



Legislation Details (With Text)

**File #:** ORD 17-0021 **Version:** 2  
**Type:** Consent - SR w/Ordinance **Status:** Agenda Ready  
**In control:** City Council Regular Meeting  
**On agenda:** 10/17/2017 **Final action:** 10/3/2017  
**Title:** Adopt Ordinance No. 17-0021 to Amend Title 9 to Modify the Plan Review and Permit Expiration Sections of the Manhattan Beach Municipal Code and Clarify the Issuance of Permits to Owner-Builders (Community Development Director McIntosh).  
ADOPT ORDINANCE NO. 17-0021

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance No. 17-0021, 2. Excerpt from the Business and Professions Code (Section 7044), 3. Excerpt from the Health and Safety Code (Section 19825)

Date	Ver.	Action By	Action	Result
10/17/2017	2	City Council Regular Meeting		
10/3/2017	1	City Council Regular Meeting		
10/3/2017	1	City Council Regular Meeting	approved	Pass

**TO:**  
Honorable Mayor and Members of the City Council

**THROUGH:**  
Mark Danaj, City Manager

**FROM:**  
Anne McIntosh, Community Development Director  
Ryan Heise, Building Official

**SUBJECT:**  
Adopt Ordinance No. 17-0021 to Amend Title 9 to Modify the Plan Review and Permit Expiration Sections of the Manhattan Beach Municipal Code and Clarify the Issuance of Permits to Owner-Builders (Community Development Director McIntosh).  
**ADOPT ORDINANCE NO. 17-0021**

**RECOMMENDATION:**  
Staff recommends that Council adopt Ordinance No. 17-0021 on second reading.

**FISCAL IMPLICATIONS:**  
Extension requests and new plan check/permit applications have associated fees that offset the fiscal impacts of the review process. Therefore, the code changes are cost neutral.

**BACKGROUND:**  
On October 3, 2017, the City Council approved a change to MB Municipal Code Section 9.01.040,

9.03.030, and 9.02.020 “Plan Review Expiration” and extended the limit to the number of extensions to a total of 2 years. For projects that have been abandoned or have suspended work for longer than 180 days the plan review will expire and the project will need to be completely resubmitted as specified in the current Municipal Code requirements.

Additionally, the City Council approved a change to MB Municipal Code Section 9.01.050, 9.03.040, and 9.02.030 “permit expiration” by extending the limit to the number of extensions to a total of 4 years when the complexity of the project warrants the additional time.

Finally, the City Council approved an amendment to Section 9.04.010 “requirements for issuance of building permits and license” to remove the outdated Owner-Builder definition and referencing the California Business and Professions code along with the California Health and Safety Code directly, the MB Municipal Code will remain current as the respective Codes are updated in future editions.

#### **PUBLIC OUTREACH/INTEREST:**

An email was distributed to the City’s Construction Community distribution list notifying the recipients of this item and the City Council meeting date.

#### **ENVIRONMENTAL REVIEW**

The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance, and the prohibitions established hereby, may have a significant effect on the environment, because the Ordinance will impose limitations on activities in the City, and will thereby serve to eliminate potentially significant adverse environmental impacts. It is therefore not subject to the California Environmental Quality Act review pursuant to Title 14, Chapter 3, Section 15061(b)(3) of the California Code of Regulations. A Notice of Exemption will be prepared.

#### **LEGAL REVIEW**

The City Attorney has approved as to form the attached ordinance.

#### **Attachments:**

1. Ordinance No. 17-0021
2. Excerpt from the Business and Professions Code (Section 7044)
3. Excerpt from the Health and Safety Code (Section 19825)