fiii.

Exception to Section 150.2(b)1Fii: Entirely new or complete replacement packaged systems for which the manufacturer has verified correct system refrigerant charge prior to shipment from the factory are not required to have refrigerant charge confirmed through field verification and diagnostic testing. The installer of these packaged systems shall certify on the Certificate of Installation that the packaged system was pre-charged at the factory and has not been altered in a

way that would affect the charge. Ducted systems shall comply with minimum system airflow rate requirement in Section 150.2(b)1Fiia, provided that the system is of a type that can be verified using the procedure specified in RA3.3 or an approved alternative in RA1.

a. Minimum system airflow rate shall comply with the applicable Subsection I or II below as confirmed through field verification and diagnostic testing in accordance with the procedures specified in Reference Residential Appendix Section RA3.3 or an approved alternative procedure as specified in Section RA1.

I. Small duct high velocity systems shall demonstrate a minimum system airflow rate greater than or equal to 250 cfm per ton of nominal cooling capacity; or

II. All other air-cooled air conditioner or air-source heat pump systems shall demonstrate a minimum system airflow rate greater than or equal to 300 cfm per ton of nominal cooling capacity; and

Exception 1 to Section 150.2(b)1Fiia: Systems unable to comply with the minimum airflow rate requirement shall demonstrate compliance using the procedures in Section RA3.3.3.1.5; and the system's thermostat shall conform to the specifications in Section 110.12.

Exception 2 to Section 150.2(b)1Fiia: Entirely new or complete replacement space conditioning systems, as specified by Section 150.2(b)1C, without zoning dampers may comply with the minimum airflow rate by meeting the applicable requirements in Tables-150.0-B or 150.0-C as confirmed by field verification and diagnostic testing in accordance with the procedures in Reference Residential Appendix Section RA3.1.4.4 and RA3.1.4.5. The design clean-filter pressure drop requirements of Section 150.0(m)12C for the system air filter device(s) shall conform to the requirements given in Tables150.0-B and 150.0-C.

b. The installer shall charge the system according to manufacturer's specifications. Refrigerant charge shall be verified according to one of the following options, as applicable.

I. The installer and rater shall perform the standard charge verification procedure as specified in Reference Residential Appendix Section RA3.2.2, or an approved alternative procedure as specified in Section RA1; or

II. The installer shall perform the weigh-in charging procedure as specified by Reference Residential Appendix Section RA3.2.3.1 provided the system is of a type that can be verified using the RA3.2.2 standard charge verification procedure and RA3.3 airflow rate verification procedure or approved alternatives in RA1. The ECC-Rater shall verify the charge using RA3.2.2 and RA3.3 or approved alternatives in RA1.

Exception 1 to Section 150.2(b)1Fiib: When the outdoor temperature is less than 55° F and the installer utilizes the weigh-in charging procedure in Reference Residential Appendix Section RA3.2.3.1to demonstrate compliance, the installer may elect to utilize the verification procedure in Reference Residential Appendix Section RA3.2.3.2. If the verification procedure in Section RA3.2.3.2 is used for compliance, the system's thermostat shall conform to the specifications in Section 110.12. Ducted systems shall comply with the minimum system airflow rate requirements in Section 150.2(b)1Fiia.

iii. Air-cooled air conditioners in Climate Zones 2 and 8 through 15 and air-source heat pumps in all climate zones, including but not limited to ducted split systems, ducted package systems, small duct high velocity, and minisplit systems, which are of a type that cannot comply with the requirements of 150.2(b)1Fiib shall comply with subsections a and b, as applicable.

a. The installer shall confirm the refrigerant charge using the weigh-in charging procedure specified in Reference Residential Appendix Section RA3.2.3.1, as verified by an ECC-Rater according to the procedures specified in Reference Residential Appendix RA3.2.3.2; and

b. Systems that utilize forced air ducts shall comply with the minimum system airflow rate requirement in Section 150.2(b)1Fiia provided the system is of a type that can be verified using the procedures in Section RA3.3 or an approved alternative procedure in Section RA1.

Exception to Section 150.2(b)1Fiii: Entirely new or complete replacement packaged systems for which the manufacturer has verified correct system refrigerant charge prior to shipment from the factory are not required to have refrigerant charge confirmed through field verification and diagnostic testing. The installer of these packaged systems shall certify on the Certificate of Installation that the packaged system was pre-charged at the factory and has not been altered in a way that would affect the charge. Ducted systems shall comply with minimum system airflow rate requirement in Section 150.2(b)1Fiiib, provided that the system is of a type that can be verified using the procedure specified in Section RA3.3 or an approved alternative in Section RA1.

iv. New or replacement air-cooled air conditioners in Climate Zones 1 through 14 and 16 shall meet the requirements of Section 150.2(b)1Fiva or 150.2(b)1Fivb.

a. Systems with existing duct distribution systems shall meet the following requirements:

I. In all climate zones, meet the airflow and fan efficacy requirements of Section 150.0(m)13B, 150.0(m)13C, or 150.0(m)13D.

Exception 1 to Section 150.2(b)1FivaI: Single zone central forced air systems and zonally controlled central forced air systems may demonstrate compliance with an airflow greater than or equal to 300 CFM per ton of nominal cooling capacity.

II. In all climate zones, meet the refrigerant charge verification requirements of Section 150.2(b)1Fii; and

III. In all climate zones, vented attics shall have insulation installed to achieve a U-factor of 0.020 or insulation installed at the ceiling level shall result in an insulated thermal resistance of R-49 or greater for the insulation alone; luminaires not rated for insulation contact must be replaced or retrofitted with a fireproof cover that allows for insulation to be installed directly over the cover; and

Exception 1 to Section 150.2(b)1FivaIII: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section 150.2(b)1FivaIII: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section 150.2(b)1FivaIII: Dwelling units with knob and tube wiring located in the vented attic.

Exception 4 to Section 150.2(b)1FivaIII: Where the accessible space in the attic is not large enough to accommodate the required R-value, the entire accessible space shall be filled with insulation provided such installation does not violate Section 806.3 of Title 24, Part 2.5.

Exception 5 to Section 150.2(b)1FivaIII: Where the attic space above the altered dwelling unit is shared with other dwelling units and the requirements of Section 150.2(b)1FivaIII are not triggered for the other dwelling units.

IV. In all climate zones, air seal all accessible areas of the ceiling plane between the attic and the conditioned space in accordance with Section 110.7.

Exception 1 to Section 150.2(b)1FivaIV: Dwelling units with at least R-38 existing insulation installed at the ceiling level.

Exception 2 to Section 150.2(b)1FivaIV: Dwelling units where the alteration would directly cause the disturbance of asbestos unless the alteration is made in conjunction with asbestos abatement.

Exception 3 to Section 150.2(b)1FivaIV: Dwelling units with atmospherically vented space heating or water heating combustion appliances located inside the pressure boundary of the dwelling unit.

b. Systems with entirely new or complete replacement duct systems shall meet the following:

I. R-8 duct insulation shall be installed for all new ducts located in unconditioned space; and

II. In all climate zones, meet the airflow requirements of Section 150.0(m)13B, 150.0(m)13C, or 150.0(m)13D and demonstrate an air-handling unit fan efficacy of less than or equal to 0.35 W/CFM.

III. In all climate zones, meet the refrigerant charge verification requirements of Section 150.2(b)1Fii;

Exception 1 to Section 150.2(b)1Fiv: Where the capacity of the existing main electrical service panel is insufficient to supply the electrical capacity of a heat pump and where the existing main electrical service panel is sufficient to supply a new or replacement air conditioner, as calculated according to the requirements of California Electrical Code Article 220.83 or Article 220.87, systems shall comply with the applicable requirements of Sections 150.2(b)1Fi, 150.2(b)1Fii, and 150.2(b)1Fiii. Documentation of electrical load calculations in accordance with Article 220 must be submitted to the enforcement agency prior to permitting both the heat pump and proposed air conditioner.

Exception 2 to Section 150.2(b)1Fiv: Where the required capacity of a heat pump to meet the system selection requirements of Section 150.0(h)5 is greater than or equal to 12,000 Btu/h more than the greater of the required capacity of an air conditioner to meet the design cooling load OR the capacity of the existing air conditioner, systems shall comply with the applicable requirements of Sections

150.2(b)1Fi, 150.2(b)1Fii, and 150.2(b)1Fiii. Documentation of heating and cooling load calculations in accordance with 150.0(h) must be submitted to the enforcement agency prior to permitting for both the heat pump and proposed air conditioner.

v. In all climate zones, heat pumps with supplementary heat, including, but not limited to, electric resistance heaters or gas furnace supplementary heating, shall comply with Section 150.0(h)7 and shall lock out supplementary heating above an outdoor air temperature of no greater than 35°F.

F. Amend Section 150.2(b)2 to read:

Performance approach. The energy budget for alterations is expressed in terms of Long-term System Cost (LSC), and the altered component(s) and any newly installed equipment serving the alteration shall meet the applicable requirements of Subsections A, B, and C below.

A. The altered components shall meet the applicable requirements of Sections 110.0 through 110.9, Sections 150.0(a) through (l), Sections 150.0(m)1 through 150.0 (m)10, and Sections 150.0(p) through (q). Entirely new or complete replacement mechanical ventilation systems as these terms are used in Section 150.2(b)1L, shall comply with the requirements in Section 150.2(b)1L. Altered mechanical ventilation systems shall comply with the requirements of Section 150.2(b)1M. Entirely new or complete replacement space-conditioning systems, and entirely new or complete replacement duct systems, as these terms are used in Sections 150.2(b)1C and 150.2(b)1Diia, shall comply with the requirements of Sections 150.0(m)12 and 150.0(m)13. New or replacement air-cooled air conditioners in Climate Zones 1 through 14 and 16 shall meet the applicable requirements of Section 150.2(b)1Fiv.
B. The standard design for an altered component shall be the higher efficiency of existing conditions or the requirements stated in Table 150.2-G. For components not being altered, the standard design shall be based on the existing conditions. When the third party verification option is specified as a requirement, all components proposed for alteration for which the additional credit is taken, must be verified by a certified ECC-rater.

Table 150.2-G is hereby amended to read:

Table 150.2-G Standard Design for an Altered Component

Altered Component	Standard Design Without Third Party Verification of Existing Conditions Shall be Based On	Standard Design With Third Party Verification of Existing Conditions Shall be Based On
Ceiling Insulation, Wall Insulation, and Raised-floor Insulation	The requirements of Sections 150.0(a), (c), and (d). The requirements of Section 150.2(b)1J for altered ceilings and for entirely new or complete replacement duct systems where the air handler and ducts are located within a vented attic. The requirements of Section 150.2(b)1Fiv for alterations which include new or replacement air-cooled air conditioners.	The existing insulation R-value
Fenestration	The requirements of Section 150.1(c)3A.	The existing fenestration U-factor and SHGC values as verified.
Window Film	The requirements of Section 150.1(c)3A.	The existing fenestration in the alteration shall be based on TABLE 110.6-A and TABLE 110.6-B.
Doors	The U-factor of 0.20. The door area shall be the door area of the existing building.	If the proposed U-factor is < 0.20, the standard design shall be based on the existing U-factor value as verified. Otherwise, the standard design shall be based on the U-factor of 0.20. The door area shall be

		the door area of the existing building.
Space-Heating and Space-Cooling Equipment	Table 150.1-A for equipment efficiency requirements; Section 150.2(b)1C for entirely new or complete replacement systems; Section 150.2(b)1F for refrigerant charge verification, airflow, and fan efficacy requirements. Section 150.2(b)1Fiv for new or replacement air-cooled air conditioners	The existing efficiency levels.
Air Distribution System – Duct Sealing	The requirements of Sections 150.2(b)1D and 150.2(b)1E	The requirements of Sections 150.2(b)1D and 150.2(b)1E
Air Distribution System – Duct Insulation	The requirements of Sections 150.2(b)1D, and for new or replacement air-cooled air conditioners, Section 150.2(b)1Fiv.	The existing efficiency levels.
Water Heating Systems	The requirements of Section 150.2(b)1Hii	The existing efficiency level.
Roofing Products	The requirements of Section 150.2(b)1I.	The requirements of Section 150.2(b)1I
All Other Measures	The proposed efficiency levels.	The existing efficiency levels.

C. The proposed design shall be based on the actual values of the altered components.

Appendix 8

Chapter 12.18 – Wildland – Urban Interface

Section 12.18.010 Adoption of the 2025 California Wildland Urban Interface

The 2025 California Wildland Urban Interface, contained in the 2025 California Code of Regulations, Title 24, Part 7, which incorporates and amends the International Wildland-Urban Interface, 2024 Edition, published by the International Code Council, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.20 – Historical Building Code

12.20.010 - Adoption of the California Historical Building Code.

There is hereby adopted by reference as if fully set forth herein, the 2025 California Historical Building Code, contained in the California Code of Regulations, Title 24, Part 8, published by the International Code Council, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.22 – Fire Code

Section 12.22.010 Adoption of the California Fire Code

Section 12.22.015 Findings.
Section 12.22.020 Establishment and duties of the fire prevention division. Section 12.22.030 Definitions.
Section 12.22.080 Fire Code Amendments.

Section 12.22.010 Adoption of the 2025 California Fire Code

There is hereby adopted by the City, for the purpose of prescribing regulation governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2025 California Fire Code, contained in the 2025 California Code of Regulations, Title 24, Part 9, which incorporates and amends the International Fire Code 2024 Edition, published by the International Code Council, including Appendix Chapters B, C, D and O, save and except such portions as are hereinafter deleted, modified or amended by this chapter. One copy has been filed for use and examination by the public in the office of the Building Official. Said codes are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect.

Section 12.22.015 Findings.

The City Council of the City of Los Altos hereby expressly finds that amendments to the California Fire Code adopted by this chapter and commencing with Section 12.22.080 are reasonably necessary for the protection of the public health, safety, and welfare, due to the local climatic, geologic, or topographical conditions specified as follows:

The City of Los Altos experiences low humidity, high winds and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires. Additionally, the City of Los Altos is geographically situated adjacent to active earthquake faults capable of producing substantial seismic events. Since the City of Los Altos is divided by creeks, an expressway and other substantial traffic corridors, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. In addition, fire suppression capabilities would be severely limited should the water system be extensively damaged during the seismic event. Therefore, mitigation measures are necessary such as: automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials and other safeguards in order to minimize the risks to citizens, firefighters and property due to the severity of the fire threat and potential response delays.

The below table provides the express findings and determinations (where necessary pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5) justifying the City of Los Altos' amendments to the 2025 Edition of the California Fire Code as

reasonably necessary because of local climatic, geologic, or topographic conditions.

Admin = This amendment is necessary for administrative clarification and does not modify a building standard pursuant to California Health & Safety Code Sections 17958, 17958.7 and/or 18941.5. This amendment establishes administrative standards for the effective enforcement of the building standards in the City of Los Altos.
I = This amendment is reasonably necessary because of climatic conditions.
II = This amendment is reasonably necessary because of topographical conditions.
III = This amendment is reasonably necessary because of geological conditions.

Code Section	California Fire Code Local Amendmen	Findings
105.5.9	Permit Amounts for Compressed Gases	Admin
105.5.22	Permit Amounts for Hazmat	Admin
105.5.60	Institutions	Admin
105.5.61	Residential Care Facility	Admin
105.6.4	Cryogenic fluids	I, II, & III
109.5	Final Inspection	Admin
113.4	Violation penalties	Admin
Chapter 2	Definitions	Admin
503.1	Where required	Admin
503.1.1	Buildings and facilities	Admin
503.2.1	Dimensions	Admin
503.2.4	Turning Radius	Admin
503.2.7	Grade	Admin
503.5	Required Gates or Barricades	Admin
503.6	Security Gates	Admin
504.5	Access control devices	II & III
505.1	Address identification	Admin
510.1	Emergency responder communication coverage in new buildings	Admin
510.1.1	Obstruction by new buildings	Admin
510.3	Permit required	Admin
510.4	Technical requirements	Admin
510.4.1.1	Minimum signal strength into the building	Admin
510.4.1.2	Minimum signal strength out of the building	Admin
510.5	Installation requirement	Admin
510.5.1	Approval prior to installation	Admin
510.5.3	Acceptance test procedure	Admin

703.3	Fire-resistant penetrations and joints	Admin
901.6.2	Integrated testing	Admin
901.6.2.1	High-rise buildings	Admin
901.6.3	Records	Admin
903.2	Where required	II & III
903.2.11.7	Chemical Fume Hood Fire Protection	II & III
907.8	Inspection, Testing, & Maintenance	Admin
909.22.1	Schedule	Admin
1202.1	Definitions	Admin
1207.1.7	Large-scale fire test	Admin
1207.2.2.1	Ongoing inspection and testing	Admin
1207.5.2	Maximum allowable quantities	Admin
1207.5.5	Fire suppression systems	III
1207.11.3	Location	Admin
1207.11.6	Fire detection	III
3303.5	Fire watch	Admin
3303.7	Fire Walls	II & III
3307.1.2	Stairways required	Admin
3307.1.4	Required Means of Egress	II & III
3307.6	Fire Department Access Roadways	II & III
3313.1	Completion before occupancy	Admin
4106.1	Immersion Heaters	Admin
4103.1	Portable unvented heaters	Admin
4103.1.2.1.1	Prohibited locations	Admin
5001.2.2.2	Health Hazards	Admin
5002.1	Definitions	Admin
5003.1.3.1	Toxic, Highly Toxic, Moderately Toxic Gases	III
5003.1.5	Health Hazards - Other	III
5003.1.6	Additional Spill Control and Secondary Containment Requirements	III
5003.2.2.1	Design and Construction	III
5003.2.2.2	Additional Regulation for Supply Piping for Health Hazard Materials	III
5003.5.2	Ventilation Ducting	III
5003.5.3	“H" Occupancies	III
5003.10.4.	Elevators utilized to transport hazardous materials	Admin
5004.2.1	Spill Control for Hazardous Material Liquids	Admin
5004.2.2.2	Incompatible Materials	Admin

5402.1	Definition	Admin
5601.1.3	Fireworks	Admin
5704.2.7.5.8	Overfill Prevention	Admin
5704.2.7.5.9	Automatic Filling of Tanks	Admin
5704.2.9.6.1	Locations where above-ground tanks ar prohibited	Admin
5706.2.4.4	Locations where above-ground tanks ar prohibited	Admin
5806.2	Limitations of cryogenic fluids	Admin
6104.2	Maximum capacity within established limits	Admin
6001.1	Scope	Admin
6004.1	General	Admin
6004.1.1	Special limitations for indoor storage and use by occupancy	Admin
6004.1.1.1	Group A, E, I or U occupancies	Admin
6004.1.1.2	Group R occupancies	Admin
6004.1.1.3	Offices, retail sales and classrooms	Admin
6004.2	Indoor storage and use	Admin
6004.2.1	Applicability	Admin
6004.2.1.4	Quantities exceeding the minimum threshold	Admin
6004.4	General indoor requirements	Admin
6004.4.1	Cylinder and tank location	Admin
6004.4.2	Ventilated areas	Admin
6004.4.3	Piping and controls	Admin
6004.4.4	Gas rooms	Admin
6004.4.5	Treatment systems	Admin
6004.4.5.1	Design	Admin
6004.4.5.2	Performance	Admin
6004.4.5.3	Sizing	Admin
6004.4.5.4	Stationary tanks	Admin
6004.4.5.5	Portable tanks and cylinders	Admin
6004.4.6	Emergency power	Admin
6004.4.6.1	Fail-safe systems	Admin
6004.4.7	Automatic fire detection system	Admin
6004.4.8	Gas detection system	Admin
6004.4.8.1	Alarms	Admin
6004.4.8.2	Shut off of gas supply	Admin
6104.2	Maximum capacity within established	Admin

	limits	
6405.3.1	Silane distribution systems automatic shutdown	Admin

Section 12.22.020 Establishment and duties of the fire prevention division.

a. The California Fire Code shall be enforced by the Santa Clara County Fire Department which shall be operated under the supervision of the Chief of the Fire Department.
b. The City fire marshal shall be the chief of the fire prevention division and shall be appointed by the Chief of the Fire Department.
c. The Chief of the Fire Department may assign members of the fire department as deputy fire marshals as shall be necessary.

Section 12.22.080 Fire Code Amendments

The 2022 California Fire Code referred to in Section 12.24.010 is adopted with the following amendments and certain Appendix Chapters as follows:

Chapter 1 SCOPE AND ADMINISTRATION

Section 105 PERMITS

Table 105.5.9 is amended to read:

TABLE 105.5.9
PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Carbon dioxide used in carbon dioxide enrichment systems	875 (100lb)
Carbon dioxide used in insulated liquid carbon dioxide beverage dispensing applications	875 (100 lb)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Moderately toxic	Any Amount
Other Health Hazard Materials	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Table 105.5.22 is amended to read:

TABLE 105.5.22
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See Section 105.5.18
Corrosive materials	
Gases	See Section 105.5.9
Liquids	55 gallons
Solids	500 pounds
Explosive materials	See Section 105.5.16
Flammable materials	
Gases	See Section 105.5.9
Liquids	See Section 105.5.18
Solids	100 pounds
Highly toxic materials	
Gases	See Section 105.5.9
Liquids	Any Amount
Solids	Any Amount
Moderately toxic materials	
Gases	See Section 105.5.9
Other health hazard materials	
Gases	See Section 105.5.9
Liquids	55 gallons
Solids	500 pounds
Oxidizing materials	
Gases	See Section 105.5.9
Liquids	
Class 4	Any Amount
Class 3	1 gallon[a]
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any Amount
Class 3	10 pounds[b]
Class 2	100 pounds
Class 1	500 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	No Permit Required
Solids	
Class I	Any Amount

Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	No Permit Required
Pyrophoric materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Toxic materials	
Gases	See Section 105.5.9
Liquids	10 gallons
Solids	100 pounds
Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	50 pounds
Class 1	100 pounds
Water-reactive materials	
Liquids	
Class 3	Any Amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any Amount
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.

a. 22 gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 22 gallons or less.

b. 220 pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 220 pounds or less.

Section 105.5.60 is added to read:

105.56.60 Institutions. An operational permit is required to operate any health facility as defined in Section 1250 of the California Health and Safety Code, with an occupant load of more than six (6) persons, or to operate any jail or facility where personal liberties of the occupants are restrained. See California Code of Regulations Title 24 Part 2.

Section 105.5.61 is added to read:

105.56.61 Residential care facility. An operational permit is required to operate any residential care or service facility, as described in the California Building Code, accommodating more than six (6) persons.

Section 105.6.4 is amended to read:

105.6.4 Cryogenic fluids. A construction permit is required for installation of or alteration to cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.5.11. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a construction permit.

Section 109 INSPECTIONS

Section 109.5 is added to read as follows:

Section 109.5 Final Inspection.

No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Division.

Section 113 VIOLATIONS

Section 113.4 is amended to read as follows:

Section 113.4 Violation penalties.

Violation penalties shall be in accordance with Title 1, Chapter 1.30 of the City of Los Altos Municipal Code.

Chapter 2 DEFINITIONS

Chapter 2 of the 2025 California Fire Code and 2024 International Fire Code is amended to include the following definitions:

CORROSIVE LIQUID. Corrosive liquid is:

1) any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action; or

2) any liquid having a pH of 2 or less or 12.5 or more; or

3) any liquid classified as corrosive by the U.S. Department of Transportation; or any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

HEALTH HAZARD – OTHER. A hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage), sensitizers or teratogens (effect on fetuses).

LARGE-SCALE FIRE TESTING. Testing a representative energy storage system that induces a significant fire into the device under test and evaluates whether the fire will spread to adjacent energy storage system units, surrounding equipment, or through an adjacent fire-resistance-rated barrier.

MODERATELY TOXIC GAS. A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

WORKSTATION. A defined space or an independent principal piece of equipment using flammable or unstable (Class 3 or 4 as ranked by NFPA 704) hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.

HEALTH HAZARD – OTHER. A hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage), sensitizers or teratogens (effect on fetuses).

SPILL CONTROL. That level of containment that is external to and separate from the primary containment and is capable of safely and securely containing the contents of the largest container and prevents the materials from spreading to other parts of the room.

SECONDARY CONTAINMENT. Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

Chapter 5 FIRE SERVICE FEATURES

Section 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 Where required.
Section 503.1.1 Buildings and facilities. Section
503.2.1 Dimensions.
Section 503.2.4 Turning Radius Section
503.2.7 Grade
Section 503.5 Required Gates or Barricades Section
503.6 Security Gates

Section 503.1 is amended to read as follows:

Section 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and in accordance with the fire department's access standards.

Section 503.1.1 is amended to read as follows:

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

Exceptions:

1. In other than R-3 or U occupancies, when the building is equipped throughout with an approved automatic sprinkler system, installed in accordance with Section 903.3.1.1 the dimension may be increased to a maximum of 300 feet when approved by the fire code official.
2. When there are not more than two Group R-3 or accessory Group U occupancies, the dimension may be increased to a maximum of 200 feet.
3. When apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Section 503.2.1 is amended to read as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6. The unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Exception: When there are not more than two Group R, Division 3, or Group U parcels, the access road width may be modified by the fire code official.

Section 503.2.4 is amended to read as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official.

Section 503.5 is amended to read as follows:

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Section 503.6 is amended to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings.

Section 504 ACCESS TO BUILDINGS AND ROOFS

Section 504.5 is added to read as follows:

Section 504.5 Access control devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire code official.

Access control devices shall also comply with Chapter 10 Means of Egress.

Section 505 PREMISES IDENTIFICATION

Section 505.1 is amended to read as follows:

505.1 Address identification. New and existing buildings shall be provided with

approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than *6* inches (*153* mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

The following is a guideline for adequate address number dimensions:

a. The number posted up to 49 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a half (½) inch stroke.
b. The number posted from 50 to 100 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a one (1) inch stroke.
c. The number posted over 100 to 199 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (10) inches high with a one and a half (1½) inch stroke.
d. The number posted over 200 to 299 feet from the public street shall be of one solid color which is contrasting to the background and be at least eighteen (18) inches high with a two (2) inch stroke.
e. The number posted over 300 to 400 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten twenty-four (24) inches high with a two and a half (2½) inch stroke.

Section 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

Section 510.1 is amended to read as follows:

510.1 Emergency responder communications enhancement systems in new buildings. Approved in-building emergency responder communications enhancement system (ERCES) for emergency responders shall be provided within all ~~new~~ buildings meeting any one of the following conditions:

1. There are more than 3 stories above grade plane (as defined by the California Building Code Section 202);
2. The total building area is 30,000 square feet or more;
3. The total basement area is 5,000 square feet or more;
4. Where required by the fire code official and radio coverage signal strength levels are not consistent with the minimum levels set forth in Section 510.4.1

Exceptions:

1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved communications coverage system.

2. Where it is determined by the fire code official that the communications coverage system is not needed.

3. In facilities where emergency responder communications coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder communications coverage system.

4. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the Silicon Valley Regional Interoperability Authority (SVRIA) P25 Phase 2 700 MHz Digital Trunked Radio System within the building in accordance with Section 510.4.1 without the use of an indoor radio coverage system.

The radio coverage system shall be installed and maintained in accordance with Sections 510.4 through 510.6.4 of this code and with the applicable provisions of NFPA 1225, Standard for Emergency Services Communications.

In-building ERCES within the building shall be based on the existing coverage levels of the public safety communications systems utilized by the jurisdiction, measured at the exterior of the building. The ERCES, where required, shall be of a type determined by the fire code official and the frequency license holder(s). This section shall not require improvement of the existing public safety communications systems. Section 510.1.1 is amended to read as follows:

Section 510.1.1 is added to read as follows:

510.1.1 Obstruction by new buildings. No obstruction of the public safety system backhaul shall be allowed without an approved mitigating plan.

Section 510.3.1 is amended to read as follows:

510.3.1 Permit required. A construction permit for the installation of or modification to in-building emergency responder communications enhancement systems and related equipment is required as specified in Section 105.6.5. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A frequency change made to an existing system is considered to be new construction and will require a construction permit.

Section 510.4 is amended to read as follows:

510.4 Technical requirements. Equipment required to provide in-building, two-way emergency responder communication coverage shall be listed in accordance with UL 2524 and the current Emergency Responders Communications Enhancement Systems Standard

Details & Specification enforced by the Santa Clara County Fire Department. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

Section 510.4.2 is amended to read:

510.4.2 System design. The in-building emergency responder communications enhancement system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1225, and the current Emergency Responder Communications Enhancement Systems Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5 is amended to read as follows:

510.5 Installation requirement. The installation of the emergency responder radio coverage system shall be in accordance with NFPA 1225 and the current Emergency Responder Communications Enhancement Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5.2 is amended to read as follows:

510.5.2 Approval prior to installation. Communications enhancement systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the fire code official and the agency FCC license holder or systems administrator.

Section 510.5.4 is amended to read as follows:

510.5.4 Acceptance test procedure. Where an in-building emergency responder communications enhancement system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. Final system acceptance will require ERRCS power level and DAQ testing with agency FCC license holder, systems administrators, or designee.

Chapter 7 FIRE AND SMOKE PROTECTION FEATURES

Section 703 PENETRATIONS

Section 703.3 is added to read as follows:

703.3 Fire-resistant penetrations and joints. In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 100, and other occupancies as determined necessary special inspections for through-penetrations, membrane penetration firestops, fire resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with CBC Sections 714.4.1.2, 714.5.1.2, 715.3.1 and
715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.

Chapter 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS

Section 901 GENERAL

Section 901.6.2 is amended as follows:

901.6.2 Integrated testing. Where two or more fire protection or life safety systems are interconnected, the intended response of subordinate fire protection and life safety systems shall be verified when required testing of the initiating system is conducted. In addition, integrated testing shall be performed in accordance with Sections 901.6.2.1 and 901.6.2.2.

901.6.2.1 High-rise buildings. For high-rise buildings, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

901.6.2.2 Smoke control systems. Where a fire alarm system is integrated with a smoke control system as outlined in Section 909, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

Section 901.6.3 is amended to read as follows:

901.6.3 Records Information. Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises for a minimum of five years. See 907.7 & 907.8 for fire alarm system inspection, testing and maintenance documentation requirements.

Section 903.2 Where required.

Section 903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.

Section 903.2 is amended to read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:
    a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.
    b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.
    c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:
        i. Noncombustible construction.
        ii. Maximum 5,000 square feet in building area.
        iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.
        iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls

    d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

complying with California Building Code 706.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

Exception: Detached Accessory Dwelling Unit, provided that all of the following are met:

a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.
b. The existing primary residence does not have automatic fire sprinklers.
c. The accessory detached dwelling unit does not exceed 1,200 square feet in size.
d. The unit is on the same lot as the primary residence.
e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.
4. An approved automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas).
5. An approved automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%.
6. An approved automatic sprinkler system shall be provided throughout existing buildings and structures when alterations or additions are made that create conditions described in Sections 903.2.1 through 903.2.18.
7. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

[1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2] Fire Risks – Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

8. The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance.
    a. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with fire sprinkler regulations.
    b. No waiver shall be granted from compliance with fire sprinklers.

Section 903.2.11.7 is added as follows:

903.2.11.7 Chemical Fume Hood Fire Protection. Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.
2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

Section 907.8 is amended as follows:

907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.4 and NFPA 72. *Records of inspection, testing and maintenance shall be ~~maintained~~ documented using NFPA 72 record of inspection and testing forms.*

Section 909 SMOKE CONTROL SYSTEMS

Section 909.22.1 Schedule

Section 909.22.1 is amended to read as follows:

909.20.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing shall occur at least annually.

Chapter 12 ENERGY SYSTEMS SECTION

1202 DEFINITIONS

Section 1202.1 is amended as follows:

1202.1 Definitions. The following terms are defined in Chapter 2:

BATTERY SYSTEM, STATIONARY STORAGE. BATTERY TYPES.
CAPACITOR ENERGY STORAGE SYSTEM. CRITICAL CIRCUIT.
EMERGENCY POWER SYSTEM.
ENERGY STORAGE MANAGEMENT SYSTEMS. ENERGY STORAGE SYSTEM (ESS).
ENERGY STORAGE SYSTEM, ELECTROCHEMICAL.
ENERGY STORAGE SYSTEM, MOBILE.
ENERGY STORAGE SYSTEM, WALK-IN UNIT. ENERGY STORAGE SYSTEM CABINET.
ENERGY STORAGE SYSTEM COMMISSIONING. ENERGY STORAGE SYSTEM DECOMMISSIONING. FUEL CELL POWER SYSTEM, STATIONARY.
LARGE-SCALE FIRE TESTING
PORTABLE GENERATOR.
STANDBY POWER SYSTEM.

SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

Section 1207.1.7 is amended as follows:

1207.1.7 Large-scale fire test. Where required elsewhere in Section 1207, large-scale fire testing shall be conducted in accordance with NFPA 855 as amended, and UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the fire-resistance rating of the room separation specified in Section 1207.7.4. The test

report shall be provided to the fire code official for review and approval in accordance with Section 104.2.2.

Section 1207.2.2.1 is amended as follows:

1207.2.2.1 Ongoing inspection and testing. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual and made available to the fire code official upon request.

Section 1207.5.2 is amended as follows:

1207.5.2 Maximum allowable quantities. Fire areas within rooms, areas and walk-in units containing electrochemical ESS shall not exceed the maximum allowable quantities in Table 1207.5. The allowable number of fire areas, maximum allowable quantity, and fire-resistance rating of fire-barriers shall comply with Table 1207.5.1.

Exceptions:

1. Where approved by the fire code official, rooms, areas and walk-in units containing electrochemical ESS that exceed the amounts in Table 1207.5 shall be permitted based on a hazardous mitigation analysis in accordance with Section 1207.1.6 and large-scale fire testing complying with Section 1207.1.7.

2. Lead-acid and nickel-cadmium battery systems installed in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.
3. Dedicated-use buildings in compliance with Section 1207.7.1.

TABLE 1207.5.1 DESIGN AND NUMBER OF ESS FIRE AREAS				
STORY		PERCENTAGE OF MAXIMUM ALLOWABLE QUANTITY PER FIRE AREA	NUMBER OF FIRE AREAS PER STORY	FIRE-RESISTANCE RATING FOR FIR BARRIERS I HOURS
Above grade plan	Higher than 9	25	1	3
	7-9	50	2	2
	6	50	2	2
	5	50	2	2
	4	75	4	2
	3	100	6	2
	2	100	6	2
	1	100	6	2
Below grade	1	100	4	3

plan	2 Lower than 2	50 Not Allowed	2 Not Allowed	3 Not Allowed

Section 1207.5.5 is amended as follows:

1207.5.5 Fire suppression systems. Rooms and areas within buildings and walk-in units containing electrochemical ESS shall be protected by an automatic fire suppression system designed and installed in accordance with one of the following:

1. Automatic sprinkler systems designed and installed in accordance with Section 903.3.1.1 for ESS units (groups) with a maximum stored energy capacity of 50 kWh, as described in Section 1207.5.1, shall be designed with a minimum density of 0.3 gpm/ft2 (1.14 L/min) based over the area of the room or 2,500 square-foot (232 m2) design area, whichever is larger, unless a lower density is approved based on large-scale fire testing in accordance with Section 1207.1.7.

2. Automatic sprinkler systems designed and installed in accordance with Section 903.3.1.1 for ESS units (groups) exceeding 50 kWh shall use a density based on large-scale fire testing complying with Section 1207.1.7.

3. The following alternative automatic fire-extinguishing systems designed and installed in accordance with Section 904, provided that the installation is approved by the fire code official based on large-scale fire testing complying with Section 1207.1.7:

   3.1. NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*.
   3.2. NFPA 15, *Standard for Water Spray Fixed Systems for Fire Protection*.
   3.3. NFPA 750, *Standard on Water Mist Fire Protection Systems*.
   3.4. NFPA 2001, *Standard on Clean Agent Fire-Extinguishing Systems*.
   3.5. NFPA 2010, *Standard for Fixed Aerosol Fire-Extinguishing Systems*.

   Exception:

   1. Fire suppression systems for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities that operate at less than 50 VAC and 60 VDC shall be provided where required by NFPA 76.

   2. Lead-acid and nickel-cadmium systems that are used for DC power for control of substations and control or safe shutdown of generating stations under the exclusive control of the electric utility, and located outdoors or in building spaces used exclusively for such installations, shall not be required to have a fire suppression system installed.

   3. Lead-acid battery systems in uninterruptable power supplies listed and labeled in accordance with UL 1778, utilized for standby power applications, which is limited to not more than 10 percent of the floor area on the floor on which the

ESS is located, shall not be required to have a fire suppression system. (Material based on NFPA 855 2023 Ed.)

Section 1207.11.3 is amended as follows:

1207.11.3 Location. ESS shall be installed only in the following locations:

1. Detached garages and detached accessory structures.
2. Attached garages separated from the dwelling unit living space and sleeping units in accordance with Section R302.6.
3. Outdoors or on the exterior side of the exterior walls not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit and not below or above any emergency escape and rescue openings.
4. Enclosed utility closets, basements, storage, or utility spaces within dwelling units with finished or noncombustible walls and ceilings. Walls and ceilings of

   unfinished wood-framed construction shall be provided with not less than 5/8-inch (15.9 mm) Type X gypsum wallboard.

ESS shall not be installed in sleeping rooms, closets, spaces opening directly into sleeping rooms or in habitable spaces of dwelling units.

Section 1207.11.6 is amended as follows:

1207.11.6 Fire detection. ESS installed in Group R-3 and R-4 occupancies shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section 907.2.11.
2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

Exceptions:

1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.
2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

Chapter 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION Section

3305 PRECAUTIONS AGAINST FIRE

Section 3303.5 is amended to read as follows:

3305.5 Fire watch. Where required by the fire code official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Section 3303.7 is added to read as follows:

Section 3303.7 Fire Walls.

When firewalls are required in combustible construction, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather protected at the location of the wall(s).

Section 3307 FIRE DEPARTMENT SITE ACCESS AND WATER SUPPLY
Section 3307.1.2 is amended to read:

3307.1.2 Stairways Required. Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception: For multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

Section 3307.1.4 is added to read:

3307.1.4 Required Means of Egress. All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the written site safety plan as required by Section 3303.1.

Add Section 3307.6 to read:

3307.6 Fire Department Access Roadways: All construction sites shall be accessible by fire department apparatus by means of roadways having an all-weather driving service of not less than 20ft. of unobstructed width. The roads shall have the ability to withstand the live loads of fire apparatus and have a minimum 13ft. 6 in. of vertical clearance. Dead end fire access roads in excess of 150 ft. in length shall be provided with approved turnarounds.

When approved by the Fire Code Official, temporary access roadways may be utilized until such time that the permanent roadways are installed. As a minimum, the roadway shall consist of a compacted subbase and six (6) inches of road base material (Class 2 aggregate base rock) both compacted to a minimum 95% and sealed. The perimeter edges of the

roadway shall be contained and delineated by curb and gutter or other approved method. The use of geotextile reinforcing fabric underlayment or soils lime-treatment may be required if so, determined by the project civil engineer. Provisions for surface drainage shall also be provided where necessary. The integrity of the roadway shall be maintained at all times.

SECTION 3313 COMPLETION BEFORE OCCUPANCY.

Section 3313.1 is added to read:

Section 3313.1 Completion Before Occupancy. In buildings where an automatic sprinkler system is required by this code or the California Building Code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved.

In new buildings of combustible construction where, automatic fire sprinkler systems are required to be installed, the system shall be placed in service as soon as possible. Immediately upon the completion of sprinkler pipe installation on each floor level, the piping shall be hydrostatically tested and inspected. After inspection approval from the Fire department, each floor level of sprinkler piping shall be connected to the system supply riser and placed into service with all sprinkler heads uncovered. Protective caps may be installed on the active sprinklers during the installation of drywall, texturing and painting, but shall be removed immediately after this work is completed. For system activation notification, an exterior audible waterflow alarm shall be installed and connected to the sprinkler waterflow device prior to installation of the monitoring system.

For buildings equipped with fire sprinkler systems that are undergoing alterations, the sprinkler system(s) shall remain in service at all times except when system modifications are necessary. Fire sprinkler systems undergoing modifications shall be returned to service at the end of each workday unless otherwise approved by the fire department. The General contractor or his/her designee shall check the sprinkler control valve(s) at the end of each workday to confirm that the system has been restored to service.

CHAPTER 41 TEMPORARY HEATING AND COOKING OPERATIONS

SECTION 4103 PORTABLE FUEL-FIRE HEATING APPLIANCES

Section 4103.1 is amended to read:

4103.1 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities.

Exceptions:

1. Portable unvented fuel-fired heaters listed and labeled in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer's instructions.

2. Portable outdoor gas-fired heating appliances in accordance with Section 4103.1.2.

Section 4103.1.2.1.1 is amended to read:

4103.1.2.1.1 Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:

1. Inside of any occupancy where connected to the fuel gas container.
2. Inside of tents, canopies and membrane structures.
3. On exterior balconies, and rooftops.

SECTION 4106 IMMERSION HEATERS

Section 4106.1 is added to read:

4106.1 Immersion Heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

Chapter 50. HAZARDOUS MATERIALS-GENERAL PROVISIONS

Chapter 50 of the 2025 California Fire Code and 2024 International Fire Code are amended as follows:

Section 5001 GENERAL

Section 5001.2.2.2 is amended as follows:

5001.2.2.2 Health Hazards The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Health hazards - Other.

Section 5002 DEFINITIONS

Amend Section 5002.1 to read:

5002.1 Definitions. The following terms are defined in Chapter 2:

BOILING POINT.
CEILING LIMIT.
CHEMICAL. CHEMICAL

NAME. CLOSED
CONTAINER.
CONTAINER. CONTROL
AREA.
CORROSIVE LIQUIDS
CYLINDER.
DAY BOX.
DEFLAGRATION. DESIGN
PRESSURE. DETACHED
BUILDING. DISPENSING.
EXCESS FLOW CONTROL.
EXHAUSTED ENCLOSURE.
EXPLOSION.
FLAMMABLE VAPORS OR FUMES. GAS
CABINET.
GAS ROOM.
HANDLING.
HAZARDOUS MATERIALS.
HEALTH HAZARD.
HEALTH HAZARD – OTHER. IMMEDIATELY
DANGEROUS TO LIFE AND HEALTH (IDLH).
INCOMPATIBLE MATERIALS.
LIQUID.
LOWER EXPLOSIVE LIMIT (LEL). LOWER
FLAMMABLE LIMIT (LFL).
MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA. MODERATELY
TOXIC GAS.
NORMAL TEMPERATURE AND PRESSURE (NTP).
OUTDOOR CONTROL AREA.
PERMISSIBLE EXPOSURE LIMIT (PEL).
PESTICIDE.
PHYSICAL HAZARD.
PRESSURE VESSEL.
SAFETY CAN.
SAFETY DATA SHEET (SDS).
SECONDARY CONTAINMENT.
SEGREGATED.
SOLID.
SPILL CONTROL.
STORAGE, HAZARDOUS MATERIALS.
SYSTEM.
TANK, ATMOSPHERIC.
TANK, PORTABLE.
TANK, STATIONARY.
TANK VEHICLE.
UNAUTHORIZED DISCHARGE.
USE (MATERIAL).

VAPOR PRESSURE.

Section 5003 GENERAL REQUIREMENTS

Section 5003.1.3.1 is added as follows:

5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used or Handled Materials. The storage, use and handling of toxic, highly toxic, and moderately toxic gases in amounts exceeding Table 6004.2.1.4 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic, or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic, or moderately toxic gases.

Section 5003.1.5 is added as follows:

5003.1.5 Health Hazards - Other. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5003.

Section 5003.1.6 is added as follows:

5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property, or the environment. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

Section 5003.2.2.1 is amended as follows:

5003.2.2.1 Design and Construction. Piping, tubing, valves, fittings, and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings, and related components shall be designed and fabricated from materials that are compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.
2. Piping and tubing shall be identified in accordance with ASME A13.1 and the Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.
3. Manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing and provided with ready access at the following locations:
    1. The point of use.
    2. The tank, cylinder, or bulk source.

4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be clearly visible, provided with ready access and identified in an approved manner.
5. Backflow prevention or check valves shall be provided where the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.
6. Where gases or liquids having a hazard ranking of:

   Health hazard Class 3 or 4
   Flammability Class 4
   Reactivity Class 4

   in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff or excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

   Exceptions:

   1. Piping for inlet connections designed to prevent backflow.
   2. Piping for pressure relief devices.
7. Secondary containment or equivalent protection from spills or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Table 6004.2.1.4. Secondary containment includes but is not limited to double-walled piping.

   Exceptions:

   1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
   2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

Section 5003.2.2.2 is amended as follows:

5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 shall be in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of highly toxic, toxic, or highly volatile corrosive liquids and gases shall have welded, or brazed connections throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.

2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire- resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.
3. All primary piping for toxic, highly toxic, and moderately toxic gases shall pass a helium leak test of 1x10-9 cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

Exception: Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed spaces above other occupancies where installed in accordance with Section 415.11.7.4 of the *California Building Code* for Group H-5 occupancies.

Section 5003.5.2 is added as follows:

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

Section 5003.5.3 is added as follows:

5003.5.3 "H" Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

Section 5003.10.4 is amended as follows:

5003.10.4 Elevators utilized to transport hazardous materials.

5003.10.4.1 When transporting hazardous materials, elevators shall have no other passengers other than the individual(s) handling the chemical transport cart.

5003.10.4.1.1 When transporting cryogenic or liquefied compressed gases, there shall be no occupants in the elevator.

5003.10.4.2 Hazardous materials liquid containers shall have a maximum capacity of 20 liters (5.28 gal).

5003.10.4.3 Toxic, moderately toxic, and highly toxic gases shall be limited to a container of a maximum water capacity of 1 pound.

5003.10.4.4 When transporting cryogenic or liquefied compressed gases, means shall be provided to prevent the elevator from being summoned to other floors.

Section 5004 STORAGE

Section 5004.2.1 is amended as follows:

5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings, or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor and outdoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps, and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

Section 5004.2.2.2 is amended as follows:

5004.2.2.2 Incompatible Materials. Incompatible materials shall be separated from each other in independent secondary containment systems.

Chapter 54 CORROSIVE MATERIALS

Chapter 54 of the 2025 California Fire Code is adopted with the following amendments:

Section 5402 DEFINITION

Section 5402.1 is amended as follows:

5402.1 Definition. The following term is defined in Chapter 2:

CORROSIVE.
CORROSIVE LIQUIDS.

Chapter 56 EXPLOSIVES AND FIRWORKS

Section 5601 GENERAL

Section 5601.1.3 is amended to read as follows:

Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

Chapter 57 FLAMMABLE AND COMBUSTILE LIQUIDS

Section 5704 STORAGE

Section 5704.2.7.5.8 is amended to read as follows and the exception in the Section

is deleted:

Section 5704.2.7.5.8 Overfill Prevention.

An approved means or method in accordance with Section 5704.2.9.7.5. shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

Section 5704.2.7.5.9 is added to read as follows:

Section 5704.2.7.5.9 Automatic and/or Remote Filling of Tanks. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and

II liquids in above-ground tanks outside of building is prohibited in all locations of the City of Los Altos which are residential or congested commercial areas as determined by the fire code official.

Section 5706.2.4.4 is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all locations of the City of Los Altos which are residential or congested commercial areas as determined by the fire code official.

Chapter 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS.

Section 5806.2 is amended to read as follows:

5806.2 Limitations. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in all location of the City of Los Altos which are residential or congested commercial areas as determined by the fire code official.

Chapter 60 HIGHLY TOXIC AND TOXIC MATERIALS

Chapter 60 of the 2025 California Fire Code and 2024 International Code is amended as follows:

Section 6001 GENERAL

Section 6001.1 is amended as follows:

6001.1 Scope. The storage and use of highly toxic, toxic, and/or moderately toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 53.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.11.
2. Conditions involving pesticides or agricultural products as follows:

2.1 Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instruction and label directions.

2.2 Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.

2.3 Storage in dwellings or private garages of pesticides registered by the US Environmental Protection Agency to be utilized in and around the home, garden, pool, spa, and patio.

SECTION 6002 – DEFINITIONS

Section 6002.1 is amended to read:

6002.1 Definitions.

The following terms are defined in Chapter 2:

CONTAINMENT SYSTEM.

CONTAINMENT VESSEL.

EXCESS FLOW VALVE.

HIGHLY TOXIC.

MODERATELY TOXIC GAS.

OZONE-GAS GENERATOR.

PHYSIOLOGICAL WARNING THRESHOLD.

REDUCED FLOW VALVE.

TOXIC.

SECTION 6004 HIGHLY TOXIC AND TOXIC COMPRESSED GASES

Section 6004 HIGHLY TOXIC, MODERATELY TOXIC, AND TOXIC COMPRESSED GASES

Section 6004.1 is amended as follows:

6004.1 General. The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.

6004.1.1.1 Group A, E, I or U occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

> Exception: Cylinders not exceeding 20 cubic feet (0.566 m^3) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

6004.1.1.2 Group R occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales and classrooms. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of

Group B, F, M or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m3) at NTP are allowed in gas cabinets or fume hoods.

Section 6004.2 is amended as follows:

6004.2 Indoor storage and use. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.

Section 6004.2.1 is amended as follows:

6004.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, ~~and~~ toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.

Section 6004.2.1.4 is added as follows:

6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area. The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4

Add Table 6004.2.1.4 as follows:

Minimum Threshold Quantities for Highly Toxic, Toxic and Moderately Tox Gases for Indoor Storage and Use	
Highly Toxic	20
Toxic	405 cubic feet
Moderately Toxic	405 cubic feet

Section 6004.4 is added as follows:

6004.4. General indoor requirements. The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2

6004.4.1 Cylinder and tank location. Cylinders shall be located within gas cabinets, exhausted enclosures, or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

Exceptions:

1. Where a gas detection system is provided in accordance with 6004.4.8

6004.4.2. Ventilated areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

6004.4.3. Piping and controls. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:

1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.

Exceptions:

1. Inlet connections designed to prevent backflow.
2. Pressure relief devices.

6004.4.4 Gas rooms. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:

1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.
2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire- extinguishing systems shall not be used.

6004.4.5 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures, and gas rooms, required in Section 6004.4.1 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic, and moderately toxic gases—storage. A treatment system is not required for cylinders, containers, and tanks in storage where all the following controls are provided:
   - 1.1 Valve outlets are equipped with gas- tight outlet plugs or caps.
   - 1.2 Hand wheel-operated valves have handles secured to prevent movement.
   - 1.3 Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.
2. Highly toxic, toxic, and moderately toxic gases —use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved

automatic-closing fail- safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail- safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure, or gas room.

6004.4.5.1. Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

6004.4.5.2. Performance. Treatment systems shall be designed to reduce the maximum allowable dis- charge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

6004.4.5.3. Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

6004.4.5.4 Stationary tanks. Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m3/s) of gas at normal temperature and pressure (NTP).

6004.4.5.5 Portable tanks and cylinders. The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer

to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

6004.4.6. Emergency power. Emergency power shall be provided for the following systems in accordance with Section 604:

1. Exhaust ventilation system.
2. Treatment system.
3. Gas detection system.
4. Smoke detection system.

6004.4.6.1. Fail-safe systems. Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.

6004.4.7. Automatic fire detection system. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

6004.4.8. Gas detection system. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.

Exceptions:

1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.
2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.

6004.4.8.1. Alarms. The gas detection system shall initiate a local alarm and transmit a signal to an approved location.

6004.4.8.2. Shut off of gas supply. The gas detection system shall automatically close the shut off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exception: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all the following controls are provided:

1. Constantly attended/supervised.
2. Provided with emergency shutoff valves that have ready access.

Chapter 61 LIQUEFIED PETROLEUM GASES

Section 6104.2 is amended to read as follows:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is restricted in all locations of the City of Los Altos that are residential or congested commercial areas as determined by the fire code official.

> Exception: LPG may be used for industrial operations or when natural gas would not provide a viable substitute for LPG. Portable containers for temporary heating and/or cooking uses may be permitted if stored and handled in accordance with this code. Facilities in commercial areas for refueling portable or mobile LPG containers may be approved by the fire code official on a case-by-case basis.

Chapter 64 PYROPHORIC MATERIALS

Chapter 64 of the 2025 California Fire Code and 2024 International Code is amended as follows:

Section 6405 USE

Section 6405.3.1 is added to read:

6405.3.1 Silane distribution systems automatic shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

Appendix B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Appendix B of the 2025 California Fire Code and 2024 International Code is amended as follows:

Section B105 FIRE=FLOW REQUIRED FOR BUILDINGS

Section B105.2 is amended as follows:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.

Exceptions: [SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA), public restrooms.
3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.

The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).

Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

Appendix C of the 2025 California Fire Code and 2024 International Code is amended as follows:

Section C102 NUMBER OF FIRE HYDRANTS

Section C102.1 is amended to read:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.

Appendix D FIRE APPARATUS ACCESS ROADS

Appendix D of the 2025 California Fire Code and 2024 International Code is amended as follows:

Section D103 MINIMUM SPECIFICATION

Section D103.1 is deleted:

Section D103.2 is amended as follows:

D103.2 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official.

Section D103.3 is amended as follows:

D103.3 Turning radius. The required turning radius of a fire apparatus access roads shall be a minimum of 30 feet inside, and a minimum of 50 feet outside.

Section D103.4 is amended as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads and/or driveways in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with the Santa Clara County Fire Department apparatus access and turnaround standards.

Section D103.6 is amended as follows:

D103.6 Signs. Where required by the Fire Code Official, fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code and the Santa Clara County Fire Department A-6 Standard. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

APPENDIX 11

Chapter 12.24 – California Existing Building Code

12.24.010 - Adoption of the California Existing Building Code.

There is hereby adopted by reference as if fully set forth herein, the 2025 California Existing Building Code, contained in the California Code of Regulations, Title 24, Part 10, published by the International Code Council, and each and all of its regulations and provisions. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.26 – Green Building Standards Code

Section 12.26.010 Adoption of the California Green Building Standards Code

Section 12.26.020 Amendments, Additions or Deletions

Section 12.26.010 Adoption of the California Green Building Standards Code

There is hereby adopted by reference as if fully set forth herein, the 2025 California Green Building Standards Code, contained in the California Code of Regulations, Title 24, Part 11, published by the International Code Council, and each and all of its regulations and provisions.

Section 12.26.020 Amendments, Additions or Deletions

The 2025 California Green Building Standards Code referred to in Section 12.26.010 is adopted, together with Chapters 1 Administration, 4 Residential Mandatory Measures, and 5 Nonresidential Mandatory Measures, of the 2025 California Green Building Standards Code, with the following amendments as follows:

Chapter 1 Section 102.4 Scope and Mandatory Compliance is hereby added to read as follows:

Section 102.4 Scope and Mandatory Compliance

A. This code contains both mandatory and voluntary green building measures. Mandatory and voluntary measures are identified in the appropriate chapters contained in this code. Compliance measures and methods shall be by one of the following measures approved by the Building Official.

   The means by which compliance measures are achieved shall be mandatory measures with appendix sections voluntarily applied, building division mandatory check list, whole house Build it Green GreenPoint check list, LEED, other recognized point systems, Title 24 Part 6 Energy Efficiency Standards, or equivalent approved methods. Green Building Compliance measures in addition to checklists shall be incorporated into the project drawings approved by the Building Official prior to building permit submittal.

   Prior to issuance of a building permit, the owner or responsible Registered Design Professional acting as the owner's agent shall employ and/or retain a

   Qualified Green Building Professional to the satisfaction of the Building Official, and prior to final inspection shall submit verification that the project is in compliance with this ordinance.

APPENDIX 13

Chapter 12.28 – California Referenced Standards Code

12.42.010 - Adoption of the California Referenced Standards Code.

There is hereby adopted by reference as if fully set forth herein, the 2022 California Referenced Standards Code, contained in the 2025 edition of the California Code of Regulations, Title 24, Part 12, published by the International Code Council, and each and all of its regulations and provisions. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.30 Penalty for Expired Permits

12.30.010 Application.

This chapter shall apply to all residential, non-residential, commercial, construction and demolition, including, but not limited to, all additions, alterations, modifications, repairs, and improvements, that require a building permit or demolition permit.

12.30.020 Timely renewal of expired permits.

In the event a permit expires under Chapter 12 of the Los Altos Municipal Code for suspension or abandonment of work, the property owner shall seek renewal of the permit within thirty (30) days following its expiration.

12.30.030 Penalty for expired permits.

A property owner shall be subject to the following penalties for violation of Section 12.30.020:

Time for Permit Expiration	Penalty
0 to 30 days	$0.00
31st day through 60th day	$200.00 per day
61st day through 120th day	$400.00 per day
121st day and every day thereafter	$800.00 per day

A. For purposes of this section, if a renewed permit expires and the property owner has not advanced a project to the next level of required inspection, the calculation of penalties shall relate back to the date of the previous permit expiration.

B. The building official may reduce or waive a penalty accrued under this chapter upon finding that the property owner acted in good faith and either: (1) the delay was attributable to circumstances beyond the property owner's control; or (2) imposition of the full accrued penalty would harm the public interest, provided, however, that and reduction or waiver of more than ten thousand dollars ($10,000.00) must be approved by the development services director.

12.30.040 Appeal of assessed penalty.

A property owner may request a hearing to contest a citation issued under this chapter in accordance with Title 1 of the Los Altos Municipal Code.

12.30.050 Public nuisance declared.

Any violation of this chapter shall constitute a public nuisance and, in addition to being subject to any other remedies allowed by law, may be abated as provided in Chapter 11.10 of the Los Altos Municipal Code.

APPENDIX 15

Chapter 12.32 – Property Maintenance Code

12.32.010 Title.

This chapter shall be known and may be cited as the "Los Altos Property Maintenance Code" or "LAPMC" and will be referred to in this chapter as "this code."

12.32.020 Adoption of the 2024 International Property Maintenance with Amendments.

The 2024 Edition of the International Property Maintenance Code as published by the International Code Council is adopted as the property maintenance code of the city of Los Altos, California, as if fully set out in this chapter, and is amended as provided in this chapter. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

12.32.030 Amendment of 2024 IPMC Section 102 (Applicability).

Section 102 of the 2024 IPMC is amended as follows:

102.1-102.7 {IPMC text not modified}

102.8.1 Conflicts. Where conflicts occur between the provision of this code and the referenced standards, the provisions of this code shall apply. Where conflicts occur between the provisions of this code and California Statutes, the provisions of the latter shall apply.

102.8.2-102.11 {IPMC text not modified}

12.32.040 Amendment of 2024 IPMC Section 103 (Code Compliance Agency).

Section 103 Code Compliance Agency of the 2024 IPMC is amended as follows:

103.1 Creation of agency. The Code Enforcement Division of the Development Services Department shall be responsible for the implementation, administration, and enforcement of the provisions of this code. The building official in charge of the Los Altos Building & Safety Division of the Development Services Department shall be known as the code official in this chapter.

103.2 {IPMC text not modified}

103.3 Deputies. The code official shall have the authority to appoint 1 or more deputies. Such employees shall have the powers as delegated by the code official.

12.32.050 Amendment of 2024 IPMC Section 105 (Duties and Powers of the Code Official).

Section 105 of the 2024 IPMC is amended as follows:

105.1-105.2 {IPMC text not modified}

105.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

105.4-105.7.1 {IPMC text not modified}

12.32.060 Amendment of 2024 IPMC Section 107 (Means of Appeal).

Section 107 of the 2024 IPMC is amended as follows:

107.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code may appeal that decision, notice or order by filing an appeal with the city clerk within fourteen (14) calendar days of the date of service of that decision, notice, or order. The appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. The appeal shall identify the real property, state the grounds for the appeal, and state all material facts in support of the appeal.

107.2 Notice of hearing. Notice of hearing and the hearing shall be conducted as provided for in Chapter 1.12 of the Los Altos Municipal Code.

107.3 Court review. Judicial review of the hearing officer's decision shall be commenced in accordance with Cal. Code of Civil Procedure § 1094.6 no later than ninety (90) calendar days after the decision is signed. Cal. Code of Civil Procedure § 1094.6 is hereby adopted for purposes of this Title. Review shall be in accordance with Cal. Code of Civil Procedure § 1094.5.

12.32.070 Amendment of 2024 IPMC Section 109 (Violations).

Section 109 of the 2024 IPMC is amended as follows:

109.1 Unlawful acts. It is hereby declared to be unlawful and a public nuisance for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any premises, building, structure or building service equipment, or cause or permit the same to be done in violation of this code or this division.

109.2 Notice of violation. The code official shall serve a notice of violation in accordance with Section 111.4.

109.3 Prosecution of violation. Any person failing to comply with a notice of violation served in accordance with Section 111.4 shall be deemed guilty of a misdemeanor but may be charged with an infraction at the discretion of the city attorney, or civil infraction enforceable under Chapter 1.20 of the Los Altos Municipal Code as determined by the city and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate administrative, civil, or criminal proceeding to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of this code or of the order or direction made pursuant thereto.

109.4 Violation Penalties. Each day during any portion of which any violation of this ordinance is committed or continued by such person shall constitute a separate offense and shall be punishable as provided in this code and Title 1 of the Los Altos Municipal Code.

109.5 Abatement of violation. The city may abate a violation of this code pursuant to the abatement process set forth in the Los Altos Municipal Code.

12.32.080 Amendment of 2024 IPMC Section 110 (Stop Work Order).

Section 110 of the 2024 IPMC is amended as follows:

110.1 - 110.3 {IPMC text not modified}

110.4 Failure to comply. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for civil penalties pursuant to the Los Altos Municipal Code Chapter 1.20.

APPENDIX 16

Chapter 12.34 – Abatement of Dangerous Buildings

12.34.010 - Adoption of the Uniform Code for the Abatement of Dangerous Buildings.

The 1998 edition of the California Code of Regulations, incorporating the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

APPENDIX 17

Chapter 12.36 – Housing Code

12.36.010 – Adoption of the Uniform Housing Code.

The 1998 edition of the California Building Standards Code, incorporating the Uniform Housing Code, 1997 edition, published by the International Conference of Building Officials, is hereby adopted. One (1) copy of said code is on file for use and examination by the public in the Development Services Department of the City of Los Altos.

Chapter 12.38 – Undergrounding Utilities

Section 12.38.010 Purpose.

Section 12.38.020 Undergrounding utilities.

Section 12.38.010 Purpose.

The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.

Section 12.38.020 Undergrounding utilities.

It is the intent of the city to ensure that all new utility services and relocated existing utility services are placed underground, including additions exceeding fifty (50) percent of floor area and/or seven hundred and fifty (750) square feet or more, excluding basements and any non-habitable floor areas. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

- **a.** In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- **b.** Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of this municipal code.
- **c.** Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.
- **d.** The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two code cycles. The original addition permit issuance date where these regulations were in effect shall be used for compliance.
  - **i.** Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with undergrounding of utility regulations.
  - **ii.** No exception or waiver shall be granted from compliance with undergrounding utilities.

e. The Building Official may only grant exceptions to these requirements in cases where access across adjacent property is necessary but is not legally or practically available.

  i. To demonstrate an exception the property owner shall provide a plan showing the required utility design, communication with adjacent property owners indicating the lack of access allowed, and a letter from the utility company which indicates that no alternative configuration for undergrounding of utilities is possible.

f. Completion of Work. Undergrounding utilities shall be completed prior to Building Final Inspection, and issuance of Certificate of Occupancy. No exception or waiver shall be granted which allows for a property owner to evade compliance with this requirement.

Chapter 12.40 – Floodplain Management

Article 1. General Provisions

12.40.010 Title.

These regulations, in combination with the flood provisions of California Code of Regulations Title 24, the California Building Standards Code (hereinafter "building codes," consisting of the Part 2 (building), Part 2.5 (residential), Part 10 (existing building), and related codes), shall be known as the Floodplain Management Regulations of the City of Los Altos (hereinafter "these regulations").

12.40.020 Statutory authority.

Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

12.40.030 Scope.

The provisions of these regulations, in combination with the flood provisions of the building codes, shall apply to all proposed development entirely or partially in flood hazard areas established in Section 12.40.110 of these regulations.

The purposes and objectives of these regulations and the flood load and flood resistant construction requirements of the building codes are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

A. Minimize unnecessary disruption of commerce, access and public service during times of flooding.

B. Require the use of appropriate construction practices in order to prevent or minimize future flood damage.

C. Manage the alteration of natural floodplains, stream channels and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain.

D. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential.

E. Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.

F. Contribute to improved construction techniques in the floodplain.

G. Minimize damage to public and private facilities and utilities.

H. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.

I. Minimize the need for rescue and relief efforts associated with flooding.

J. Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.

K. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.

L. Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.

12.40.050 Coordination with California Building Standards Code.

Pursuant to the requirement established in State statute that the City of Los Altos administer and enforce the California Building Standards Code, the city council of the City of Los Altos hereby acknowledges that the building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these Regulations are intended to be administered and enforced in conjunction with the building codes.

12.40.060 Warning.

The degree of flood protection required by these regulations and the building codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these Regulations and the building codes does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these Regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with these regulations.

12.40.070 Disclaimer of liability.

These regulations shall not create liability on the part of the City of Los Altos, the city council, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made hereunder. The floodplain administrator and

any employee charged with the enforcement of these regulations, while acting for the community in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by a legal representative of the community until the final termination of the proceedings. The floodplain administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

12.40.080 Other laws.

The provisions of these regulations shall not be deemed to nullify any provisions of local, state or federal law.

12.40.090 Abrogation and greater restrictions.

These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.

Article 2. Applicability

12.40.100 General applicability.

These regulations, in conjunction with the building codes, provide minimum requirements for development located in flood hazard areas, including the subdivision of land; filling, grading and other site improvements; installation of utilities; installation, placement and replacement of manufactured homes; placement of recreational vehicles; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; certain building work exempt from permit under the building codes; and flood control projects.

12.40.110 Establishment of flood hazard areas.

The flood insurance study for the City of Los Altos, Santa Clara County, California and Incorporated Areas dated January 1980, and all subsequent amendments and revisions, and

the accompanying flood insurance rate maps (FIRM), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these Regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the FIS and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the Community Development Department, One North San Antonio Road, Los Altos, CA 94022.

12.40.120 Interpretation.

In the interpretation and application of these regulations, all provisions shall be:

- **A.** Considered as minimum requirements.
- **B.** Liberally construed in favor of the governing body.
- **C.** Deemed neither to limit nor repeal any other powers granted under state statutes.

Article 3. Duties and Powers of The Floodplain Administrator

12.40.130 Designation.

The Development Services Director, or his or her designee, is designated the floodplain administrator. The floodplain administrator shall have the authority to delegate performance of certain duties to other employees.

12.40.140 General authority.

The floodplain administrator is authorized and directed to administer and enforce these regulations. the floodplain administrator shall have the authority to render interpretations of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article 7 of these regulations. The floodplain administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified California (CA) Licensed Land Surveyor or Civil Engineer when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.

12.40.150 Coordination.

The floodplain administrator shall coordinate with and provide comments to the building official to administer and enforce the flood provisions of the building code and to ensure

compliance with the applicable provisions of these regulations. The floodplain administrator and the building official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 12.40.170 of these regulations.

12.40.160 Duties.

The floodplain administrator, in coordination with other pertinent offices of the community, shall:

A. Review all permit applications and plans to determine whether proposed development is located in flood hazard areas.

B. Review all applications and plans for development in flood hazard areas for compliance with these regulations.

C. Review, in coordination with the building official, required design certifications and documentation of elevations specified by the building code to determine that such certifications and documentations are complete.

D. Review applications and plans for modification of any existing development in flood hazard areas for compliance with these regulations.

E. Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.

F. Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.

G. Determine whether additional flood hazard data shall be obtained from other sources or developed by the applicant.

H. Complete the appropriate section of the Department of Housing and Community Development Floodplain Ordinance Compliance Certification for Manufactured Home/Mobile home Installations when submitted by applicants.

I. Review requests submitted to the building official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the building code, to determine whether such requests require consideration as a variance pursuant to Article 7 of these regulations.

J. Coordinate with the building official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.

K. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary

to maintain the flood insurance rate maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within six months of such data becoming available.

L. Require applicants who propose alteration of a watercourse to notify adjacent communities and the NFIP State Coordinating Agency, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).

M. Inspect development in accordance with Article 6 of these regulations and inspect flood hazard areas to determine when development is undertaken without issuance of permits.

N. Prepare comments and recommendations for consideration when applicants seek variances for development other than buildings in accordance with Article 7 of these regulations.

O. Cite violations in accordance with Article 8 of these regulations.

P. Notify FEMA when the corporate boundaries of the City of Los Altos have been modified and provide a map and legal description of the changes in the corporate boundaries.

12.40.170 Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator, in coordination with the building official, shall:

A. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

B. Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when applicable, to the market value of the building or structure.

C. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.

D. Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the

applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

12.40.180 Department records.

In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including flood insurance studies and flood insurance rate maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

Article 4. Permits for Floodplain Development

12.40.190 Permits required.

Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit for floodplain development. No permit shall be issued until compliance with the requirements of these regulations and all other applicable codes and regulations has been satisfied. No building permit shall be issued based on conditional letters of map revision issued by FEMA. Depending on the nature and extent of proposed development that includes a building or structure, the floodplain administrator may determine a permit for floodplain development is required in addition to a building permit.

12.40.200 Application for permit.

The applicant shall file an application in writing on a form furnished by the floodplain administrator. The information provided shall:

A. Identify and describe the development to be covered by the permit.

B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitely locate the site.

C. Indicate the use and occupancy for which the proposed development is intended.

D. Be accompanied by a site plan and construction documents as specified in Article 5 of these regulations, including grading, excavation and filling plans and other information deemed appropriate by the floodplain administrator.

E. State the valuation of the proposed work.

F. Be signed by the applicant or the applicant's authorized agent.

G. Include such other data and information required by the floodplain administrator to demonstrate compliance with these Regulations.

12.40.210 Validity of permit.

The issuance of a permit for floodplain development under these regulations or the building codes shall not be construed to be a permit for, or approval of, any violation of these regulations, the building code, or any other ordinance of the community. The issuance of a permit for floodplain development based on submitted documents and information shall not prevent the floodplain administrator from requiring the correction of errors and omissions. The floodplain administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations.

12.40.220 Other permits required.

The applicant shall obtain all other required state and federal permits prior to initiating work authorized by these regulations and shall provide documentation of such permits to the floodplain administrator. Such permits include but are not limited to the California State Water Resources Control Board for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

12.40.230 Expiration.

A permit for floodplain development shall become invalid when the proposed development is not commenced within one hundred eighty (180) days after its issuance, or when the work authorized is suspended or abandoned for a period of one hundred eighty (180) days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The floodplain administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each unless FEMA has issued notification of revision to the flood insurance rate study and flood insurance rate maps that alter the flood hazard area or floodway boundaries, flood zones, or base flood elevations, in which case the permit is invalid.

12.40.240 Suspension or revocation.

The floodplain administrator is authorized to suspend or revoke a permit for floodplain development issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of these regulations or any ordinance or code of this community.

12.40.250 Appeals of decisions.

When it is alleged there is an error in any decision or determination made by the floodplain administrator in the interpretation or enforcement of these regulations, such decision or determination may be appealed to the city manager by filing a written appeal setting forth the reasons of the appeal.

Article 5. Site Plans and Construction Documents

12.40.260 Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

A. Delineation of flood hazard areas; floodway boundaries and flood zone(s); base flood elevation(s); ground elevations; proposed filling, grading, and excavation; and drainage patterns and facilities when necessary for review of the proposed development.

B. Where base flood elevations or floodway data are not included on the FIRM or in the flood insurance study, they shall be established in accordance with Section 12.40.270 or Section 12.40.280 of these regulations.

C. Where the parcel on which the proposed development will take place will have more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM or in the flood insurance study, such elevations shall be established in accordance with Section 12.40.270.B of these regulations.

D. Location of the proposed activity and proposed structures; locations of water supply, sanitary sewer, and other utilities; and locations of existing buildings and structures.

E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

G. Existing and proposed alignment of any proposed alteration of a watercourse.

12.40.270 Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator is authorized to:

A. Require the applicant to include base flood elevation data prepared by a qualified CA Licensed Civil Engineer in accordance with currently accepted engineering practices. Such analyses shall be performed and sealed by a qualified CA Licensed Civil Engineer. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the floodplain administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

B. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

C. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

1. Require the applicant to include base flood elevation data in accordance with Section 12.40.270.A of these regulations; or
2. Specify that the base flood elevation is two feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two feet.

D. Where the base flood elevation data are to be used to support a request for a letter of map change from FEMA, advise the applicant that the analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

12.40.280 Additional analyses and certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of these Regulations, the applicant shall have the following analyses signed and sealed by a qualified CA Licensed Civil Engineer for submission with the site plan and construction documents:

A. For development activities proposed to be located in a floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 12.40.290 of these regulations and shall submit the conditional letter of map revision, when issued by FEMA, with the site plan and construction documents.

B. For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the flood insurance study or on the FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices that demonstrates the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 12.40.290 of these regulations. The applicant shall notify the chief executive officer of adjacent communities and the California Department of Water Resources. The floodplain administrator shall maintain a copy of the notification in the permit records and shall submit a copy to FEMA.

12.40.290 Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a letter of map change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a conditional letter of map revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and

filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a letter of map revision.

Article 6. Inspections

12.40.300 Inspections, in general.

Development for which a permit for floodplain development is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

12.40.310 Inspections of development other than buildings and structures.

The floodplain administrator shall make or cause to be made, inspections of all development other than buildings and structures that is authorized by issuance of a permit for floodplain development under these regulations. The floodplain administrator shall inspect flood hazard areas from time to time to determine when development is undertaken without issuance of a permit.

12.40.320 Inspections of manufactured homes installations.

The floodplain administrator shall make or cause to be made, inspections of installation and replacement of manufactured homes in flood hazard areas authorized by issuance of a permit for floodplain development under these regulations. Upon installation of a manufactured home and receipt of the elevation certification required in Section 12.40.580 of these regulations the floodplain administrator shall inspect the installation or have the installation inspected.

12.40.330 Buildings and structures.

The building official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit, in accordance with the building code:

A. Lowest floor elevation. Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the building official.

B. Final inspection. Prior to the final inspection, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the building official.

Article 7. Variances

12.40.340 Nature of variances.

The considerations and conditions for variances set forth in this article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be issued for a parcel of property with physical characteristics so unusual that complying with the requirements of these regulations would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The issuance of a variance is for floodplain management purposes only. Federal flood insurance premium rates are determined by the National Flood Insurance Program according to actuarial risk and will not be modified by the granting of a variance.

It is the duty of the City of Los Altos to promote public health, safety and welfare and minimize losses from flooding. This duty is so compelling and the implications of property damage and the cost of insuring a structure built below flood level are so serious that variances from the elevation or other requirements in the building codes should be quite rare. The long term goal of preventing and reducing flood loss and damage, and minimizing recovery costs, inconvenience, danger, and suffering, can only be met when variances are strictly limited. Therefore, the variance requirements in these regulations are detailed and contain multiple provisions that must be met before a variance can be properly issued. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

12.40.350 Variances; general.

The city manager shall hear and decide requests for variances from the strict application of these regulations.

12.40.360 Limitations on authority.

The city manager shall base its determination on technical justifications submitted by applicants, the considerations and conditions set forth in this article, the comments and recommendations of the floodplain administrator and building official, as applicable, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations and the building code.

12.40.370 Records.

The floodplain administrator shall maintain a permanent record of all variance actions, including justification for issuance.

12.40.380 Historic structures.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic structure upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure. When the proposed work precludes the structure's continued designation as a historic building, a variance shall not be granted and the structure and any repair, improvement, and rehabilitation shall be subject to the requirements of the building code.

12.40.390 Restrictions in floodways.

A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analyses required in Section 12.40.280.A of these regulations.

12.40.400 Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the criteria in Section 1612 of the building code (CCR Title 24 Part 2) or Section R322 of the residential code (CCR Title 24 Part 2.5) are met, as applicable, and the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damages during the base flood and create no additional threats to public safety.

12.40.410 Considerations for issuance of variances.

In reviewing applications for variances, all technical evaluations, all relevant factors, all other requirements of these Regulations and the building code, as applicable, and the following shall be considered:

A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
B. The danger to life and property due to flooding or erosion damage.
C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
D. The importance of the services provided by the proposed development to the community.

E. The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.

F. The compatibility of the proposed development with existing and anticipated development.

G. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

H. The safety of access to the property in times of flood for ordinary and emergency vehicles.

I. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, if applicable, expected at the site.

J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

12.40.420 Conditions for issuance of variances.

Variances shall only be issued upon:

A. Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.

B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or future property owners, or conflict with existing local laws or ordinances.

D. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

E. When the request is to allow construction of the lowest floor of a new building or substantial improvement of a building below the base flood elevation, notification to the applicant in writing over the signature of the floodplain administrator specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that issuance of a variance to construct below the elevation required in the building code will result in increased premium rates for federal flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred

dollars ($100.00) of insurance coverage, and that such construction below the required elevation increases risks to life and property.

F. Written agreement signed by the recipient of a variance to allow construction of the lowest floor below the required elevation to record the variance in the Office of the Santa Clara County Recorder in a manner so that it appears in the chain of title of the property.

Article 8. Violations

12.40.430 Violations.

Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of the elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the building code, is presumed to be a violation until such time as required documentation is submitted. Violation of the requirements shall constitute a misdemeanor.

12.40.440 Authority.

The floodplain administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.

12.40.450 Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article 9. Definitions

12.40.460 General.

The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Where terms are not defined in these regulations and are defined in the building code (CCR Title 24 Part 2) and used in the residential code (CCR Title 24 Part 2.5), such terms shall have the meanings ascribed to them in those codes. Where terms are not defined in these Regulations or the building code, such terms shall have ordinarily accepted meanings such as the context implies.

12.40.470 Definitions.

"Accessory structure" means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

"Agricultural structure" means a walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

"Alteration of a watercourse" means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

"ASCE 24" means the standard Flood Resistant Design and Construction, referenced by the building code, developed and published by the American Society of Civil Engineers, Reston, VA. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the building code.

"Base flood" means the flood having a one-percent chance of being equaled or exceeded in any given year. [Also defined in CCR Title 24 Part 2.]

"Base flood elevation" means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in CCR Title 24 Part 2.]

"Basement" means, for the purpose of floodplain management, the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in CCR Title 24 Part 2.]

"Building code" means California Code of Regulations Title 24, the California Building Standards Code, the family of building codes specifically adopted by the State of California and composed of:

1) Part 2, applicable to buildings and structures other than dwellings within the scope of this part.

2) Part 2.5, applicable to one- and two-family dwellings and townhouses not more than three stories, and accessory structures.
3) Part 10, applicable to existing buildings (as defined in that code).
4) Other specified codes.

"Design flood" means the flood associated with the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]

1) Area with a flood plain subject to a one-percent or greater chance of flooding in any year.
2) Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

"Design flood elevation" means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where a depth number is not specified on the map, the depth number shall be taken as being equal to two feet (610 mm). [Also defined in CCR Title 24 Part 2.]

"Development" means any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations, flood control projects, and other land-disturbing activities.

"Encroachment" means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

"Exceptional hardship" means, for the purpose of variances from these regulations or the building code, the exceptional difficulty that would result from a failure to grant a requested variance. Mere economic or financial hardship is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors do not, as a rule, qualify as exceptional hardships. All of these circumstances can be resolved through other means without granting variances, even when the alternatives are more expensive or require the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities,

the construction of streets, and either final site grading or the pouring of concrete pads) was completed before July 24, 1980.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land from:

1) The overflow of inland or tidal waters.
2) The unusual and rapid accumulation or runoff of surface waters from any source.
3) Mudslides (i.e., mudflows) which are proximately caused by flooding.

"Flood control project" means a dam or barrier design and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

"Flood damage-resistant materials" means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in CCR Title 24 Part 2.]

"Flood hazard area" means the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]

1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.
2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

"Flood insurance rate map (FIRM)" means an official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community. [Also defined in CCR Title 24 Part 2.]

"Flood insurance study" means the official report provided by the Federal Emergency Management Agency containing the flood insurance rate map (FIRM), the flood boundary and floodway map (FBFM), the water surface elevation of the base flood and supporting technical data. [Also defined in CCR Title 24 Part 2.]

"Floodplain administrator" means the Development Services Director or his or her designee, to leave in administer and enforce the floodplain management regulations.

"Floodway" means the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Also defined in CCR Title 24 Part 2.]

"Fraud or victimization" means, for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

"Functionally dependent use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding or ship repair facilities. The term does not include long-term storage, manufacture, sales or service facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

"Historic structure" means any structure that is:

1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3) Individually listed on the inventory of historic places maintained by the California Office of Historic Preservation; or
4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by the California Office of Historic Preservation.

"Letter of map change (LOMC)" means an official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

1) Letter of map amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A

LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

2) Letter of map revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
3) Letter of map revision based on fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
4) Conditional letter of map revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

"Light-duty truck" means, as defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or
3) Available with special features enabling off-street or off-highway operation and use.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the building codes. [Also defined in CCR Title 24 Part 2.]

"Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, designed for use as a single-family dwelling with or without a permanent foundation when connected to the required utilities, and constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S.

Department of Housing and Urban Development. Also see definitions in Health and Safety Code Sections 18000(a)(2) and 18001(a). For the purposes of floodplain management, the term also includes mobile homes and recreational vehicles, park trailers, travel trailers and similar transportable structures that are placed on a site for one hundred eighty (180) consecutive days or longer.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Market value" means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the property appraiser, or (3) a qualified independent appraiser.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after July 24, 1980.

"Nuisance" means that which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

"Permit for floodplain development" means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specified development activities that are located in flood hazard areas and that are determined to be compliant with these Regulations.

"Recreational vehicle" means a vehicle that is built on a single chassis, 400 square feet (37.16 m2) or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use when it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security

devices and has no permanently attached additions. Also see definitions in Health and Safety Code section 18010.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special flood hazard area (SFHA)" means the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Also defined in CCR Title 24 Part 2.]

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. [Also defined in CCR Title 24 Part 2.]

"Substantial improvement" means any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the improvement or repair is started. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in CCR Title 24 Part 2.]

1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

"Utility and miscellaneous Group U" means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as described in the building code.

"Variance" means a grant of relief from the requirements of these Regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.

"Violation" means a development that is not fully compliant with these regulations or the flood provisions of the building code, as applicable.

"Watercourse" means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Article 10. Buildings and Structures

12.40.480 Requirements for buildings and structures in flood hazard areas.

Applications for building and structures within the scope of the building code that are proposed in flood hazard areas shall comply with the applicable requirements of the building code and local amendments to the building code specified in Title 12 Buildings and Construction.

12.40.490 Detached garages and accessory storage structures.

Detached garages and accessory storage structures used only for parking or storage (and cannot be attached to any structure used for human habitation or converted to a use for human habitation) are permitted below the base flood elevation provided the garages and accessory storage structures:

- **A.** Are one story and not larger than four hundred (400) square feet in area when located in special flood hazard areas.
- **B.** Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
- **C.** Have flood openings in accordance with the building code.
- **D.** Have flood damage-resistant materials used below the base flood elevation.
- **E.** Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation.

12.40.500 Utility and Miscellaneous Group U.

Utility and miscellaneous Group U includes buildings that are accessory in character and miscellaneous structures not classified in any specific occupancy in the building code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, fences more than six feet (1829 mm) high, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, and towers. In addition to the building code requirements for fire and life safety, the following shall apply to utility and miscellaneous Group U buildings and structures in flood hazard areas:

- **A.** New construction and substantial improvement of such buildings and structures shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions of the design flood.
- **B.** New construction and substantial improvement of such buildings and structures, when fully enclosed by walls, shall be elevated such that the lowest floor, including

basement, is elevated to or above the design flood elevation in accordance with ASCE 24 or shall be dry floodproofed in accordance with ASCE 24.

C. Unless dry floodproofed, fully enclosed areas below the design flood elevation shall be constructed in accordance with ASCE 24 and limited to parking, storage, and building access.

D. When fully enclosed by walls, flood openings shall be installed in accordance with ASCE 24.

E. Flood damage-resistant materials shall be used below the design flood elevation.

F. Mechanical, plumbing and electrical systems, including plumbing fixtures, shall be located or installed in accordance with ASCE 24.

Article 11. Subdivisions

12.40.510 Minimum requirements.

Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.

B. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 12.40.540 and Section 12.40.550 of these regulations, as applicable, and appropriate codes.

C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

12.40.520 Subdivision requirements.

In addition to the requirements of Section 302-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

A. The flood hazard area, including floodways, as appropriate, shall be delineated on preliminary subdivision plats.

B. Where the subdivision has more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 12.40.270.A of these regulations.

C. When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the

subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.

Article 12. Site Improvements, Utilities and Limitations

12.40.530 Minimum requirements.

All proposed development in flood hazard areas shall be reviewed to determine that:

A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.

B. Where the proposed development has more than fifty (50) lots or is larger than five acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 12.40.270.A of these regulations.

C. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage.

D. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

12.40.540 Sanitary sewer facilities.

All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

12.40.550 Water supply facilities.

All new and replaced water supply facilities shall be designed in accordance with the provisions of Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the systems.

12.40.560 Development in floodways.

Development, site improvements and land disturbing activity involving fill or regrading shall not be authorized in the floodway unless the floodway encroachment analysis required in Section 12.40.280.A of these regulations demonstrates the proposed work will not result in any increase in the base flood level during occurrence of the base flood discharge.

12.40.570 Limitations on placement of fill.

Subject to the limitations of these Regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures, fill shall comply with the requirements of the building code. The placement of fill intended to change base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs shall be subject to the requirements of Section 12.40.290 of these regulations.

Article 13. Installation of Manufactured Homes

12.40.580 Installation.

All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) and the requirements of these regulations. In addition to permits pursuant to these regulations, permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes. Upon completion of installation and prior to the final inspection by the floodplain administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the floodplain administrator.

12.40.590 Foundations.

All new and replacement manufactured homes, including substantial improvement of manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of Section R322.2 of the residential code (CCR Title 24 Part 2.5) and these regulations. Foundations for manufactured homes subject to Section 12.40.620 of these regulations are permitted to be reinforced piers or other foundation elements of at least equivalent strength.

12.40.600 Anchoring.

All new and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring are authorized to include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind loads and seismic loads.

12.40.610 General elevation requirement.

Unless subject to the requirements of Section 12.40.620 of these regulations, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the lowest floor, or bottom of the lowest horizontal member of the lowest floor, as applicable to the flood hazard area, is at or above the base flood elevation.

12.40.620 Elevation requirement for certain existing manufactured home parks and subdivisions.

Manufactured homes that are not subject to Section 12.40.610 of these regulations, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as a result of flooding has occurred, shall be elevated such that either the:

A. Lowest floor, or bottom of the lowest horizontal structural member, as applicable to the flood hazard area, is at or above the base flood elevation.

B. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.

12.40.630 Flood damage-resistant materials.

Materials below elevated manufactured homes shall comply with the flood-damage resistant materials requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

12.40.640 Enclosures.

Fully enclosed areas below elevated manufactured homes shall comply with the enclosed area requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

12.40.650 Protection of mechanical equipment and outside appliances.

Mechanical equipment and outside appliances shall be elevated to or above the lowest floor or bottom of the lowest horizontal structural member of the manufactured home, as applicable to the flood hazard area.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 12.40.610 or Section 12.40.620, as applicable, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

Article 14. Recreational Vehicles

12.40.660 Temporary placement.

Recreational vehicles in flood hazard areas, shall be placed on a site for less than one hundred eighty (180) consecutive days or shall be fully licensed and ready for highway use. Ready for highway use means the recreational vehicle is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, such as rooms, stairs, decks and porches.

12.40.670 Permanent placement.

Recreational vehicles that do not meet the limitations in Section 12.40.660 for temporary placement shall meet the requirements of Article 14 for manufactured homes.

Article 15. Other Development

12.40.680 General requirements for other development.

All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the building code, shall:

- **A.** Be located and constructed to minimize flood damage.
- **B.** Meet the limitations of Section 12.40.560 of these regulations when located in a regulated floodway.
- **C.** Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.
- **D.** Be constructed of flood damage-resistant materials.
- **E.** Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

12.40.690 Tanks.

Tanks that serve buildings shall comply with the requirements of the building code. Underground and above-ground tanks that serve other purposes shall be designed, constructed, installed and anchored in accordance with ASCE 24.

12.40.700 Requirements for temporary structures and temporary storage in flood hazard areas.

Temporary structures shall be erected for a period of less than one hundred eighty (180) days and temporary storage of goods and materials shall be permitted for a period of less than one hundred eighty (180) days. Extensions may be granted in accordance with Section 12.40.230 of these regulations. In addition, the following apply:

A. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

B. Temporary stored materials shall not include hazardous materials.

C. The requirements of Section 12.40.560 of these regulations, when located in floodways.

12.40.710 Fences in floodways.

Fences in floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 12.40.560 of these regulations.

12.40.720 Oil derricks.

Oil derricks located in flood hazard areas shall be designed in conformance with flood loads required by the building code.

12.40.720 Retaining walls, sidewalks and driveways in floodways.

Retaining walls and sidewalks and driveways that involve placement of fill in floodways shall meet the limitations of Section 12.40.560 of these regulations and the requirements for site grading in Chapter 18 of the building code.

12.40.730 Roads and watercourse crossings in floodways.

Roads and watercourse crossings that encroach into floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges,

culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side shall meet the limitations of Section 12.40.560 of these regulations. Alteration of a watercourse that is part of work proposed for a road or watercourse crossing shall meet the requirements of Section 12.640.280.C of these regulations.

12.40.740 Swimming pools.

Above-ground swimming pools, on-ground swimming pools, and in-ground swimming pools that involve placement of fill in floodways shall meet the requirement of Section 12.40.560 of these regulations.

Article 16. Flood Control Projects

12.40.750 Flood control projects; general.

In addition to applicable Federal, State and other local permits, a permit for floodplain development is required for construction of flood control projects. The purpose for the permit is to examine the impact on flood hazard areas, floodways, and base flood elevations shown on the FIRM. Unless otherwise authorized by separate regulations, issuance of this permit does not address the sufficiency of the structural elements of the proposed flood control project. Permits for floodplain development and building permits in areas affected by proposed flood control projects shall not be issued based on conditional letters of map revision issued by FEMA.

12.40.760 Flood control projects; applications.

Applications for permits for flood control projects shall include documentation including but not limited to:

A. Site plan or document showing the existing topography and the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations shown on the FIRM.

B. Site plan or document showing the proposed topography and the proposed changes to the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations.

C. The documentation submitted to FEMA for a conditional letter of map revision (CLOMR) and, if issued, the conditional letter of map revision. Submittal requirements and processing fees shall be the responsibility of the applicant. A CLOMR is required when a proposed flood control project alters a floodway and increases base flood elevations more than greater than 0.00 feet, or alters a watercourse a riverine flood hazard area for which base flood elevations are included

in the flood insurance study or on the FIRM and floodways have not been designated and increases base flood elevations more than 1.0 foot.

Summary of Compliance Requirements

Table 1. Summary of Requirements if Using a Heat Pump

Ducts	State Code Requirements	Additional Local Code Requirements
Existing	• Duct sealing (10% leakage) • Airflow efficiency (300 CFM/ton) • Refrigerant charge verification	• None
New	• Duct sealing (5% leakage) • Airflow efficiency (350 CFM/ton) • Fan efficacy (0.58 W/CFM) • Refrigerant charge verification • Attic insulation (R-49) • Air sealing • R-8 Duct insulation	• None

Table 2. Summary of Requirements if Using a Furnace

Ducts	State Code Requirements	Additional Local Code Requirements
Existing	• Duct sealing (10% leakage) • Airflow efficiency (300 CFM/ton)	• Refrigerant charge verification • Fan efficacy (0.45 watts/CFM) • Attic insulation (R-49) • Air sealing
New	• Duct sealing (5% leakage) • Airflow efficiency (350 CFM/ton) • Fan efficacy (0.45 W/CFM) • Attic Insulation (R-49) • Air sealing • R-8 Duct insulation	• Refrigerant charge verification • Fan efficacy (0.35 watts/CFM)

CALIFORNIA ENERGY CODES & STANDARDS
A STATEWIDE UTILITY PROGRAM

2025 Cost-Effectiveness Study: Single Family AC to Heat Pump Replacement

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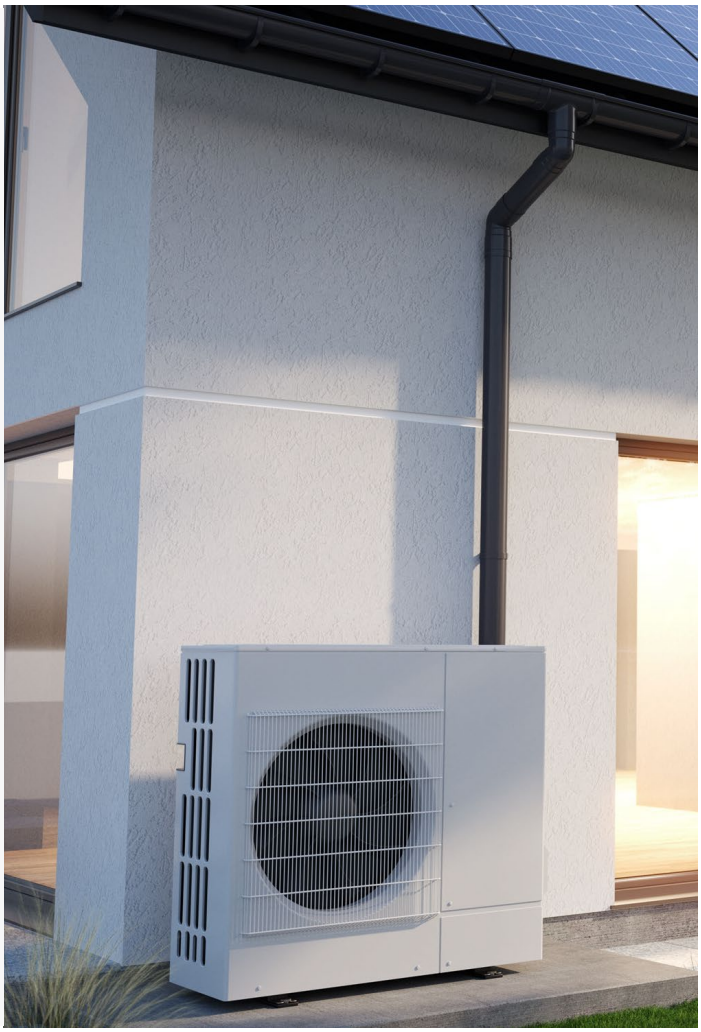

Table 1. Summary of Revisions

Date	Description	Reference (page or section)
6/09/2025	Original Release	N/A

Acronym List

AC – Air conditioner

ACH50 – Air Changes per Hour at 50 pascals pressure differential

AFUE – Annual Fuel Utilization Efficiency

B/C – Lifecycle Benefit-to-Cost Ratio

BSC – Building Standards Commission

CA IOUs – California Investor-Owned Utilities

CARE – California Alternate Rates for Energy

CASE – Codes and Standards Enhancement

CBECC-Res – Computer program developed by the California Energy Commission for demonstrating compliance with the California Residential Building Energy Efficiency Standards

CFM – Cubic Feet per Minute

CO_2 – Carbon Dioxide

CPAU – City of Palo Alto Utilities

CPUC – California Public Utilities Commission

CZ – California Climate Zone

DFHP – Dual Fuel Heat Pump

DHW – Domestic Hot Water

DOE – Department of Energy

EDR – Energy Design Rating

EER – Energy Efficiency Ratio

EF – Energy Factor

GHG – Greenhouse Gas

HPWH – Heat Pump Water Heater

HSPF – Heating Seasonal Performance Factor

HVAC – Heating, Ventilation, and Air Conditioning

IOU – Investor Owned Utility

kBtu – kilo-British thermal unit

kWh – Kilowatt Hour

LCC – Lifecycle Cost

LLAHU – Low Leakage Air Handler Unit

VLLDCS – Verified Low Leakage Ducts in Conditioned Space

NEEA – Northwest Energy Efficiency Alliance

NEM – Net Energy Metering

NPV – Net Present Value

PG&E – Pacific Gas and Electric Company

PV – Photovoltaic

SCE – Southern California Edison

SDG&E – San Diego Gas and Electric

SEER – Seasonal Energy Efficiency Ratio

SF – Single Family

SMUD – Sacramento Municipal Utility District

SoCalGas – Southern California Gas Company

TDV – Time Dependent Valuation

Therm – Unit for quantity of heat that equals 100,000 British thermal units

Title 24 – Title 24, Part 6

TOU – Time-Of-Use

UEF – Uniform Energy Factor

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Executive Summary

The California Codes and Standards (C&S) Reach Codes program, also known as the Local Energy Codes program, provides technical support to local governments considering adopting a local ordinance (reach code) intended to support meeting local and/or statewide energy efficiency and greenhouse gas (GHG) reduction goals. The program facilitates adoption and implementation of the code when requested by local jurisdictions by providing resources such as cost-effectiveness studies, model language, sample findings, and other supporting documentation.

It is important to note that there is a voluntary measure in the 2025 CALGreen for replacing an air conditioner with a heat pump at time of air conditioner replacement, which can be adopted as is. This report seeks to provide options to modify the heat pump measure, and demonstrate the cost-effectiveness of these options.

This analysis used two different metrics to assess the cost-effectiveness of the proposed upgrades for a 1,665 square foot single family home prototype with an attached garage. Both methodologies require estimating and quantifying the incremental costs and energy savings associated with each energy efficiency measure over a 30-year analysis period. On-Bill cost-effectiveness is an occupant-based lifecycle cost (LCC) approach that values energy based upon estimated site energy usage and customer utility bill savings using today's electricity and natural gas utility tariffs. To reflect how natural gas prices fluctuate with seasonal supply and demand, a normalized curve was used to estimate the cost for the remaining months relative to today's rates. Long-term Systemwide Cost (LSC) is the California Energy Commission's metric for determining cost-effectiveness of efficiency measures in the 2025 Energy Code. This metric is intended to capture the long-term projected cost of energy including costs for providing energy during peak periods of demand, carbon emissions, grid transmission and distribution impacts.

Local jurisdictions may adopt ordinances that amend different parts of the California Building Standards Code or may elect to amend other state or municipal codes. The decision regarding which code to amend will determine the specific requirements that must be followed for an ordinance to be legally enforceable. For example, reach codes that amend Part 6 of the California Building Code (the Energy Code) and require energy performance beyond state code minimums must demonstrate the proposed changes are cost-effective and obtain approval from the Energy Commission as well as the Building Standards Commission (BSC). Amendments to Part 11, such as requirements for increased water efficiency or electric vehicle infrastructure only require BSC approval and do not require the Energy Commission approval. Although a cost-effectiveness study is only required to amend Part 6 of the California Building Code, this study provides valuable context for jurisdictions pursuing other ordinance paths to understand the economic impacts of the policy decision. This study documents the estimated costs, benefits, energy impacts and greenhouse gas emission reductions that may result from implementing an ordinance based on the results to help residents, local leadership, and other stakeholders make informed policy decisions.

The following summarizes key results:

1. Heat pumps are significantly more efficient than gas furnaces, requiring less than half the energy to meet the heating load. However, despite this reduction in heating energy use, the cost of heating a home using electricity (heat pump) could be higher than the cost to heat that same home with natural gas (furnace), depending on the electricity tariffs relative to the gas tariffs. Therefore, while a heat pump measure could be deemed as cost-effective over its lifecycle, installing a heat pump could result in a decrease *or* an increase in utility costs in the first years relative to a gas furnace and AC system.
2. The study assumes utility rates escalate over time. Because it is very difficult to predict how the rates will change, the analysis presents two escalation scenarios (modest and high gas escalation) to represent a range of outcomes.
3. The LSC metric most often produces more favorable cost-effectiveness results relative to the results produced using actual utility costs (On-Bill). When the analysis assumes a higher escalation rate for natural gas costs relative to electricity in future years (high gas escalation), the On-Bill results are more favorable in some cases.
    a. In the oldest (pre-1978) vintage, all three measures (dual fuel heat pump with existing furnace, standard heat pump space heater, and high efficiency heat pump space heater) are cost-effective using the LSC metric in all climate zones. When using the On-Bill metric, the measures remain cost-effective in most climate zones.
    b. In the newer (1978-1991 and 1992-2010) vintages, the dual fuel heat pump (DFHP Existing Furnace) and the standard efficiency HPSH are cost-effective based on LSC in all cases except for Climate Zone 15 when using both the standard and California Alternate Rates for Energy (CARE) tariff.
4. Using the CARE tariff results in higher cost savings and cost-effectiveness relative to standard rates, with almost all cases yielding first year utility cost savings. The DFHP Existing Furnace is On-Bill cost-effective based on the high gas escalation scenario in all cases in the pre-1978 vintage, and almost all cases in the 1978-1991 and 1992-2010 vintage. It is also On-Bill cost-effective in most climate zones for the modest gas escalation scenario across all vintages. In Climate Zones 5, 8, 9, 10, 14, and 15, cost-effectiveness declines relative to other areas, and in some cases is not cost-effective from an On-Bill perspective. This is the case for both the CARE tariff and the standard rate.
5. The analysis also modeled the cost impact of using a standard time-of-use electricity tariff versus switching to a newer electrification tariff, designed to reduce costs in homes with heat pumps and/or electric vehicles. Older homes tend to be the least efficient and achieve the most savings from improving equipment efficiency. In most of the state, because older homes tend to use more electricity than a similarly sized, newer vintage home, they realize more costs savings under the electrification tariff. Newer homes tend to use less electricity and therefore do not realize the same cost

savings from switching tariffs; they generally perform better under the standard tariff. This trend is different in milder climate zones in SCE territory (excluding CZ 15), where newer homes realize more cost savings. Both the standard and electrification tariffs in SCE territory include a daily allocation of lower-cost baseline electricity and a second, higher-priced tier when the baseline is exceeded. In many newer homes, a higher percentage of overall electricity use is within the baseline allocation, resulting in greater cost savings.

6. Higher efficiency equipment reduces utility costs in all cases and improves cost-effectiveness in many climate zones in the oldest vintage relative to standard efficiency equipment. However, in more efficient newer homes, where cost-effectiveness is generally lower, the savings are insufficient to offset the roughly $3,000 increase in incremental cost.
7. Given the adopted Bay Area Air Quality Management District (BAAD) Zero NOx rule, and the proposed California Air Resource Board or South Coast Air Quality Management District (SCAQMD) Zero-NOx rules, and gas furnaces are no longer available or less available to be installed in 2030, a sensitivity analysis was performed for the Zero NOx scenario and found that cost-effectiveness declines in many cases except in Climate Zones 8-10, some results improve enough to become cost-effective. The improved cost-effectiveness in Climate Zones 8-10 is due to the higher baseline cost when a HPSH must be installed at year 10 when the furnace must be replaced. However, the overall magnitude of 30-year On-Bill cost-effectiveness is lower because there are only 10 years of utility cost savings. After year 10 the base case and upgrade measures are both heat pumps.

This report documents the key results and conclusions from the Reach Codes Team analysis. A full dataset of all results can be downloaded at https://localenergycodes.com/content/resources. Results alongside policy options can also be explored using the Cost-effectiveness Explorer at https://explorer.localenergycodes.com/. Model ordinance language and other resources are posted on the C&S Reach Codes Program website at LocalEnergyCodes.com. Local jurisdictions that are considering adopting an ordinance may contact the program for further technical support at info@localenergycodes.com.

1 Introduction

The California Codes and Standards Reach Codes program, also known as the Local Energy Codes program, provides technical support to local governments considering adopting a local ordinance intended to support meeting local and/or statewide energy efficiency and greenhouse gas (GHG) reduction goals. The program facilitates adoption and implementation of the code when requested by local jurisdictions by providing resources such as cost-effectiveness studies, model language, sample findings, and other supporting documentation.

Local jurisdictions may adopt ordinances that amend different parts of the California Building Standards Code or may elect to amend other state or municipal codes. The decision regarding which code to amend will determine the specific requirements that must be followed for an ordinance to be legally enforceable. For example, reach codes that amend Part 6 of the California Building Code (the Energy Code) (CEC, 2025) and require energy performance beyond state code minimums must demonstrate the proposed changes are cost-effective and obtain approval from the Energy Commission as well as the Building Standards Commission (BSC). Amendments to Part 11, such as requirements for increased water efficiency or electric vehicle infrastructure only require BSC approval and do not require the Energy Commission approval. Although a cost-effectiveness study is only required to amend Part 6 of the California Building Code, this study provides valuable context for jurisdictions pursuing other ordinance paths to understand the economic impacts of the policy decision. This study documents the estimated costs, benefits, energy impacts and greenhouse gas emission reductions that may result from implementing an ordinance based on the results to help residents, local leadership, and other stakeholders make informed policy decisions.

This report is an update to the *2022 Single Family Retrofit Cost-effectiveness Study* (Statewide Reach Codes Team, 2024) focused on an ordinance structure that encourages air conditioner (AC) to heat pump replacement. The methodology, prototype characteristics, and relevant measure packages are retained from the main study referenced above. The study includes updated utility rates, revised costs based on the TECH Clean California[1] incremental cost study data, estimated costs for the AC path, updated and expanded AC path options, and a new cost-effectiveness scenario that considers upcoming proposed zero-NOx emission regulations (SCAQMD, 2025) (California Air Resources Board, 2022) (BAAD, 2025).

Local jurisdictions in California may consider adopting local energy ordinances to achieve energy savings beyond what will be accomplished by enforcing building efficiency requirements that apply statewide.

Local jurisdictions may also adopt ordinances that amend different parts of the California Building Standards Code or may elect to amend other state or municipal codes. The

[1] https://techcleanca.com/

decision regarding which code to amend will determine the specific requirements that must be followed for an ordinance to be legally enforceable. Although a cost-effectiveness study is only required to amend Part 6 of the CA Building Code, it is important to understand the economic impacts of any policy decision. This study documents the estimated costs, benefits, energy impacts and greenhouse gas emission reductions that may result from implementing an ordinance based on the results to help local leadership, residents, and other stakeholders make informed policy decisions.

This report was developed in coordination with the California Statewide Investor-Owned Utilities (IOUs) Codes and Standards Program, the California Energy Commission (CEC), key consultants, and engaged cities—collectively known as the Statewide Reach Codes Team. Model ordinance language and other resources are posted on the C&S Reach Codes Program website at LocalEnergyCodes.com. Local jurisdictions that are considering adopting an ordinance may contact the program for further technical support at info@localenergycodes.com.

2 Methodology and Assumptions

This study evaluates a potential reach code that encourages a heat pump or dual fuel system that includes a heat pump combined with a furnace when an air conditioner is replaced or installed new in existing single family homes. The ordinance structure and this analysis is based on the voluntary requirements adopted in 2025 Title 24, Part 11 California Green Building Standards Code (CALGreen), Section A4.204.1.1 for heat pump space conditioning alterations in single family homes (California Energy Commission, 2025). The proposed reach code also defines pathways for air conditioning equipment to be installed combined with additional efficiency measures. The heat pump path requires the heat pump as the primary heat source, with backup heating allowable either provided by electric resistance or natural gas. In cases where the existing furnace remains, the heat pump is installed alongside the existing furnace with integrated controls to allow for the furnace to provide backup heating. In alignment with the 2025 Energy Code requirements the heat pump must be sized to satisfy the heating load at the design heating temperature without the use of backup heat.

All methodology and assumptions are consistent with prior statewide analysis (Statewide Reach Codes Team, 2024) with the following exceptions:

1. Updated utility rates to January 2025
2. Equipment costs based on TECH data where available; the original report was based on Statewide contractor survey costs
3. Cost estimates were obtained for the AC path
4. Expanded AC path options
5. Cost-effectiveness results for the scenario if gas furnaces are no longer available for sale in California in 2030

2.1 Modeling

The Reach Codes Team performed energy simulations using the 2025 research version of the Residential California Building Energy Code Compliance software (CBECC). The 2025 version of CBECC includes updated weather files, metrics, and the weather stations were changed in Climate Zones 4 and 6 from San Jose to Paso Robles and Torrance to Los Angeles International Airport, respectively. Note that at the time of this report, the Energy Commission was working on integrating a new heat pump model into the CBECC-Res software to better reflect the actual energy use of heat pumps. The updated model results in lower heating energy use than is currently estimated. Once the revised software is released, the reach codes team plans to update this analysis.

Three unique building vintages are included: pre-1978, 1978-1991, and 1992-2010. The vintages were defined based on review of historic building code requirements and defining periods with distinguishing features. The proposed measures were modeled to determine the projected site energy (therm and kWh), source energy, GHG emissions, and long-term systemwide cost (LSC) impacts. Annual utility costs were calculated using hourly data

output from CBECC, and updated (as of 1/1/2025) electricity and natural gas tariffs for each of the investor-owned utilities (IOUs) as appropriate for that climate zone.

Site energy results are similar between CBECC-Res 2022 and 2025. The 2025 compliance metrics include assumptions that more appliances will be electric in the future. This is predicted to result in higher natural gas retail rates as a result of gas utilities continuing to maintain safe and reliable infrastructure amidst declining natural gas use.

Equivalent CO_2 emission reductions were calculated based on outputs from the CBECC-Res simulation software. Electricity emissions vary by region and by hour of the year. CBECC-Res applies two distinct hourly profiles, one for Climate Zones 1 through 5 and 11 through 13 and another for Climate Zones 6 through 10 and 14 through 16. Natural gas emissions do not vary hourly. To compare the mixed-fuel and all-electric cases side-by-side, GHG emissions are presented as pounds of CO_2-equivalent (CO_2e) emissions.

The Statewide Reach Codes Team designed the approach and selected measures for evaluation based on the 2019 existing building single family reach code analysis (Statewide Reach Codes Team, 2021) and supporting analysis used in the 2025 Energy Code development cycle as well as from outreach to architects, builders, and engineers.

2.2 Prototype Characteristics

The Energy Commission defines building prototypes which it uses to evaluate the cost-effectiveness of proposed changes to Energy Code requirements. Average home size has steadily increased over time, and the Energy Commission single family new construction prototypes are larger than many existing single family homes across California. For this analysis, a 1,665 square foot prototype was evaluated. Table 2 describes the basic characteristics of the single family prototype. Additions are not evaluated in this analysis as they are already addressed in Section 150.2 of the Energy Code. In the 2025 Energy Code heat pumps are prescriptively required for space and water heating for additions (California Energy Commission, 2023).

Table 2. Residential Prototype Characteristics

Climate Zone	Specification
Existing Conditioned Floor Area	1,665 ft^2
Num. of Stories	1
Num. of Bedrooms	3
Window-to-Floor Area Ratio	13%
Attached Garage	2-car garage

Three building vintages were evaluated to determine sensitivity of existing building performance on cost-effectiveness of upgrades. For example, it is widely recognized that adding attic insulation in an older home with no insulation is cost-effective, however, newer homes will likely have existing attic insulation reducing the cost-effectiveness of an incremental addition of insulation. The building characteristics for each vintage were

determined based on either prescriptive requirements from the building code that were in effect or standard construction practice during that time period. For example, homes built under 2001 Title 24 are subject to prescriptive envelope code requirements very similar to homes built under the 2005 code cycle, which was in effect until January 1, 2010.

Table 3 summarizes the assumptions for each of the three vintages. Additionally, the analysis assumed the following features when modeling the prototype buildings.

- Efficiencies were defined by year of the most recent equipment replacement based on standard equipment lifetimes.
- Individual space conditioning and water heating systems, one per single family building.
- Split-system air conditioner with natural gas furnace.
- Gas cooktop, oven, and clothes dryer.

The methodology applied in the analyses begins with a design that matches the specifications as described in Table 3 for each of the three vintages. Heat pump space conditioning measures were modeled to determine the projected energy performance and utility cost impacts relative to the baseline vintage.

Table 3. Efficiency Characteristics for Three Vintage Cases

Building Component Efficiency Feature	Pre-1978 Vintage	1978-1991 Vintage	1992-2010 Vintage
Envelope			
Exterior Walls	2x4, 16-inch on center wood frame, R-0[2]	2x4 16 inch on center wood frame, R-11	2x4 16 inch on center wood frame, R-13
Foundation Type & Insulation	Uninsulated slab (CZ 2-15) Raised floor, R-0 (CZ 1 & 16)	Uninsulated slab (CZ 2-15) Raised floor, R-0 (CZ 1 & 16)	Uninsulated slab (CZ 2-15) Raised floor, R-19 (CZ 1 & 16)
Ceiling Insulation & Attic Type	Vented attic, R-5 @ ceiling level for CZ 6 & 7, Vented attic, R-11 @ ceiling level (all other CZs)	Vented attic, R-19 @ ceiling level	Vented attic, R-30 @ ceiling level
Roofing Material & Color	Asphalt shingles, dark (0.10 reflectance, 0.85 emittance)	Asphalt shingles, dark (0.10 reflectance, 0.85 emittance)	Asphalt shingles, dark (0.10 reflectance, 0.85 emittance)
Radiant Barrier	No	No	No
Window Type: U-factor/SHGC[3]	Metal, single pane: 1.16/0.76	Metal, dual pane: 0.79/0.70	Vinyl, dual pane Low-E: 0.55/0.40
House Infiltration at 50 Pascals	15 ACH50	10 ACH50	7 ACH50
HVAC Equipment			
Heating Efficiency	78 AFUE (assumes 2 replacements)	78 AFUE (assumes 1 replacement)	78 AFUE
Cooling Efficiency	10 SEER (assumes 2 replacements)	10 SEER (assumes 1 replacement)	13 SEER, 11 EER
Duct Location & Details	Attic, R-2.1, 30% leakage at 25 Pa	Attic, R-2.1, 25% leakage at 25 Pa	Attic, R-4.2, 15% leakage at 25 Pa
Whole Building Mechanical Ventilation	None	None	None
Water Heating Equipment			
Water Heater Efficiency	0.575 Energy Factor (assumes 2 replacements)	0.575 Energy Factor (assumes 1 replacement)	0.575 Energy Factor
Water Heater Type	40-gallon gas storage	40-gallon gas storage	40-gallon gas storage
Pipe Insulation	None	None	None
Hot Water Fixtures	Standard, non-low flow	Standard, non-low flow	Standard, non-low flow

[2] Pre-1978 wall modeled with R-5 cavity insulation to better align wall system performance with monitored field data and not overestimate energy use.
[3] Window type selections were made based on conversations with window industry expert, Ken Nittler. If a technology was entering the market during the time period (e.g., Low-E during 1992-2010 or dual-pane during 1978-1991) that technology was included in the analysis. This provides a conservative assumption for overall building performance and additional measures may be cost-effective for buildings with lower performing windows, for example buildings with metal single pane windows in the 1978-1991 vintage

2.3 Cost-Effectiveness Approach

2.3.1 Benefits

This analysis used two different metrics to assess the cost-effectiveness of the proposed upgrades. Both methodologies require estimating and quantifying the incremental costs and energy savings associated with each energy efficiency measure. The main difference between the methodologies is the way they value energy impacts:

- **On-Bill:** Customer-based lifecycle cost approach that values energy based upon estimated site energy usage and customer On-Bill savings using electricity and natural gas utility rate schedules over a 30-year duration, accounting for a three percent discount rate and energy cost inflation per Appendix 6.3.7.
- **Long-term Systemwide Cost (LSC):** Formerly known as Time Dependent Valuation (TDV) energy cost savings, LSC reflects the Energy Commission's current lifecycle cost (LCC) methodology, which is intended to capture the total value or cost of energy use over 30 years. This method accounts for the hourly cost of marginal generation, transmission and distribution, fuel, capacity, losses, and cap-and-trade-based CO_2 emissions (California Energy Commission, 2023). This is the methodology used by the Energy Commission in evaluating cost-effectiveness for measures in the 2025 Energy Code.

Energy simulations were completed using the 2025 research version of the Residential California Building Energy Code Compliance software (CBECC).

2.3.2 Costs

The Reach Codes Team assessed the incremental costs and savings of the packages over the lifecycle of 30-years. Incremental costs represent the equipment, installation, replacement, and maintenance costs of the proposed measure relative to the 2025 Energy Code minimum requirements or standard industry practices.

In February 2024, the TECH Clean California statewide program completed an incremental cost study from cost data collected from 64 contractor participants (Opinion Dynamics, 2024). This report directly uses the TECH costs for all the scenarios for which there was TECH cost data available. These costs were supplemented with measure costs the Reach Codes Team obtained from a contractor survey conducted in the summer of 2023. Additional detail on the contractor cost survey is available in the prior existing building statewide study (Statewide Reach Codes Team, 2024). The following summarizes key assumptions in this costing approach.

- Average statewide costs from the TECH Study were used, no regional specific costs were applied.
- Costs for 3-ton and 4-ton units were scaled for smaller and larger systems based on linear interpolation between the 3-ton and 4-ton costs.

- The TECH study provided cost for a minimum efficiency 60,000 Btu/h gas furnace. However, beginning in 2028, newly installed residential gas furnaces must comply with updated federal efficiency standards requiring a minimum of 95% AFUE[4]. Because the TECH study did not include cost estimates for a 95% AFUE condensing furnace, an adjustment was made using data from the statewide contractor cost survey. For systems requiring larger furnace capacities, cost estimates were derived as follows:
    - **80,000 Btu/h furnaces** (serving systems sized 3 tons): The cost difference between the minimum efficiency and 95% AFUE versions of the 80,000 Btu/h furnace and the cost difference between the minimum efficiency 80,000 Btu/h furnace and the minimum efficiency 60,000 Btu/h furnace, as reported in the contractor survey, was added to the TECH cost for the 60,000 Btu/h unit.
    - **100,000 Btu/h furnaces** (serving systems 4 tons and larger): The same method was applied using the corresponding cost differential for 100,000 Btu/h units.
- At time of replacement for the heat pump, based on heating loads and contractor feedback it is assumed an electric resistance backup coil would be installed with the air handler for Climate Zones 1 and 16. The CBECC-Res software applies back up electric resistance heating for all climate zones whenever it is assumed that the heat pump cannot meet the heating load based on the performance of currently available products (Heinemeier, 2025).The TECH costs did not include this option. The $819 incremental cost from the statewide study was added in this case.
- At the time of replacement for a furnace when it fails, the statewide study assumed a fan motor replacement. The TECH costs did not include this option. A $1,200 incremental cost was added to the TECH cost.
- At time of replacement for high efficiency heat pump, the sum of the TECH cost for standard efficiency heat pump and the incremental cost difference from the statewide study for high efficiency and standard efficiency heat pump was applied.

Costs were applied based on the system capacity from heating and cooling load calculations in CBECC-Res as presented in Table 4. Air conditioner nominal capacity was calculated as the CBECC-Res cooling load, rounded up to the nearest half ton. Heat pump nominal capacity was calculated as the maximum of either the CBECC-Res heating or cooling load, rounded up to the nearest half ton. In both cases a minimum capacity of 1.5-ton was applied as this represents the typical smallest available split system heat pump equipment. Load calculations revealed that Climate Zones 2 through 15 were cooling-dominated, whereas Climate Zones 1 and 16 were heating-dominated. In these heating-

[4] https://www.energy.gov/articles/doe-finalizes-energy-efficiency-standards-residential-furnaces-save-americans-15-billion#:~:text=These%20furnace%20efficiency%20standards%20were,heat%20for%20the%20living%20space.

dominated zones, the heat pump was upsized compared to an air conditioner designed solely for cooling to ensure adequate heating performance.

Table 4. System Sizing by Climate Zone

Climate Zone	Air Conditioner Capacity (tons)	Heat Pump Capacity (tons)
1	1.5	3.0
2	3.5	3.5
3	2.5	2.5
4	3.5	3.5
5	3.0	3.0
6	3.0	3.0
7	3.0	3.0
8	4.0	4.0
9	4.0	4.0
10	4.0	4.0
11	4.5	4.5
12	4.0	4.0
13	4.5	4.5
14	4.0	4.0
15	5.0	5.0
16	3.5	4.0

2.3.3 Metrics

Cost-effectiveness is presented using net present value (NPV).

- NPV: The Reach Codes Team uses net savings (NPV benefits minus NPV costs) as the cost-effectiveness metric. If the net savings of a measure or package is positive, it is considered cost effective. Negative net savings represent net costs to the consumer. A measure that has negative energy cost benefits (energy cost increase) can still be cost effective if the costs to implement the measure are even more negative (i.e., construction and maintenance cost savings).

Improving the energy performance of a building often requires an initial investment. In most cases the benefit is represented by annual On-Bill utility or LSC savings, and the cost by incremental first cost and replacement costs. However, some packages result in initial construction cost savings (negative incremental cost), and either energy cost savings (positive benefits), or increased energy costs (negative benefits). In cases where both construction costs and energy-related savings are negative, the construction cost savings are treated as the benefit while the increased energy costs are the cost. In cases where a measure or package is cost-effective immediately (i.e., upfront construction cost savings and lifetime energy cost savings).

2.3.4 Utility Rates

In coordination with the CA IOU rates team (comprised of representatives from Pacific Gas and Electric (PG&E), Southern California Edison (SCE) and San Diego Gas and Electric (SDG&E)) and two Publicly-Owned-Utilities (POUs) (Sacramento Municipal Utility District (SMUD) and City of Palo Alto Utilities (CPAU)), the Reach Codes Team determined appropriate utility rates for each climate zone to calculate utility costs and determine On-Bill cost-effectiveness for the proposed measures and packages. The utility tariffs, summarized in Table 5 and Table 6 with details in Section 6.2.26.2.2, were determined based on the appropriate rate for each. Utility rates were applied to each climate zone based on the predominant IOU serving the population of each zone, with a few climate zones evaluated multiple times under different utility scenarios. Climate Zones 10 and 14 were evaluated with both SCE for electricity and Southern California Gas Company (SoCalGas) for gas and SDG&E tariffs for both electricity and gas since each utility has customers within these climate zones. Climate Zone 5 is evaluated under both PG&E and SoCalGas natural gas rates. Two POU or municipal utility rates were also evaluated: SMUD in Climate Zone 12 and CPAU in Climate Zone 4.

First-year utility costs were calculated using hourly electricity and natural gas output from CBECC-Res and applying the utility tariffs summarized in Table 5 and Table 6. Homes with a heat pump in IOU territory are eligible for either the electrification or the standard tariff. Utility costs were calculated under both tariffs with results presented using the one that yielded the lower annual utility cost. The electrification tariff resulted in better utility costs savings when there was high kWh usage, typically in older, less efficient homes. Conversely, newer homes which are more efficient, tend to benefit more under the standard tariff. However, in SCE's milder climate zones, older homes benefit more under the standard tariff. Annual costs were also estimated for IOU customers eligible for the CARE tariff discounts on both electricity and natural gas bills.

Table 5. Investor-Owned Utility Tariffs Used Based on Climate Zone

Climate Zones	Electric / Gas Utility	Electricity Tariff: Standard Rate	Electricity Tariff: Electrification Rate	Natural Gas Tariff
1-5,11-13,16	PG&E / PG&E	E-TOU-C	E-ELEC	G1
5	PG&E / SoCalGas	E-TOU-C	E-ELEC	GR
6, 8-10, 14, 15	SCE / SoCalGas	TOU-D-4-9	TOU-D-PRIME	GR
7, 10, 14	SDG&E / SDG&E	TOU-DR-1	EV-TOU-5	GR

Table 6. Publicly Owned Utility Tariffs Used Based on Climate Zone

Climate Zones	Electric / Gas Utility Electricity Tariff: Standard Rate	Electricity Tariff: Electrification Rate	Natural Gas Tariff
4	CPAU / CPAU	E-1	G1
12	SMUD / PG&E	R-TOD	G1

Utility rates are assumed to escalate over time. Because it is very difficult to predict how rates will change, two escalation scenarios are presented in this study to represent a range of outcomes. See Appendix 6.3.7 Fuel Escalation Assumptions for details.

1) Modest Gas Escalation: This scenario is based on assumptions from the CPUC 2021 En Banc hearings on utility costs through 2030 (California Public Utilities Commission, 2021a). Escalation rates throughout the remainder of the 30-year evaluation period are based on the escalation rate assumptions within the 2022 Energy Code TDV factors developed by the Energy Commission (California Energy Commission. 2021b).
2) High Gas Escalation: This scenario is based on escalation rates developed by the Energy Commission and used within the 2025 Energy Code LSC factors (LSC replaces TDV in the 2025 Energy Code) which assumed steep increases in gas rates in the latter half of the analysis period.

Electricity tariff structures will evolve over time. Most recently, the CPUC approved an income-graduated fixed charge intended to benefit low-income customers and support electrification measures.[5] The IOUs are currently developing tariffs that meet the direction given by the CPUC in this proceeding. These tariffs were not available at the time of this study, but this analysis may be re-evaluated later in 2025 once the rates are finalized.

[5] https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/electric-costs/demand-response-dr/demand-flexibility-rulemaking

2.4 Measure Details and Cost

This section describes the details of the measures and documents incremental costs. All measure costs were obtained from the TECH cost survey and contractor survey unless otherwise noted. These surveys reflect the cost to the customer and include equipment, labor, permit fees, and required HERS testing.

The following heat pump space heater (HPSH) measures were evaluated as described below. All included HERS verified refrigerant charge, 10% duct sealing, and 300 CFM/ton airflow, aligned with the proposed code requirements for the 2025 Title 24 code.

1) **Dual Fuel Heat Pump (DFHP Existing Furnace)**: Replace existing ducted AC with an electric heat pump and install controls to operate the heat pump as the primary space conditioning source and to use the existing gas furnace (78 AFUE) for backup heat when heating demands cannot be met by the heat pump. In this report, dual fuel heat pumps were modeled to disable furnace operation above an outdoor temperature of 35°F in compliance with Energy Code Section 150.0(h)7, which requires this lockout for any heat pump with supplemental heating. A minimum federal efficiency (14.3 SEER2, 11.7 EER2, 7.5 HSPF2) heat pump was evaluated. Savings are compared to a new AC (14.3 SEER2, 11.7 EER2) alongside the existing furnace (78 AFUE). A new evaporator coil is assumed to be installed with the AC system.
2) **HPSH**: Replace existing ducted AC and natural gas furnace with an electric heat pump and air handler. Minimum federal efficiency (14.3 SEER2, 11.7 EER2, 7.5 HSPF2) heat pumps were evaluated. Savings are compared to a new ducted natural gas furnace and AC (14.3 SEER2, 11.7 EER2, 80 AFUE).
3) **High Efficiency HPSH**: Replace existing ducted AC and natural gas furnace with an electric heat pump and air handler. Higher efficiency (17 SEER2, 12.48 EER2, 9.5 HSPF2) heat pumps were evaluated. Savings are compared to a new ducted natural gas furnace and AC (14.3 SEER2, 11.7 EER2, 80 AFUE).

Over the 30-year analysis period, certain changes are assumed when the equipment is replaced that impact both lifetime costs and energy use. Table 7 and Table 8 present the lifetime scenario for the DFHP Existing Furnace and HPSH measures, respectively. The analysis assumed a 20-year effective useful lifetime (EUL) for a furnace, a 15-year EUL for an air conditioner and a 15-year EUL for a heat pump. Lifetimes are based on the Database for Energy Efficient Resources (DEER) (California Public Utilities Commission, 2021b). The existing furnace is assumed to be halfway through its EUL at the beginning of the analysis period. After 10 years when the furnace reaches the end of its life and needs to be replaced, it will be subject to new federal efficiency standards for residential gas furnaces that go into effect in 2028 requiring 95 AFUE[6]. Five years later the air conditioner reaches the end of its life and is replaced with a new air conditioner.

[6] https://www.energy.gov/articles/doe-finalizes-energy-efficiency-standards-residential-furnaces-save-americans-15-billion#:~:text=These%20furnace%20efficiency%20standards%20were,heat%20for%20the%20living%20space.

For the DFHP upgrade case, after 10 years when the furnace fails it's expected that the furnace is abandoned in place since the heat pump serves primary heating and was sized to provide the full design heating load. In this case it is assumed that the fan motor is replaced with a new aftermarket unit and operates another five years until the heat pump fails and is replaced with a new heat pump and air handler. Table 7 through Table 8 present the lifecycle incremental cost breakdown for a 4-ton system. The heat pump is sized for each climate zone based on the heating and cooling load as shown in Table 4, and the 4-ton system was selected as an example to show the lifecycle cost breakdown.

Table 7. Lifecycle Incremental Cost Breakdown for a 4-Ton DFHP Existing Furnace

Calendar Year	Baseline AC Replacement Schedule	Baseline Future Cost	Baseline Present Value Cost	Heat Pump	Heat Pump Future Cost	Heat Pump Present Value Cost
2026	AC fails, install new AC, keep existing furnace	$10,431	$10,431	AC fails, install new HP, keep existing furnace	$12,347	$12,347
2036	Furnace fails, install new 95AFUE furnace	$7,476	$5,563	Furnace fails, replace fan motor	$1,200	$893
2041	AC fails, install new AC	$10,431	$6,695	HP fails, install new HP and air handler	$14,529	$9,326
Total			$22,689			$22,566
Incremental Cost						**-$123**

Table 8. Lifecycle Incremental Cost Breakdown for 4-Ton HPSH

Calendar Year	Baseline AC Replacement Schedule	Baseline Future Cost	Baseline Present Value Cost	Heat Pump	Heat Pump Future Cost	Heat Pump Present Value Cost
2026	AC fails, install new AC & furnace	$13,808	$13,808	AC fails, install new HP & AHU	$14,529	$14,529
2041	AC fails, install new AC	$10,431	$6,695	HP fails, install new HP & AHU	$13,529	$8,684
2046	Furnace fails, install new 95AFUE furnace	$7,476	$4,139	-	-	-
2056	Remaining useful life for furnace	-	-$1,540	-	-	-
Total			$23,103			$23,213
Incremental Cost						**$110**

Table **9** presents estimated first and lifetime costs for the baseline and heat pump scenarios for 4-ton equipment. Costs include all material and installation labor including providing new 240 V electrical service to the air handler location for all new air handler installations and decommissioning of the furnace for the cases where the furnace is removed. DFHP costs incorporate controls installation and commissioning to ensure the heat pump and the furnace communicate properly and don't operate at the same time. Future replacement costs do not include any initial costs associated with 240V electrical service or furnace decommissioning.

Table 9. HVAC Measure Cost Assumptions – 4-Ton Electric Replacements

Measure Case	AC + Evaporator Coil	Gas Furnace /AC	DFHP Existing Furnace	HPSH	High Efficiency HPSH
Base Case	**-**	**-**	**AC + Evaporator Coil**	**Gas Furnace /AC**	**Gas Furnace /AC**
First Cost	$10,431	$13,808	$12,347	$14,529	$17,506
Replacement Cost (Future Value)	$17,907	$17,907	$15,729	$13,529	$16,506
Replacement Cost (Present Value)	$12,258	$11,639	$10,219	$8,684	$10,594
Remaining Value at Year 30	$0	-$1,540	$0	$0	$0
Total Lifecycle Cost	$22,689	$23,103	$22,566	$23,213	$28,100
Incremental Cost	**-**	**-**	**-$123**	**$110**	**$4,997**

2.4.1 Lifecycle Cost Assuming Zero-NOx Standards for Space Heating After 2030

The California Air Resource Board proposed a strategy for reducing emissions in their 2022 Scoping Plan for Achieving Carbon Neutrality that includes a zero-emission standard for space and water heaters sold in California that would go into effect in 2030 (California Air Resources Board, 2022).

The South Coast Air Quality Management District (SCAQMD) proposed Rule 1111 for the Reduction of NOx Emissions from Natural Gas-Fired Furnaces. This rule applies to furnaces less than 175,000 Btu/hr and sets compliance goals for manufacturers with the proposed dates in Table 10. The sale of gas furnaces above the compliance target will incur a mitigation fee (SCAQMD, 2025).

Table 10. SCAQMD Rule 1111 Proposed Manufacturer Compliance Targets

Target Dates	2027-2028	2029-2032	2033-2035	2036 and after
NOx Emitting Units (e.g. gas)	70%	50%	25%	10%
Zero-Emission Units	30%	50%	75%	90%

The Bay Area Air Quality Management District (BAAD) adopted Rule 9-4 that similarly requires zero NOx standards for space heating systems sold in the Bay Area. Implementation for residential furnaces will begin January 2029 (BAAD, 2025).

The BAAD Rule 9-4 has been adopted, but both the California Air Resources Board and SCAQMD Rule 1111 are proposed rules that have not yet been adopted, but given the implications these rulings would have on the 30-year cost-effectiveness if gas furnaces were very limited or no longer available in 2030, a sensitivity analysis for this scenario is included in this study for the DFHP Existing Furnace scenario. The other heat pump measures would also be impacted by this ruling; however, for simplicity the team selected one measure to give a sense of the impact on the results. The following costs reflect the scenario where gas furnaces are not available in 2030. This 30-year lifecycle analysis assumes that in 10 years when the furnace reaches the end of its useful life and needs to be replaced, it will be subjected to the SCAQMD Rule 1111 or California Air Resources Board proposal and will be replaced with a heat pump.

Table 11. Lifecycle Incremental Cost Breakdown for 4-Ton System with no Gas Furnaces after 2030

Calendar Year	Baseline AC Replacement Schedule	Baseline Future Cost	Baseline Present Value Cost	Heat Pump	Heat Pump Future Cost	Heat Pump Present Value Cost
2026	AC fails, install new AC, keep existing furnace	$10,431	$10,431	AC fails, install new HP, keep existing furnace	$12,347	$12,347
2036	Furnace fails, install new HP	$14,529	$10,811	Furnace fails, replace fan motor	$1,200	$893
2041	-	-	-	HP fails, install new HP and air handler	$14,529	$9,326
2051	HP fails, install new HP	$13,529	$6,462	-	-	-
2056	Remaining useful life for HP	-	-$4,459	-	-	-
Total			$23,244			$22,566
Incremental Cost						-$679

3 Results

The primary objective of the evaluation is to identify cost-effective HPSH upgrade measures for existing single family buildings, to support the design of local ordinances encouraging installation of a heat pump when replacing an air conditioner. While this section focuses primarily on the results of the cost-effectiveness analysis, it is important to highlight that the associated greenhouse gas (GHG) emissions savings are significant – averaging a 25% annual reduction across the climate zones and vintages. A full dataset of all results, including site energy, source energy, LSC and GHG emissions, can be downloaded at https://localenergycodes.com/content/resources. Results alongside policy options can also be explored using the Cost-effectiveness Explorer at https://explorer.localenergycodes.com/.

3.1 Cost-Effectiveness Results

Table 12 through Table 14 present results across the 16 climate zones for the 1992-2010 vintage using standard tariffs and Table 15 through Table 17 present results across the 16 climate zones and three vintages using CARE tariffs. Results show the incremental cost and utility bill savings for the first year along with cost effectiveness results for LSC and On-Bill under both the modest and high gas escalation scenarios. Results for additional vintages using standard tariffs are in Appendix 6.2 Cost-Effectiveness Results.

3.1.1 Cost Effectiveness Results Using Standard Tariffs

Table 12. [1992-2010] DFHP Existing Furnace

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$60	$10,843	$5,471	$21,616
CZ02	PGE	$1,670	($86)	$8,387	$2,238	$12,692
CZ03	PGE	$1,178	$15	$8,383	$4,891	$13,958
CZ04	PGE	$1,670	($68)	$7,322	$1,880	$10,049
CZ04	CPAU	$1,670	($9)	$7,322	$2,132	$7,104
CZ05	PGE	$1,424	($12)	$6,848	$3,425	$11,150
CZ05	PGE/SCG	$1,424	($195)	$6,848	($1,864)	$2,099
CZ06	SCE/SCG	$1,424	($34)	$2,647	$675	$1,468
CZ07	SDGE	$1,424	($36)	$2,691	$599	$1,734
CZ08	SCE/SCG	$1,916	($65)	$1,879	($811)	$162
CZ09	SCE/SCG	$1,916	($90)	$2,600	($1,186)	$288
CZ10	SCE/SCG	$1,916	($79)	$2,295	($982)	$394
CZ10	SDGE	$1,916	$54	$2,295	$2,201	$4,708
CZ11	PGE	$2,162	$68	$7,597	$4,639	$14,675
CZ12	PGE	$1,916	$44	$8,317	$4,702	$15,222
CZ12	SMUD/PGE	$1,916	$353	$8,317	$11,622	$22,364
CZ13	PGE	$2,162	$76	$5,244	$3,897	$11,138
CZ14	SCE/SCG	$1,916	($179)	$4,654	($2,364)	$1,340
CZ14	SDGE	$1,916	($22)	$4,654	$1,282	$7,058
CZ15	SCE/SCG	$2,408	($133)	($271)	($3,438)	($3,209)
CZ16	PGE	$2,243	($66)	$8,842	$1,260	$11,982

Table 13. [1992-2010] Standard Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	($145)	$10,949	($34)	$17,899
CZ02	PGE	$652	($229)	$9,362	($702)	$11,825
CZ03	PGE	$514	($62)	$8,244	$2,373	$11,665
CZ04	PGE	$652	($205)	$8,680	($572)	$10,753
CZ04	CPAU	$652	($85)	$8,680	$556	$7,194
CZ05	PGE	$583	($113)	$6,957	$752	$9,206
CZ05	PGE/SCG	$583	($316)	$6,957	($5,101)	($811)
CZ06	SCE/SCG	$583	($37)	$2,134	($63)	$716
CZ07	SDGE	$583	($39)	$2,156	($149)	$981
CZ08	SCE/SCG	$721	($79)	$1,812	($1,356)	($371)
CZ09	SCE/SCG	$721	($118)	$2,589	($2,038)	($524)
CZ10	SCE/SCG	$721	($103)	$2,311	($1,723)	($259)
CZ10	SDGE	$721	$34	$2,311	$1,533	$4,218
CZ11	PGE	$790	($35)	$8,817	$2,833	$14,504
CZ12	PGE	$721	($94)	$9,199	$1,812	$13,563
CZ12	SMUD/PGE	$721	$363	$9,199	$12,027	$24,107
CZ13	PGE	$790	$6	$5,948	$2,558	$10,687
CZ14	SCE/SCG	$721	($412)	$6,635	($6,964)	($1,073)
CZ14	SDGE	$721	($107)	$6,635	$166	$10,249
CZ15	SCE/SCG	$859	($139)	($112)	($3,434)	($3,186)
CZ16	PGE	$2,095	($385)	$13,600	($2,842)	$19,424

Table 14. [1992-2010] High Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$56	$9,783	($350)	$17,727
CZ02	PGE	$3,606	($94)	$7,527	($2,544)	$10,080
CZ03	PGE	$3,422	$59	$5,701	$312	$9,692
CZ04	PGE	$3,606	($61)	$6,961	($2,193)	$9,235
CZ04	CPAU	$3,606	$0	$6,961	($2,389)	$4,310
CZ05	PGE	$3,514	$4	$4,176	($1,450)	$7,088
CZ05	PGE/SCG	$3,514	($199)	$4,176	($7,303)	($2,929)
CZ06	SCE/SCG	$3,514	($14)	($2,162)	($4,367)	($3,567)
CZ07	SDGE	$3,514	($12)	($2,090)	($4,312)	($3,191)
CZ08	SCE/SCG	$3,698	$13	($1,660)	($4,217)	($3,149)
CZ09	SCE/SCG	$3,698	($26)	($750)	($4,883)	($3,284)
CZ10	SCE/SCG	$3,698	($4)	($844)	($4,418)	($2,864)
CZ10	SDGE	$3,698	$132	($844)	($1,068)	$1,587
CZ11	PGE	$3,789	$186	$7,738	$2,845	$14,675
CZ12	PGE	$3,698	$88	$7,575	$996	$12,879
CZ12	SMUD/PGE	$3,698	$422	$7,575	$8,459	$20,580
CZ13	PGE	$3,789	$208	$4,419	$2,165	$10,439
CZ14	SCE/SCG	$3,698	($219)	$5,760	($7,575)	($1,506)
CZ14	SDGE	$3,698	$77	$5,760	($424)	$9,604
CZ15	SCE/SCG	$3,881	$50	($2,144)	($4,209)	($3,786)
CZ16	PGE	$5,071	($97)	$14,557	($1,291)	$21,181

3.1.2 Cost Effectiveness Results Using CARE Tariffs

Table 15. [1992-2010] DFHP Existing Furnace CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$153	$10,843	$6,436	$19,266
CZ02	PGE	$1,670	$18	$8,387	$3,842	$12,159
CZ03	PGE	$1,178	$73	$8,383	$5,574	$12,777
CZ04	PGE	$1,670	$14	$7,322	$3,143	$9,641
CZ04	CPAU	$1,670	$0	$7,322	$711	$711
CZ05	PGE	$1,424	$47	$6,848	$4,198	$10,337
CZ05	PGE/SCG	$1,424	($98)	$6,848	$23	$3,191
CZ06	SCE/SCG	$1,424	($18)	$2,647	$967	$1,600
CZ07	SDGE	$1,424	($16)	$2,691	$1,000	$1,887
CZ08	SCE/SCG	$1,916	($38)	$1,879	($285)	$495
CZ09	SCE/SCG	$1,916	($52)	$2,600	($450)	$731
CZ10	SCE/SCG	$1,916	($45)	$2,295	($331)	$771
CZ10	SDGE	$1,916	$51	$2,295	$1,998	$3,963
CZ11	PGE	$2,162	$115	$7,597	$4,993	$12,965
CZ12	PGE	$1,916	$103	$8,317	$5,287	$13,643
CZ12	SMUD/PGE	$1,916	$418	$8,317	$12,339	$20,922
CZ13	PGE	$2,162	$100	$5,244	$3,939	$9,686
CZ14	SCE/SCG	$1,916	($98)	$4,654	($849)	$2,119
CZ14	SDGE	$1,916	$23	$4,654	$2,007	$6,528
CZ15	SCE/SCG	$2,408	($88)	($271)	($2,456)	($2,260)
CZ16	PGE	$2,243	$33	$8,842	$2,737	$11,267

Table 16. [1992-2010] Standard Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	$33	$10,949	$2,703	$16,973
CZ02	PGE	$652	($59)	$9,362	$2,211	$12,188
CZ03	PGE	$514	$25	$8,244	$3,685	$11,074
CZ04	PGE	$652	($53)	$8,680	$2,048	$11,067
CZ04	CPAU	$652	$0	$8,680	$255	$255
CZ05	PGE	$583	($13)	$6,957	$2,389	$9,117
CZ05	PGE/SCG	$583	($173)	$6,957	($2,232)	$1,208
CZ06	SCE/SCG	$583	($20)	$2,134	$249	$872
CZ07	SDGE	$583	($18)	$2,156	$279	$1,161
CZ08	SCE/SCG	$721	($47)	$1,812	($728)	$62
CZ09	SCE/SCG	$721	($70)	$2,589	($1,094)	$122
CZ10	SCE/SCG	$721	($61)	$2,311	($892)	$281
CZ10	SDGE	$721	$39	$2,311	$1,509	$3,612
CZ11	PGE	$790	$60	$8,817	$4,141	$13,421
CZ12	PGE	$721	$22	$9,199	$3,592	$12,940
CZ12	SMUD/PGE	$721	$471	$9,199	$13,622	$23,292
CZ13	PGE	$790	$61	$5,948	$3,234	$9,693
CZ14	SCE/SCG	$721	($241)	$6,635	($3,632)	$1,098
CZ14	SDGE	$721	($5)	$6,635	$1,996	$9,885
CZ15	SCE/SCG	$859	($91)	($112)	($2,414)	($2,201)
CZ16	PGE	$2,095	($92)	$13,600	$2,163	$19,892

Table 17. [1992-2010] High Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$164	$9,783	$813	$15,177
CZ02	PGE	$3,606	$28	$7,527	($683)	$9,357
CZ03	PGE	$3,422	$104	$5,701	$674	$8,120
CZ04	PGE	$3,606	$41	$6,961	($703)	$8,383
CZ04	CPAU	$3,606	$0	$6,961	($4,595)	($4,595)
CZ05	PGE	$3,514	$62	$4,176	($727)	$6,056
CZ05	PGE/SCG	$3,514	($98)	$4,176	($5,348)	($1,853)
CZ06	SCE/SCG	$3,514	($5)	($2,162)	($4,219)	($3,583)
CZ07	SDGE	$3,514	($0)	($2,090)	($4,112)	($3,235)
CZ08	SCE/SCG	$3,698	$15	($1,660)	($4,248)	($3,401)
CZ09	SCE/SCG	$3,698	($8)	($750)	($4,603)	($3,330)
CZ10	SCE/SCG	$3,698	$6	($844)	($4,300)	($3,065)
CZ10	SDGE	$3,698	$103	($844)	($1,892)	$191
CZ11	PGE	$3,789	$203	$7,738	$2,425	$11,808
CZ12	PGE	$3,698	$141	$7,575	$1,351	$10,784
CZ12	SMUD/PGE	$3,698	$471	$7,575	$8,735	$18,405
CZ13	PGE	$3,789	$192	$4,419	$1,255	$7,809
CZ14	SCE/SCG	$3,698	($111)	$5,760	($5,632)	($783)
CZ14	SDGE	$3,698	$115	$5,760	($98)	$7,755
CZ15	SCE/SCG	$3,881	$36	($2,144)	($4,549)	($4,220)
CZ16	PGE	$5,071	$95	$14,557	$1,460	$19,324

3.2 Zero-NOx Scenario Results

This section presents cost-effectiveness results for the DFHP Existing Furnace under the scenario where proposed air quality district zero-NOx rules go into effect over the next 10 years. In the base case, at time of replacement of the gas furnace at year 10 a heat pump is installed. The energy profile between the base case and the heat pump upgrade case are subsequently identical for the remaining 20 years of the 30-year analysis period. As a result, energy and cost savings only persist for the first 10 years.

Table 18 shows the On-Bill NPV cost-effectiveness results and Table 19 the LSC cost-effectiveness results for all three vintages. 2025 LSC savings were calculated using individual year multipliers for the first 10 years, 2026 through 2035.

Table 18. DFHP Existing Furnace On-Bill NPV (Zero-NOx Rule)

Climate Zone	Electric/ Gas Utility	On-Bill NPV		
		Pre-1978	1978-1991	1992-2010
CZ01	PGE	$5,473	$4,136	$2,349
CZ02	PGE	$1,785	$1,031	$1,101
CZ03	PGE	$2,863	$2,097	$2,052
CZ04	PGE	$2,133	$1,162	$1,019
CZ04	CPAU	$2,340	$1,599	$1,213
CZ05	PGE	$1,918	$1,486	$1,576
CZ05	PGE/SCG	($1,308)	($834)	($491)
CZ06	SCE/SCG	$401	$605	$635
CZ07	SDGE	$1,473	$999	$641
CZ08	SCE/SCG	($125)	$99	$195
CZ09	SCE/SCG	($563)	($183)	$22
CZ10	SCE/SCG	($259)	$53	$110
CZ10	SDGE	$2,985	$2,261	$1,430
CZ11	PGE	$3,287	$2,866	$2,279
CZ12	PGE	$2,935	$2,578	$2,202
CZ12	SMUD/PGE	$7,877	$5,978	$5,040
CZ13	PGE	$2,927	$2,556	$2,053
CZ14	SCE/SCG	($864)	($943)	($543)
CZ14	SDGE	$2,204	$1,655	$1,064
CZ15	SCE/SCG	$1,338	$396	($688)
CZ16	PGE	$1,192	$1,071	$1,096

Table 19. DFHP Existing Furnace LSC Savings (Zero-NOx Rule)

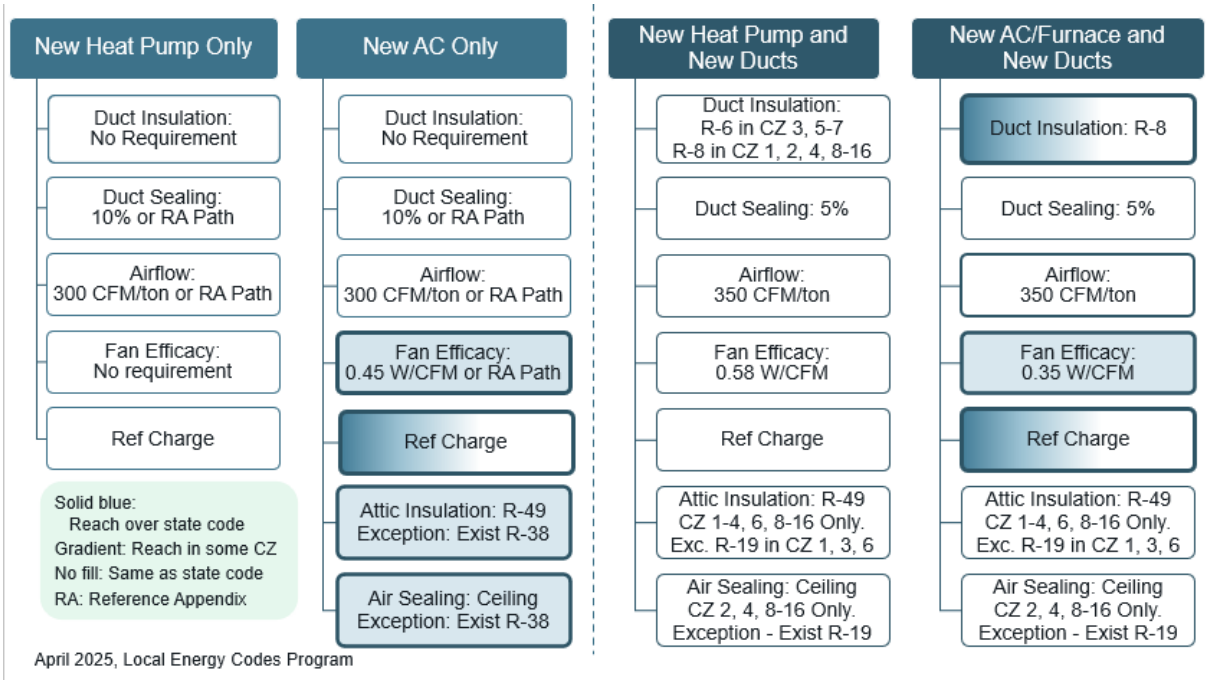
Climate Zone	Electric/ Gas Utility	LSC NPV		
		Pre-1978	1978-1991	1992-2010
CZ01	PGE	$3,019	$2,510	$1,558
CZ02	PGE	$1,256	$1,025	$1,006
CZ03	PGE	$1,460	$1,120	$1,036
CZ04	PGE	$1,242	$949	$887
CZ04	CPAU	$1,242	$949	$887
CZ05	PGE	$1,127	$816	$820
CZ05	PGE/SCG	$1,127	$816	$820
CZ06	SCE/SCG	$545	$318	$251
CZ07	SDGE	$639	$403	$314
CZ08	SCE/SCG	$428	$279	$244
CZ09	SCE/SCG	$608	$424	$372
CZ10	SCE/SCG	$469	$320	$293
CZ10	SDGE	$469	$320	$293
CZ11	PGE	$1,871	$1,475	$1,263
CZ12	PGE	$1,924	$1,539	$1,356
CZ12	SMUD/PGE	$1,375	$1,090	$939
CZ13	PGE	($206)	($186)	$50
CZ14	SCE/SCG	($206)	($186)	$50
CZ14	SDGE	$127	$60	$38
CZ15	SCE/SCG	($185)	($12)	$77
CZ16	PGE	$3,019	$2,510	$1,558

3.3 AC Pathways for Heat Pump Replacements

Many jurisdictions are interested in seeing alternative pathways for residents who may prefer to replace an air conditioner with similar equipment, rather than migrating to a heat pump system. Alternative packages analyzed to support this request include air conditioning equipment combined with additional efficiency measures resulting in options that are reasonably energy or LSC cost equivalent to a heat pump system, to the extent feasible.

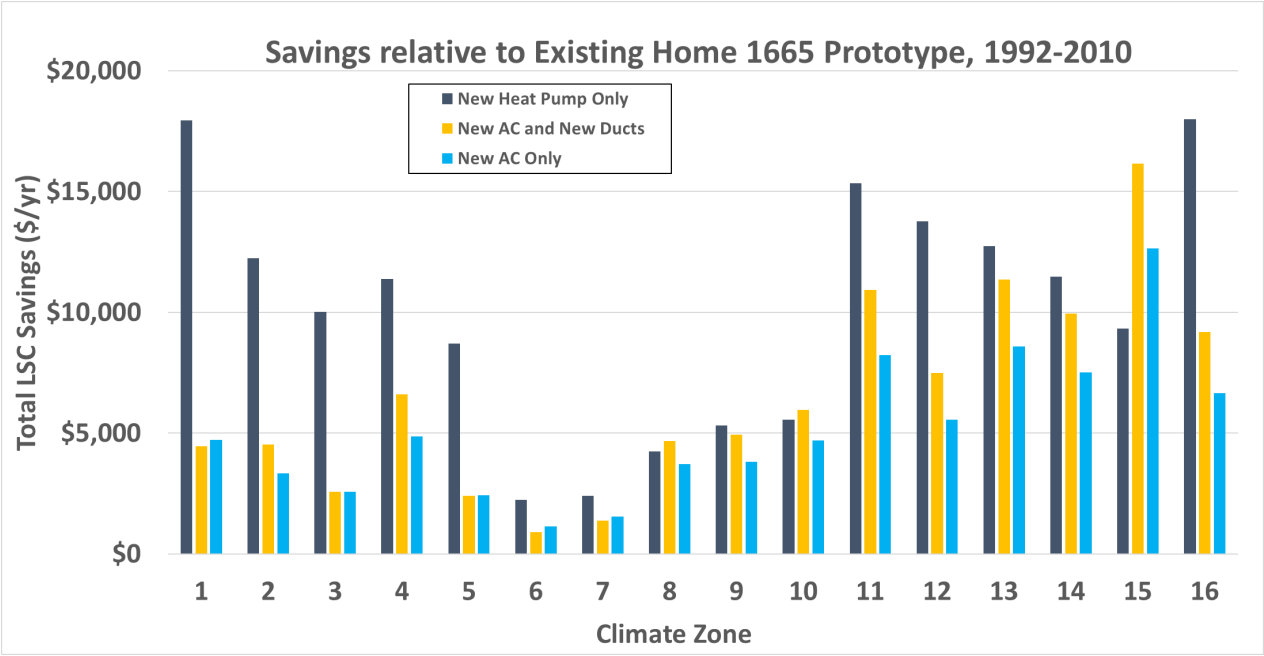
Figure 1 shows two AC pathways, one with an existing duct system and another path with a new duct system, alongside the heat pump pathways. The figure presents the proposed efficiency upgrade measures that would be part of a reach code (solid blue) along with the relevant requirements from Title 24, Part 6 that are triggered as part of equipment replacements (white or gradient blue). A reach code that establishes requirements when an air conditioner is replaced or installed new could allow for either a heat pump to be installed or an AC as long as the performance measures listed below are met.

Figure 1. AC vs. Heat Pump Pathway Requirements



The heat pump only and two AC pathways are presented in Figure 2 comparing total LSC energy use relative to the existing home for the 1992-2010 vintage. The heat pump path is represented by the DFHP Existing Furnace scenario. In most climate zones, the heat pump path results in higher energy savings, in the milder climates the AC and new ducts and New AC Only paths save marginally more energy.

Figure 2. AC vs. Heat Pump Energy Comparison



Though the AC path does not need to meet cost-effectiveness criteria to be adopted as a reach code since it's an alternative path, in order to understand the implications of the AC path on the customer, Table 20 and Table 21 present estimated costs for the new AC only and the new AC + new ducts paths respectively.

Table 20. New AC Only Path Cost Estimates

New AC Only Path	Pre-1978	1978-1991	1992-2010
Fan Efficacy: 0.45 W/CFM	-	-	-
Refrigerant Charge Verification	$100	$100	$100[7]
R-49 Attic Insulation	$5,483	$3,612	$1,827
Air Sealing	$1,963	$1,963	$1,963
Total	**$7,546**	**$5,675**	**$3,790**

Table 21. New AC/Furnace and New Ducts Path Cost Estimates

New AC and New Ducts Path	Pre-1978	1978-1991	1992-2010
New R-8 Ducts	$6,311	$6,311	$6,311
Furnace	$5,951	$5,951	$5,951
Fan Efficacy: 0.35 W/CFM	$500	$500	$500
Refrigerant Charge Verification	$100	$100	$100
Total	**$12,862**	**$12,862**	**$12,862**

[7] *This is an incremental cost and in some climate zones, refrigerant charge verification is required so there is no incremental cost added.*

4 Recommendations and Discussion

This analysis evaluated the feasibility and cost-effectiveness of AC to heat pump measures in California existing homes built before 2010. To meet the needs of jurisdictions evaluating this option, Statewide Reach Codes Team used both On-Bill and LSC-based lifecycle cost approaches to evaluate cost-effectiveness and quantify the energy cost savings associated with energy efficiency measures compared to the incremental costs associated with the measures.

Conclusions and Discussion:

1. Heat pumps are significantly more efficient than gas furnaces, requiring less than half the energy to meet the heating load. However, despite this reduction in heating energy use, the cost of heating a home using electricity (heat pump) could be higher than the cost to heat that same home with natural gas (furnace), depending on the electricity tariffs relative to the gas tariffs. Therefore, while a heat pump measure could be deemed as cost-effective over its lifecycle, installing a heat pump could result in a decrease *or* an increase in utility costs in the first years relative to a gas furnace and AC system. For example, the heat pump space heater measure in climate zone 12 in the newest vintage results in the customer saving money on their utility bill in SMUD territory but paying more on their utility bill in PG&E territory. Both PG&E and SMUD territory use PG&E gas rates, but SMUD has lower electricity rates than PG&E. With fuel switching measures like the AC to HP measure, the electricity to gas ratio has a significant impact on the savings or costs the customer will see by switching from gas to an electric heat pump space heater.
2. The LSC metric most often produces more favorable cost-effectiveness results relative to the results produced using actual utility costs (On-Bill). When the analysis assumes a higher escalation rate for natural gas costs relative to electricity in future years (high gas escalation), the On-Bill results are more favorable in some cases.
    a. In the oldest (pre-1978) vintage, all three measures (dual fuel heat pump with existing furnace, standard heat pump space heater, and high efficiency heat pump space heater) are cost-effective using the LSC metric in all climate zones. When using the On-Bill metric, the measures remain cost-effective in most climate zones.
    b. In the newer (1978-1991 and 1992-2010) vintages, the dual fuel heat pump (DFHP Existing Furnace) and the standard efficiency HPSH are cost-effective based on LSC in all cases except for Climate Zone 15 when using both the standard and California Alternative Rates for Energy (CARE) tariff.
3. Using the CARE tariff results in higher cost savings and cost-effectiveness relative to standard rates, with almost all cases yielding first year utility cost savings. The DFHP Existing Furnace is On-Bill cost-effective based on the high gas escalation scenario in all cases in the pre-1978 vintage, and almost all cases in the 1978-1991 and 1992-2010 vintage. It is also On-Bill cost-effective in most climate zones for the

modest gas escalation scenario across all vintages. In Climate Zones 5, 8, 9, 10, 14, and 15, cost-effectiveness declines relative to other areas, and in some cases is not cost-effective from an On-Bill perspective. This is the case for both the CARE tariff and the standard rate.

4. The analysis also modeled the cost impact of using a standard time-of-use electricity tariff versus switching to a newer electrification tariff, designed to reduce costs in homes with heat pumps and/or electric vehicles. Older homes tend to be the least efficient and achieve the most savings from improving equipment efficiency. In most of the state, because older homes tend to use more electricity than a similarly sized, newer vintage home, they realize more costs savings under the electrification tariff. Newer homes tend to use less electricity and therefore do not realize the same cost savings from switching tariffs; they generally perform better under the standard tariff. This trend is different in milder climate zones in SCE territory (excluding CZ 15), where newer homes realize more cost savings than older homes. Both the standard and electrification tariffs in SCE territory include a daily allocation of lower-cost baseline electricity and a second, higher-priced tier when the baseline is exceeded. In many newer homes, a higher percentage of overall electricity use is within the baseline allocation, resulting in greater cost savings.
5. Higher efficiency equipment reduces utility costs in all cases and improves cost-effectiveness in many climate zones in the oldest vintage relative to standard efficiency equipment. However, in more efficient newer homes, where cost-effectiveness is generally lower, the savings are insufficient to offset the roughly $3,000 increase in incremental cost.
6. Given the adopted Bay Area Air Quality Management District Zero NOx rule, and the proposed California Air Resource Board or South Coast Air Quality Management District (SCAQMD) Zero-NOx rules, and gas furnaces may not be available to be installed in 2030, a sensitivity analysis was performed for the Zero NOx scenario and found that cost-effectiveness decreases in many cases except in Climate Zones 8-10, some results improve enough to become cost-effective. The improved cost-effectiveness in Climate Zones 8-10 is due to the higher baseline cost when a HPSH must be installed at year 10 when the furnace must be replaced. However, the overall magnitude of 30-year On-Bill cost-effectiveness is lower because there are only 10 years of utility cost savings. After year 10 the base case and upgrade measures are both heat pumps.
7. While not evaluated in this report, the *2022 Single Family Retrofit Cost-effectiveness Study* (Statewide Reach Codes Team, 2024) shows it is beneficial to combine a heat pump space conditioning system with photovoltaics (PV) because the additional electricity required by the heat pump can be met by the PV system and result in reduced utility bills.
8. In this study the dual fuel heat pump is evaluated with an existing furnace, however the homeowner could choose to replace the existing furnace with a new furnace at

this time as well. This measure (DFHP New Furnace) was evaluated in the *2022 Single Family Retrofit Cost-effectiveness Study* (Statewide Reach Codes Team, 2024) but found to be less cost-effective than the DFHP Existing Furnace case.

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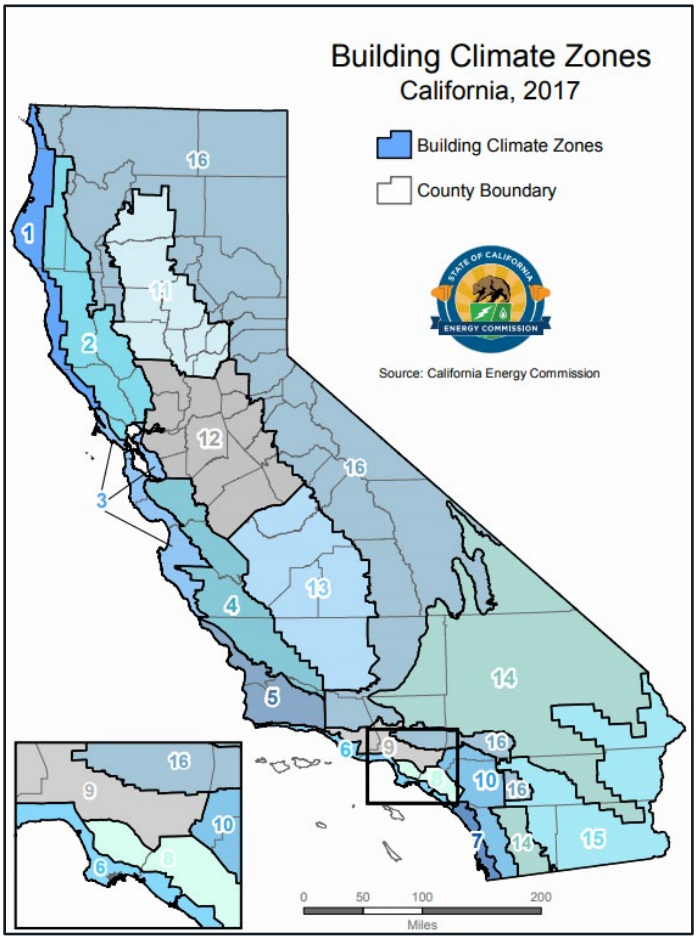
6 Appendices

6.1 Map of California Climate Zones

Climate zone geographical boundaries are depicted in Figure 3. The map in Figure 3 along with a zip-code search directory is available at:
https://ww2.energy.ca.gov/maps/renewable/building_climate_zones.html

Figure 3. Map of California climate zones.



6.2 Cost-Effectiveness Results

6.2.1 Standard Rates

The following tables present results across the16 climate zones for the pre-1978 (Table 22 through Table 24) and the 1978-1991 (Table 25 through Table 27) vintages supplementing the results in Section 3.

Table 22. [Pre-1978] DFHP Existing Furnace

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$155	$25,223	$14,524	$51,831
CZ02	PGE	$1,670	($81)	$11,551	$4,316	$20,806
CZ03	PGE	$1,178	$39	$11,680	$7,248	$21,906
CZ04	PGE	$1,670	($7)	$10,574	$4,948	$18,321
CZ04	CPAU	$1,670	$63	$10,574	$5,177	$14,531
CZ05	PGE	$1,424	($29)	$9,462	$4,574	$16,955
CZ05	PGE/SCG	$1,424	($314)	$9,462	($3,674)	$2,838
CZ06	SCE/SCG	$1,424	($70)	$4,223	$179	$1,795
CZ07	SDGE	$1,424	$41	$4,278	$2,725	$5,055
CZ08	SCE/SCG	$1,916	($111)	$3,216	($1,507)	$375
CZ09	SCE/SCG	$1,916	($168)	$4,238	($2,500)	$125
CZ10	SCE/SCG	$1,916	($133)	$3,755	($1,774)	$774
CZ10	SDGE	$1,916	$201	$3,755	$6,175	$10,683
CZ11	PGE	$2,162	$93	$11,970	$7,593	$24,951
CZ12	PGE	$1,916	$46	$12,302	$6,948	$24,190
CZ12	SMUD/PGE	$1,916	$584	$12,302	$18,997	$36,626
CZ13	PGE	$2,162	$112	$8,180	$6,374	$18,740
CZ14	SCE/SCG	$1,916	($244)	$6,646	($2,926)	$3,332
CZ14	SDGE	$1,916	$65	$6,646	$4,203	$13,297
CZ15	SCE/SCG	$2,408	$80	$401	$1,506	$2,532
CZ16	PGE	$2,243	($199)	$17,538	$2,333	$25,276

Table 23. [Pre-1978] Standard Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	($127)	$27,155	$7,800	$48,445
CZ02	PGE	$652	($242)	$13,342	$1,420	$21,282
CZ03	PGE	$514	($46)	$11,946	$4,614	$19,670
CZ04	PGE	$652	($139)	$13,059	$3,274	$21,888
CZ04	CPAU	$652	($48)	$13,059	$3,194	$15,372
CZ05	PGE	$583	($131)	$9,998	$2,045	$15,648
CZ05	PGE/SCG	$583	($449)	$9,998	($7,152)	($94)
CZ06	SCE/SCG	$583	($76)	$3,860	($652)	$931
CZ07	SDGE	$583	$35	$3,876	$1,901	$4,218
CZ08	SCE/SCG	$721	($128)	$3,305	($2,112)	($199)
CZ09	SCE/SCG	$721	($219)	$4,415	($3,839)	($1,141)
CZ10	SCE/SCG	$721	($188)	$3,982	($3,168)	($483)
CZ10	SDGE	$721	$166	$3,982	$5,200	$10,049
CZ11	PGE	$790	($74)	$14,045	$4,727	$24,836
CZ12	PGE	$721	($179)	$13,850	$2,374	$21,622
CZ12	SMUD/PGE	$721	$601	$13,850	$19,845	$39,654
CZ13	PGE	$790	($14)	$9,394	$3,998	$17,858
CZ14	SCE/SCG	$721	($450)	$10,103	($6,294)	$4,015
CZ14	SDGE	$721	($66)	$10,103	$2,757	$18,994
CZ15	SCE/SCG	$859	$68	$643	$1,364	$2,430
CZ16	PGE	$2,095	($484)	$27,492	$2,918	$49,419

Table 24. [Pre-1978] High Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$249	$30,518	$11,401	$52,316
CZ02	PGE	$3,606	($24)	$13,354	$1,431	$21,449
CZ03	PGE	$3,422	$100	$10,768	$3,122	$18,282
CZ04	PGE	$3,606	$118	$13,537	$4,185	$22,984
CZ04	CPAU	$3,606	$101	$13,537	$1,665	$13,950
CZ05	PGE	$3,514	$10	$8,416	$384	$14,087
CZ05	PGE/SCG	$3,514	($308)	$8,416	($8,814)	($1,654)
CZ06	SCE/SCG	$3,514	$3	$380	($3,709)	($2,052)
CZ07	SDGE	$3,514	$114	$430	($1,063)	$1,230
CZ08	SCE/SCG	$3,698	$31	$1,065	($3,478)	($1,420)
CZ09	SCE/SCG	$3,698	($40)	$2,358	($4,759)	($1,897)
CZ10	SCE/SCG	$3,698	$6	$2,191	($3,746)	($882)
CZ10	SDGE	$3,698	$344	$2,191	$4,481	$9,276
CZ11	PGE	$3,789	$283	$15,614	$7,801	$28,167
CZ12	PGE	$3,698	$152	$14,490	$4,899	$24,385
CZ12	SMUD/PGE	$3,698	$708	$14,490	$17,350	$37,236
CZ13	PGE	$3,789	$326	$10,164	$6,697	$20,802
CZ14	SCE/SCG	$3,698	($173)	$11,876	($5,041)	$5,522
CZ14	SDGE	$3,698	$244	$11,876	$5,111	$21,254
CZ15	SCE/SCG	$3,881	$335	$393	$2,323	$3,635
CZ16	PGE	$5,071	$45	$34,043	$9,856	$56,737

Table 25. [1978-1991] DFHP Existing Furnace

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$99	$20,184	$10,746	$40,368
CZ02	PGE	$1,670	($114)	$9,142	$2,185	$14,361
CZ03	PGE	$1,178	$3	$9,033	$5,101	$15,624
CZ04	PGE	$1,670	($68)	$8,160	$2,319	$11,818
CZ04	CPAU	$1,670	$18	$8,160	$3,161	$9,418
CZ05	PGE	$1,424	($32)	$7,070	$3,268	$11,902
CZ05	PGE/SCG	$1,424	($238)	$7,070	($2,666)	$1,747
CZ06	SCE/SCG	$1,424	($39)	$2,941	$614	$1,557
CZ07	SDGE	$1,424	$1	$3,046	$1,512	$2,837
CZ08	SCE/SCG	$1,916	($78)	$2,145	($1,026)	$145
CZ09	SCE/SCG	$1,916	($116)	$2,978	($1,655)	$122
CZ10	SCE/SCG	$1,916	($89)	$2,606	($1,096)	$571
CZ10	SDGE	$1,916	$139	$2,606	$4,321	$7,320
CZ11	PGE	$2,162	$103	$9,118	$6,239	$18,777
CZ12	PGE	$1,916	$60	$9,604	$5,770	$18,506
CZ12	SMUD/PGE	$1,916	$430	$9,604	$14,059	$27,062
CZ13	PGE	$2,162	$111	$6,237	$5,242	$14,247
CZ14	SCE/SCG	$1,916	($230)	$4,931	($3,277)	$1,039
CZ14	SDGE	$1,916	$35	$4,931	$2,793	$9,271
CZ15	SCE/SCG	$2,408	($17)	($99)	($807)	($310)
CZ16	PGE	$2,243	($161)	$14,397	$1,740	$20,318

Table 26. [1978-1991] Standard Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	($128)	$21,427	$5,043	$37,346
CZ02	PGE	$652	($235)	$10,428	($90)	$14,711
CZ03	PGE	$514	($67)	$8,999	$2,767	$13,608
CZ04	PGE	$652	($164)	$9,984	$1,062	$14,605
CZ04	CPAU	$652	($66)	$9,984	$1,535	$9,914
CZ05	PGE	$583	($132)	$7,290	$703	$10,264
CZ05	PGE/SCG	$583	($361)	$7,290	($5,939)	($1,104)
CZ06	SCE/SCG	$583	($43)	$2,450	($151)	$775
CZ07	SDGE	$583	($3)	$2,539	$747	$2,065
CZ08	SCE/SCG	$721	($96)	$2,111	($1,658)	($472)
CZ09	SCE/SCG	$721	($152)	$3,022	($2,659)	($831)
CZ10	SCE/SCG	$721	($121)	$2,672	($2,017)	($239)
CZ10	SDGE	$721	$114	$2,672	$3,568	$6,801
CZ11	PGE	$790	($46)	$10,682	$3,545	$18,156
CZ12	PGE	$721	($110)	$10,747	$2,278	$16,574
CZ12	SMUD/PGE	$721	$445	$10,747	$14,697	$29,392
CZ13	PGE	$790	$1	$7,141	$3,112	$13,232
CZ14	SCE/SCG	$721	($398)	$7,556	($6,191)	$1,058
CZ14	SDGE	$721	($53)	$7,556	$1,909	$13,834
CZ15	SCE/SCG	$859	($25)	$71	($848)	($322)
CZ16	PGE	$2,095	($445)	$22,236	$708	$37,873

Table 27. [1978-1991] High Efficiency HPSH

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$169	$23,092	$6,895	$39,412
CZ02	PGE	$3,606	($75)	$9,242	($1,370)	$13,547
CZ03	PGE	$3,422	$53	$6,872	$675	$11,602
CZ04	PGE	$3,606	$26	$9,114	$463	$14,143
CZ04	CPAU	$3,606	$43	$9,114	($868)	$7,590
CZ05	PGE	$3,514	($16)	$4,859	($1,522)	$8,122
CZ05	PGE/SCG	$3,514	($246)	$4,859	($8,164)	($3,246)
CZ06	SCE/SCG	$3,514	($1)	($1,546)	($4,024)	($3,059)
CZ07	SDGE	$3,514	$47	($1,407)	($2,879)	($1,576)
CZ08	SCE/SCG	$3,698	$37	($828)	($3,608)	($2,300)
CZ09	SCE/SCG	$3,698	($17)	$232	($4,573)	($2,623)
CZ10	SCE/SCG	$3,698	$20	$82	($3,764)	($1,856)
CZ10	SDGE	$3,698	$251	$82	$1,869	$5,060
CZ11	PGE	$3,789	$259	$10,685	$5,452	$20,283
CZ12	PGE	$3,698	$138	$10,023	$2,954	$17,430
CZ12	SMUD/PGE	$3,698	$525	$10,023	$11,609	$26,363
CZ13	PGE	$3,789	$289	$6,612	$4,624	$14,951
CZ14	SCE/SCG	$3,698	($188)	$7,697	($6,429)	$1,012
CZ14	SDGE	$3,698	$182	$7,697	$2,525	$14,378
CZ15	SCE/SCG	$3,881	$193	($1,111)	($992)	($267)
CZ16	PGE	$5,071	($30)	$26,407	$5,118	$42,581

6.2.2 CARE tariffs

Table 28. [Pre-1978] DFHP Existing Furnace CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$364	$25,223	$16,641	$46,300
CZ02	PGE	$1,670	$64	$11,551	$6,432	$19,553
CZ03	PGE	$1,178	$128	$11,680	$8,248	$19,898
CZ04	PGE	$1,670	$90	$10,574	$6,198	$16,835
CZ04	CPAU	$1,670	$0	$10,574	$711	$711
CZ05	PGE	$1,424	$69	$9,462	$5,901	$15,746
CZ05	PGE/SCG	$1,424	($157)	$9,462	($613)	$4,598
CZ06	SCE/SCG	$1,424	($37)	$4,223	$776	$2,067
CZ07	SDGE	$1,424	$42	$4,278	$2,609	$4,434
CZ08	SCE/SCG	$1,916	($63)	$3,216	($595)	$911
CZ09	SCE/SCG	$1,916	($97)	$4,238	($1,132)	$972
CZ10	SCE/SCG	$1,916	($75)	$3,755	($660)	$1,379
CZ10	SDGE	$1,916	$160	$3,755	$4,963	$8,500
CZ11	PGE	$2,162	$183	$11,970	$8,415	$22,212
CZ12	PGE	$1,916	$152	$12,302	$8,126	$21,834
CZ12	SMUD/PGE	$1,916	$686	$12,302	$20,080	$34,172
CZ13	PGE	$2,162	$160	$8,180	$6,595	$16,418
CZ14	SCE/SCG	$1,916	($126)	$6,646	($779)	$4,233
CZ14	SDGE	$1,916	$101	$6,646	$4,530	$11,652
CZ15	SCE/SCG	$2,408	$60	$401	$982	$1,788
CZ16	PGE	$2,243	$34	$17,538	$5,963	$24,236

Table 29. [Pre-1978] Standard Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	$205	$27,155	$12,440	$44,777
CZ02	PGE	$652	($16)	$13,342	$5,095	$20,910
CZ03	PGE	$514	$76	$11,946	$6,319	$18,293
CZ04	PGE	$652	$41	$13,059	$6,031	$20,843
CZ04	CPAU	$652	$0	$13,059	$255	$255
CZ05	PGE	$583	$12	$9,998	$4,285	$15,110
CZ05	PGE/SCG	$583	($240)	$9,998	($2,978)	$2,679
CZ06	SCE/SCG	$583	($42)	$3,860	($7)	$1,259
CZ07	SDGE	$583	$37	$3,876	$1,837	$3,652
CZ08	SCE/SCG	$721	($75)	$3,305	($1,076)	$457
CZ09	SCE/SCG	$721	($131)	$4,415	($2,095)	$72
CZ10	SCE/SCG	$721	($110)	$3,982	($1,649)	$504
CZ10	SDGE	$721	$139	$3,982	$4,305	$8,106
CZ11	PGE	$790	$94	$14,045	$7,108	$23,108
CZ12	PGE	$721	$20	$13,850	$5,506	$20,829
CZ12	SMUD/PGE	$721	$772	$13,850	$22,326	$38,189
CZ13	PGE	$790	$89	$9,394	$5,347	$16,369
CZ14	SCE/SCG	$721	($241)	$10,103	($2,418)	$5,836
CZ14	SDGE	$721	$62	$10,103	$4,832	$17,541
CZ15	SCE/SCG	$859	$52	$643	$930	$1,769
CZ16	PGE	$2,095	$16	$27,492	$10,883	$47,907

Table 30. [Pre-1978] High Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$450	$30,518	$13,096	$45,609
CZ02	PGE	$3,606	$126	$13,354	$3,405	$19,322
CZ03	PGE	$3,422	$172	$10,768	$3,678	$15,720
CZ04	PGE	$3,606	$209	$13,537	$4,926	$19,859
CZ04	CPAU	$3,606	$0	$13,537	($4,595)	($4,595)
CZ05	PGE	$3,514	$103	$8,416	$1,521	$12,412
CZ05	PGE/SCG	$3,514	($148)	$8,416	($5,742)	($19)
CZ06	SCE/SCG	$3,514	$11	$380	($3,634)	($2,319)
CZ07	SDGE	$3,514	$89	$430	($1,774)	$25
CZ08	SCE/SCG	$3,698	$33	$1,065	($3,586)	($1,955)
CZ09	SCE/SCG	$3,698	($10)	$2,358	($4,304)	($2,027)
CZ10	SCE/SCG	$3,698	$21	$2,191	($3,628)	($1,354)
CZ10	SDGE	$3,698	$255	$2,191	$2,127	$5,893
CZ11	PGE	$3,789	$327	$15,614	$7,382	$23,549
CZ12	PGE	$3,698	$236	$14,490	$5,437	$20,914
CZ12	SMUD/PGE	$3,698	$772	$14,490	$17,439	$33,302
CZ13	PGE	$3,789	$310	$10,164	$5,378	$16,558
CZ14	SCE/SCG	$3,698	($54)	$11,876	($3,161)	$5,265
CZ14	SDGE	$3,698	$263	$11,876	$4,651	$17,300
CZ15	SCE/SCG	$3,881	$232	$393	($35)	$970
CZ16	PGE	$5,071	$360	$34,043	$13,682	$50,953

Table 31. [1978-1991] DFHP Existing Furnace CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$2,405	$273	$20,184	$12,619	$36,168
CZ02	PGE	$1,670	$12	$9,142	$4,166	$13,857
CZ03	PGE	$1,178	$76	$9,033	$6,011	$14,375
CZ04	PGE	$1,670	$23	$8,160	$3,702	$11,261
CZ04	CPAU	$1,670	$0	$8,160	$711	$711
CZ05	PGE	$1,424	$40	$7,070	$4,285	$11,150
CZ05	PGE/SCG	$1,424	($122)	$7,070	($400)	$3,130
CZ06	SCE/SCG	$1,424	($21)	$2,941	$952	$1,705
CZ07	SDGE	$1,424	$9	$3,046	$1,631	$2,667
CZ08	SCE/SCG	$1,916	($45)	$2,145	($395)	$544
CZ09	SCE/SCG	$1,916	($67)	$2,978	($712)	$712
CZ10	SCE/SCG	$1,916	($50)	$2,606	($357)	$976
CZ10	SDGE	$1,916	$110	$2,606	$3,472	$5,826
CZ11	PGE	$2,162	$155	$9,118	$6,542	$16,502
CZ12	PGE	$1,916	$128	$9,604	$6,434	$16,553
CZ12	SMUD/PGE	$1,916	$506	$9,604	$14,879	$25,269
CZ13	PGE	$2,162	$135	$6,237	$5,170	$12,318
CZ14	SCE/SCG	$1,916	($128)	$4,931	($1,351)	$2,112
CZ14	SDGE	$1,916	$65	$4,931	$3,123	$8,195
CZ15	SCE/SCG	$2,408	($9)	($99)	($653)	($256)
CZ16	PGE	$2,243	$28	$14,397	$4,676	$19,471

Table 32. [1978-1991] Standard Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$3,067	$146	$21,427	$8,941	$34,641
CZ02	PGE	$652	($47)	$10,428	$3,076	$14,864
CZ03	PGE	$514	$33	$8,999	$4,259	$12,882
CZ04	PGE	$652	($10)	$9,984	$3,558	$14,338
CZ04	CPAU	$652	$0	$9,984	$255	$255
CZ05	PGE	$583	($18)	$7,290	$2,586	$10,196
CZ05	PGE/SCG	$583	($199)	$7,290	($2,659)	$1,219
CZ06	SCE/SCG	$583	($24)	$2,450	$215	$956
CZ07	SDGE	$583	$6	$2,539	$898	$1,929
CZ08	SCE/SCG	$721	($57)	$2,111	($896)	$57
CZ09	SCE/SCG	$721	($91)	$3,022	($1,455)	$13
CZ10	SCE/SCG	$721	($71)	$2,672	($1,035)	$390
CZ10	SDGE	$721	$96	$2,672	$2,939	$5,474
CZ11	PGE	$790	$74	$10,682	$5,209	$16,830
CZ12	PGE	$721	$30	$10,747	$4,418	$15,794
CZ12	SMUD/PGE	$721	$573	$10,747	$16,567	$28,332
CZ13	PGE	$790	$72	$7,141	$4,003	$12,047
CZ14	SCE/SCG	$721	($224)	$7,556	($2,880)	$2,930
CZ14	SDGE	$721	$42	$7,556	$3,476	$12,809
CZ15	SCE/SCG	$859	($13)	$71	($639)	($219)
CZ16	PGE	$2,095	($25)	$22,236	$7,529	$37,120

Table 33. [1978-1991] High Efficiency HPSH CARE

Climate Zone	Electric/ Gas Utility	First Incremental Cost	First-year Utility Savings	Lifecycle NPV Savings		
				2025 LSC NPV	On-Bill NPV Modest Gas Escalation	On-Bill NPV High Gas Escalation
CZ01	PGE	$5,998	$339	$23,092	$8,460	$34,300
CZ02	PGE	$3,606	$57	$9,242	$547	$12,409
CZ03	PGE	$3,422	$111	$6,872	$1,228	$9,907
CZ04	PGE	$3,606	$113	$9,114	$1,472	$12,340
CZ04	CPAU	$3,606	$0	$9,114	($4,595)	($4,595)
CZ05	PGE	$3,514	$58	$4,859	($544)	$7,120
CZ05	PGE/SCG	$3,514	($124)	$4,859	($5,789)	($1,857)
CZ06	SCE/SCG	$3,514	$5	($1,546)	($3,963)	($3,196)
CZ07	SDGE	$3,514	$39	($1,407)	($3,143)	($2,122)
CZ08	SCE/SCG	$3,698	$32	($828)	($3,800)	($2,766)
CZ09	SCE/SCG	$3,698	($0)	$232	($4,336)	($2,784)
CZ10	SCE/SCG	$3,698	$25	$82	($3,803)	($2,290)
CZ10	SDGE	$3,698	$184	$82	$124	$2,631
CZ11	PGE	$3,789	$272	$10,685	$4,725	$16,488
CZ12	PGE	$3,698	$191	$10,023	$3,148	$14,639
CZ12	SMUD/PGE	$3,698	$573	$10,023	$11,680	$23,445
CZ13	PGE	$3,789	$259	$6,612	$3,262	$11,441
CZ14	SCE/SCG	$3,698	($82)	$7,697	($4,629)	$1,311
CZ14	SDGE	$3,698	$195	$7,697	$2,166	$11,452
CZ15	SCE/SCG	$3,881	$133	($1,111)	($2,349)	($1,794)
CZ16	PGE	$5,071	$245	$26,407	$8,685	$38,470

6.3 Utility Rate Schedules

6.3.1 Pacific Gas & Electric

The following pages provide details on the PG&E electricity and natural gas tariffs applied in this study. Table 34 describes the baseline territories that were assumed for each climate zone. A net surplus compensation rate of $ 0.03396/ kWh was applied to any net annual electricity generation based on a one-year average of the rates between February 2024 and January 2025.

Table 34. PG&E Baseline Territory by Climate Zone

Climate Zone	Baseline Territory
CZ01	V
CZ02	X
CZ03	T
CZ04	X
CZ05	T
CZ11	R
CZ12	S
CZ13	R
CZ16	Y

The PG&E monthly gas rate in $/therm was applied on a monthly basis according to the rates shown in Table 35. The gas rates were developed based on the latest available gas rate for January 2025 and a curve to reflect how natural gas prices fluctuate with seasonal supply and demand. The seasonal curve was estimated from PG&E's monthly residential tariffs between 2015 and 2024. 12-month curves were created from monthly gas rates for each of the ten years. The ten annual curves were then averaged to arrive at an average normalized annual curve. The baseline and excess transmission charges were found to be consistent over the course of a year and applied for the entire year based on January 2025 rates. The costs presented in Table 35 were then derived by establishing the baseline and excess rates from the latest January 2025 tariff as a reference point, and then using the normalized curve to estimate the cost for the remaining months relative to the January rates. Corresponding CARE tariffs reflect the 20 percent discount per the GL-1 tariff.

Table 35. PG&E Monthly Gas Rate ($/therm)

Month	Total Charge	
	Baseline	Excess
January	$2.63	$3.15
February	$2.64	$3.16
March	$2.41	$2.94
April	$2.24	$2.77
May	$2.21	$2.74
June	$2.23	$2.77
July	$2.26	$2.80
August	$2.36	$2.90
September	$2.42	$2.98
October	$2.52	$3.07
November	$2.63	$3.17
December	$2.70	$3.23

Residential
GAS
Baseline Territories and Quantities [1/]

Effective April 1, 2022 - Present

BASELINE QUANTITIES (Therms **Per Day** Per Dwelling Unit)

Individually Metered			
Baseline Territories	**Summer (April-October) Effective Apr. 1, 2022**	**Winter Off-Peak (Nov, Feb, Mar) Effective Nov. 1, 2022**	**Winter On-Peak (Dec, Jan) Effective Dec. 1, 2022**
P	0.39	1.88	2.19
Q	0.56	1.48	2.00
R	0.36	1.24	1.81
S	0.39	1.38	1.94
T	0.56	1.31	1.68
V	0.59	1.51	1.71
W	0.39	1.14	1.68
X	0.49	1.48	2.00
Y	0.72	2.22	2.58

Master Metered			
Baseline Territories	**Summer (April-October) Effective Apr. 1, 2022**	**Winter Off-Peak (Nov, Feb, Mar) Effective Nov. 1, 2022**	**Winter On-Peak (Dec, Jan) Effective Dec. 1, 2022**
P	0.29	1.01	1.13
Q	0.56	0.67	0.77
R	0.33	0.87	1.16
S	0.29	0.61	0.65
T	0.56	1.01	1.10
V	0.59	1.28	1.32
W	0.26	0.71	0.87
X	0.33	0.67	0.77
Y	0.52	1.01	1.13

Summer Season: Apr-Oct
Winter Off-Peak: Nov, Feb, Mar
Winter On-Peak: Dec, Jan

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GRC 2020 Ph II [Application 19-11-019]
Filed: Nov 22, 2019

Pacific Gas and Electric Company
U 39 Oakland, California

Revised Cal. P.U.C. Sheet No. 59120-E
Cancelling Revised Cal. P.U.C. Sheet No. 58758-E

ELECTRIC SCHEDULE E-TOU-C Sheet 2
RESIDENTIAL TIME-OF-USE (PEAK PRICING 4 - 9 p.m. EVERY DAY)

RATES:
(Cont'd.)

E-TOU-C TOTAL BUNDLED RATES

Total Energy Rates ($ per kWh)	PEAK		OFF-PEAK	
Summer				
Total Usage	$0.60729	(R)	$0.50429	(R)
Baseline Credit (Applied to Baseline Usage Only)	($0.10135)	(R)	($0.10135)	(R)
Winter				
Total Usage	$0.49312	(R)	$0.46312	(R)
Baseline Credit (Applied to Baseline Usage Only)	($0.10135)	(R)	($0.10135)	(R)
Delivery Minimum Bill Amount ($ per meter per day)	$0.39167			
California Climate Credit (per household, per semi-annual payment occurring in the April and October bill cycles)	($58.23)	(R)		

Total bundled service charges shown on customer's bills are unbundled according to the component rates shown below. Where the delivery minimum bill amount applies, the customer's bill will equal the sum of (1) the delivery minimum bill amount plus (2) for bundled service, the generation rate times the number of kWh used. For revenue accounting purposes, the revenues from the delivery minimum bill amount will be assigned to the Transmission, Transmission Rate Adjustments, Reliability Services, Public Purpose Programs, Nuclear Decommissioning, Competition Transition Charges, Energy Cost Recovery Amount, Wildfire Fund Charge, and New System Generation Charges based on kWh usage times the corresponding unbundled rate component per kWh, with any residual revenue assigned to Distribution.

(Continued)

Advice 7469-E
Decision

Issued by
Shilpa Ramaiya
Vice President
Regulatory Proceedings and Rates

Submitted December 30, 2024
Effective January 1, 2025
Resolution

Pacific Gas and Electric Company
U 39 Oakland, California

Cancelling Revised Cal. P.U.C. Sheet No. 59121-E
Revised Cal. P.U.C. Sheet No. 58759-E

ELECTRIC SCHEDULE E-TOU-C Sheet 3
RESIDENTIAL TIME-OF-USE (PEAK PRICING 4 - 9 p.m. EVERY DAY)

RATES: (Cont'd.)

UNBUNDLING OF E-TOU-C TOTAL RATES

Energy Rates by Component ($ per kWh)	PEAK		OFF-PEAK	
Generation:				
Summer (all usage)	$0.24730	(I)	$0.16430	(I)
Winter (all usage)	$0.18725	(I)	$0.16057	(I)
Distribution:**				
Summer (all usage)	$0.24056	(I)	$0.22056	(I)
Winter (all usage)	$0.18645	(I)	$0.18313	(I)

Conservation Incentive Adjustment (Baseline Usage)	($0.03733)	(I)
Conservation Incentive Adjustment (Over Baseline Usage)	$0.06402	(I)
Transmission* (all usage)	$0.05122	(I)
Transmission Rate Adjustments* (all usage)	($0.01509)	(R)
Reliability Services* (all usage)	$0.00032	(I)
Public Purpose Programs (all usage)	$0.02644	(R)
Nuclear Decommissioning (all usage)	($0.00013)	(I)
Competition Transition Charges (all usage)	($0.00072)	(R)
Energy Cost Recovery Amount (all usage)	$0.00001	(I)
Wildfire Fund Charge (all usage)	$0.00595	(I)
New System Generation Charge (all usage)**	$0.00574	(R)
Wildfire Hardening Charge (all usage)	$0.00494	
Recovery Bond Charge (all usage)	$0.00650	
Recovery Bond Credit (all usage)	($0.00650)	
Bundled Power Charge Indifference Adjustment (all usage)***	($0.02327)	(R)

* Transmission, Transmission Rate Adjustments and Reliability Service charges are combined for presentation on customer bills.
** Distribution and New System Generation Charges are combined for presentation on customer bills.
*** Direct Access, Community Choice Aggregation and Transitional Bundled Service Customers pay the applicable Vintaged Power Charge Indifference Adjustment. Generation and Bundled PCIA are combined for presentation on bundled customer bills.

(Continued)

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Vice President
Regulatory Proceedings and Rates

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Pacific Gas and Electric Company
U 39 Oakland, California

Revised Cal. P.U.C. Sheet No. 59109-E
Cancelling Revised Cal. P.U.C. Sheet No. 58755-E

ELECTRIC SCHEDULE E-ELEC Sheet 2
RESIDENTIAL TIME-OF-USE (ELECTRIC HOME)
SERVICE FOR CUSTOMERS WITH QUALIFYING ELECTRIC TECHNOLOGIES

RATES:(Cont'd.)

Direct Access (DA) and Community Choice Aggregation (CCA) charges shall be calculated in accordance with the paragraph in this rate schedule titled Billing.

TOTAL BUNDLED RATES

Base Services Charge ($ per meter per day) $0.49281

Total Energy Rates ($ per kWh)	PEAK		PART-PEAK		OFF-PEAK	
Summer Usage	$0.60728	(R)	$0.44540	(R)	$0.38872	(R)
Winter Usage	$0.37577	(R)	$0.35368	(R)	$0.33982	(R)

California Climate Credit (per household, per semi-annual payment occurring in the April and October bill cycles) ($58.23) (R)

Total bundled service charges shown on a customer's bills are unbundled according to the component rates shown below.

UNBUNDLING OF TOTAL RATES

Energy Rates by Component ($ per kWh)	PEAK		PART-PEAK		OFF-PEAK	
Generation:						
Summer Usage	$0.31659	(I)	$0.21748	(I)	$0.17238	(I)
Winter Usage	$0.15446	(I)	$0.13449	(I)	$0.12114	(I)
Distribution:**						
Summer Usage	$0.23528	(I)	$0.17251	(I)	$0.16093	(I)
Winter Usage	$0.16590	(I)	$0.16378	(I)	$0.16327	(I)
Transmission* (all usage)	$0.05122	(I)	$0.05122	(I)	$0.05122	(I)
Transmission Rate Adjustments* (all usage)	($0.01509)	(R)	($0.01509)	(R)	($0.01509)	(R)
Reliability Services* (all usage)	$0.00032	(I)	$0.00032	(I)	$0.00032	(I)
Public Purpose Programs (all usage)	$0.02644	(R)	$0.02644	(R)	$0.02644	(R)
Nuclear Decommissioning (all usage)	($0.00013)	(I)	($0.00013)	(I)	($0.00013)	(I)
Competition Transition Charges (all usage)	($0.00072)	(R)	($0.00072)	(R)	($0.00072)	(R)
Energy Cost Recovery Amount (all usage)	$0.00001	(I)	$0.00001	(I)	$0.00001	(I)
Wildfire Fund Charge (all usage)	$0.00595	(I)	$0.00595	(I)	$0.00595	(I)
New System Generation Charge (all usage)**	$0.00574	(R)	$0.00574	(R)	$0.00574	(R)
Wildfire Hardening Charge (all usage)	$0.00494		$0.00494		$0.00494	
Recovery Bond Charge (all usage)	$0.00650		$0.00650		$0.00650	
Recovery Bond Credit (all usage)	($0.00650)		($0.00650)		($0.00650)	
Bundled Power Charge Indifference Adjustment (all usage)***	($0.02327)	(R)	($0.02327)	(R)	($0.02327)	(R)

* Transmission, Transmission Rate Adjustments and Reliability Service charges are combined for presentation on customer bills.
** Distribution and New System Generation Charges are combined for presentation on customer bills.
*** Direct Access, Community Choice Aggregation and Transitional Bundled Service Customers pay the applicable Vintaged Power Charge Indifference Adjustment. Generation and Bundled PCIA are combined for presentation on bundled customer bills.

(Continued)

Pacific Gas and Electric Company
U 39 San Francisco, California

Original Cal. P.U.C. Sheet No. 54738-E

ELECTRIC SCHEDULE E-ELEC Sheet 3 (N)
RESIDENTIAL TIME-OF-USE (ELECTRIC HOME) (N)
SERVICE FOR CUSTOMERS WITH QUALIFYING ELECTRIC TECHNOLOGIES

SPECIAL CONDITIONS:

1. TIME PERIODS: Times of the year and times of the day are defined as follows: (N)

   All Year:

   Peak: 4:00 p.m. to 9:00 p.m. every day including weekends and holidays.

   Partial-Peak: 3:00 p.m. to 4:00 p.m. and 9:00 p.m. to 12:00 a.m. every day including weekends and holidays.

   Off-Peak: All other hours.

2. SEASONAL CHANGES: The summer season is June 1 through September 30 and the winter season is October 1 through May 31. When billing includes use in both the summer and winter periods, charges will be prorated based upon the number of days in each period.

3. ADDITIONAL METERS: If a residential dwelling unit is served by more than one electric meter, the customer must designate which meter is the primary meter and which is (are) the additional meter(s).

4. BILLING: A customer's bill is calculated based on the option applicable to the customer.

   Bundled Service Customers receive generation and delivery services solely from PG&E. The customer's bill is based on the Unbundling of Total Rates set forth above.

   Transitional Bundled Service (TBS) Customers take TBS as prescribed in Rules 22.1 and 23.1, or take PG&E bundled service prior to the end of the six (6) month advance notice period required to elect PG&E bundled service as prescribed in Rules 22.1 and 23.1. TBS customers shall pay all charges shown in the Unbundling of Total Rates except for the Bundled Power Charge Indifference Adjustment and the generation charge. TBS customers shall also pay for their applicable Vintaged Power Charge Indifference Adjustment provided in the table below, and the short-term commodity prices as set forth in Schedule TBCC. (N)

(Continued)

Advice	6768-E	*Issued by*	*Submitted*	November 18, 2022
Decision	D.21-11-016	***Meredith Allen***	*Effective*	December 1, 2022
		Vice President, Regulatory Affairs	*Resolution*	

Pacific Gas and Electric Company
U 39 Oakland, California

Revised Cal. P.U.C. Sheet No. 59329-E
Cancelling Revised Cal. P.U.C. Sheet No. 59086-E

ELECTRIC SCHEDULE D-CARE Sheet 1

LINE-ITEM DISCOUNT FOR CALIFORNIA ALTERNATE RATES FOR ENERGY (CARE) CUSTOMERS

APPLICABILITY: This schedule is applicable to single-phase and polyphase residential service in single-family dwellings and in flats and apartments separately metered by PG&E and domestic submetered tenants residing in multifamily accommodations, mobilehome parks and to qualifying recreational vehicle parks and marinas and to farm service on the premises operated by the person whose residence is supplied through the same meter, where the applicant qualifies for California Alternate Rates for Energy (CARE) under the eligibility and certification criteria set forth in Electric Rule 19.1. CARE service is available on Schedules E-1, E-TOU-B, E-TOU-C, E-TOU-D, EV2, E-ELEC, EM, ES, ESR, ET and EM-TOU.

TERRITORY: This rate schedule applies everywhere PG&E provides electric service.

RATES: Customers taking service on this rate schedule whose otherwise applicable rate schedule has no Delivery Minimum Bill Amount (Schedule E-ELEC) will receive a CARE percentage discount of 38.351% (R) on their total bundled charges (except for the California Climate Credit, which will not be discounted). Customers taking service on this rate schedule whose otherwise applicable rate schedule has a Delivery Minimum Bill Amount (all other schedules) will receive a CARE percentage discount ("A" or "C" below) on their total bundled charges less charges from which they are exempt (Wildfire Fund Charge, Recovery Bond Charge, Recovery Bond Credit, and the CARE surcharge portion of the public purpose program charge used to fund the CARE discount) on their otherwise applicable rate schedule (except for the California Climate Credit, which will not be discounted) and also will receive a percentage discount ("B" or "D" below) on the delivery minimum bill amount, if applicable. The CARE discount will be calculated for direct access and community choice aggregation customers based on the total charges as if they were subject to bundled service rates. Discounts will be applied as a reduction to distribution charges. These conditions also apply to master-metered customers and to qualified sub-metered tenants where the master-meter customer is jointly served under PG&E's Rate Schedule D-CARE and either Schedule EM, ES, ESR, ET, or EM-TOU.

For master-metered customers where one or more of the submetered tenants qualifies for CARE rates under the eligibility and certification criteria set forth in Rule 19.1, 19.2, or 19.3, the CARE discount is equal to a percentage ("C" below) of the total bundled charges, multiplied by the number of CARE units divided by the total number of units. In addition, master-metered customers eligible for D-CARE will receive a percentage discount ("D" below) on the delivery minimum bill amount, if applicable.

It is the responsibility of the master-metered customer to advise PG&E within 15 days following any change in the number of dwelling units and/or any decrease in the number of qualifying CARE applicants that results when such applicants move out of their submetered or non-submetered dwelling unit, or submetered permanent-residence RV or permanent-residence boat.

(Continued)

Advice Decision 7516-E

Issued by
Shilpa Ramaiya
Vice President
Regulatory Proceedings and Rates

Submitted February 26, 2025
Effective March 1, 2025
Resolution

Pacific Gas and Electric Company

U 39 Oakland, California

	Revised	Cal. P.U.C. Sheet No.	59087-E
Cancelling	Revised	Cal. P.U.C. Sheet No.	58198-E

ELECTRIC SCHEDULE D-CARE Sheet 2

LINE-ITEM DISCOUNT FOR CALIFORNIA ALTERNATE RATES FOR ENERGY (CARE) CUSTOMERS

RATES: (Cont'd)

A.	D-CARE Discount:	35.000	% (Percent)	(I)
B.	Delivery Minimum Bill Discount:	50.000	% (Percent)	
C.	Master-Meter D-CARE Discount:	35.000	% (Percent)	(I)
D.	Master-Meter Delivery Minimum Bill Discount:	50.000	% (Percent)	

SPECIAL CONDITIONS:

1. OTHERWISE APPLICABLE SCHEDULE: The Special Conditions of the Customer's otherwise applicable rate schedule will apply to this schedule.

2. ELIGIBILITY: To be eligible to receive D-CARE the applicant must qualify under the criteria set forth in PG&E's Electric Rules 19.1, 19.2, and 19.3 and meet the certification requirements thereof to the satisfaction of PG&E. Qualifying Direct Access, Community Choice Aggregation Service, and Transitional Bundled Service customers are also eligible to take service on Schedule D-CARE. Applicants may qualify for D-CARE at their primary residence only. Customers or sub-metered tenants participating in the Family Electric Rate Assistance (FERA) program cannot concurrently participate in the CARE program.

Advice	7469-E	Issued by	Submitted	December 30, 2024
Decision		**Shilpa Ramaiya**	Effective	January 1, 2025
		Vice President	Resolution	
		Regulatory Proceedings and Rates		

6.3.2 Southern California Edison

The following pages provide details on the SCE electricity tariffs applied in this study. Table describes the baseline territories that were assumed for each climate zone. A net surplus compensation rate of $ 0.01532/ kWh was applied to any net annual electricity generation based on a one-year average of the rates between February 2024 and January 2025.

Table 36. SCE Baseline Territory by Climate Zone

Climate Zone	Baseline Territory
CZ06	6
CZ08	8
CZ09	9
CZ10	10
CZ14	14
CZ15	15

Summer Daily Allocations (June through September)

Baseline Region Number	Daily kWh Allocation	All-Electric Allocation
5	17.2	17.9
6	11.4	8.8
8	12.6	9.8
9	16.5	12.4
10	18.9	15.8
13	22.0	24.6
14	18.7	18.3
15	46.4	24.1
16	14.4	13.5

Winter Daily Allocations (October through May)

Baseline Region Number	Daily kWh Allocation	All-Electric Allocation
5	18.7	29.1
6	11.3	13.0
8	10.6	12.7
9	12.3	14.3
10	12.5	17.0
13	12.6	24.3
14	12.0	21.3
15	9.9	18.2
16	12.6	23.1

Schedule TOU-D
TIME-OF-USE
DOMESTIC
(Continued)

Sheet 12 (T)

SPECIAL CONDITIONS

1. Applicable rate time periods are defined as follows:

Option 4-9 PM, Option 4-9 PM-CPP, Option PRIME, Option PRIME-CPP : (T)

TOU Period	Weekdays		Weekends and Holidays	
	Summer	Winter	Summer	Winter
On-Peak	4 p.m. - 9 p.m.	N/A	N/A	N/A
Mid-Peak	N/A	4 p.m. - 9 p.m.	4 p.m. - 9 p.m.	4 p.m. - 9 p.m.
Off-Peak	All other hours	9 p.m. - 8 a.m.	All other hours	9 p.m. - 8 a.m.
Super-Off-Peak	N/A	8 a.m. - 4 p.m.	N/A	8 a.m. - 4 p.m.
CPP Event Period	4 p.m. - 9 p.m.	4 p.m. - 9 p.m.	N/A	N/A

SOUTHERN CALIFORNIA EDISON
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Southern California Edison
Rosemead, California (U 338-E)

Revised Cal. PUC Sheet No. 89278-E
Cancelling Revised Cal. PUC Sheet No. 88856-E

Schedule TOU-D
TIME-OF-USE
DOMESTIC
(Continued)

Sheet 2

RATES

Customers receiving service under this Schedule will be charged the applicable rates under Option 4-9 PM, Option 4-9 PM-CPP, Option 5-8 PM, Option 5-8 PM-CPP, Option PRIME, Option PRIME-CPP Option A, Option A-CPP, Option B, or Option B-CPP, as listed below. CPP Event Charges will apply to all energy usage during CPP Event Energy Charge periods and CPP Non-Event Energy Credits will apply as a reduction on CPP Non-Event Energy Credit Periods during Summer Season days, 4:00 p.m. to 9:00 p.m., as described in Special Conditions 1 and 3, below:

		Delivery Service Total[1]	Generation[2] UG***	Generation[2] DWREC[3]
Option 4-9 PM / Option 4-9 PM-CPP				
Energy Charge - $/kWh				
	Summer Season - On-Peak	0.35546 (I)	0.24264 (R)	0.00000
	Mid-Peak	0.35546 (I)	0.12948 (R)	0.00000
	Off-Peak	0.30374 (I)	0.06976 (R)	0.00000
	Winter Season - Mid-Peak	0.35546 (I)	0.17237 (R)	0.00000
	Off-Peak	0.30374 (I)	0.09602 (R)	0.00000
	Super-Off-Peak	0.28513 (I)	0.07779 (R)	0.00000
Baseline Credit**** - $/kWh		(0.09514) (I)	0.00000	
Fixed Recovery Charge - $/kWh		0.00198 (I)		
MCAM Charge[5] - $/kWh		0.00160 (I)		
Basic Charge - $/day				
	Single-Family Residence	0.031		
	Multi-Family Residence	0.024		
Minimum Charge** - $/day				
	Single Family Residence	0.346		
	Multi-Family Residence	0.346		
Minimum Charge (Medical Baseline)** - $/day				
	Single Family Residence	0.173		
	Multi-Family Residence	0.173		
California Climate Credit[4]		(56.00) (R)		
California Alternate Rates for Energy Discount - %		100.00*		
Family Electric Rate Assistance Discount - %		100.00		
Option 4-9 PM-CPP				
CPP Event Energy Charge - $/kWh			0.80000	
Summer CPP Non-Event Credit On-Peak Energy Credit - $/kWh			(0.15170)	
Maximum Available Credit - $/kWh*****				
	Summer Season		(0.54821) (R)	

* Represents 100% of the discount percentage as shown in the applicable Special Condition of this Schedule.
** The Minimum Charge is applicable when the Delivery Service Energy Charge, plus the applicable Basic Charge is less than the Minimum Charge.
*** The ongoing Competition Transition Charge CTC of ($0.00058) per kWh is recovered in the UG component of Generation. (R)
**** The Baseline Credit applies up to 100% of the Baseline Allocation, regardless of Time-of-Use time period. Additional Baseline Allocations apply for Customers with Heat Pump Water Heaters served under this Option. The Baseline Allocations are set forth in Preliminary Statement, Part H.
*****The Maximum Available Credit is the capped credit amount for CPP Customers dual participating in other demand response programs.
1 Total = Total Delivery Service rates are applicable to Bundled Service, Direct Access (DA) and Community Choice Aggregation Service (CCA Service) Customers, except DA and CCA Service Customers are not subject to the DWRBC rate component of this Schedule but instead pay the DWRBC as provided by Schedule DA-CRS or Schedule CCA-CRS.
2 Generation = The Gen rates are applicable only to Bundled Service Customers. See Special Condition below for PCIA recovery.
3 DWREC = Department of Water Resources (DWR) Energy Credit – For more information on the DWR Energy Credit, see the Billing Calculation Special Condition of this Schedule.
4 Applied on an equal basis, per household, semi-annually. See the Special Conditions of this Schedule for more information.
5 The Modified Cost Allocation Mechanism (MCAM) charge recovers the net cost associated with system reliability procurement ordered by the CPUC that SCE has procured on behalf of customers whose generation services are provided by certain Electric Service Providers or Community Choice Aggregators.

(Continued)

(To be inserted by utility)
Advice 5449-E
Decision

Issued by
Michael Backstrom
Vice President

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2C7

SOUTHERN CALIFORNIA EDISON
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Southern California Edison
Rosemead, California (U 338-E)

Revised Cal. PUC Sheet No. 89282-E
Cancelling Revised Cal. PUC Sheet No. 88860-E

Schedule TOU-D
TIME-OF-USE
DOMESTIC
(Continued)

Sheet 6

RATES (Continued)

		Delivery Service Total[1]	Generation[2] UG**	Generation[2] DWREC[3]
Option PRIME / Option PRIME-CPP				
Energy Charge - $/kWh/Meter/Day				
Summer Season				
	On-Peak	0.28716 (I)	0.28317 (R)	0.00000
	Mid-Peak	0.28716 (I)	0.10077 (R)	0.00000
	Off-Peak	0.20039 (I)	0.06728 (R)	0.00000
Winter Season				
	Mid-Peak	0.29246 (I)	0.24759 (R)	0.00000
	Off-Peak	0.19215 (I)	0.05686 (R)	0.00000
	Super-Off-Peak	0.19215 (I)	0.05686 (R)	0.00000
Fixed Recovery Charge - $/kWh		0.00198 (I)		
MCAM Charge[5] - $/kWh		0.00160 (I)		
Basic Charge - $/Meter/Day		0.539 (R)		
EV Meter Credit (Separately Metered EV Option) - $/Meter/Day		(0.408) (I)		
EV Submeter Credit - $/Meter/Day		(0.139) (I)		
California Climate Credit[4]		(56.00) (R)		
California Alternate Rates for				
Energy Discount - %		100.00*		
Family Electric Rate Assistance Discount - %		100.00		
Medical Line Item Discount - %		100.000		
Option PRIME-CPP				
CPP Event Energy Charge - $/kWh			0.80000	
Summer CPP Non-Event Credit				
On-Peak Energy Credit - $/kWh			(0.15170)	
Maximum Available Credit - $/kWh****				
	Summer Season		(0.54821) (R)	

* Represents 100% of the discount percentage as shown in the applicable Special Condition of this Schedule.
** The ongoing Competition Transition Charge (CTC) of ($0.00058) per kWh is recovered in the UG component of Generation. (R)
**** The Maximum Available Credit is the capped credit amount for CPP Customers dual participating in other demand response programs.
1 Total = Total Delivery Service rates are applicable to Bundled Service, Direct Access (DA) and Community Choice Aggregation Service (CCA Service) Customers, except DA and CCA Service Customers are not subject to the DWRBC rate component of this Schedule but instead pay the DWRBC as provided by Schedule DA-CRS or Schedule CCA-CRS.
2 Generation = The Gen rates are applicable only to Bundled Service Customers. See Special Condition below for PCIA recovery.
3 DWREC = Department of Water Resources (DWR) Energy Credit – For more information on the DWR Energy Credit, see the Billing Calculation Special Condition of this Schedule.
4 Applied on an equal basis, per household, semi-annually. See the Special Conditions of this Schedule for more information.
5 The Modified Cost Allocation Mechanism (MCAM) charge recovers the net cost associated with system reliability procurement ordered by the CPUC that SCE has procured on behalf of customers whose generation services are provided by certain Electric Service Providers or Community Choice Aggregators.

(Continued)

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6C9

SOUTHERN CALIFORNIA EDISON
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Southern California Edison
Rosemead, California (U 338-E)

Revised Cal. PUC Sheet No. 89277-E
Cancelling Revised Cal. PUC Sheet No. 88502-E

Schedule D-CARE Sheet 1
CALIFORNIA ALTERNATE RATES FOR ENERGY
DOMESTIC SERVICE

APPLICABILITY

Applicable to domestic service to California Alternate Rates for Energy (CARE) households residing in a permanent Single-Family Accommodation or Multifamily Accommodation where the customer meets all the Special Conditions of this Schedule. Customers enrolled in the CARE program are not eligible for the Family Electric Rate Assistance (FERA) program.

Pursuant to Special Condition 12 herein, customers receiving service under this Schedule are eligible to receive the California Climate Credit as shown in the Rates section below.

TERRITORY

Within the entire territory served.

RATES

The applicable charges set forth in Schedule D shall apply to Customers served under this Schedule.

CARE Discount:

A 32.5 percent discount is applied to a CARE Customer's bill prior to the application of the Public Utilities Commission Reimbursement Fee (PUCRF) and any applicable user fees, taxes, and late payment charges. CARE Customers are required to pay the PUCRF and any applicable user fees, taxes, and late payment charges in full. In addition, CARE Customers are exempt from paying the CARE Surcharge of $0.01435 per kWh, the Wildfire Fund Non-Bypassable Charge of $0.00595 per kWh, and the Fixed Recovery Charge of $0.00198 per kWh.. (I) (I) (I)

(Continued)

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1H14

6.3.3 Southern California Gas

Following are the SoCalGas natural gas tariffs applied in this study. Table 37 describes the baseline territories that were assumed for each climate zone.

Table 37. SoCalGas Baseline Territory by Climate Zone

Climate Zone	Baseline Territory
CZ05	2
CZ06	1
CZ08	1
CZ09	1
CZ10	1
CZ14	2
CZ15	1

The SoCalGas monthly gas rate in $/therm applied in this analysis is shown in Table 38. The gas rates were developed based on the latest available gas rate for January 2025 and a curve to reflect how natural gas prices fluctuate with seasonal supply and demand. The seasonal curve was estimated from SoCalGas's monthly residential tariffs between 2015 and 2024. 12-month curves were created from monthly gas rates for each of the ten years. The ten annual curves were then averaged to arrive at an average normalized annual curve. Long-term historical natural gas rate data was only available for SoCalGas' procurement charges.[8] The baseline and excess transmission charges were found to be consistent over the course of a year and applied for the entire year based on January 2025 rates. The costs presented in Table 38 were then derived by establishing the baseline and excess rates from the latest January 2025 tariff as a reference point, and then using the normalized curve to estimate the cost for the remaining months relative to the January rates. CARE tariffs reflect the 20 percent discount per the GR tariff.

[8] The SoCalGas procurement and transmission charges were obtained from the following site: https://www.socalgas.com/for-your-business/energy-market-services/gas-prices RES2023.xlsx (live.com)

Table 38. SoCalGas Monthly Gas Rate ($/therm)

Month	Procurement Charge	Transportation Charge		Total Charge	
		Baseline	Excess	Baseline	Excess
January	$0.45	$0.98	$1.40	$1.43	$1.85
February	$0.31	$0.98	$1.40	$1.29	$1.71
March	$0.26	$0.98	$1.40	$1.24	$1.66
April	$0.21	$0.98	$1.40	$1.19	$1.62
May	$0.22	$0.98	$1.40	$1.20	$1.62
June	$0.25	$0.98	$1.40	$1.23	$1.65
July	$0.26	$0.98	$1.40	$1.24	$1.66
August	$0.29	$0.98	$1.40	$1.27	$1.70
September	$0.27	$0.98	$1.40	$1.25	$1.67
October	$0.26	$0.98	$1.40	$1.24	$1.66
November	$0.29	$0.98	$1.40	$1.27	$1.69
December	$0.33	$0.98	$1.40	$1.31	$1.73

6.3.4 San Diego Gas & Electric

Following are the SDG&E electricity and natural gas tariffs applied in this study. Table 39 describes the baseline territories that were assumed for each climate zone. A net surplus compensation rate of $ 0.01837/ kWh was applied to any net annual electricity generation based on a one-year average of the rates between February 2024 and January 2025.

Table 39. SDG&E Baseline Territory by Climate Zone

Climate Zone	Baseline Territory
CZ07	Coastal
CZ10	Inland
CZ14	Mountain

The SDG&E monthly gas rate in $/therm was applied on a monthly basis according to the rates shown in Table 40. The gas rates were developed based on the latest available gas rate for January 2025 and a curve to reflect how natural gas prices fluctuate with seasonal supply and demand. The seasonal curve was estimated from SDG&E's monthly residential tariffs between 2015 and 2024. 12-month curves were created from monthly gas rates for each of the ten years. The ten annual curves were then averaged to arrive at an average normalized annual curve. The baseline and excess transmission charges were found to be consistent over the course of a year and applied for the entire year based on January 2025 rates. The costs presented in Table 40 were then derived by establishing the baseline and excess rates from the latest January 2025 tariff as a reference point, and then using the normalized curve to estimate the cost for the remaining months relative to the January rates. CARE tariffs reflect the 20 percent discount per the G-CARE tariff.

Table 40. SDG&E Monthly Gas Rate ($/therm)

Month	Total Charge	
	Baseline	Excess
January	$2.07	$2.36
February	$2.01	$2.30
March	$1.93	$2.22
April	$1.86	$2.16
May	$1.88	$2.18
June	$1.94	$2.24
July	$1.95	$2.25
August	$2.02	$2.32
September	$1.97	$2.27
October	$1.94	$2.24
November	$1.97	$2.27
December	$2.07	$2.37

Baseline Usage: The following quantities of gas used in individually metered residences are to be billed at the baseline rates:

All Customers:	Daily Therm Allowance
Summer (May to Oct)	0.359
Winter On-Peak (Dec, Jan & Feb)	1.233
Winter Off-Peak (Nov, Mar, & Apr)	0.692

SDGE
San Diego Gas & Electric Company
San Diego, California

Revised Cal. P.U.C. Sheet No. 62556-E
Canceling Revised Cal. P.U.C. Sheet No. 62360-E

Sheet 2

SCHEDULE TOU-DR1
RESIDENTIAL TIME-OF-USE

RATES

Total Rates:

Description – TOU DR1	UDC Total Rate	DWR BC + WF-NBC	EECC Rate	Total Rate
Summer:				
On-Peak	0.28222	0.00561	0.41736	0.70519
Off-Peak	0.28222	0.00561	0.18792	0.47575
Super Off-Peak	0.28222	0.00561	0.06741	0.35524
Winter:				
On-Peak	0.41439	0.00561	0.14115	0.56115
Off-Peak	0.41439	0.00561	0.07928	0.49928
Super Off-Peak	0.41439	0.00561	0.06133	0.48133
Summer Baseline Adjustment Credit up to 130% of Baseline	(0.10543)			(0.10543)
Winter Baseline Adjustment Credit up to 130% of Baseline	(0.10543)			(0.10543)
Minimum Bill ($/day)	0.392			0.392

Description – TOU DR1-CARE	UDC Total Rate	DWR BC + WF-NBC	EECC Rate	Total Rate	Total Effective Care Rate	
Summer – CARE Rates:						
On-Peak	0.28222	0.00000	0.41736	0.69958	0.46249	R
Off-Peak	0.28222	0.00000	0.18792	0.47014	0.30762	R
Super Off-Peak	0.28222	0.00000	0.06741	0.34963	0.22627	R
Winter – CARE Rates:						
On-Peak	0.41439	0.00000	0.14115	0.55554	0.36526	R
Off-Peak	0.41439	0.00000	0.07928	0.49367	0.32350	R
Super Off-Peak	0.41439	0.00000	0.06133	0.47572	0.31138	R
Summer Baseline Adjustment Credit up to 130% of Baseline	(0.10543)			(0.10543)	(0.07117)	I
Winter Baseline Adjustment Credit up to 130% of Baseline	(0.10543)			(0.10543)	(0.07117)	I
Minimum Bill ($/day)	0.196			0.196	0.196	

Note:
(1) Total Rates consist of UDC, Schedule DWR-BC (Department of Water Resources Bond Charge), Schedule WF-NBC (CA Wildfire Fund charge) and Schedule EECC (Electric Energy Commodity Cost) rates. EECC rates are applicable to bundled customers only. See Special Condition 16 for PCIA (Power Charge Indifference Adjustment) recovery.
(2) Total Rates presented are for customers that receive commodity supply and delivery service from Utility.
(3) DWR-BC and WF-NBC charges do not apply to CARE customers.
(4) As identified in the rates tables, customer bills will also include line-item summer and winter credits for usage up to 130% of baseline to provide the rate capping benefits adopted by Assembly Bill 1X and Senate Bill 695.
(5) WF-NBC rate is 0.00561 + DWR-BC Bond Charge is 0.00000 .

(Continued)

2H10
Advice Ltr. No. 4582-E
Decision No. D.24-05-028

Issued by
Dan Skopec
Senior Vice President
Regulatory Affairs

Submitted Dec 30, 2024
Effective Jan 1, 2025
Resolution No.

SCHEDULE TOU-DR1

Sheet 5

RESIDENTIAL TIME-OF-USE

Minimum Bill

The minimum bill to recover Distribution and TRAC costs is calculated as the minimum bill charge of $0.402 per day times the number of days in the billing cycle with a 50% discount applied for CARE or Family Electric Rate Assistance Program (FERA) customers resulting in a minimum bill charge of $0.201 per day.

Rate Components

The Utility Distribution Company Total Rates (UDC Total) shown above are comprised of the following components (if applicable): (1) Transmission (Trans) Charges, (2) Distribution (Distr) Charges, (3) Public Purpose Program (PPP) Charges, (4) Nuclear Decommissioning (ND) Charge, (5) Ongoing Competition Transition Charges (CTC), (6) Local Generation Charge (LGC), (7) Reliability Services (RS), and (8) the Total Rate Adjustment Component (TRAC).

Customers taking service under this Schedule may be eligible for a California Alternate Rates for Energy (CARE) discount on their bill, if they qualify to receive service under the terms and conditions of Schedule E-CARE. In addition, qualified CARE customers are exempt from paying the CARE surcharge of $0.01230 Per kWh. Customers that are eligible and receive both CARE and medical baseline will be given the additional medical baseline allotment for which they qualify and will receive the total effective CARE and medical baseline discounts identified in Schedule E-CARE.

Franchise Fee Differential

A Franchise Fee Differential of 5.78% will be applied to the monthly billings calculated under this Schedule for all customers within the corporate limits of the City of San Diego. Such Franchise Fee Differential shall be so indicated and added as a separate item to bills rendered to such customers.

Time Periods

All time periods listed are applicable to local time. The definition of time will be based upon the date service is rendered.

TOU Periods – Weekdays	Summer	Winter
On-Peak	4:00 p.m. – 9:00 p.m.	4:00 p.m. – 9:00 p.m.
Off-Peak	6:00 a.m. – 4:00 p.m.; 9:00 p.m. - midnight	6:00 a.m. – 4:00 p.m. Excluding 10:00 a.m. – 2:00 p.m. in March and April; 9:00 p.m. - midnight
Super Off-Peak	Midnight – 6:00 a.m.	Midnight – 6:00 a.m. 10:00 a.m. – 2:00 p.m. in March and April
TOU Period – Weekends and Holidays	Summer	Winter
On-Peak	4:00 p.m. – 9:00 p.m.	4:00 p.m. – 9:00 p.m.
Off-Peak	2:00 p.m. – 4:00 p.m.; 9:00 p.m. - midnight	2:00 p.m. – 4:00 p.m.; 9:00 p.m. - midnight
Super Off-Peak	Midnight – 2:00 p.m.	Midnight – 2:00 p.m.

Seasons:	Summer	June 1 – October 31
	Winter	November 1 – May 31

Schedule EV-TOU-5 - DOMESTIC TIME-OF-USE FOR HOUSEHOLDS WITH ELECTRIC VEHICLES provides domestic residential service for customers who own qualifying electric vehicles. Effective 10/1/2024

SCHEDULE EV-TOU-5											Schedule WF-NBC + DWR-BC Rate	Schedule EECC Rate	Total Electric Rate
Energy Charges ($/kWh)		Transm	Distr	PPP	ND	CTC	LGC	RS	TRAC	UDC Total			
Summer													
On-Peak		0.05840	0.18330	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.28402	0.00561	0.38826	0.67789
Off-Peak		0.05840	0.18330	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.28402	0.00561	0.14305	0.43268
Super Off-Peak		0.00000	0.01496	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.05728	0.00561	0.06741	0.13030
Winter													
On-Peak		0.05840	0.18330	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.28402	0.00561	0.16516	0.45479
Off-Peak		0.05840	0.18330	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.28402	0.00561	0.11850	0.40813
Super Off-Peak		0.00000	0.01496	0.01654	0.00007	0.00054	0.02516	0.00001	0.00000	0.05728	0.00561	0.06133	0.12422
Other Charges/Discounts													
Basic Service Fee	($/month)	0.00	16.00	0.00	0.00	0.00	0.00	0.00	0.00	16.00			16.00

Notes:
1) The total rates presented reflect the UDC rates associated with service under Schedule EV-TOU-5 and the generation rates associated with Schedule EECC, in addition to the rates associated with Schedules DWR-BC and WF-NBC. The UDC rate-by-rate components presented are associated with service under Schedule EV-TOU-5 as presented in the utility's tariff book.
2) Unbundled customers are those who take generation from other providers, such as Direct Access (DA) or Community Choice Aggregation (CCA). Unbundled customers do not pay SDG&E's commodity rates. The Total Energy Charge for an unbundled customer includes UDC, WF-NBC, DWR-BC and Power Charge Indifference Adjustment (PCIA) rates. PCIA rates by vintage are included below. Please see Schedules DA-CRS or CCA-CRS for more information regarding PCIA rates.

SCHEDULE EV-TOU-5

Sheet 4

COST-BASED DOMESTIC TIME-OF-USE FOR HOUSEHOLDS WITH ELECTRIC VEHICLES

Notes: Transmission Energy charges include the Transmission Revenue Balancing Account Adjustment (TRBAA) of $(0.00289) per kWh and the Transmission Access Charge Balancing Account Adjustment (TACBAA) of $(0.01656) per kWh. PPP Energy charges includes Low Income PPP rate (LI-PPP) $0.01515/kWh, Non-low Income PPP rate (Non-LI-PPP) $0.00031/kWh (pursuant to PU Code Section 399.8, the Non-LI-PPP rate may not exceed January 1, 2000 levels), and California Solar Initiative rate (CSI) of $(0.00075)/kWh and Self-Generation Incentive Program rate (SGIP) $0.00149/kWh. The basic service fee of $16 per month is applied to a customer's bill and a 50% discount is applied for CARE, Medical Baseline, or Family Electric Rate Assistance Program (FERA) customers resulting in their basic service fees to be $8 per month.

Rate Components
The Utility Distribution Company Total Rates (UDC Total) shown above are comprised of the following components (if applicable): (1) Transmission (Trans) Charges, (2) Distribution (Distr) Charges, (3) Public Purpose Program (PPP) Charges, (4) Nuclear Decommissioning (ND) Charge, (5) Ongoing Competition Transition Charges (CTC), (6) Local Generation Charge (LGC), (7) Reliability Services (RS), and (8) the Total Rate Adjustment Component (TRAC).

Certain Direct Access customers are exempt from the TRAC, as defined in Rule 1 – Definitions.

Franchise Fee Differential
A Franchise Fee Differential of 5.78% will be applied to the monthly billings calculated under this schedule for all customers within the corporate limits of the City of San Diego. Such Franchise Fee Differential shall be so indicated and added as a separate item to bills rendered to such customers.

Time Periods:

All time periods listed are applicable to actual "clock" time)

TOU Period – Weekdays	Summer	Winter
On-Peak	4:00 p.m. – 9:00 p.m.	4:00 p.m. – 9:00 p.m.
Off-Peak	6:00 a.m. – 4:00 p.m.; 9:00 p.m. – midnight	6:00 a.m. – 4:00 p.m. Excluding 10:00 a.m.–2:00 p.m.in March and April; 9:00 p.m. - midnight
Super-Off-Peak	Midnight – 6:00 a.m.	Midnight – 6:00 a.m. 10:00 a.m. – 2:00 p.m. in March and April

TOU Period – Weekends and Holidays	Summer	Winter
On-Peak	4:00 p.m. – 9:00 p.m.	4:00 p.m. – 9:00 p.m.
Off-Peak	2:00 p.m. – 4:00 p.m.; 9:00 p.m. – midnight	2:00 p.m. – 4:00 p.m. 9:00 p.m. - midnight
Super-Off-Peak	Midnight – 2:00 p.m.	Midnight – 2:00 p.m.

Seasons:

Summer June 1 – October 31

Winter November 1 – May 31

San Diego Gas & Electric Company
San Diego, California

Revised Cal. P.U.C. Sheet No. 62755-E
Canceling Revised Cal. P.U.C. Sheet No. 35718-E

SCHEDULE E-CARE Sheet 1

CALIFORNIA ALTERNATE RATES FOR ENERGY

APPLICABILITY

This schedule provides a California Alternate Rates for Energy (CARE) discount to each of the following types of customers listed below that meet the requirements for CARE eligibility as defined in Rule 1, Definitions, and herein, and is taken in conjunction with the customer's otherwise applicable service schedule.

1) Customers residing in a permanent single-family accommodation, separately metered by the Utility.

2) Multi-family dwelling units and mobile home parks supplied through one meter on a single premises where the individual unit is submetered.

3) Non-profit group living facilities.

4) Agricultural employee housing facilities.

TERRITORY

Within the entire territory served by the Utility.

DISCOUNT

1) Residential CARE:

Pursuant to D.24-05-028, the applicable CARE discount rate is to be between 30% and 35%, with the intended CARE discount rate to be 35% for SDG&E, specifically, applied as a fixed CARE line-item discount. T N N

In addition to the CARE line-item discount, the total effective CARE discount consists of: (a) exemptions from paying the CARE Surcharge, Department of Water Resources Bond Charge (DWR-BC), California Wildfire Fund Charge (WF-NBC), Vehicle-Grid Integration (VGI) costs, and California Solar Initiative (CSI) and (b) a 50% minimum bill relative to Non-CARE.

(Continued)

1H6
Advice Ltr. No. 4572-E-A
Decision No. D.24-05-028

Issued by
Dan Skopec
Senior Vice President
Regulatory Affairs

Submitted Jan 24, 2025
Effective Jan 1, 2025
Resolution No.

6.3.5 City of Palo Alto Utilities

Following are the CPAU electricity and natural gas tariffs applied in this study. The CPAU monthly gas rate in $/therm was applied on a monthly basis according to the rates shown in Table 41. The gas rates were developed based on the latest available gas rate for January 2025 and a curve to reflect how natural gas prices fluctuate with seasonal supply and demand. The seasonal curve was estimated from CPAU's monthly residential tariffs between 2018 and 2024. 12-month curves were created from monthly gas rates for each of the seven years. The seven annual curves were then averaged to arrive at an average normalized annual curve. The baseline and excess transmission charges were found to be consistent over the course of a year and applied for the entire year based on January 2025 rates. The costs presented in Table 41 were then derived by establishing the baseline and excess rates from the latest January 2025 tariff as a reference point and then using the normalized curve to estimate the cost for the remaining months relative to the January rates. The monthly service charge applied was $16.93 per month per the January 2025 G-1 tariff.

Table 41. CPAU Monthly Gas Rate ($/therm)

Month	G1 Volumetric Total Baseline	G1 Volumetric Total Excess
January	$1.74	$3.02
February	$1.33	$2.53
March	$1.24	$2.43
April	$1.21	$2.39
May	$1.21	$2.39
June	$1.23	$2.42
July	$1.31	$2.64
August	$1.37	$2.71
September	$1.36	$2.71
October	$1.38	$2.72
November	$1.45	$2.80
December	$1.57	$2.96

RESIDENTIAL ELECTRIC SERVICE

UTILITY RATE SCHEDULE E-1

A. APPLICABILITY:

This Rate Schedule applies to separately metered single-family residential dwellings receiving Electric Service from the City of Palo Alto Utilities.

B. TERRITORY:

This rate schedule applies everywhere the City of Palo Alto provides Electric Service.

C. UNBUNDLED RATES:

Per kilowatt-hour (kWh)	Commodity	Distribution	Public Benefits	Total
Tier 1 usage	$ 0.10270	$ 0.08642	$ 0.00549	$ 0.19461
Tier 2 usage Any usage over Tier 1	0.13240	0.08079	0.00549	0.21868
Customer Charge ($/month)				4.64

D. SPECIAL NOTES:

1. Calculation of Cost Components

The actual bill amount is calculated based on the applicable rates in Section C above and adjusted for any applicable discounts, surcharges and/or taxes. On a Customer's bill statement, the bill amount may be broken down into appropriate components as calculated under Section C.

2. Calculation of Usage Tiers

Tier 1 Electricity usage shall be calculated and billed based upon a level of 15 kWh per day, prorated by Meter reading days of Service. As an example, for a 30-day bill, the Tier 1 level would be 450 kWh. For further discussion of bill calculation and proration, refer to Rule and Regulation 11.

{End}

CITY OF PALO ALTO UTILITIES
Issued by the City Council

CITY OF PALO ALTO UTILITIES

Supersedes Sheet No E-1-1
dated 7-1-2023

Sheet No **E-1-1**
Effective 7-1-2024

6.3.6 Sacramento Municipal Utilities District (Electric Only)

Following are the SMUD electricity tariffs applied in this study. The rates effective January 2025 were used.

Residential Time-of-Day Service
Rate Schedule R-TOD

II. Firm Service Rates

A. Time-of-Day (5-8 p.m.) Rate

	Effective as of January 1, 2023	Effective as of January 1, 2024	Effective as of May 1, 2024	Effective as of January 1, 2025	Effective as of May 1, 2025
Time-of-Day (5-8 p.m.) Rate (RT02)					
Non-Summer Season (October - May)					
System Infrastructure Fixed Charge *per month per meter*	$23.50	$24.15	$24.80	$25.50	$26.20
Electricity Usage Charge					
Peak *$/kWh*	$0.1547	$0.1590	$0.1633	$0.1678	$0.1724
Off-Peak *$/kWh*	$0.1120	$0.1151	$0.1183	$0.1215	$0.1248
Summer Season (June - September)					
System Infrastructure Fixed Charge *per month per meter*	$23.50	$24.15	$24.80	$25.50	$26.20
Electricity Usage Charge					
Peak *$/kWh*	$0.3279	$0.3369	$0.3462	$0.3557	$0.3655
Mid-Peak *$/kWh*	$0.1864	$0.1914	$0.1967	$0.2021	$0.2077
Off-Peak *$/kWh*	$0.1350	$0.1387	$0.1425	$0.1464	$0.1505

B. Optional Critical Peak Pricing Rate

1. The CPP Rate base prices per time-of-day period are the same as the prices per time-of-day period for TOD (5-8 p.m.).
2. The CPP Rate provides a discount per kWh on the Mid-Peak and Off-Peak prices during summer months.
3. During CPP Events, customers will be charged for energy used at the applicable time-of-day period rate plus the CPP Rate Event Price per kWh as shown on www.smud.org.
4. During CPP Events, energy exported to the grid will be compensated at the CPP Rate Event Price per kWh as shown on www.smud.org.
5. The CPP Rate Event Price and discount will be updated annually at SMUD's discretion and posted on www.smud.org.

C. Plug-In Electric Vehicle Credit (rate categories RT02 and RTC1)

This credit is for residential customers who have a licensed passenger battery electric plug-in or plug-in hybrid electric vehicle. Credit applies to all electricity usage charges from midnight to 6:00 a.m. daily.

Electric Vehicle Credit…… -$0.0150/kWh

III. Electricity Usage Surcharges

Refer to the following rate schedules for details on these surcharges.

A. Hydro Generation Adjustment (HGA). Refer to Rate Schedule HGA.

IV. Rate Option Menu

A. Energy Assistance Program Rate. Refer to Rate Schedule EAPR.

B. Medical Equipment Discount Program. Refer to Rate Schedule MED.

C. Joint Participation in Medical Equipment Discount and Energy Assistance Program Rate. Refer to Rate Schedule MED.

SACRAMENTO MUNICIPAL UTILITY DISTRICT Sheet No. **R-TOD-2**
Resolution No. 23-09-09 adopted September 21, 2023 Effective: **September 22, 2023**

V. Conditions of Service

A. Time-of-Day Billing Periods

Summer (Jun 1 - Sept 30)	**Peak**	Weekdays between 5:00 p.m. and 8:00 p.m.
	Mid-Peak	Weekdays between noon and midnight except during the Peak hours.
	Off-Peak	All other hours, including weekends and holidays[1].
Non-Summer (Oct 1 - May 31)	**Peak**	Weekdays between 5:00 p.m. and 8:00 p.m.
	Off-Peak	All other hours, including weekends and holidays[1].

[1] See Section V. Conditions of Service

6.3.7 Fuel Escalation Assumptions

The average annual escalation rates in Table 42 and Table 43 were used in this study. Table 42 rates are based on assumptions from the CPUC 2021 En Banc hearings on utility costs through 2030 (California Public Utilities Commission, 2021a). Escalation rates through the remainder of the 30-year evaluation period are based on the escalation rate assumptions within the 2022 TDV factors. No data was available to estimate electricity escalation rates for CPAU and SMUD, therefore electricity escalation rates for PG&E and statewide natural gas escalation rates were applied. Table 43 rates are based on the escalation rate assumptions within the 2025 LSC factors from 2026 through 2055.[9] These rates were developed for electricity use statewide (not utility-specific) and assume steep increases in gas rates in the latter half of the analysis period. Data was not available for the year 2026 and so the CPUC En Banc assumptions were applied for those years using the average rate across the three IOUs for statewide electricity escalation.

[9] https://www.energy.ca.gov/files/2025-energy-code-hourly-factors. (California Energy Commission, 2023). Actual escalation factors were provided by consultants E3.

Table 42. Real Utility Rate Escalation Rate Assumptions, CPUC En Banc and 2022 TDV Basis

	Statewide Natural Gas Residential Average Rate (%/year, real)	Electric Residential Average Rate (%/year, real)		
		PG&E	SCE	SDG&E
2026	4.6%	1.8%	1.6%	2.8%
2027	4.6%	1.8%	1.6%	2.8%
2028	4.6%	1.8%	1.6%	2.8%
2029	4.6%	1.8%	1.6%	2.8%
2030	4.6%	1.8%	1.6%	2.8%
2031	2.0%	0.6%	0.6%	0.6%
2032	2.4%	0.6%	0.6%	0.6%
2033	2.1%	0.6%	0.6%	0.6%
2034	1.9%	0.6%	0.6%	0.6%
2035	1.9%	0.6%	0.6%	0.6%
2036	1.8%	0.6%	0.6%	0.6%
2037	1.7%	0.6%	0.6%	0.6%
2038	1.6%	0.6%	0.6%	0.6%
2039	2.1%	0.6%	0.6%	0.6%
2040	1.6%	0.6%	0.6%	0.6%
2041	2.2%	0.6%	0.6%	0.6%
2042	2.2%	0.6%	0.6%	0.6%
2043	2.3%	0.6%	0.6%	0.6%
2044	2.4%	0.6%	0.6%	0.6%
2045	2.5%	0.6%	0.6%	0.6%
2046	1.5%	0.6%	0.6%	0.6%
2047	1.3%	0.6%	0.6%	0.6%
2048	1.6%	0.6%	0.6%	0.6%
2049	1.3%	0.6%	0.6%	0.6%
2050	1.5%	0.6%	0.6%	0.6%
2051	1.8%	0.6%	0.6%	0.6%
2052	1.8%	0.6%	0.6%	0.6%
2053	1.8%	0.6%	0.6%	0.6%
2054	1.8%	0.6%	0.6%	0.6%
2055	1.8%	0.6%	0.6%	0.6%

Table 43. Real Utility Rate Escalation Rate Assumptions, 2025 LSC Basis

Year	Statewide Natural Gas Residential Average Rate (%/year, real)	Statewide Electricity Residential Average Rate (%/year, real)
2026	4.6%	2.1%
2027	4.2%	0.6%
2028	3.2%	1.9%
2029	3.6%	1.6%
2030	6.6%	1.3%
2031	6.7%	1.0%
2032	7.7%	1.2%
2033	8.2%	1.1%
2034	8.2%	1.1%
2035	8.2%	0.9%
2036	8.2%	1.1%
2037	8.2%	1.1%
2038	8.2%	1.0%
2039	8.2%	1.1%
2040	8.2%	1.1%
2041	8.2%	1.1%
2042	8.2%	1.1%
2043	8.2%	1.1%
2044	8.2%	1.1%
2045	8.2%	1.1%
2046	8.2%	1.1%
2047	3.1%	1.1%
2048	-0.5%	1.1%
2049	-0.6%	1.1%
2050	-0.5%	1.1%
2051	-0.6%	1.1%
2052	-0.6%	1.1%
2053	-0.6%	1.1%
2054	-0.6%	1.1%
2055	-0.6%	1.1%

Get In Touch

The adoption of reach codes can differentiate jurisdictions as efficiency leaders and help accelerate the adoption of new equipment, technologies, code compliance, and energy savings strategies.

As part of the Statewide Codes & Standards Program, the Reach Codes Subprogram is a resource available to any local jurisdiction located throughout the state of California.

Our experts develop robust toolkits as well as provide specific technical assistance to local jurisdictions (cities and counties) considering adopting energy reach codes. These include cost-effectiveness research and analysis, model ordinance language and other code development and implementation tools, and specific technical assistance throughout the code adoption process.

If you are interested in finding out more about local energy reach codes, the Reach Codes Team stands ready to assist jurisdictions at any stage of a reach code project.

Visit

LocalEnergyCodes.com to access our resources and sign up for newsletters

Contact

info@localenergycodes.com for no-charge assistance from expert Reach Code advisors

Explore

The Cost-Effectiveness Explorer is a free resource to help California local governments and stakeholders develop energy policies for buildings.

Follow

us on Linkedin

Revision: 1.0
Last modified: 2025/06/09

Cost-Effectiveness Study Results

The analysis compares two heat pump options against the baseline of simply replacing an old air conditioner. The financial metrics, such as "Incremental Cost" and "Lifecycle Savings," are the primary indicators of cost-effectiveness.

- **Dual Fuel Heat Pump (DFHP) Existing Furnace:** This is the option where a new electric heat pump is installed alongside the existing gas furnace. The heat pump acts as the primary heating and cooling source, but the furnace is retained as a backup for cold weather. A key technical detail is that the furnace is set to activate only when the outside temperature drops below 35°F.
- **Standard Efficiency Heat Pump Space Heater:** This is the all-electric option. It involves completely replacing the existing gas furnace with an electric heat pump and a new air handler. The heat pump handles all heating and cooling.

Cost-Effectiveness and Savings in Climate Zone 4

Compliance Option	Description	First Incremental Cost	Lifecycle Savings	Benefits
Option 1: Dual-Fuel Heat Pump	Install a new heat pump to work as an air conditioner and heater, keeping the existing gas furnace for backup on very cold days.	$1,670	$7,322	Reduces energy use and greenhouse gas emissions.
Option 2: Full Heat Pump System	Install a new heat pump that replaces both the air conditioner and the gas furnace entirely, using a new air handler.	$652	$8,680	Higher long-term savings and significant greenhouse gas reductions.

The costs presented in the table above are incremental costs, meaning they are the additional amount a homeowner would pay to install a heat pump instead of just replacing an old air conditioner. While these costs are partially offset by a homeowner's personal utility bill savings over the equipment's lifetime, the full financial benefits are much broader.

From a societal perspective, these incremental costs are more than offset by the long-term savings that benefit all utility billpayers, such as reductions in the cost of utility infrastructure and energy generation.

The approach to installation depends on the age of the existing furnace. The lifespan of a typical furnace and air conditioner is about the same (10-15 years). Therefore, if a furnace is nearing the end of its life, it often makes economic sense to replace both units at the same time.

Alternatively, a heat pump can be configured as a primary heating source that works with the existing furnace, using the furnace only for supplemental heating on extremely cold days. The incremental costs and savings for both of these approaches are detailed in the table above.

Greenhouse Gas Reductions by Vintage of Home

	Metric Tons			Percentage		
Approach	**1978-1991**	**1992-2010**	**Pre-1978**	**1978-1991**	**1992-2010**	**Pre-1978**
Heat pump & new air handler (no furnace)	1.30	0.97	0.84	37%	32%	30%
Heat pump with existing furnace as backup	0.94	0.69	0.63	26%	22%	22%

In terms of greenhouse gas emissions, heat pumps can provide significant reductions. This is because heat pumps are far more efficient than gas furnaces (and electric resistance heat) and electricity in California is derived from low-carbon energy sources. Table 4 shows greenhouse gas reductions for both approaches. The table shows greenhouse gas reductions in metric tons (for the first year) and as a percentage of total emissions for homes of different ages (vintages), the oldest, pre-1978, pre-dates the California Energy Code. The values were generated for typical homes using the California Building Energy Code Compliance software (CBECC).

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Melissa Thurman
Approved By: Gabe Engeland

Subject: Approve the formation of a Subcommittee of the City Council for the Annual City Manager Performance Review

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COUNCIL PRIORITY AREA
General Government

RECOMMENDATION
Approve the formation of a Subcommittee of the City Council for the Annual City Manager Performance Review

ENVIRONMENTAL IMPACT
N/A

FISCAL IMPACT
N/A

PREVIOUS COUNCIL CONSIDERATION
A subcommittee of the City Council is formed annually for the City Manager Performance Review.

BACKGROUND
Each year the City Council selects two members to serve on a Subcommittee for the City Manager's Performance Review. Upon completion of the performance review, the subcommittee will be disbanded.

ANALYSIS
N/A

DISCUSSION
N/A

ATTACHMENTS
None

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Manny Hernandez
Approved By: Gabe Engeland

Subject: Dog Park Surfacing Discussion

COUNCIL PRIORITY AREA
General Government
Environmental Sustainability

RECOMMENDATION
Staff recommends the City Council direct staff to complete one of these options:

1) Proceed with the Callander and Associates 95% submittal to construct the Hillview Dog Park using the synthetic turf ground covering as approved at the July 9, 2024 City Council meeting; or

2) Return the Hillview Dog Park to the pre-design/outreach stage and eliminate synthetic turf as an option for ground covering, and further direct staff to complete the proposed McKenzie Dog Park while Hillview Dog Park is proceeding through redesign.

ENVIRONMENTAL IMPACT
None

FISCAL IMPACT
Fiscal impact is determined based on Council direction.

For option #1: There is no additional fiscal impact, as the Hillview Dog Park construction is included in the current fiscal year budget.

For option #2: The fiscal impact is projected to be $75,000, with a return to Council timeframe of 9 months.

PREVIOUS COUNCIL CONSIDERATION
July 9, 2024

BACKGROUND
At the July 9, 2024, meeting, the City Council unanimously approved the dog park design concept presented by Verde Design. This conceptual design displayed multiple ground coverings that included synthetic turf as part of the surfacing plan. Following City Council

direction City staff commenced requesting proposals for the creation of Hillview Dog Park construction documents. On May 5, 2025 the City of Los Altos entered into an agreement for professional services to create a construction document package for the Hillview Dog Park project with Callander and Associates Landscape Architecture, Inc. Callander and Associates has since created a 95% submittal package.

At the August 26, 2025 City Council meeting, Council requested a discussion regarding the inclusion of synthetic turf in the dog park before plans are finalized and sent out to bid for construction.

ANALYSIS

Along with City staff, Callander and Associates created a 95% submittal package that specifies a dog specific synthetic turf product as ground cover of 7,840 square feet of the approximately 13,000 square foot dog park. The product selection has been narrowed to two possible suppliers. This selection process took into account City Council's desire for the product to be the best available regarding the following.

- PFAS free
- Recyclable
- Heat reflective
- Pet safe (no chemical cleaning products)

The two products being considered are able to meet these standards. Staff will select the product that best meets the considerations listed. Staff has attached product information sheets to this report to provide examples of how the desired considerations can be met.

Staff recently visited three dog parks in surrounding agencies to make observations and take photos. Los Altos city staff also followed up with the maintenance managers of the dog parks that used synthetic turf for additional information. Staff made visits to all three parks on the same afternoon. The weather was clear and 80 degrees.

Las Palmas Dog Park – Sunnyvale

This dog park is located in a 24-acre park and is split into large and small dog areas. The majority of the surfacing for the small dog area was natural grass. The grass was green and patchy and had bare spots throughout. A large portion of the space, including the fence perimeter, was decomposed granite (DG). The large dog space was completely DG with the same texture as the DG in the small dog area. It was well shaded by trees. Only a few trees were inside the dog area. The surface was not noticeably hot when touched.

Bark Park - Foster City

The Foster City dog park is 20,000 square feet and located in Boat Park along the city's man-made lagoon. The park is also separated into large dog and small dog areas. The main surface in both spaces is synthetic turf. The turf was installed in 2018 and appeared to be in very good condition. Staff was informed the brand of the turf in the park is a pet version from Tiger Turf. The fence perimeter surface was concrete with one large area on the north end of the large dog area being DG. The turf was not hot when touched and had no noticeable odor. No trees were

planted inside the dog area.

Raymond G. Gamma Dog Park – Santa Clara
This dog park has two separate parks connected end-to-end (37,000 square feet) located at Reed Street Park in Santa Clara. The main surface for each dog park space is synthetic turf with a mix of concrete, DG, decorative boulders and numerous young and mature trees inside the park fence. There is one small shade structure in each dog space. The turf was not hot and had no noticeable odor. The brand of turf being used at Raymond G. Gamma Dog Park is K9 Turf and was installed with the park's construction in 2019. There was a fenced dog wash area located between the two spaces.

In talking to the Santa Clara Parks Manager about their experience with the artificial turf, staff learned that they wash the turf off daily using the installed irrigation system. The Santa Clara maintenance staff also close the park every Wednesday until 3pm to do full maintenance and cleanup that includes the use of a natural/non-chemical enzyme on the turf. Santa Clara also shared that they are planning to use K9 Turf in future dog park turf replacements and new builds. Through the use of Placer AI, Santa Clara found that the park is seeing an average of 10,000 users per month, so it is considered a high-use dog park.

An observation at all three dog park locations was the strong urine odor at the entrance to all three dog park locations. Staff observed dogs entering the park urinating at the entrance prior to entering the fenced dog space. Staff believes the urine smell is attributed to a dog's desire/habit to urinate on the concrete surface prior to entering. Some photos taken show stains on the concrete as evidence of this.

DISCUSSION
This concept is now at 95% submittal. City Council will discuss the surfacing plan for the Hillview Dog Park. Staff and representatives from Callander and Associates are available to answer any questions related to the dog park surfacing.

ATTACHMENTS
1. Attachment 1
2. Attachment 2
3. Attachment 3
4. Attachment 4

Basis of Recommendations - Manufacturer

- PFAS free

BIO FACTS

Zero PFAS

Many products today include PFAS (polyfluoroalkyl substances), sometimes referred to as the "forever chemical." PFAS can persist and accumulate in the environment without breaking down over time, creating lasting damage.

Our products have no detectable PFAS and this has been verified using the most up-to-date test methods and rigorous testing.

SYNLAWN®
Plant-Based Artificial Grass

AUGUST 31, 2023

PFA'S NOTICE

Per and polyfluorinated alkyl substances (PFAS) have become an increasingly debated topic due to contamination found in groundwater, soil, and rainwater around the U.S. Over 10,000 unique PFAS substances have been or are currently used across thousands of industries, including automotive, aerospace, healthcare equipment, pharmaceutical, outdoor apparel, electronic, firefighting foams, innumerable technical applications, and food packaging. The wide variety of substances differ in their water solubility, environmental spreading tendencies, toxicological impact on human health, and environmental impact. However, all PFAS have a common property of high persistence; therefore, they degrade very slowly over time, earning the nickname "forever chemicals." Many manmade products which contain plastic materials have recently come under scrutiny as a potential source of PFAS.

For many years, SYNLawn has been working on the avoidance of PFAS in its products and manufacturing process. In 2020, SYNLawn removed a processing aid that contained a fluorinated polymer-type PFAS from our yarn production. The compound was a non-migrating type (non-spreading) and not one of the 32 PFAS of concern as defined by the Environmental Protection Agency (EPA). Nevertheless, SYNLawn proactively replaced it with a fluorine-free alternative to address PFAS in our products and processes, following our principles of best sustainability practices. This fluorine-free technology was developed further by SYNLawn and supported by the global R&D team of SportGroup. In 2022, SYNLawn applied for a patent regarding this new and proprietary PFAS-free process aid. The pending patent demonstrates SYNLawn's technological leadership and commitment to sustainable improvements.

At SYNLawn, we are building on our strengths to deliver the full value of artificial turf through our in-house manufacturing chain of colors, yarn fibers, tufting, and finishing of the artificial turf. SYNLawn does not add any PFAS to its in-house processes, and we are monitoring our supply chain, the quality and toxicological aspects of our products, and their ingredients. Our raw materials and finished goods have been submitted to third-party analytical chemistry labs and tested for the 32 PFAS (EPA list) using state-of-the-art procedures. In line with our expectations, results have found that the concentrations of PFAS in question were below detectable limits.

SYNLawn and its parent company, SportGroup, have become the first ESG-rated (Environmental, Social, Governance) sports flooring producers and attach high importance and focus on the environmental sustainability of all our products and services. As a technology leader, SYNLawn has invested and continues to invest time, money, and efforts to make the best environmentally friendly and sustainable artificial turf. We understand the concerns related to these "forever chemicals" and take our responsibility seriously as we continue to monitor and safeguard the quality and safety of our products.

SYNLawn prides itself on our responsibility for the health and safety of our customers and our employees, for the environment, and for manufacturing in a responsible manner. SYNLawn continues to be the supplier and partner of choice for artificial turf.

SYNLAWN®
a sportgroup company

SYNLAWN.COM · SYNLAWNGOLF.COM · (866) 796-5296

SYNLAWN®
Plant-Based Artificial Grass

PFA SAFETY INFORMATION

WHAT ANALYTCAL TESTS HAVE WE PERFORMED ON ARTFICIAL TURF?

- EPA-537/533 - Determinaton of Selected Perfluorinated Alkyl Acids in Drinking Water by Solid Phase Extracton and liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS) *Modified Extracton*.
- Total Organic Fluorine by Bomb Digeston and Potentometric Titraton.

WHY WERE THESE TEST METHODS FOR PFAS SELECTED?

- EPA 5337/533 is an analytcal method for drinking water and was chosen in order to align with the EPA and stay ahead of potental future regulatons.
- The total organic fluorine method is recognized for California's Bill AB-652.

WHY DID WE USE THE EPA METHOD?

- Using the EPA method shows an abundance of cauton because potental exposure through drinking water is much greater than through artficial turf.

DID WE TEST FOR ALL PFAS, OR A SHORT LIST OF PFAS?

- There are over 10,000 PFAS compounds.
- The EPA method tests for 29 "short chain" PFAS (i.e., those with carbon chain lengths of 4 to 12) that can be effectvely measured in drinking water.
- Total organic fluorine does not test for PFAS specifically but instead quantfies total fluorine. This test is not able to determine which PFAS compound is detected but any of the 10,000+ compounds will show up as fluorine.

WHAT IS CAL HEALTH & SAF CODE § 108945?

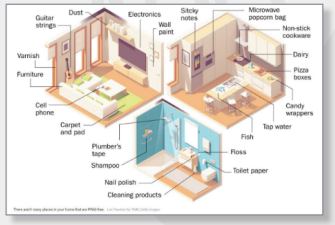
- A law, which became effectve July 1, 2023, which sets a threshold of 100 ppm total organic fluorine in consumer products specifically designed for children under 12 years.

DO THESE TESTS SHOW OUR TURF COMPLIES WITH PFAS REGULATONS AND/OR CERTFICATON REQUIREMENTS?

- There are currently no natonal or industry regulatons or certficatons for artficial turf.
- STR turf complies with Cal Health & Saf Code § 108945 by total organic fluorine.

WHAT ARE EXAMPLES OF OTHER PRODUCTS THAT MAY INCLUDE PFAS?

- https://tme.com/6281242/pfas-forever-chemicals-home-beauty-body-products/



SYNLAWN.COM · SYNLAWNGOLF.COM · (866) 796-5296

09.07.2023

Basis of Recommendations - Manufacturer

- Material
  - Use of recycled and plant-based materials
  - Product has been tested for lead content, chemical analysis, and heavy metals

BIO FACTS

- More than 15 million sq.ft. of EnviroLoc™ backing is produced by SYNLawn each year.
- For 2021, we increased the soy content in our products by an additional 10%.
- The 2021 Tokyo Summer Olympics featured a field hockey pitch made of turf blades consisting of up to 60% sugarcane.

SUPPORTING AMERICAN FARMERS AND THE PLANET WE SHARE WITH THEM.

If you turn a piece of our turf over, you'll see that our product is backed up by a lot of good thinking. Our exclusive, green EnviroLoc™ backing locks the blades in place and produces long-term durability that's higher than industry standards. But what's even more important is what it's made from.

Since 2008, we've used soybeans to create our EnviroLoc backing, replacing petroleum-based materials.

Besides using a naturally grown, sustainable material to help reduce cardon dioxide from the atmosphere, we're proud to support American farms by using their soybeans.

Basis of Recommendations - Manufacturer

- Recyclability
  - Product is 100% recyclable
  - Recycling facility in Germany

BIO FACTS

- ✓ Our high percentage of renewable components makes it easier to recycle our turf.
- ✓ We use nylon fibers in some SYNLawn products, which outlasts and outperforms materials used by other turf companies. A longer product lifespan means less waste from replacement.
- ✓ We donate thousands of square feet of used turf each year to be re-used by businesses, non-profit organizations, animal shelters and other causes.

SYNLAWN®
Good for pets. Good for you.

A solution tailored for you and your pets

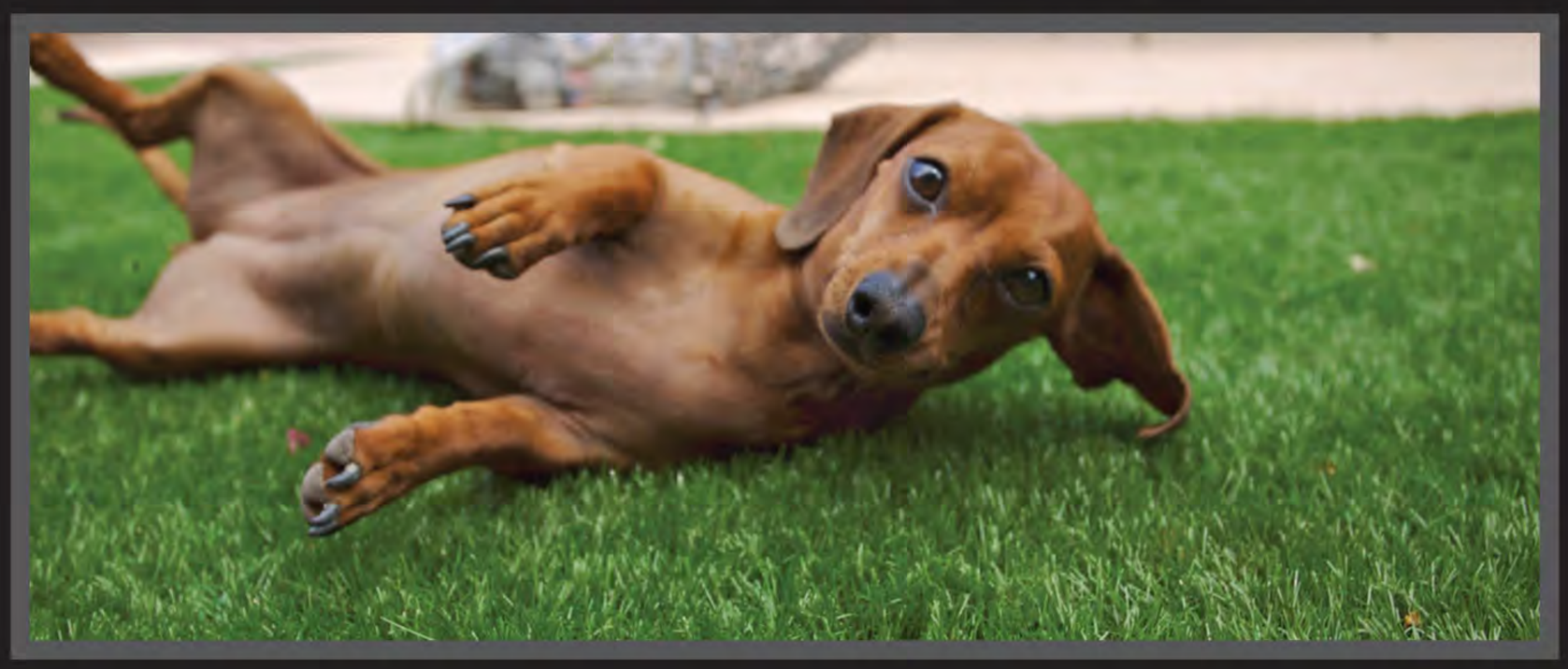
We understand every pet owner has different needs. Therefore our Pet System focuses on finding the right mix of artificial grass product selection, installation technique and maintenance schedule tailored for your application. We work with you to determine just what you need and design your specific artificial grass pet solution.

Designed with your best friend in mind

PET SYSTEM

Pets come in all shapes, sizes, and personalities. With this in mind, SYNLawn® developed the Pet System to be as unique as your pet.

Our installation methods and security options complete the total Pet System to provide you with the best solution for your specific application.



A healthy pet is a happy pet

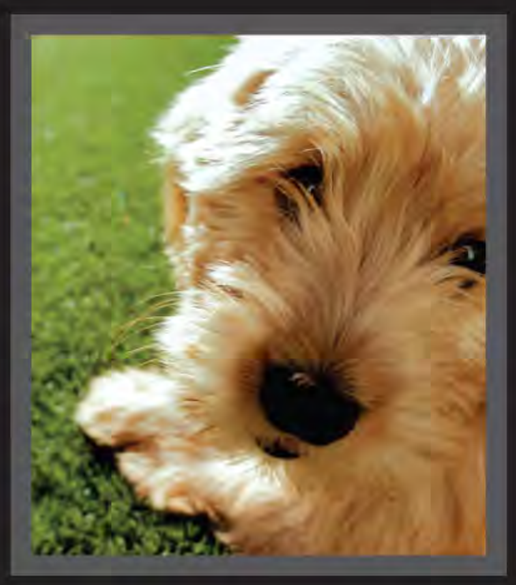
Pets stay clean

No more dirty dogs or muddy paws. SYNLawn® keeps the dirt and mud away from your pets no matter what the weather is like outside. Even right after a rain, your pet is free to use the lawn without the worry they'll track the dirt back in the house.

Pets stay healthy

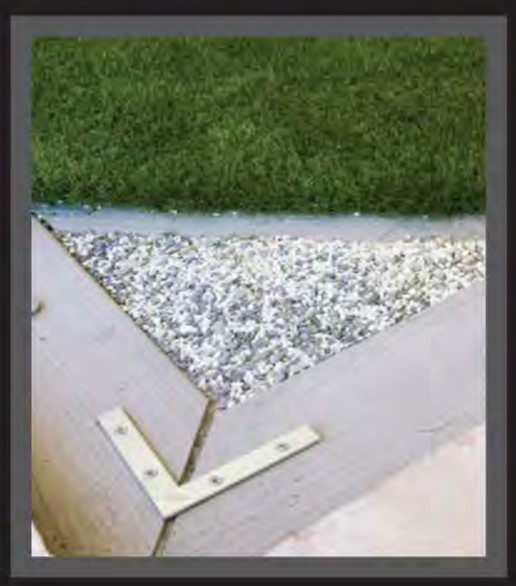
SYNLawn® synthetic grass is uninhabitable for tics, fleas and other bugs keeping them far from your pets. Our Pet System creates an environment virtually free of pests and the diseases they carry. SYNLawn products provide extreme protection against micro-organisms that maybe harmful to your pets.

PETS



Controls odors organically

Our Pet System utilizes organic zeolite crystals in the installation process to reduce or eliminate odors. Zeolite crystals are proven and widely used in many industries to reduce up to 80% of odors caused by the ammonia within pet waste.



Security package

Larger more active pets can often be destructive to natural grass yards. As an added measure, we have developed extra security methods for our grass to guard against heavy wear, running, pulling, digging, chewing and anything else your pets may dish out.

Rodent control package

Rodents such as moles, mice and gophers can be a big nuisance for any landscape. We control these varmints by installing a heavy-duty wire mesh under the base keeping your pets safe from most diseases and your landscape looking beautiful.

For more ...

Still have questions? Come see SYNLawn® for yourself and learn from our experts. Set up a FREE design consultation at your home or business and go green with SYNLawn®. You can also call or visit us online for more information on the SYNLawn® Pet System.

866-**SYN**Lawn (796-5296) www.**synlawn**.com

Green all over

SYNLawn® is green on top, in the middle and even underneath. Beyond the color, SYNLawn goes a long way toward environmental sustainability, taking measurable steps to be truly "green". Made in the USA, our biobased products are 100% recyclable, using renewable and recycled materials during the manufacturing process. Using SYNLawn can reduce your carbon footprint by conserving water, eliminating emissions from lawn equipment, and lowering the impact on landfills due to its long life expectancy.

SYNLawn's exclusive EnviroLoc™ Backing System has an enhanced multi-layer component system that "locks" in durable turf fibers, extending the product's life cycle. Engineered using BioCel™ technology, the EnviroLoc™ Backing System replaces a large portion of petroleum-based polymers with bio-based polymers created from soybean plants (a rapidly renewable resource), then adds Celceram™ (a recycled product of coal combustion) for superior strength and dimensional stability. Together these biobased technologies provide an environmentally responsible approach to artificial grass that conserves Earth's natural resources and will look great for years to come.

For environmentally conscious builders and specifiers, SYNLawn offers water efficient landscaping products using recycled content, renewable materials and innovative design which can contribute points to LEED® (Leadership in Energy and Environmental Design) project certification.

Earth Friendly

+ 100% recyclable content
+ Reduces fuel consumption
+ Reduces carbon emissions

Water Friendly

+ Saves millions of gallons
+ Drains like natural grass
+ Reduces maintenance costs

Pet Friendly

+ Safe for pets of all sizes
+ Pets stay clean & healthy
+ Controls rodents & pests

SYNLAWN®

Promo code:

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SYNLawn 2680 Abutment Road Dalton, GA 30721

MADE IN U. S. A.

GSA 7FCM-M5-03-0078-B

Synthetic Turf Council STC CERTIFIED SYSTEM BUILDER

BioCel™ Polyurethane Backing Systems

U.S. GREEN BUILDING COUNCIL MEMBER

ASTM INTERNATIONAL MEMBER

The synthetic solution

SYNLawn® is more than just artificial grass; it's a lifestyle. Our synthetic turf not only saves money but also conserves natural resources with little to no maintenance required, allowing for more free time to enjoy the important things in your life.

Quality guarantee

SYNLawn is a vertically integrated manufacturer, meaning, we make each component of the products we sell. Made in America using only the highest quality standards, we are so confident you will love our products, we back them with an industry-leading warranty up to **15-years**.

Perfect lawn

No watering. No mowing. No more weekends spent working on the yard. Our low-maintenance, Earth friendly artificial grass can help eliminate the cost of lawn maintenance as well as reduce your monthly utility bills. You may even qualify to get money back from your local water authority.

BioCel™ technology replaces petroleum based polymers with renewable resources.

Heatblock™ technology keeps surface temperatures up to 20% cooler than similar turf.

EnviroLoc™ backing 'Locks' in turf fibers for lasting beauty and longer life expectancy.

SYNLAWN

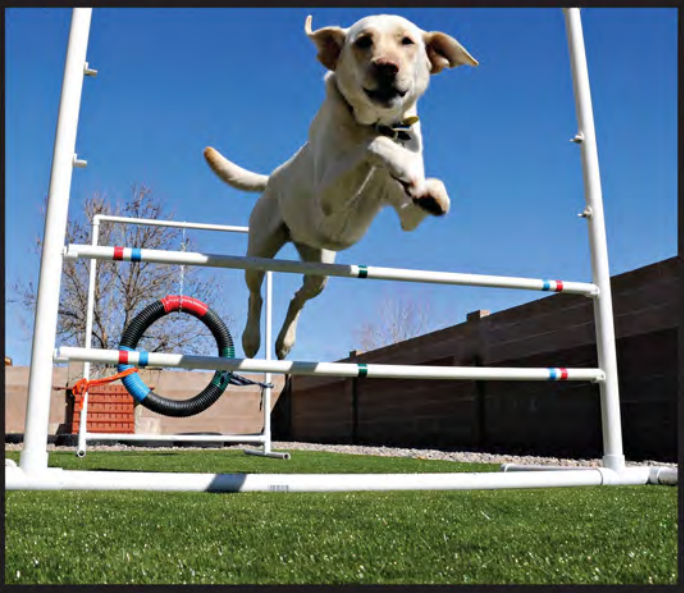
Urban living

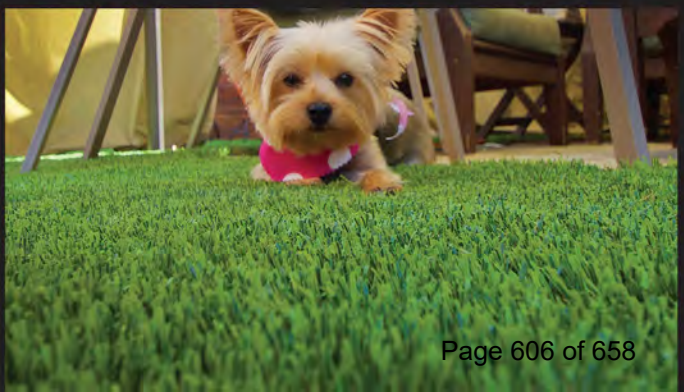
Grass in non-traditional spaces such as your roof, deck or patio are great examples of how SYNLawn® can transform once unused areas into functional outdoor living spaces. Our products allow grass in places once thought not possible and last longer than wood or composite decking.

SYNLawn manufactures the only artificial grass product with a Class 1 fire rating.

Safe for pets

Pets stay clean. Pets stay healthy. SYNLawn® products help protect against disease and other harmful pests. Best of all, no more muddy paws in the house no matter what the weather may be like. With our Pet installation options, we can create the perfect pet paradise specifically for your pets.





Safe for kids

Safety first. Safety built in. Best of all, no more grass stains. Under swings and at the foot of slides are two great examples of high-traffic areas difficult to maintain and keep safe. We've developed consistent, low-abrasive play surfaces allowing for safe use of ANY type of playground equipment.

For maximum safety, ask about IPEMA™ Certified Playground Installation options.

Practice better

We've worked with some of Golf's greatest minds to research and develop the most realistic performing synthetic golf grasses available for putting, collar, fringe, rough, fairway and tee-line. Create your own private golfing oasis just like the pros use, right in your own backyard.

Our GreensMaster™ Certified installations ensure the best conditions for your game.

'Green' all over

SYNLawn® is green on top, in the middle and even underneath. Beyond the color, SYNLawn goes a long way toward environmental sustainability, taking measurable steps to be truly "green". Made in the USA, our biobased products are 100% recyclable, using renewable and recycled materials during the manufacturing process. Using SYNLawn can reduce your carbon footprint by conserving water, eliminating emissions from lawn equipment, and lowering the impact on landfills due to its long life expectancy.

SYNLawn's exclusive EnviroLoc™ Backing System has an enhanced multi-layer component system that "locks" in durable turf fibers, extending the product's lifecycle. Engineered using BioCel™ technology, the EnviroLoc™ Backing System replaces a large portion of petroleum-based polymers with bio-based polymers created from soybean plants (a rapidly renewable resource). We then add Celceram™ (a recycled product of coal combustion) for superior strength and dimensional stability. Together these biobased technologies provide an environmentally responsible approach to artificial grass that conserves Earth's natural resources and will look great for years to come.

100% Recyclable

Earth Friendly

Water Friendly

Pet Friendly

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MADE IN U. S. A.

SYNLAWN®

artificial grass never looked more natural

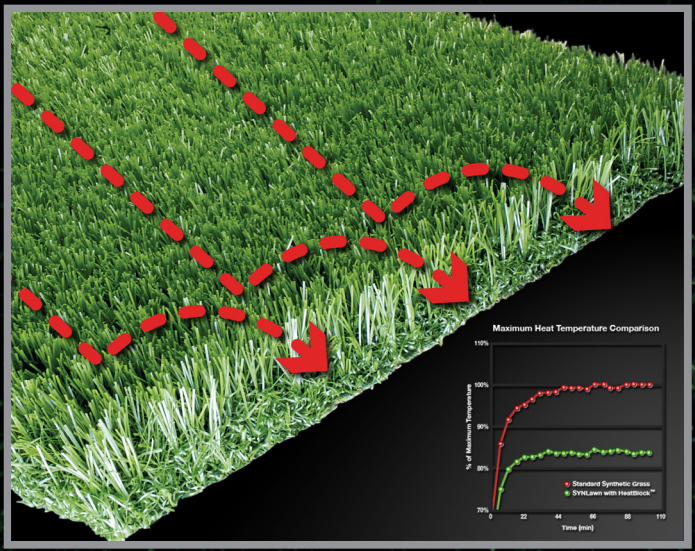
SYNLawn's exclusive HeatBlock™ Technology

Artificial grass with cooler surface temperatures.

For a difference you can feel...

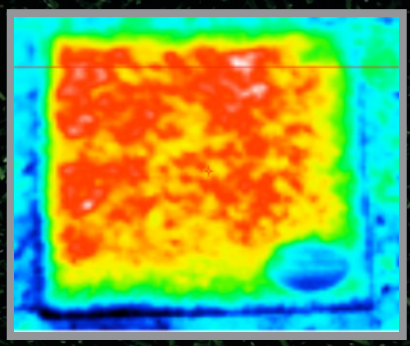
Beat the heat with SYNLawn® artificial grass using HeatBlock™ Technology.

Scientifically proven, SYNLawn's exclusive HeatBlock Technology lowers rising temperatures by reflecting sunlight, thus reducing heat build-up and emissivity.



Heat build-up occurs in most materials when thermal energy from the sun's rays hit the surface of an object. In the same way dark clothing absorbs more heat than light clothing, synthetic turf can also hold in heat making it uncomfortable when it's hot outside.

Therefore, SYNLawn with HeatBlock Technology incorporates infrared reflective pigments that help dissipate heat build-up and reduce fiber emissivity by as much as 20% cooler than similar artificial turf products.

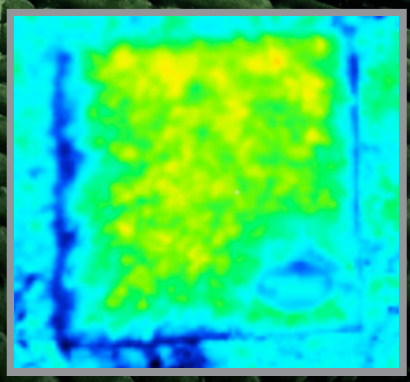


Other synthetic grasses

For a difference you can see...

SYNLawn artificial grass with HeatBlock Technology also adds a finish to each grass fiber that has less 'shimmer', is softer to the touch and less abrasive than other synthetic grasses for a more realistic look you can see and feel.

Visit a SYNLawn dealer near you to experience the SYNLawn HeatBlock Technology difference today!



SYNLawn with HeatBlock™

* Thermal images captured with Fluke Ti20 Thermal Imager. Images are captured with calibrated temperature data in a matrix of over 12,000 discrete measurements per thermal image.

for more information please visit us online as: ***www.synlawn.com***

DOG PARK

Small Dogs
Only
25lbs. or Less
For a clean Sunnyvale and safe waterways, pick up pet waste.
LET'S STOP POO-LUTION
SCOOP IT UP.
BAG IT.
TRASH IT.
IT'S THE LAW.
Municipal Codes 6.04.120 and 6.02.040
To learn more about proper pet waste disposal and stormwater pollution prevention, scan the QR code.
Sunnyvale
the
ayground
:00pm
ays until
nance
owners in the
are allowed at one time
ground unless accompanied
g up after their dogs
se and proper vaccinations
playground
required to leave the playground

SMALL
DOG
AREA
Under 25 lbs

Bounty Dr
In Memory of Our "Tiny"
Lois Pratt
Who always gave us treats
Buddy and Mister

Park Closed
Wednesdays for
Maintenance
Until 3 PM

Drop Off
or Recall
Feeding
Area

City Council Staff Report

Meeting Date: October 14, 2025
Prepared By: Anthony Carnesecca
Approved By: Gabe Engeland

Subject: Authorize the City Manager to Issue Formal Bid for Woodland Library Patio Expansion Plan and find that the proposal is exempt from environmental review pursuant to California Environmental Quality Act Section 15301 (Existing Facilities consisting of the minor alteration of existing public structures and facilities)

COUNCIL PRIORITY AREA
General Government

RECOMMENDATION
Authorize the City Manager to Issue Formal Bid for Woodland Library Patio Expansion Plan and find that the proposal is exempt from environmental review pursuant to California Environmental Quality Act Section 15301 (Existing Facilities consisting of the minor alteration of existing public structures and facilities)

ENVIRONMENTAL IMPACT
Categorically Exempt pursuant to California Environmental Quality Act Section 15301 – Existing Facilities consisting of the minor alteration of existing public structures and facilities

FISCAL IMPACT
This project is currently incorporated into the approved FY25-26 budget.

PREVIOUS COUNCIL CONSIDERATION
November 12, 2024

BACKGROUND
In March 2022, the Library Commission Infrastructure Subcommittee presented a report on the Woodland Library Patio Project that had a conceptual framework of proposed programs and amenities for the outdoor space at Woodland Library. The Infrastructure Subcommittee was directed to continue working on the project.

In December 2022, the Library Commission unanimously approved the Woodland Expanded Patio Project as presented.

After that approval, the Infrastructure Subcommittee provided the general proposal for a Woodland Expanded Patio Project to the Los Altos Library Endowment to explore funding opportunities. It was determined that this project would wait until after a Main Library Patio project.

In August 2024, the Los Altos Library Endowment was made aware of a native plant garden project in the proposed area for the Woodland Library Patio so the Los Altos Library Endowment team gathered that group and key library stakeholders to discuss how the two projects could work together moving forward.

At the September 16, 2024, the Library Commission received a report from the Chair and LALE Liaison Fawcett regarding recent progress on the Woodland Library Patio project. This initial conversation amongst key stakeholders, which included individuals from Santa Clara County Library District, Los Altos Library Endowment, Greentown Los Altos, and the Library Commission LALE Liaison.

Since that meeting, the Los Altos Library Endowment team has created renderings of what the space could look like that are being circulated for feedback from Library patrons and staff. These renderings were completed based upon the proposal by the Library Commission Infrastructure Committee.

On November 12, 2024, the City Council received a memorandum that provided an update on the Woodland Library Patio Project.

At the January 9, 2025 Library Commission meeting, the Los Altos Library Endowment received additional feedback on this project as they continued to develop the plans for the space.

Since that meeting, the Los Altos Library Endowment team has made adjustments based on Library Commission feedback and completed bid-ready documents through collaboration with partner organizations.

ANALYSIS

DISCUSSION

The current proposed plans for the Woodland Library Patio Expansion illustrate an expansion of the existing back patio with decomposed granite and pavers. This will allow programs and services of the Library to expand outside into this new community space. Three renderings of the project provided by the Los Altos Library Endowment have been included in the presentation attached to this staff report.

The drawings also illustrate an expansion of the existing Greentown Los Altos native plant garden. This will allow Greentown Los Altos to expand their educational garden space for the community.

As part of this project and in the approved FY25-26 CIMMP budget, the City is allocating $30,000 towards the grading of a portion of the project. The Los Altos Library Endowment has pledged to cover all the remaining portions of the project.

City staff is working to finalize the bid package to be released in the coming weeks after City Council review.

ATTACHMENTS

1. Attachment 1

Los Altos Woodland Library Patio Expansion

October 14, 2025

Background

March 2022
- Library Commission explored concept of expanded outdoor patio

December 2022
- Library Commission approved initial Woodland Expanded Patio Project

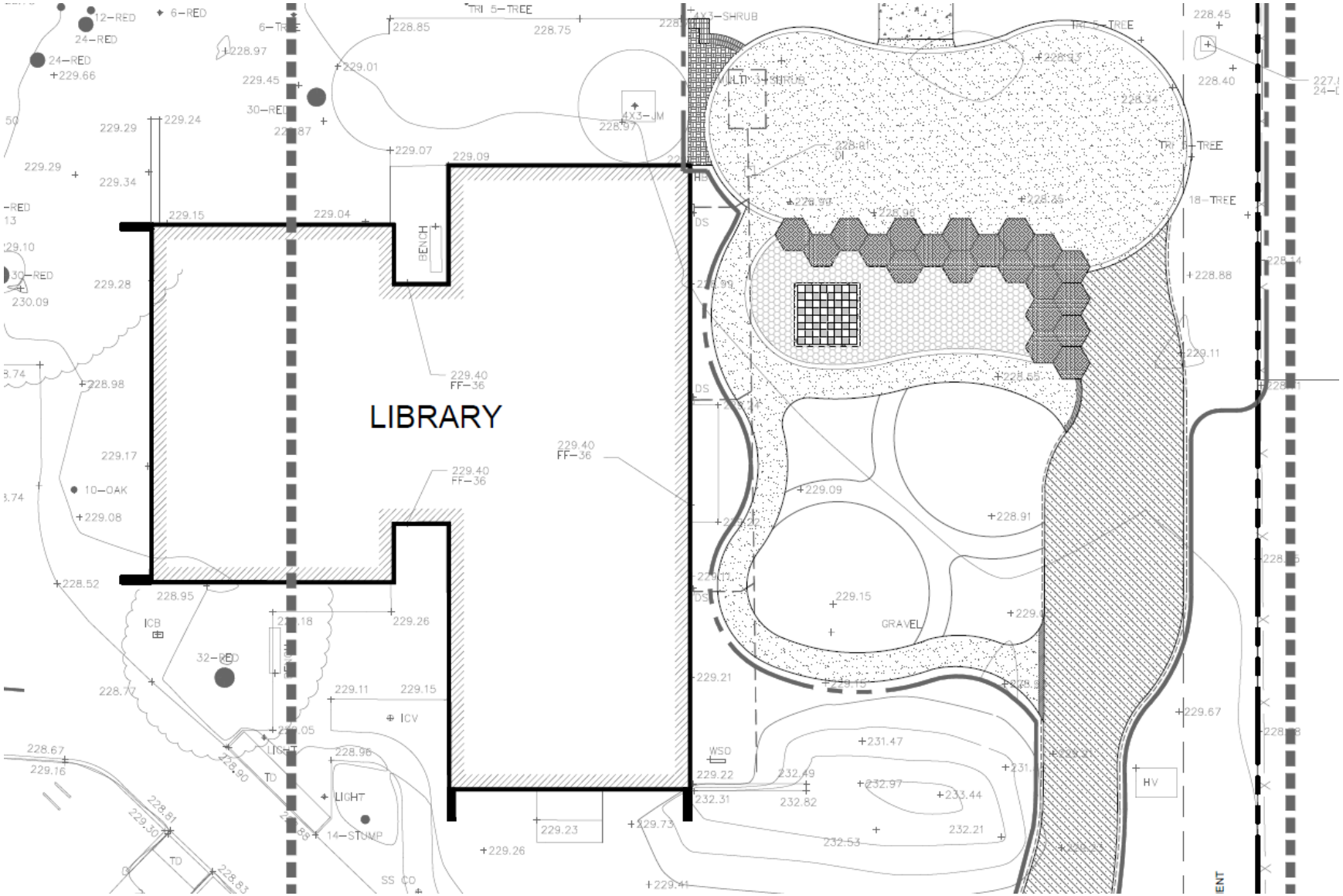
August 2024
- Los Altos Library Endowment begins design based on Library Commission work

November 2024
- City Council receives informational memo with status update

January 2025
- Library Commission provides feedback on initial draft to Los Altos Library Endowment team

Current Condition

Proposal


LIBRARY
BENCH
GRAVEL
LIGHT
ICV
ICB
HV
WSO
TD
SS CO
12-RED
24-RED
6-RED
6-TREE
TRI 5-TREE
4X1-SHRUB
4X3-JM
30-RED
10-OAK
32-RED
14-STUMP
18-TREE
229.40
FF-36

Staff Recommendation

Authorize the City Manager to Issue Formal Bid for Woodland Library Patio Expansion Plan and find that the proposal is exempt from environmental review pursuant to California Environmental Quality Act Section 15301 (Existing Facilities consisting of the minor alteration of existing public structures and facilities)

City of Los Altos 2025 Tentative Council Agenda Calendar

October 14, 2025 – 7:00 p.m.

CONSENT:

- Adoption of 2025 Building Codes Ordinances
- Amend the Harris & Assoc. Contract

PUBLIC HEARING:

- Introduction to 2025 Building Codes Ordinance

DISCUSSION ITEM:

- Drone as a First Responder Program
- Human Resources presentation on Parental Leave
- Transit Presentation

October 28, 2025 - 7:00 p.m.

PUBLIC HEARING:

- 4898 El Camino Real – Tentative Map
- 996 Loraine Ave – Tentative Map
-

The remaining 2025 City Council agenda calendar items are pending and will be published at a later date.

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing.
Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda.

PROGRAM	SUB PROJECT	INITIATION DATE	HEU COMPLETION DATE	STATUS
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Budget & Hire Planning Technician		December 31, 2022	**COMPLETED**
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Amend ADU Ordinance based upon HCD's letter		6 months or less	**COMPLETED**
Program 6.G: Housing mobility	Allow more than one JADU (at least two per site)		with ADU Ordinance Update	**COMPLETED**
Program 3.H: Amend design review process and requirements.	Eliminate 3rd Party Architectural Review		February 28, 2023	**COMPLETED**
Program 3.H: Amend design review process and requirements.	Dismiss Design Review Commission		February 28, 2023	**COMPLETED**
Program 3.L: Eliminate the requirement of story poles.			March 31, 2023	**COMPLETED**
Program 2.E: Conduct annual ADU rental income surveys.	Budget & Hire Housing Manager	March 31, 2023		**COMPLETED**
residents.	Transportation Demand		June 30, 2023	**COMPLETED**
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	RFP-Permit Ready ADU Plans		July 31, 2023	**COMPLETED**
Program 1.H: Facilitate housing on City-owned sites.	Financial Analysis	July 1, 2023	December 31, 2023	**COMPLETED**
Program 3.D: Evaluate and adjust impact fees.		August 1, 2023	December 31, 2024	**COMPLETED**
Program 1.H: Facilitate housing on City-owned sites.	Release RFP	December 31, 2023		**COMPLETED**
Program 6.C: Target housing development in highest resource areas.	Initial Outreach		September 31, 2023	**COMPLETED**
Program 6.D: Promote Housing Choice (Section 8) rental assistance program.			September 31, 2023	**COMPLETED**
Program 2.A: Continue to implement and enhance inclusionary housing requirements.			December 31, 2023	**ONGOING**
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Housing in-lieu fee.		December 31, 2023	**COMPLETED**
Program 2.F: Water and Sewer Service Providers.			December 31, 2023	**COMPLETED**
Program 3.B: Modify building height in mixed-use zoning districts.	Downtown Districts		December 31, 2023	**COMPLETED**
Program 3.E: Ensure that the density bonus ordinance remains consistent with State law.			December 31, 2023	**ONGOING**

Program 3.H: Amend design review process and requirements.	Code Amendments		December 31, 2023	**COMPLETED**
Program 3.K: Standardize multimodal transportation requirements.	Bicycle Storage and Charging Regulations		December 31, 2023	**COMPLETED**
Program 3.K: Standardize multimodal transportation requirements.	Remove CSC Review of Housing Developments		December 31, 2023	**COMPLETED**
Program 4.C: Allow Low Barrier Navigation Centers consistent with AB 101.			December 31, 2023	**COMPLETED**
Program 4.D: Allow transitional and supportive housing consistent with State law.			December 31, 2023	**COMPLETED**
Program 4.E: Allow employee/farmworker housing consistent with State law.			December 31, 2023	**COMPLETED**
Program 4.F: Reasonably accommodate disabled persons' housing needs.			December 31, 2023	**COMPLETED**
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Prepare Inventory.		December 31, 2023	**COMPLETED**
Program 6.E: Prepare and distribute anti-displacement information.			December 31, 2023	**COMPLETED**
Program 1.A: Rezone for RHNA shortfall.			January 31, 2024	**COMPLETED**
Program 1.G: Rezone housing sites from previous Housing Elements.			January 31, 2024	**COMPLETED**
Program 3.G: Amend Conditional Use Permits findings applicable to housing developments.			March 31, 2024	**COMPLETED**
Program 3.I: Allow residential care facilities consistent with State law.			January 31, 2024	**COMPLETED**
Program 3.J: Explicitly allow manufactured homes consistent with State law.			January 31, 2024	**COMPLETED**
Program 3.F: Reduce Conditional Use Permit requirement for residential mixed-use and multi-family.			September 31, 2024	**COMPLETED**
Program 1.B: Facilitate higher density housing in the Commercial Thoroughfare (CT) District.			January 31, 2024	**COMPLETED**
Program 1.C: Allow housing in the Office Administrative (OA) District.			January 31, 2024	**COMPLETED**

Program 1.E: Update the Loyola Corners Specific Plan.			January 31, 2024	**COMPLETED**
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).	Adopt-Permit Ready ADU Plans		December 31, 2024	**COMPLETED**
Program 3.A: Prepare a Downtown parking plan and update citywide parking requirements.	Downtown Parking Plan		December 31, 2024	**COMPLETED**
Program 3.A: Prepare a Downtown parking plan and update citywide parking requirements.	Comprehensive Parking Ordinance Update		December 31, 2024	**COMPLETED**
Program 3.B: Modify building height in mixed-use zoning districts.	Neighborhood (CN) District		December 31, 2024	**COMPLETED**
Program 3.C: Remove floor-to-area ratio (FAR) restriction at Rancho Shopping Center and Woodland Plaza.			December 31, 2024	**COMPLETED**
Program 3.M: Modify parking requirements for emergency shelters consistent with State law.			December 31, 2024	**COMPLETED**
Program 2.B: Establish an affordable housing in-lieu fee and commercial linkage fee.	Commercial linkage fee.	December 31, 2025		**COMPLETED**
Program 1.D: Allow housing on certain Public and Community Facilities District sites and facilitate housing on religious institution properties.			December 31, 2025	**IN-PROGRESS**
Program 6.G: Housing mobility	Allow housing on all religious sites within the City		December 31, 2025	**IN-PROGRESS**
Program 1.F: Rezone Village Court parcel.			December 31, 2025	**COMPLETED**
Program 4.H: Provide additional density bonuses and incentives for housing that accommodates special needs groups.			December 31, 2025	**IN-PROGRESS**
Program 4.I: Allow senior housing with extended care facilities in multi-family and mixed-use zoning districts.			December 31, 2025	**IN-PROGRESS**
Program 1.I: Incentivize Downtown lot consolidation.			July 31, 2026	
Program 4.G: Assist seniors to maintain and rehabilitate their homes.			July 31, 2026	**ONGOING**
Program 6.C: Target housing development in highest resource areas.	Follow-up Outreach		September 31, 2026	

Program 1.H: Facilitate housing on City-owned sites.	Entitlement Review		December 31, 2026	
Program 3.N: Modify standards in the R3 zoning districts.			December 31, 2026	**COMPLETED**
Program 4.J: Facilitate alternate modes of transportation for residents.	Capital Improvement Project for above head pedestrian crossing signals on San Antonio Road near Downtown Los Altos		December 31, 2027	
Program 5.F: Incentivize the creation of play areas for multi-family housing projects.			December 31, 2027	
Program 1.K: Participate in regional housing needs planning efforts.			Ongoing	**ONGOING**
Program 1.L: General Plan amendments.			Ongoing	**ONGOING**
Program 1.M: SB 9 implementation.			Ongoing	**ONGOING**
Program 1.N: Facilitate and monitor pipeline housing projects.			Ongoing	**ONGOING**
Program 2.C: Assist in securing funding for affordable housing projects.			Ongoing	**ONGOING**
Program 2.D: Encourage and streamline Accessory Dwelling Units (ADUs).			Ongoing	**ONGOING**
Program 2.E: Conduct annual ADU rental income surveys.	Annual Survey		Annually	**ONGOING**
Program 4.A: Support efforts to fund homeless services.			Ongoing	**ONGOING**
Program 4.B: Continue to participate in local and regional forums for homelessness, supportive, and transitional housing.			Ongoing	**ONGOING**
Program 5.A: Monitor condominium conversions.			Ongoing	**ONGOING**
Program 5.B: Continue to administer the City's affordable housing programs.			Ongoing	**ONGOING**
Program 5.C: Restrict commercial uses from displacing residential neighborhoods.			Ongoing	**ONGOING**
Program 5.D: Implement voluntary code inspection program.			Ongoing	**ONGOING**
Program 5.E: Help secure funding for housing rehabilitation and assistance programs.			Ongoing	**ONGOING**

Program 6.A: Assist residents with housing discrimination and landlord-tenant complaints.			Ongoing	**ONGOING**
Program 6.B: Maintain and expand an inventory of affordable housing funding sources.	Inform, Evaluate Apply/Submit		Ongoing	**ONGOING**
Program 6.F: Affirmatively market physically accessible units.			Ongoing	**ONGOING**
Program 7.A: Promote energy and water conservation and greenhouse gas reduction through education and awareness campaigns.			Ongoing	**ONGOING**
Program 7.B: Monitor and implement thresholds and statutory requirements of climate change legislation.			Ongoing	**ONGOING**

DATE: **10/14/2025**

TO: **COUNCILMEMBERS**

FROM: **CITY MANAGER'S OFFICE**

SUBJECT: **COUNCIL Q&A FOR OCTOBER 14, 2025 CITY COUNCIL REGULAR MEETING**

Agenda Item 1 (Minutes):

- On Item 7: After the first three motions, Councilmember Weinberg made a motion to find each of the prior three ordinances were categorically exempt from CEQA, and that motion was seconded by Councilmember Lang. It passed 4-0 with the Vice-Mayor having recused herself from the discussion. See recording on YouTube at 1:54:30.
  Answer: Noted. The amended minutes will be attached to the QA.

Agenda Item 4 (Regional Water Quality Control Plant Agreement):

- Second resolution (appropriating funds): The NOW THEREFORE clause does not specify the source from which the funds are being appropriated. Presumably the appropriation is from the general fund? The text in the resolution should specify the source of the appropriation.
  Answer: The Sewer Fund under the Enterprise Fund.

- The background lists five contributing partners:
  Mountain View, Palo Alto, Los Altos, Los Altos Hills, and the East Palo Alto Sanitary District.
  However the draft resolution authorizes executing an addendum in agreement "between the cities of Palo Alto, Mountain View, and Los Altos."
  Are LAH and EPASD not parties to the agreement?
  As an aside, San Mateo County LAFCO recently reorganized EPASD as a subsidiary of the City of East Palo Alto.
  https://www.cityofepa.org/sanitary
  Answer: East Palo Alto Sanitary District and Stanford are not listed as parties to the agreement because their wastewater does not flow through the Joint Intercepting Sewer—the 72-inch line that was rehabilitated. This section of the sewer line exclusively conveys flows from Mountain View, Los Altos, Los Altos Hills, and Palo Alto. While a portion of the system within the treatment plant will also be rehabilitated, costs associated with that work are addressed through a separate minor capital agreement.
  As for Los Altos Hills, their agreement with Palo Alto does not grant them authority to approve capital improvements at the facility, as they are considered a minor participant in the overall system.

Agenda Item 6 (Mills Act):

- In the draft ordinance, Section 14.93.050 B and C state the Zoning Administrator may exempt certain Historic Alteration Permits from review by the Historical Commission. If a member of the public wished to appeal this exemption, would such an appeal follow Section 14.01.100 or Section 1.12.010?
  Answer: It would follow Section 14.01.100 as a decision rendered under regulations contained within Title 14 of the Los Altos Municipal Code by the Zoning Administrator.

- There is no mention either in the staff report or in the Historic Preservation Ordinance Whereas's of the approval of our changes by the State Historic Preservation Office. Isn't this important to include, especially in the Whereas's?
  Answer: The State Office of Historic Preservation provides review and comment, not approval, for proposed changes to Historic Preservation Ordinances for Certified Local Governments. The OHP reviewed the proposed ordinance for Los Altos and they "support the proposed changes to the ordinance moving forward" and felt there was "no need to provide substantive comments as the draft clearly and succinctly details administration of the City's historic preservation program."

  Staff will add the following clauses to the Whereas section:

  "Whereas as the State Office of Historic Preservation has been provided the opportunity to review and comment on the proposed changes to the draft ordinance prior to adoption as required under the Certified Local Government agreement, and

  Whereas the State Office of Historic Preservation supports the proposed changes, and

  Whereas, after review, they did not provide substantive comments as the draft ordinance "clearly and succinctly details administration of the City's historic preservation Program"

- Would deciding to adopt the proposed "blue line edits" in the Mills Act appendix included in the last meeting packet necessitate the need for another second reading, or because those edits were considered at the original public hearing would this still be the second and final reading?
  Answer: When taken in totality, adding all blue line comments back into the ordinance would require another reading.

Agenda Item 7 (Amend Chamber Contract):

- How much revision is expected in the Los Altos Magazine between December 2025 and June 2026?
  Answer: These two editions of the Los Altos Magazine would be entirely different magazines with different content.

- Is there any data about the impact of the Los Altos Magazine on businesses in the city?
  Answer: City staff does not have any data on its impact at this point in time.

Agenda Item 8 (Building Code):

- Section 12.22.020: If the city were to make new arrangements for fire services, could this section be updated in a timely fashion?
  Answer: Yes, if a new fire services provider is contracted and they wanted to make amendments to the adopted codes, it could be done through an Ordinance amendment.

- Ordinance repealing Title 12 in its entirety: In § 1 of the NOW, THEREFORE part of the resolution the text says that the LAMC "is hereby amended as set forth. . . ." Instead of "amended," the text should say "repealed."
  Answer: Staff will make this correction.

- Ordinance adding Title 12 to the LAMC: Why are the clauses on the top of pages 5 and 7 highlighted?
  Answer: These clauses were highlighted in error.

- Ordinance adding Title 12 to the LAMC: In the clause at the top of page 7 (NOW THEREFORE, §3.2.), what is the "filing date" in red brackets?
  Answer: The filing date is the date the current building codes were sent to the State. Staff will amend the date accordingly prior to finalization of the Ordinance.

- The staff report states that "if the State requires a separate cost-effectiveness study in addition to the one provided by SVCE, the City may incur further costs" but Attachment 25 doesn't come from SVCE's study, so which study are we using to justify cost effectiveness?
  Answer: There is only one cost effectiveness study prepared by the California Codes & Energy Standards team (Attachment #24) which was provided to staff by SVCE. Staff anticipates the level of detail provided in the study aligns with the expectations of the California Energy Commission (CEC) for securing approval of our local amendments. Attachment #25 is a user-friendly summary of the cost-effectiveness and benefits of heat pumps, based on the cost effectiveness study.

- How consistent are the results from the two cost effectiveness analyses (SVCE's study and the study in Attachments #24/#25)?
  Answer: Please see the response to the previous question.

Agenda Item 10 (Dog Park Surface):

- With respect to Raymond G. Gamma Dog Park in Santa Clara, the staff report says that the Santa Clara maintenance staff "close the park every Wednesday until 3pm to do full maintenance and cleanup that includes the use of a natural/non-chemical enzyme on the turf." Would Los Altos do something similar to maintain the Hillview Dog Park if the City proceeded with the existing plans?
  Answer: Yes

- What are staff's estimated costs to maintain the Hillview Dog Park if artificial turf is installed as opposed to DG? As opposed to natural grass?
  Answer: The design Council approved in July of 2024 did not include DG or natural grass. Because of this, a comparison study for maintenance between the different options was not completed.

  The cost to maintain a dog park with turf installation would be dependent on the turf product that is selected and the recommended maintenance requirements by the manufacturer. These would include, in addition to purchase and installation, the cost of the enzyme product cleaner, any water usage for regular surface washing, and any turf repairs needed.

  For turf installation, the maintenance would be completed by staff.

- Staff found that there was a "strong urine odor at the entrance to all three dog park locations" visited. "Staff believes the urine smell is attributed to a dog's desire/habit to urinate on the concrete surface prior to entering." Do dogs have the same desire/habit before entering a dog park with other types of ground covering?
  Answer: This was an observation from staff as they entered and reviewed each dog park discussed in the staff report. It is theorized that the habit is to mark the area they are entering and would happen regardless of ground cover.

- Attachment 1:
  The turf manufacturer states their product is 100% recyclable, but how available are turf recycling facilities?
  They mention a recycling facility in Germany, presumably the FormaTurf plant in Essen.
  https://www.sustainableplastics.com/news/formaturf-opens-first-artificial-turf-recycling-plant-germany
  Are there any turf recycling facilities available in the United States?

Answer: Different turf manufacturers use different facilities and methods to recylce product. The location of the recycling center is dependent on the supplier of the turf.

Council directed staff to include turf that is recyclable (along with other considerations) in the approved dog park design. Any company bidding to build the dog park will have to meet these requirements, including installing turf that is recyclable.

- In option 2, when the dog park returns to Council in 9 months, at which phase of design would it be? Also, assuming a "smooth" design process, how long would it take (from now) to reach 95% completion again?
  Answer: For recommended option 2, a return to the City Council for consideration would be at the completion of the conceptual design to allow the Council to provide feedback and direction. This item would then return to Council at construction design, which would be at 95% completion. This is the same path the current design followed.

  The length of time to reach this stage is estimated in the staff report but would be directly influenced by Council direction at this meeting as well as when Council reviews the conceptual design. It is not possible to provide a better time estimate without Council direction.

- When is it likely construction would start for each of options 1 and 2?
  Answer: Option 1 – Early spring 2026, Option 2 – Summer 2027

  For option #2, please see the answer above.

- The "strong urine odor" at the entrance to all three dog park locations visited by staff is mentioned in the staff report. What is the surface material at the three entrances where the odor is noticeable?
  Answer: Concrete.

- What projects or budget/CIMMP decisions that we've planned for in the civic center campus are based on the dog park being at its planned location (e.g. the new generator, additional parking, etc.)? Will any of these projects be impacted by a redesign?
  Answer: The current location of the generator was planned based on the location of the dog park. The parking improvements on the civic center campus would likely be completed as part of a future CIP project, but may not be completed along the same timeframe. As long as the footprint of the dogpark remains the same, no other projects are expected to be impacted.

<u>Agenda Item 11 (Woodland Library)</u>:

- Although the renderings are preliminary and solely for bid purposes, will the bid requests identify the possibility for a shade structure be included in estimates? It

would seem important to include this in the bids since a shade structure could be a potentially significant driver of costs.

Answer: The Los Altos Library Endowment is planning to procure multiple non-fixed cantilever umbrellas for the expanded patio that will provide shade for the area above seats and tables, and allow for flexibility depending upon the event. These modular, non-fixed shade structures allow the maximized flexible use of the space by Library staff for events and patrons on a daily basis. The Santa Clara County Library District Strategic Plan has a goal to "design and implement flexible public spaces that encourage library visits and elevate patron experience," which is accomplished with the proposed flexible outdoor space.

Any proposed permanent shade structure would require a different permit and review process than the currently-proposed project.

CITY OF LOS ALTOS
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 30, 2025
7:00 p.m.
1 N. San Antonio Rd. ~ Los Altos, CA

Pete Dailey, Mayor
Neysa Fligor, Vice Mayor
Larry Lang, Councilmember
Sally Meadows, Councilmember
Jonathan D. Weinberg, Councilmember

CALL MEETING TO ORDER – Pete Dailey, Mayor, called the meeting to order at 7:00 p.m.

ESTABLISH QUORUM – All Councilmembers were present.

PLEDGE OF ALLEGIANCE – Pete Dailey, Mayor, led the Pledge of Allegiance.

REPORT ON CLOSED SESSION

There was no Closed Session meeting.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following member of the public spoke during Public Comment:
- Kirsti Elder

CONSENT CALENDAR

The following members of the public spoke on an item on the Consent Calendar:
- Nathan Godderis (Item 4)
- Maria Bautista (Item 6)

Motion by Lang and Second by Meadows to approve the Consent Calendar. **Motion carried unanimously by roll call vote.**

1. **Approve Draft Meeting Minutes for the Special and Regular Meeting of September 9, 2025**

2. **Approval of Short-Term Seat of Parks, Arts, Recreation & Cultural Commissioner**
   Approve the short-term seat of Parks, Arts, Recreation & Cultural Commissioner (PARC)

3. **Adoption of Resolution - Comprehensive General Plan Update - Professional Services Agreement**
   Adopt a Resolution authorizing the City Manager to execute a professional services agreement with Dyett & Bhatia for the preparation of a comprehensive General Plan Update and associated Environmental Impact Report (EIR)

4. **Adoption of Resolution – Outdoor Fitness Equipment Replacement at Hillview Park**
   Adopt a resolution to authorize the City Manager to enter into an agreement with Greenfields Outdoor Fitness, Inc. to design, purchase, and install outdoor fitness equipment to replace the old fitness equipment at Hillview Park in an amount not to exceed $145,000

5. **Adoption of Resolution - Contract Amendment for Fremont Bridge Pedestrian Bridge**
   Adopt a resolution authorizing the City Manager to execute Amendment No. 1 on behalf of the City with Dewberry Engineers Inc. in the amount of $17,228 and authorize additional $30,000 contingency for design professional consulting services for the Fremont Avenue Pedestrian Bridge Rehabilitation Project, TS-01055, for FY2025/26, and find that this action is Exempt from Environmental Review Pursuant to Section 15301(c) of the State Guidelines Implementing the California Environmental Quality Act of 1970

6. **Adoption of Resolution - Accepting North Council Library Authority Funds for Main Library Improvements Project**
   Two actions for Council consideration:

   - Adopt a resolution accepting North County Library Authority Funds for Main Library Improvements Project, Recognize $1,254,000 Revenue from North County Library Authority, and Appropriate $1,254,000 Revenue to Main Library Improvements Project (LI01001).
   - Adopt a resolution authorizing the City Manager to amend the contract with Anderson Brule Architects for the Main Library Improvements Project in an amount not to exceed $1,254,000, inclusive of a 10% contingency, and to execute any necessary change orders within that amount on behalf of the City

PUBLIC HEARING

7. **Introduction of Ordinances - Zoning Code Amendments for Historic Preservation and Mills Act**
   Four actions for Council consideration:

   Introduce and waive first reading of draft ordinances and consider June 5, 2025, Planning Commission recommendation for the adoption of the proposed ordinances, which include:

   - An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code; and
   - An Ordinance of the City Council of the City of Los Altos Adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code; and

- An Ordinance of the City Council of the City of Los Altos Repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations; and
- Find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

Neysa Fligor, Vice Mayor, recused herself from the discussion and consideration of the item due to a potential conflict of interest.

Nick Zornes, Assistant City Manager, presented the report.

Pete Dailey, Mayor, opened the Public Hearing.

The following members of the public spoke during the Public Hearing:

• Jon Baer	• Daniil Reouk
• Lois Baer	• Acorn Pooley
• Roberta Phillips	• Warren Yang
• Maria Bautista	• Alice Mansell
• Kirsti Elder	• Teresa Morris

Pete Dailey, Mayor, closed the Public Hearing.

The City Council amended the ordinances to affirm the decisions made by the Planning Commission at its meeting on June 5, 2025.

Motion by Weinberg and Second by Meadows to Introduce an Ordinance by title only of the City Council of the City of Los Altos, adding Chapter 14.93 (Historic Preservation) to the Los Altos Municipal Code, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

Motion by Weinberg and Second by Meadows to Introduce an Ordinance by title only of the City Council of the City of Los Altos, adding Chapter 14.95 (Mills Act Program) to the Los Altos Municipal Code, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

Motion by Weinberg and Second by Meadows to Introduce an Ordinance of the City Council of the City of Los Altos repealing in its Entirety Chapter 12.44 for Existing Historic Preservation Regulations, as amended. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

Motion by Weinberg and Second by Meadows find that the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. **Motion carried 4-0 by roll call vote with Vice Mayor Fligor recused.**

The City Council took a recess at 8:53 p.m.

The City Council reconvened at 9:04 p.m.

DISCUSSION ITEMS

8. **Program Implementation - Drone as a First Responder**
   Authorize staff to move forward with the development and implementation of a Drone as First Responder (DFR) Program to enhance emergency response capabilities, improve situational awareness for first responders and promote public safety

Kathryn Krauss, Police Captain, presented the report.

The following members of the public spoke regarding the item:

- Brian Jones
- Pierre Bedard

The City Council authorized staff to move forward with the development and implementation of a Drone as a First Responder (DFR) Program to enhance emergency response capabilities, improve situational awareness for first responders and promote public safety. **No motion taken.**

INFORMATIONAL ITEMS / COUNCIL Q&A

9. **Tentative Council Calendar and Housing Element Update Implementation Calendar**

10. **09-30-2025 Council QA**

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

- **Jonathan D. Weinberg, Councilmember –** Requested a future agenda item:
  - Adopt a Resolution recognizing United Against Hate Week *(Supported by Fligor and Lang)*

ADJOURNMENT – The regular meeting adjourned at 10:15 p.m. in honor of Los Altos resident and long-time community volunteer Pinky Whelan.

The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the regular meeting on October 14, 2025.

Pete Dailey Mayor	Melissa Thurman, MMC City Clerk

The September 30, 2025, City Council meeting recording may be viewed via the following external website: https://www.youtube.com/@CityofLosAltosCA

The City of Los Altos does not own or operate YouTube. The video referenced in these minutes was live at the time the minutes were published.