



## Legislation Text

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**File #:** 19-0439, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Jeff Gibson, Interim Community Development Director

Ryan Heise, Building Official

Susan Yuzuki, Plan Check Engineer

**SUBJECT:**

Conduct Public Hearing and Consider Adopting an Ordinance Adopting the Most Recent California Building Standards Code and City Amendments to the Following Codes: 2019 California Building Code, 2019 California Residential Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Existing Building Code, 2019 California Green Building Standards Code, 2019 California Energy Code, 2019 California Administrative Code, 2019 California Historical Building Code, 2019 California Referenced Standards Code, and 1997 Uniform Code for the Abatement of Dangerous Buildings; Adopting Local Amendments to the Referenced Codes; Resolution Setting Forth Findings for Local Amendments; and Amending Titles 5 and 9 of the Manhattan Beach Municipal Code Related to Construction Activity and Post-Disaster Activities (Interim Community Development Director Gibson).

- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT ORDINANCE NO. 19-0015**
- c) **ADOPT RESOLUTION NO. 19-0095**

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**RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance No. 19-0015 (Building Codes) and adopt Resolution No. 19-0095.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

The California Building Standards Commission published the most recent edition of Title 24 of the California Code of Regulations known as the California Building Standards Code on July 1, 2019, to become effective on January 1, 2020. The Triennial Code Adoption Cycle is a routine rule-making process that occurs every three years in which various State agencies adopt building standards based on national model codes. State law requires local governments to enforce the California Building Standards Code; most cities adopt the published Title 24 by reference. The City must adopt these codes with any local amendments before the January 1, 2020, date. These Building Standards Codes include the 2019 California Administrative, Building, Residential, Electrical, Mechanical,

Plumbing, Energy, Historical, Existing, Green Building, and Referenced Standards Codes. The last complete set of building codes was adopted by the State in 2016 and became effective on January 1, 2017. Based upon express findings, the City amended certain provisions due to the unique climatic, geological and topographical conditions prevailing within the City pursuant to California Health and Safety Code Sections 17958.5 and 18941.5.

In addition, the Ordinance also adopts Applied Technology Council ATC-20 Procedures for Post-earthquake Safety Evaluation of Buildings and companion field manual for post-earthquake and post-disaster safety evaluations of buildings and structures. Rules for construction activity regarding cleanup of debris and vehicular activity are also amended by the Ordinance.

On October 15, 2019, the City Council introduced the ordinance and set a public hearing for November 19, 2019. At this time, the Mayor should open the public hearing and receive comments. After the public hearing is closed, the Council should adopt the ordinance and the resolution.

### **DISCUSSION:**

The State of California has adopted the 2019 California Building Standard Codes which must in turn be adopted or utilized by each city or county. The City is able to amend certain provisions as reasonably necessary because of the unique climatic, geological or topographical conditions prevailing within the City. California Health and Safety Code Sections 17958.5 and 18941.5 permit amendments to the California Building Standard Codes provided that findings of necessity can be made. Resolution No. 19-0095 contains those findings. In addition, staff has proposed amendments to the Municipal Code which consolidate construction rules for code enforcement purposes and which update obsolete code chapters. The proposed amendments are consistent with the current Manhattan Beach Municipal Codes and past practice.

Ordinance No. 19-0015 can be found at the following link:

<https://www.citymb.info/Home/ShowDocument?id=41063>. The most significant current amendments to the Building Standards Codes proposed at this time are:

1. Continue to limit the maximum duration of construction permits to four years for construction projects, instead of the State provision which has no definite limit, in order to minimize neighborhood construction impacts and to ensure that new construction is consistent with the most current Codes.
2. Continue to prohibit new roof or re-roof covering material of wood shakes and wood shingles due to fire safety concerns.
3. Continue the current requirements for undergrounding or stubbing out of utilities for major remodels and new construction to accommodate possible future utility undergrounding.
4. Continue to disallow aluminum conductors because of our unique moist beach climate conditions, which can cause arcing and sparking from aluminum conductors.
5. Require an increase in the number of electric vehicle charging spaces and service

equipment for multi-residential, hotel, motel, and non-residential projects.

6. Continue to require sustainable building measures regarding water conservation, material conservation, waste management diversion, and air quality improvements.

A majority of the amendments clarify and update the structural requirements due to potential hazards specific to our community. These amendments are part of the joint effort by 89 jurisdictions within Los Angeles County to develop the Los Angeles Regional Uniform Code Program. The amendments include additional structural engineering design-related provisions for earthquake, wind, and other geologic, topographic, or climatic concerns. Under the proposed energy efficiency standards, buildings will use 30 - 50% less energy than those built under the current standards, which will reduce greenhouse gas emissions by 700,000 metric tons statewide over three years.

According to California Health and Safety Code Section 17958.7, the Council must find specific, local needs to support amendments which must be more restrictive than the State-adopted model codes. These findings are included in Resolution No. 19-0095. If the City Council adopts the ordinance and resolution, both documents will be filed with the California Building Standards Commission.

The California Building Standards Code that will become effective statewide is the 2019 edition. Each of these state construction codes is based on national model codes as adopted or amended by the California Building Standards Commission. These model codes are published by various professional organizations including the International Code Council, the International Association of Plumbing and Mechanical Officials and the National Fire Protection Association.

In addition, the Ordinance replaces outdated Manhattan Beach Municipal Code provisions by adopting Applied Technology Council ATC-20 Procedures for Post-earthquake Safety Evaluation of Buildings and companion field manual for post-earthquake and post-disaster safety evaluations of buildings and structures. Rules for construction activity regarding cleanup of construction debris on adjacent properties were updated and relocated to the Construction Rules section of the Manhattan Beach Municipal Code. Rules regarding vehicular activity associated with construction were amended by the Ordinance to be consistent with rules for construction activity.

#### **PUBLIC OUTREACH:**

An email notice was distributed to the City's Construction Community Distribution List notifying the recipients of this item and the City Council meeting date. Notice of this public hearing was published for two successive weeks in The Beach Reporter.

#### **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, and the Resolution, 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. The Resolution simply contains findings to support local amendments. 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 reviewed this report and determined that no additional legal analysis is

necessary

**ATTACHMENT:**

1. Resolution No. 19-0095