



# City of Carmel-by-the-Sea

## Street Addresses

### Staff Presentation and City Attorney Legal Analysis

City Council Meeting  
September 10, 2024



# City of Carmel-by-the-Sea

## **Presenters:**

*Emily Garay, Administrative Analyst*

*Brian Pierik, City Attorney*

- 1. Overview of Proposed Community Engagement Plan and Implementation Plan**
- 2. City Attorney's Legal Analysis for Discussion**
  1. Street address identification regarding State and City codes
  2. A draft Ordinance
  3. Public Vote and City Options
- 3. Staff Seeks Direction from City Council**



# City of Carmel-by-the-Sea

## Overview of Street Address Exploration

- **How we got here**
- **City Council's Direction**
- **Proposed Next Steps and Considerations for a Public Vote**



# City of Carmel-by-the-Sea

## Street Address Exploration Discussions

<b>March 10, 2022</b>	City Council Strategic Priorities Workshop
<b>October 4, 2022</b>	Presentation at Regular City Council meeting
<b>January 31, 2023</b>	Update at City Council Priorities Workshop
<b>March 7, 2023</b>	Postmaster Gonzalez introduction at Council Meeting
<b>August 30, 2023</b>	Update at City Council Priorities Workshop
<b>October 3, 2023</b>	Priorities Workshop Recap - Special City Council meeting
<b>November 7, 2023</b>	Staff Report and Presentation at Regular City Council meeting
<b>March 28, 2024</b>	Update at City Council Strategic Priorities Workshop
<b>July 9, 2024</b>	Staff Report and Presentation at Regular City Council meeting



# City of Carmel-by-the-Sea

## Street Addresses System Program

### Multi-phase Process

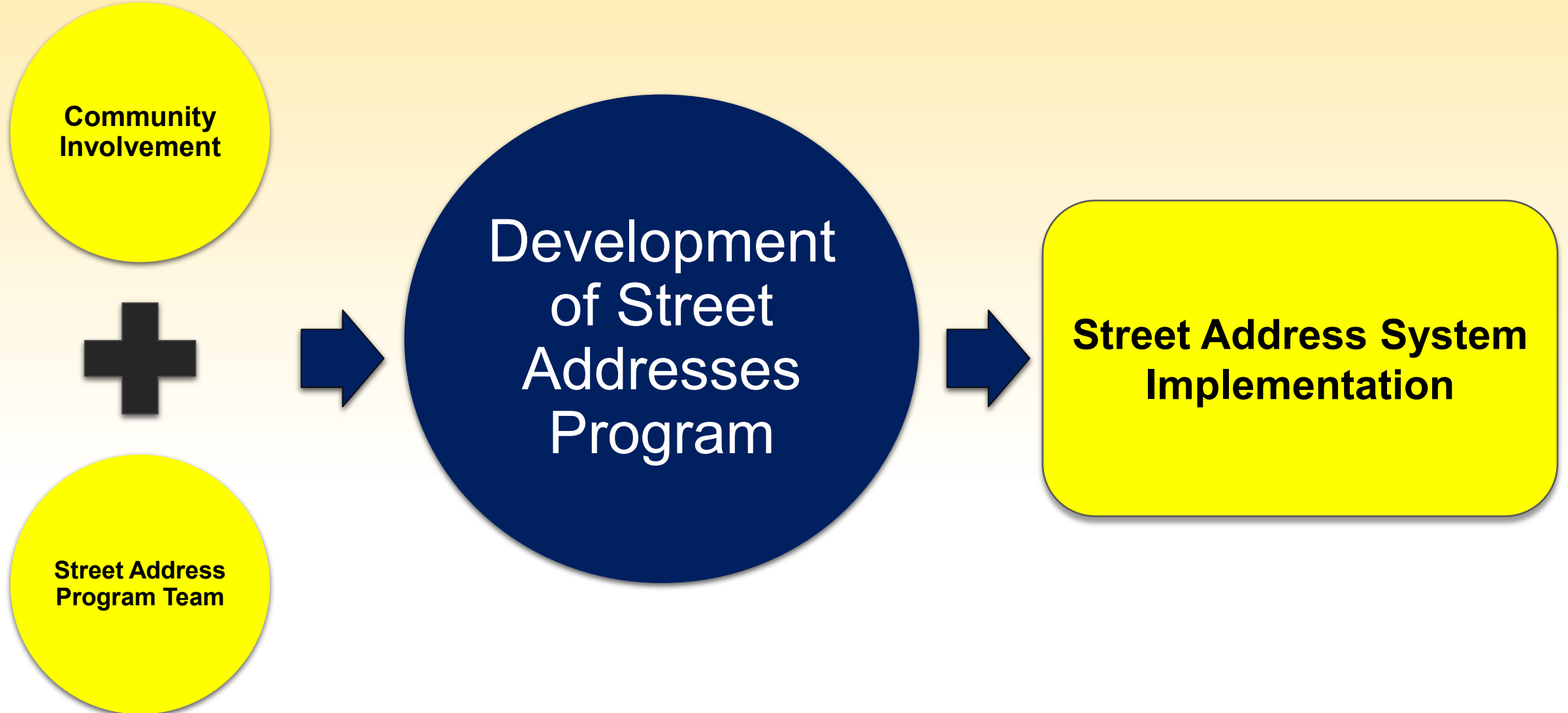
Phase 1 Community Engagement ]  
Phase 2 Implementation ]

Address System  
Development

- Combination of community engagement & administrative and technical development by City staff
- Designed to integrate public input and participation



# City of Carmel-by-the-Sea





# City of Carmel-by-the-Sea

City of Carmel-by-the-Sea (City)  
Draft Public Engagement Plan



## 1. Public Engagement Phase

Event/Engagement Type	Description
Community Informational Mailer	Mailed out to PO Boxes at downtown US Post Office Limited amount available at City Hall This document will also be available online Informs the community on "Next Steps" after Ordinance adoption and anticipated timeline
City Website Page: Community Information	<a href="https://ci.carmel.ca.us/street-addresses">https://ci.carmel.ca.us/street-addresses</a>
Informal Community Survey (opt-in)	The community has the opportunity to get involved 1. "Jump Off Point" Survey: <ul style="list-style-type: none"> <li>Questions will be developed to guide the Engagement &amp; Implementation Team</li> </ul> 2. "Preferred Address System" Survey: <ul style="list-style-type: none"> <li>Public input on which system developed to move forward with</li> <li>Survey will feature examples and overview of each system</li> </ul>
Address System Program Development	The City Planning and Building Department and additional designated staff will design a numbering/addressing system that meets public safety and standard addressing requirements <ul style="list-style-type: none"> <li>Previously gathered public input will be incorporated into preliminary address system design(s)</li> </ul>
Farmers Market Booth	Community input on map/addressing system proposal <ul style="list-style-type: none"> <li>Team will have a predetermined number of preliminary addressing systems/maps on display for public comments, suggestions, questions, etc.</li> </ul>
Community Meetings (5 Total)	----- <b>Three Community Meetings/Workshops during Engagement Phase</b> <b>Two Community Meetings during Implementation Phase</b> ----- Carpenter Hall, Recorded for Community Reference Day/Time will be noticed in the Pine Cone ----- <b>Meeting 1: Introduction to Engagement &amp; Implementation Team, Background - 1 Hour</b> <ul style="list-style-type: none"> <li>Background, Process: "How We Got Here"</li> <li>Admin Analyst: Emily Garay</li> <li>Building Official: Jermel Laurie</li> <li>Assigned Planner: _____</li> <li>Fire Chief Miller (or designated representative)</li> <li>Police Chief Tomasi (or designated representative)</li> <li>Presentation of requirements and regulations for a standard addressing system</li> </ul> <b>Meeting 2: Team/Staff Presentation of developed plan/system options to the community</b> <ul style="list-style-type: none"> <li>What works? Which system(s) best represent the community's expectations?</li> <li>Interactive Workshop – 90 Minutes</li> <li>5-10 minutes - introduction/format/agenda/process for questions submissions</li> <li>30 minutes - PowerPoint presentation of preliminary addressing systems designs</li> <li>10 minute break- for written questions, suggestions, comments gathering by staff</li> <li>45 minutes – staff answers written questions, accepts additional questions as time allows</li> </ul>

Community Engagement Plan



Implementation Plan

## Implementation Phase: City of Carmel-by-the-Sea (City) - Draft Implementation Plan

Process Sequence	Anticipated Benchmarks/Timeline
1. Address System Development	Implementation Team and Engagement Team consisting of Planning and Building staff will develop an address system/map that meets the requirements of an approved and established standard addressing system <b>3-6 months (development timeline runs with Public Engagement Phase)</b>
<i>Post-Public Engagement Phase</i>	
2. Public Mailer Notice	Mailed to PO Boxes: Notice of City Council Decision for Address System Program Implementation Specifying: Implementation of Assigned Street Address Numbers and Posting/Display Requirements only; no implementation of at-home mail delivery, and no implementation or erection of cluster boxes (or "gang mailboxes) in the City. Continued operation of the 5 <sup>th</sup> Ave. US Post Office with Centralized Delivery Mode of delivery to PO Boxes already assigned/in-use will continue as status quo <b>Within 1 month of City Council's Decision</b>
3. Community Meeting	<b>Meeting at Carpenter Hall – 60 Minutes</b> <ul style="list-style-type: none"> <li>Presentation to the community of approved Address System Program</li> <li>Final Address Numbers System/Map reviewed</li> <li>Explanation of acceptable locations on property to display assigned address numbers</li> <li>Explain "Next Steps", or what to expect as the implementation process moves forward</li> <li>Steps the City will take</li> <li>Steps residents/property owners can expect to take during the implementation phase</li> </ul> <b>1-2 months after Public Mailer Notice</b>
4. Submission of Finalized Street Address System to USPS	Carmel-by-the-Sea's Planning and Building Department submits the finalized street address system to the USPS Address Management Systems Manager for review Dependent on Implementation's Team's work capacity for any required administrative or technical updates, in any <b>1-4 months, depending on USPS review and required technical changes, if any</b>
5. Post-Address System Approval by USPS (Community Meeting)	<b>Community Meeting – 60 Minutes</b> Staff Presentation/Review of Approved Address System <ul style="list-style-type: none"> <li>Explanation of City's process to provide property owners with notice of their assigned address number</li> <li>Next Steps for Residents:  <ul style="list-style-type: none"> <li>Process to fill out and submit USPS Form 32N (attached)</li> </ul> </li> </ul>
6. Notice of Assigned Address Number	Notice to property owners by the Planning and Building Department of assigned street address number identification
7. FAQ's and Public Information for Transition	Ongoing Posted to Website as a Resource Friday Vlog Recurring in Friday Letter





# City of Carmel-by-the-Sea

## Public Engagement Phase

Event/Engagement Type | Description of the Event

### Planned Engagement

- Mailers
- Survey
- City Website
- Community Survey (opt-in)
- Farmers Market Booth
- Community Meetings (5)
- Outreach
  - Noticing, Advertising
  - The Carmel Pine Cone
  - City's Friday Letter
  - "Sign-Me Up" Email Updates
  - Friday Vlog

City of Carmel-by-the-Sea (City)  
Draft Public Engagement Plan

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# City of Carmel-by-the-Sea

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## Implementation Phase

Process Sequence | Anticipated Benchmarks/Timeline

## Post Public Engagement Phase

Address System Approved by City Council

### Proactive Communication

Preparing *for* and *during* transition

### Public Mailer Notice

### Community Meeting

Present City Council-Approved System

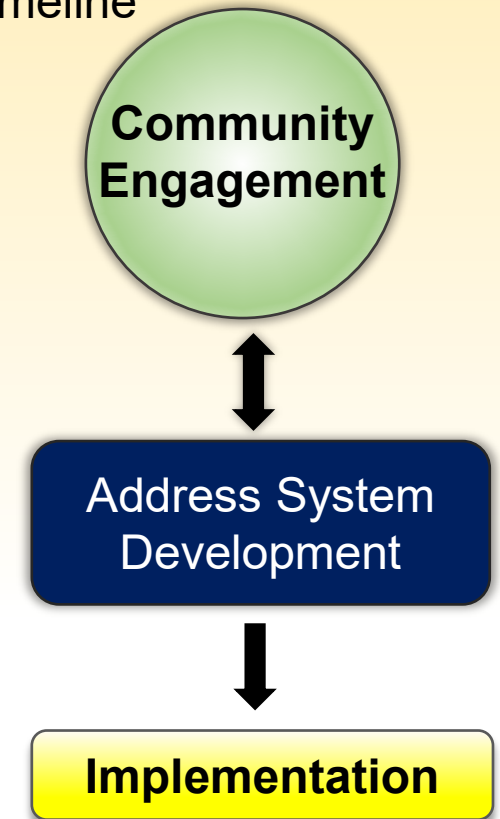
Next Steps

### Community Meeting

Presentation and Review of USPS Approved Address System

### Notice of Assigned Address Numbers

### FAQ's and Public Information for Transition





# City of Carmel-by-the-Sea

Staff Seeks City Council Direction on Community Engagement and Implementation Plans after the discussion of Legal Analysis.



# Legal Analysis

- A. OVERVIEW
- B. CALIFORNIA HEALTH & SAFETY CODE
- C. CALIFORNIA CODE OF REGULATIONS – TITLE 24
- D. HISTORY REGARDING SECTION 502.1 – ADDRESS IDENTIFICATION
- E. AMENDMENTS TO CALIFORNIA BUILDING CODES
- F. CITY MUNICIPAL CODE

CONTINUED NEXT SLIDE



# Legal Analysis - Continued

- G. DRAFT ORDINANCE
- H. PUBLIC VOTE
- I. LIMITATIONS ON USE OF INITIATIVE AND REFERENDUM
- J. COST AND TIMING OF ELECTION ON ADVISORY VOTE BALLOT MEASURE
- K. PUBLIC COMMENT ON THE BUILDING STANDARDS COMMISSION'S CURRENT RULEMAKING CYCLE FOR TITLE 24
- L. CITY OPTIONS



# A. OVERVIEW

- The Health and Safety Code directs the California Building Standards Commission to adopt, revise, and maintain Title 24, which provides for statewide building standards (“California Building Standards Code”).
- Three different parts of Title 24, the Building Code (Part 2), the Residential Code (Part 2.5) and the Fire Code (Part 9) all require address identification

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# Seven Requirements for Address Identification

- “(1) The address identification shall be legible and placed in a position that is visible from the street or road fronting the property.
- (2) Address identification characters shall contrast with their background.
- (3) Address numbers shall be Arabic numbers or alphabetical letters.
- (4) Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm).

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## Seven Requirements for Address Identification - Continued

- (5) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- (6) 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.
- (7) Address identification shall be maintained.”



## B. CALIFORNIA HEALTH & SAFETY CODE

Building standards are in Title 24 of the California Code of Regulations.

Building Standards become effective 180 days after the publication by the California Building Standards Commission subject to the ability of a City to make amendments under certain circumstances as provided by the Health & Safety Code.





# C. CALIFORNIA CODE OF REGULATIONS – TITLE 24

The Requirements for address identification covered on the Overview earlier are located in:

1. California Building Code in the California Code of Regulations Title 24, Part 2, Section 502.1
2. The California Residential Code in California Code of Regulations Title 24, Part 2.5, Section R319.1
3. The California Fire Code in the California Code of Regulations Title 24, Part 9, Section 505.1



## D. HISTORY OF SECTION 502.1 ADDRESS IDENTIFICATION

“The ability of fire, police and other emergency response personnel to identify both new and existing buildings is greatly aided by the proper placement of address identification. The size and color criteria are intended to aid visibility from the street.”



# E. AMENDMENTS TO CALIFORNIA BUILDING CODES

According to the Preface to the 2022 California Building Code (California Code of Regulations, Title 24, Volume 1 of Part 2 July 2022), a city “may establish a more restrictive building standard reasonably necessary because of local climatic, geological or topographical conditions.”



# F. CITY CODE 15.55.100(16)

- 505.1 Address identification. Buildings and parcels shall be identified by a description of Parcel location relative to the nearest cross-street intersection as determined by the Community Planning and Building Department.
- Ordinance 2018-003 Findings do not appear to relate to address identification or show how the Amendment is a more restrictive building standard reasonably necessary because of local climatic, geological or topographical conditions and is limited to the California Fire Code and does not include the Building Code or Residential Code.



# G. DRAFT ORDINANCE

If the City Council direction is for the City to use address identification as described in the California Building Standards Code, then the City would need to adopt an ordinance to amend Section 15.55.100 subsection (16) of the City of Carmel-by-the-Sea Municipal Code delete the first sentence which reads:

“Address identification. Buildings and parcels shall be identified by a description of Parcel location relative to the nearest cross-street intersection as determined by the Community Planning and Building Department.”



# H. PUBLIC VOTE

Three types of public vote:

1. Initiative – Voter Petition or City initiated  
Elections Code Sections 9200 to 9226
2. Referendum  
Elections Code Sections 9235 to 9247
3. Advisory Vote  
Elections Code Section 9603



# I. LIMITATIONS OF USE OF INITIATIVE AND REFERENDUM

There are several limitations on the use of an initiative and referendum. One of those limitations is that the subject of the initiative and referendum cannot regulate matters preempted by state law.

Address identification by a description of Parcel location relative to the nearest cross-street intersection is in conflict with the address identification requirements of the California Building Code.

An Initiative Petition or a Referendum would raise legal issues based on preemption by state law if the result would be to allow the City's current code to remain in effect.



# J. COST AND TIMING OF ELECTION ON ADVISORY VOTE

Cost: Estimate \$8,000 for General Election and \$39,000 to \$59,000 for special election

Timing:

- Special Election for Initiative in 2025 – pursuant to EC Section 1405 (between 88 days and 103 days after the order of the election, on a Tuesday); or
- Special Election for Advisory Vote in 2025 – March 4 or November 4; or
- General Election in 2026 in March or November.





# K. PUBLIC COMMENT ON COMMISSION RULEMAKING

- The California Building Standards Commission is currently in the rulemaking process for the 2025 version of Title 24.
- The public comment period for Parts 2, 2.5, and 9 begins on September 6, 2024, and ends on October 24, 2024.
- Additional information regarding the method and manner of submitting public:

<https://www.dgs.ca.gov/BSC/Rulemaking/2024-TriennialCycle/Public-Comments>



# L. CITY OPTIONS

## 1. Ordinance - Draft Attachment 5

Motion to Direct the City Administrator to return to the City Council with an Ordinance for a First Reading (Introduction) that would delete the first sentence in CMC Section 15.55.100 (16).

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# CITY OPTIONS - CONTINUED

## 2. Public Vote

- A. Voter Initiative – Council choices per Elections Code 9215: adopt the Ordinance without change or submit the Ordinance to the voters. Legal issue of state preemption if the result would be to allow the City's current code to remain in effect
- B. City Council Initiative – Propose an Ordinance to voters regarding address identification
- C. Advisory Vote – Propose a question to voters.



# CITY OPTIONS - CONTINUED

3. If a Public Vote, then:
  - Special Election for Initiative in 2025 – pursuant to EC Section 1405 (between 88 days and 103 days after the order of the election, on a Tuesday); or
  - Special Election for Advisory Vote in 2025 – March 4 or November 4
  - General Election in 2026 in March or November.
4. Provide Direction on Public Engagement Plan and Implementation Plan.
5. Other action as directed by Council.



# City of Carmel-by-the-Sea

**End of Presentation**