



## Legislation Details (With Text)

**File #:** REPORT 22-0758 **Version:** 1 **Name:**

**Type:** Action Item **Status:** Public Hearing

**File created:** 11/15/2022 **In control:** City Council

**On agenda:** 11/29/2022 **Final action:**

**Title:** AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), INCLUDING THE 2022 CALIFORNIA BUILDING CODE; THE 2022 CALIFORNIA RESIDENTIAL CODE; THE 2022 CALIFORNIA ELECTRICAL CODE; THE 2022 CALIFORNIA MECHANICAL CODE; THE 2022 CALIFORNIA PLUMBING CODE; THE 2022 ENERGY CODE; THE 2022 CALIFORNIA EXISTING BUILDING CODE; THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Interim Community Development Director Corrie Kates)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 1. Draft Ordinance, 2. 2. Redline of Changes to Title 15 (Buildings and Construction), 3. 3. Building Code Adoption Power Point, 4. 4. Link to October 25, 2022 City Council Staff Report, 5. 5. SUPPLEMENTAL eComments for item 13.b

Date	Ver.	Action By	Action	Result
11/29/2022	1	City Council	adopted	Pass

### Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of November 29, 2022

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA,  
ADOPTING BY REFERENCE THE 2022 EDITION OF THE  
CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA  
CODE OF REGULATIONS, TITLE 24), INCLUDING THE  
2022 CALIFORNIA BUILDING CODE; THE 2022 CALIFORNIA  
RESIDENTIAL CODE; THE 2022 CALIFORNIA ELECTRICAL  
CODE; THE 2022 CALIFORNIA MECHANICAL CODE;  
THE 2022 CALIFORNIA PLUMBING CODE; THE 2022 ENERGY  
CODE; THE 2022 CALIFORNIA EXISTING BUILDING CODE;  
THE 2022 CALIFORNIA GREEN BUILDING STANDARDS  
CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE  
CODE; MAKING AMENDMENTS TO SAID CODES;  
AND FINDING THE ACTION EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

(Interim Community Development Director Corrie Kates)

**Recommended Action:**

Staff recommends City Council:

1. Conduct a public hearing to consider adoption of the ordinance; and
2. Approve an Ordinance of the City of Hermosa Beach, California, adopting by reference the 2022 Edition of the California Building Standards Code (California Code of Regulations, Title 24), including the 2022 California Building Code; the 2022 California Residential Code; the 2022 California Electrical Code; the 2022 California Mechanical Code; the 2022 California Plumbing Code; the 2022 Energy Code; the 2022 California Existing Building Code; the 2022 California Green Building Standards Code; the 2021 International Property Maintenance Code; making amendments to said Codes; and finding the action exempt from the California Environmental Quality Act (**Attachment 1**).

**Executive Summary:**

The California Building Standards Commission (hereinafter the “Building Standards Commission”) is an independent commission within the State Business, Consumer Services and Housing Agency responsible for reviewing, adopting, and publishing building standards for the State of California known as the California Building Standards Code. The Building Standards Commission adopts a compilation of updated building regulations every three years. The California Building Standards Code (Codes) includes the:

- California Fire Code
- California Building Code
- California Residential Code
- California Electrical Code
- California Mechanical Code
- California Plumbing Code
- California Energy Code
- California Existing Building Code
- California Referenced Standards Code
- California Green Building Standards Code

The 2022 Codes become effective on January 1, 2023 and apply to any project submitted for plan check thereafter. For the City of Hermosa Beach to maintain its local amendments to the aforementioned Codes, the City must adopt its amendments along with the Codes at the beginning of each three-year Code cycle.

**Background:**

The State of California Title 24 construction codes are typically updated and published on a three-year cycle. The International Code Council published the base codes in 2021, titled the 2021 International Building Code, the 2021 International Residential Code, etc. Subsequently, the various California regulatory agencies such as the State Fire Marshal’s office, the Office of Statewide Health

Planning and Development (OSHPD), the Division of the State Architect (DSA), and the California Department of Housing and Community Development (HCD) review and amend these base codes and republish them as the California Building Codes, Parts 1 through 12. The Building Standards Commission then publishes the triennial code updates, typically on July 1, and State law mandates that the updated codes become effective throughout California 180 days after the publication date.

The latest cycle publication date was July 1, 2022, meaning that the current cycle of State construction codes take effect on January 1, 2023. This is done to foster uniformity in fire prevention, life/safety, and construction standards statewide. Local jurisdictions are permitted to use the ensuing 180 days after publication to review and amend the California published codes based on local climatic, geological, or topographical conditions.

### ***Past Council Actions***

<b>Meeting Date</b>	<b>Description</b>
October 25, 2022	City Council waived full reading and introduced by title only an Ordinance adopting by reference the 2022 Edition of the California Building Standards Code

### **Analysis:**

The proposed Ordinance adopts selected parts of the 2022 Codes, which staff recommends amending; specifically, the 2022 California Building Code, 2022 California Residential Code, the 2022 California Electrical Code, the 2022 California Mechanical Code, the 2022 California Plumbing Code, the 2022 California Energy Code, and the 2022 California Existing Building Code. The 2021 International Property Maintenance Code is not adopted by the State in Title 24 but is recommended by staff for adoption as a companion code to the others, as it provides tools for dealing with dilapidated buildings and rental properties. The remaining parts of Title 24 will take effect on January 1, 2023 without any action required on the part of the City; staff has not identified any need to amend the remaining parts locally.

Prior to adoption of an Ordinance amending these Codes, the City Council is required to hold a public hearing and make findings authorizing all local amendments based on climatic, geologic, and topographical conditions. If the Ordinance is approved by Council, the 2022 Editions of the California Building Standards Code and related Codes and the local amendments will take effect on January 1, 2023.

The attached Ordinance (**Attachment 1**) adopts the 2022 Editions of the California Building Standards Code and related Codes, as well as the 2021 International Property Maintenance Code with local amendments. The Codes to be adopted prescribe regulations governing site preparation and construction, alteration, moving, demolition, repair, maintenance, use, and occupancy of all buildings and structures within the City of Hermosa Beach and are designed to protect the health, safety, and welfare of individuals in the community. The City did not incorporate the International Property Maintenance Code in 2019 and it is not currently in the Hermosa Beach Municipal Code. The 2021 International Property Maintenance Code is not adopted by the State in Title 24 but is a

good companion code to the other suite of codes and provides tools for dealing with dilapidated buildings and rental properties.

**Exhibit A** to the Ordinance provides the applicable administrative, topographical, climatic, and geologic findings supporting each of the proposed amendments and additions to the 2022 Codes proposed in the Ordinance.

The attached redline (**Attachment 2**) shows the Ordinance's proposed changes to Title 15 (Buildings and Construction).

### *Fire Code*

Nearly all the City's existing local amendments have been carried over to the current recommended code adoption. As of January 1, 2018, the City has been contracting for fire services with Los Angeles County. Pursuant to the contract, the City has agreed to adopt the County Fire Code, Title 32 of the Los Angeles County Code, which adopts the State fire code with local amendments. The County has not yet adopted the amended 2022 Edition of the California Fire Code, which is scheduled for some time after January 1, 2023. Therefore, the proposed ordinance adopts the State fire code with local amendments. When L.A. County adopts its Fire Code, staff will bring back an ordinance recommending its adoption by reference.

### *Code Appendices*

The Codes comprising the California Building Code include appendices of regulations for specific categories of structures and topics. Appendices are not mandatory provisions of the building standards applicable to local construction unless specifically referenced in a local adopting ordinance.

### *Public Notice*

A notice of the public hearing was published in advance of the hearing for first reading on October 25, 2022. For second reading, notice of the November 29, 2022 public hearing was published once a week for two consecutive weeks pursuant to Government Code sections 6066 and 50022.2. Due to the length of the Ordinance, a summary of the Ordinance was published five days in advance of the second reading and will be published within 15 days after its adoption.

### **General Plan Consistency:**

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

### *Governance Element*

#### **Goal 7. Community sustainability and health are a priority in policy and decision-making.**

##### **Policy:**

- **7.6** Livability principles. Amend or update policies that may run counter to livability, sustainability, and health principles.

*Sustainability + Conservation Element*

**Goal 4. A leader in reducing energy consumption and renewable energy production.**

Policy:

- **4.5** Sustainable building standards. Use sustainable building checklists to minimize or eliminate waste and maximize recycling in building design, demolition, and construction activities.

**Fiscal Impact:**

There is no fiscal impact associated with the recommended action.

**Attachments:**

1. Draft Ordinance
2. Redline of Changes to Title 15 (Buildings and Construction)
3. Power Point Presentation
4. Link to October 25, 2022 City Council Staff Report

**Respectfully Submitted by:** Corrie Kates, Interim Community Development Director

**Concur/Legal Review:** Mike Jenkins, City Attorney

**Approved:** Suja Lowenthal, City Manager