



# City of Culver City

## Staff Report

File #: 20-484, Version: 1

Item #: PH-1.

**CC - PUBLIC HEARING: (1) Introduction of an Ordinance (A) Repealing and Replacing Culver City Municipal Code Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", and Adopting by Reference the 2019 California Building Standards Administrative Code, 2019 California Building Code with Local Amendments, 2019 California Residential Building Code with Local Amendments, 2019 California Electrical Code, 2019 California Mechanical Code with Local Amendments, 2019 California Plumbing Code with Local Amendments, 2019 California Energy Code, 2019 California Historical Building Code with Local Amendments, 2019 Existing Building Code with Local Amendments, 2019 California Green Building Standards Code with Local Amendments, and 2019 California Reference Standards Code; 2018 International Property Maintenance Code with Local Amendments; (B) Repealing Culver City Municipal Code Chapter 15.14 (Electric Vehicle Charging Stations), Subchapters 15.02.500 (Sandblasting), 15.02.800 (Hillside Drainage), 15.02.1000 (Solar Photovoltaic Systems), 15.02.1200 (Expedited Solar System Permitting), and 15.02.1300 (Hillside Grading Requirements and Permitting) of Chapter 15.02, and incorporating the contents into the various State Codes as Amendments; and (C) Repealing Subchapter 15.02.1100 (Green Building Program and Requirements) and Replacing it with New Subchapter 15.02.1100 (Local Amendments to the 2019 California Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Codes Standards; and (2) Adoption of a Resolution of Express Findings Pertaining to Local Climatic, Geological or Topographical Conditions.**

**Meeting Date:** November 18, 2019

**Contact Person/Dept:** Lukas Quach/CDD, Building Official

**Phone Number:** (310) 253-5802

**Fiscal Impact:** Yes  No  **General Fund:** Yes  No

**Public Hearing:**  **Action Item:**  **Attachments:**

**Commission Action Required:** Yes  No  **Date:**

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (11/13/19);  
Publication in the Culver City News (10/31/19 and 11/07/19)

**Department Approval:** Sol Blumenfeld, Community Development Director (11/07/19)

## **RECOMMENDATION**

Staff recommends the City Council conduct a Public Hearing and:

1. Introduce an ordinance:

A. Repealing and Replacing Culver City Municipal Code Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", and Adopting by Reference the 2019 California Building Standards Administrative Code, 2019 California Building Code with Local Amendments, 2019 California Residential Building Code with Local Amendments, 2019 California Electrical Code, 2019 California Mechanical Code with Local Amendments, 2019 California Plumbing Code with Local Amendments, 2019 California Energy Code, 2019 California Historical Building Code with Local Amendments, 2019 Existing Building Code with Local Amendments , 2019 California Green Building Standards Code with Local Amendments, and 2019 California Reference Standards Code; 2018 International Property Maintenance Code with Local Amendments; and

B. Repealing Culver City Municipal Code Chapter 15.14 (Electric Vehicle Charging Stations), Subchapters 15.02.500 (Sandblasting), 15.02.800 (Hillside Drainage), 15.02.1000 (Solar Photovoltaic Systems), 15.02.1200 (Expedited Solar System Permitting), and 15.02.1300 (Hillside Grading Requirements and Permitting) of Chapter 15.02, and incorporating the contents into the State Codes as Local Amendments; and

C. Repealing Subchapter 15.02.1100 (Green Building Program and Requirements) and Replacing it with New Subchapter 15.02.1100 "Local Amendments to the 2019 California Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Codes Standards"; and

2. Adopt a Resolution of Express Findings Pertaining to Local Climatic, Geological or Topographical Conditions.

## **PROCEDURE**

1. Mayor seeks a motion to receive and file the affidavit for publishing a legal notice.
2. Mayor requests a brief staff report and City Council poses questions to staff as desired.
3. Mayor opens public hearing and invites public comments.
4. Mayor seeks a motion to close the public hearing.
5. Based on public comment and staff research, City Council discusses the proposed recommendation and arrives at its decision.

## **BACKGROUND**

The California Building Standards Commission in 2019 adopted the Triennial Edition of the California Code of Regulations, Title 24 (California Building Standards Code), consisting of the 2019 California Building Standards Administrative Code, 2019 California Building Code, 2019 California Residential Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Energy Code, 2019 California Historical Building Code, 2019

Existing Building Code, 2019 California Green Buildings Standards Code, and 2019 California Reference Standards Code, as well as other regulations (collectively referred to herein as the California Codes).

All jurisdictions in California are required to adopt the California Codes based on the California Code of Regulations, Title 24.

The 2019 California Codes will go into effect statewide January 1st, 2020, and will be in effect in all jurisdictions in California as of that date, whether adopted by local jurisdictions or not. Local jurisdictions may adopt amended versions of the California Codes but only if they are stricter than the base California Codes and such amendments are subsequently approved by the California Building Standards Commission. Administrative amendments necessary to carry out procedures by the City relating to civil, administrative or criminal procedures and remedies for carrying out and enforcing building standards, and that do not establish building standards, may be enacted without meeting such requirements.

The 2019 California Energy Code, Part 6, the California Administrative Code, Part 1, Chapter 10, and the 2019 California Green Building Standards Code, Part 11, will also into effect January 1st, 2020.

The State Codes provides the minimum construction standards. Under the state law, local jurisdictions are permitted to make amendments to the State Codes if findings are made pertaining to local conditions that make it reasonably necessary because of local climatic, geological or topographical conditions. The Building Safety Division is proposing amendments to the California Building, Residential, Plumbing, and California Green Buildings Standards (CalGreen) Codes. The amendments will affect construction of new buildings and additions to existing buildings, and are generally not retroactive to existing buildings.

## **DISCUSSION**

There are a number of different local amendments to the California Codes that the Building Safety Division is recommending, as follows:

### **Los Angeles Regional Uniform Code Program Recommended Amendments**

The Los Angeles Basin Chapter of the International Code Council represents over eighty-nine jurisdictions in the Los Angeles County region. The Chapter and its membership are active in leading the effort to create uniformity of building codes and regulations in the Los Angeles region. One such effort to promote uniformity of building regulations is through the Los Angeles Regional Uniform Code Program (LARUCP), which began in 1999 to minimize the number of, and to develop uniformity of, local technical amendments to the model codes. There are several categories of LARUCP recommended codes that we propose incorporating into Culver City's various Building Codes, including provisions related to seismic structural provisions, intermodal shipping containers, and CalGreen Electric Vehicle Supply Equipment (EVSE) Amendments.

#### *Seismic Structural Provisions*

The City of Culver City is within the greater Los Angeles region which is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake which resulted in over 60 deaths, left more than 25,000 people homeless and caused approximately \$40 billion in economic loss.

The majority of the LARUCP recommended amendments are related to the technical seismic provisions of the code. The amendments emphasize that the design concern is for seismic-force-resisting elements and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the most recent California Building Code and local geological conditions.

### *Intermodal Shipping Containers*

There is an abundant supply of unused intermodal shipping containers in the Los Angeles area. The proposed amendment is intended to assist code officials address the environmental impact of unused materials, reduce consumption of traditional raw materials, minimize non-industrial wastes, and ensure minimum design and safety standards associated with the repurposing of existing intermodal shipping containers as buildings or structures or component of buildings and structures are achieved.

### *CalGreen EVSE Amendments*

In addition to the recommended amendments to the Building and Residential Codes, LARUCP also has recommendations for amendments in the CalGreen Standards to ensure and encourage energy efficiency and sustainable practices are incorporated into building designs and constructions requiring a certain percentage of parking stalls to be provided with EV charging space capable of supporting future EVSE and EV charging stations. Increasing the number of EV charging space or stations will allow both the community and residents to benefit from reduced local air and noise pollution, combat climate change, and improve their health and lifestyle.

### **Grading and Drainage Amendments**

There are sections of Culver City that have hilly terrain that need to be graded and properly drained to ensure its safe development. With the adoption of Appendix J of the California Building Code, and its proposed amendments, the Building Safety Division will have the guidelines and technical provisions to enforce grading requirements. Additionally, so that all the grading and drainage provisions are in one section, the requirements of the Hillside Grading Requirements and Permitting Ordinance as well as the Hillside Drainage Ordinance are incorporated into the Appendix J of the California Building Code.

### **Voluntary Seismic Retrofit**

In Appendix A of the 2019 Existing Building Code, there are guidelines for upgrading the seismic-resistance capacity of different types of existing buildings. These provisions are not mandatory, as there are many challenges associated with developing mandatory retrofits programs. These obstacles include being able to address how the costs and benefits be equitably shared by the

various stakeholders; how the City incentivize mandatory retrofits; and what risk is acceptable by the public when we do not retrofit unsafe, structurally deficient buildings.

At this time, Staff is proposing the adoption of earthquake mitigation standards in Appendix A in the new Building Code as a **Voluntary** measure. If adopted, building owners will have an option to use a city-approved earthquake mitigation methodology outlined in Appendix A to seismically upgrade their older buildings to a nationally recognized standard. This will not only result in a more earthquake resistant building, but may mean lower insurance rates for our residents and business owners. Appendix A is separated out into four sub sections (A1 to A4) based on the type of deficiency:

- Appendix A1 has the Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings;
- Appendix A2 provides guidelines or Earthquake hazard Reduction in Existing Reinforced Concrete and Masonry Wall Buildings with Flexible Diaphragm;
- Appendix A3 is for the Seismic Strengthening of Cripple Walls and Will Plate Anchorage of Light, Wood-Frame Residential Buildings; and
- Appendix A4 has to do with the Earthquake Risk Reduction in Wood frame Residential Buildings with Soft, Weak or Open Front Walls (SWOF), commonly known as Soft-story Retrofit.

The City is working on a Mandatory Seismic Retrofit of Buildings with Soft, Weak or Open Front Walls (SWOF). Phase One, which has been completed by the City's consultant Degenkolb, involved citywide survey mapping and a summary report on findings presented to City Council. Phase Two involves community outreach meetings; preparation of a preliminary draft technical ordinance; review of the technical ordinance with City stakeholders, a Technical Advisory Group (selected by City Council), and peer cities involved in similar ordinances; finalization of the draft technical ordinance; and final presentation to City Council. When adopted, the Mandatory program will replace the Voluntary Provisions of Appendix A4.

### **Automatic Gas Shut-off Valves**

Poorly constructed buildings are one of the biggest threats to human life and property during an earthquake. Fire caused by gas explosions from damaged pipes is another. According to the California Seismic Safety Commission, about one in four fires after an earthquake is related to natural gas leaks. Fire is one of the biggest threats to life and property after an earthquake. To reduce this potential hazard, an amendment to the California Plumbing Code is proposed, requiring the installation of earthquake gas shut-off valves for new construction, remodel/addition with valuation greater than \$10,000, and when the property is being sold.

### **Highlights of the Administrative Amendments**

Administrative amendments necessary to carry out procedures by the City relating to civil, administrative or criminal matters, and remedies for carrying out and enforcing building standards, and that do not establish building standards, may be enacted without express finding that such modifications are reasonably necessary because of local climatic, geological, or topographical conditions. The proposed changes include extending plan check and permit expirations to 12

months; providing criteria for plan check and permit extension and refund; imposing a penalty for doing work without a permit; and requiring a survey certification to reduce the risk of inadvertently building too close the property lines or setbacks.

### Phase 1 Reach Code Standards

The City of Culver City has taken steps to address the adverse impacts of construction development on local, regional and global ecosystems. Reduction in the use of natural resources, the creation of healthier living environments, and minimizing the negative impacts of development will enhance the quality of life for the community. Amendments to the California Building Code, California Residential Code and California Green Building Standards Code are proposed to comprise Phase 1 of Culver City's Reach Code standards amendments, which will be codified in CCMC Subchapter 15.02.1100. These regulations establish achievable standards that do not affect energy conservation. Future Reach Code standards that improve energy usage will be considered in early 2020, separately under Phase 2.

### Reorganization of Chapter 15.02

In addition to the proposed amendments, staff also reviewed CCMC Chapter 15.02 and recommends a reorganization, to be more aligned with conventional Building Code structure. Each Subchapter containing building standard provisions are relocated to its corresponding Building Code. The table below provides a summary of how Chapter 15.02 is proposed to be reorganized.

Subchapter Repealed	Subchapter Title	Ordinance number	
15.02.500	Sandblasting	2003-015	Relocated to CRC R105.1.1 & CBC 118
15.02.800	Hillside Drainage	2003-015	Relocated to Appendix J113
15.02.1000	Solar Photovoltaic System	2008-004	Relocated to CBC 117
15.02.1100	Green Building Program and Requirements	2009-004	Replaced with Reach Codes
15.02.1200	Expedited Solar System Permitting	2015-007	Relocated to CRC R105.3.2.2
15.02.1300	Hillside Grading Requirements and Permitting	2019-007	Relocated to CBC J112
15.14	Electric Vehicle Charging Stations Permitting	2017-13	Relocated to CRC R105.3.1.2 & CBC 105.3.1.1

### SUMMARY

The Building Safety Division is recommending that the above changes and modifications be made

to the respective California Codes, and is advising that amendments are reasonably necessary due to local climatic, geological, or topographical conditions in Culver City. The amendments are intended to ensure that structures are designed and constructed in accordance with the scope and objectives of the Code; to mitigate the potential fire hazard due to gas leaks; to minimize the environmental impact of unused materials; and to be in code uniformity with the local surrounding jurisdictions. These modifications are reasonably necessary to safeguard life and property within the City of Culver City. A proposed resolution of express findings of local climatic, geological, or topographical conditions, as required by the state, is attached for adoption this evening.

## **FISCAL ANALYSIS**

There is minimal fiscal impact associated with adopting the updated California Building Code regulations. They may include additional training of plan checking, inspection, and permitting staff, updating handouts and websites, indirect training time of applicants, and outreaching to the community.

There will also be additional costs associated with construction projects as with each code cycle, the requirements for building safer, more resilient, and more energy efficient structures increase.

## **ATTACHMENTS**

1. 2019-11-18\_ATT - Proposed Ordinance
2. 2019-11-18\_ATT - Resolution Express Findings
3. 2019-11-18\_ATT - Current Chapter 15.02: Buildings, Structures, and Equipment
4. 2019-11-18\_ATT - Current Chapter 15.14: Electric Vehicle Charging Stations
5. 2019-11-18\_ATT - Public Hearing Notice

## **MOTION**

That the City Council:

1. Introduce an Ordinance:
  - A. Repealing and Replacing Culver City Municipal Code Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", and Adopting by Reference the 2019 California Building Standards Administrative Code, 2019 California Building Code with Local Amendments, 2019 California Residential Building Code with Local Amendments, 2019 California Electrical Code, 2019 California Mechanical Code with Local Amendments, 2019 California Plumbing Code with Local Amendments, 2019 California Energy Code, 2019 California Historical Building Code with Local Amendments, 2019 Existing Building Code with Local Amendments, 2019 California Green Building Standards Code with Local Amendments, and 2019 California Reference Standards Code; 2018 International Property Maintenance Code with Local Amendments;

B. Repealing Culver City Municipal Code Chapter 15.14 (Electric Vehicle Charging Stations), Subchapters 15.02.500 (Sandblasting), 15.02.800 (Hillside Drainage), 15.02.1000 (Solar Photovoltaic Systems), 15.02.1100 (Green Building Program and Requirements), 15.02.1200 (Expedited Solar System Permitting), and 15.02.1300 (Hillside Grading Requirements and Permitting) of Chapter 15.02, and incorporating the contents into the various State Codes as Amendments; and

C. Repealing Subchapter 15.02.1100 (Green Building Program and Requirements) and Replacing it with New Subchapter 15.02.1100 “Local Amendments to the 2019 California Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Codes Standards”;

and

2. Adopt a Resolution of Express Findings Pertaining to Local Climatic, Geological or Topographical Conditions.