

Excerpt

Draft MINUTES

**CALISTOGA BUILDING STANDARDS ADVISORY
AND APPEALS BOARD**

January 22, 2015

A. ROLL CALL

Board Members present Chair Paul Coates, Vice Chair Tim Wilkes, Kate Coates, Shelby Valentine, Beverly More, Bill Nance. Absent: Jadd Elkeshen (excused). Staff present: Planning & Building Director Lynn Goldberg; Skye Barnett, Castle Consulting

F. NEW BUSINESS

- 2. Proposed CMC Chapter 15.46, Seismic Retrofit Regulations:** Consider recommending to the City Council the adoption of seismic retrofit regulations for unreinforced masonry buildings

Planning & Building Director Lynn Goldberg provided background and an overview of the recommended regulations. Testing of potential unreinforced masonry (URM) buildings had identified seven that could be hazardous during an earthquake. The proposed regulations are similar to those of other jurisdictions and would provide procedures for the systematic review and upgrading of unreinforced masonry buildings. Nonstructural portions of a building that are found to be dangerous to the extent that the life, health, property or safety of the public or its occupants is endangered would have to be upgraded in accordance with the City's Building Standards Codes. Tenants would also have to be notified that their building may be structurally hazardous in the event of an earthquake. She noted the availability of Skye Barnett of Castle Consulting to answer any questions.

In response to a question from **Board Member Valentine**, Ms. Goldberg confirmed that many other communities have adopted similar seismic retrofit regulations, including St. Helena, Napa, Santa Rosa and Healdsburg.

Board Member More is concerned about the six-month time period to submit a building permit application and seismic retrofit plan, as proposed in Section 15.46.070. Due to the limited availability of engineering and architectural consultants that can conduct the research and prepare the plans, this may be insufficient. She would like to see some leeway given. Additionally, requiring work to begin within three months after receiving the building permit could be a hardship on the tenants of the buildings. She suggests that work be required to begin within one year, and that eight or nine months be allowed for the initial submittal. Three years seems too long to allow for the work to be completed; she supports a shorter time period, such as two years. In response to a question from Board Member More, Ms. Goldberg confirmed that the text for the required

hazard advisory placards can fit on the prescribed sign size. She noted that staff will suggest to the City Council that the City arrange for the signs to be made and pay for them to facilitate their posting.

In response to a question from **Chair Coates**, Ms. Goldberg acknowledged that after the City recorded the existence of an unreinforced masonry building with the County Recorder, an owner's insurance rates could be affected if they change providers. **Chair Coates** agrees with the suggestions made by Board Member More for longer time periods for compliance.

Chair Coates asked for public comments.

Bruce Kendall, owner of the property at 1339 Lincoln Avenue, supports longer time periods for compliance. He is concerned about the expense of the retrofit work. His building shares a wall with the Seiberlich building, which is a two-story building, so retrofit work could be problematic.

Chair Coates noted that while the abatement of hazardous buildings is mandated by the State, he is open to longer time frames for compliance. Common walls could create a timing issue. He supports the possibility of granting a time extension if a neighboring building has to be dealt with.

Vice Chair Wilkes supports increasing the initial permit application time period to eight months. The six-month requirement could be problematic since all of the owners will be notified at the same time of the submittal requirement and probably reach out to the same consultants and engineers. He also supports 12 months to start construction to allow maximum flexibility. He thinks that the required work should be completed within 12 months instead of 36 months.

Board Member Nance observed that several of the buildings that need to be retrofitted share common walls, so one engineer may be able to address them. The retrofit work at Susie's has taken a long time due to problems with tenants and their leases.

In response to questions from **Board Member Valentine**, Ms. Goldberg opined that the City's retrofit regulations would not override existing tenant agreements; however, the proposed regulations require current tenants to be notified that they are occupying an unreinforced masonry building. A number of sources were used to determine the proposed compliance time frames, including other jurisdictions, a model ordinance promulgated by an engineering association, and the Building Official. They are not state-mandated, and the City can be flexible.

Board Member More is concerned about the extent to which a building required to be retrofitted would have to meet all health and safety aspects of the Building Code, as proposed in Section 15.46.050. Skye Barnett explained that the intent is to require compliance just with areas that are involved in the retrofit. Board Member More suggested adding language stipulating this.

Vice Chair Wilkes suggested allowing the approval of adjustments to the compliance time periods by the City Council or the Board.

Ms. Goldberg suggested adding a Subsection B to Section 15.46.070 to allow the approval of time extensions by the Board, based on a finding of extenuating circumstances.

It was the consensus of the Board to revise the draft regulations as follows:

- Amend Section 15.46.050 (A) and (B) to limit required Code compliance to areas that are related to the seismic retrofit work
- Add “application” after “building permit” in Section 15.46.070(A)(1) and increase the initial submittal time period to eight months
- Increase the time period for commencement of the retrofit work to 12 months
- Decrease the time period for completion of the retrofit work to 18 months
- Add Subsection B to Section 15.46.070 to allow the approval of time extensions by the Board.

A motion by **Board Member Valentine** and seconded by **Board Member More** to adopt BSAAB Resolution 2015-1 recommending to the City Council the adoption of seismic retrofit regulations for unreinforced masonry buildings, with the amendments outlined above, was approved unanimously.