



# City of Culver City

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## Staff Report Details (With Text)

**File #:** 23-147      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Public Hearing

**File created:** 8/19/2022      **In control:** City Council Meeting Agenda

**On agenda:** 9/19/2022      **Final action:**

**Title:** 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", (B). Repealing and Replacing Culver City Municipal Code Subchapter 15.02.1100, of Chapter 15.02, "Local Amendments to the Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Code Standards" and (C) Adopting by Reference the 2022 California Building Standards Administrative Code, 2022 California Building Code with Local Amendments, 2022 California Residential Building Code with Local Amendments, 2022 California Electrical Code, 2022 California Mechanical Code with Local Amendments, 2022 California Plumbing Code with Local Amendments, 2022 California Energy Code, 2022 California Historical Building Code, 2022 Existing Building Code with Local Amendments, 2022 California Green Building Standards Code with Local Amendments, and 2022 California Reference Standards Code; 2021 International Property Maintenance Code with Local Amendments; and (2) Adoption of a Resolution of Express Findings Pertaining to Local Climatic, Geological or Topographical Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance - 2022 Building Code Update.pdf, 2. Resolution of Express Findings.pdf, 3. Current Chapter 15.02: Buildings, Structures, and Equipment, 4. Building Code Public Hearing Notice 09-19-2022- Public Notice.pdf

Date	Ver.	Action By	Action	Result
9/19/2022	2	City Council Meeting Agenda		
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**Meeting Date:** September 19, 2022

**Contact Person/Dept.:** Tim Koutsouros, Building Official/Community Development

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

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

**Attachments:** Yes  No

**Commission Action Required:** Yes  No

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (09/14/2022) Publication in the Culver City News (08/25/2022)

**Department Approval:** Sol Blumenfeld, Community Development Director (08/31/2022)

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## **RECOMMENDATION**

Staff recommends the City Council:

(1) Introduce an ordinance (a) repealing and replacing Culver City Municipal Code (CCMC) Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", (b) repealing and replacing CCMC Subchapter 15.02.1100, of Chapter 15.02, "Local Amendments to the Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Code Standards", and (c) adopting by reference the 2022 California Building Standards Administrative Code, 2022 California Building Code with Local Amendments, 2022 California Residential Building Code with Local Amendments, 2022 California Electrical Code, 2022 California Mechanical Code with Local Amendments, 2022 California Plumbing Code with Local Amendments, 2022 California Energy Code, 2022 California Historical Building Code, 2022 Existing Building Code with Local Amendments, 2022 California Green Building Standards Code with Local Amendments, and 2022 California Reference Standards Code; 2021 International Property Maintenance Code with Local Amendments; 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 2022 adopted the Triennial Edition of the California Code of Regulations, Title 24 (California Building Standards Code), consisting of the 2022 California Building Standards Administrative Code, 2022 California Building Code, 2022 California Residential Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Historical Building Code, 2022 Existing Building Code, 2022 California Green Buildings Standards Code, and 2022 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 2022 California Codes will go into effect statewide January 1st, 2023 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 2022 California Energy Code, Part 6, the California Administrative Code, Part 1, Chapter 10, and the 2022 California Green Building Standards Code, Part 11, will also go into effect January 1st, 2023.

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 several local amendments to the 2022 California Building Standard Codes the Building Safety Division is recommending for adoption. Most of the amendments that are proposed are a continuation of the previously adopted 2019 California Building Code amendments. There is one new proposed amendment to adopt Appendix I of the California Residential Code, which provides standards for legacy septic systems for single family homes in the city. There are minor administrative changes that are editorial in nature.

An amendment considering the electrification portion of the reach code, which may potentially restrict new natural gas installation will be brought to City Council for consideration at a subsequent meeting. This will provide staff with additional time to research and conduct public outreach

necessary to prepare a draft code amendment.

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

The Los Angeles Basin Chapter of the International Code Council represents over 89 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 are proposed for adoption incorporating into Culver City's Building Codes, including provisions related to seismic structural provisions, and intermodal shipping containers reuse for building construction purposes.

### *Seismic Structural Provisions - Carry over of existing amendments*

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.

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 - Carry over of existing amendments*

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. There are edits to this section to reflect the model code chapter structure realignment and changes.

### *CalGreen EVSE Amendments - Omit*

Zoning Section 17.320.035 of the Culver City Municipal Code contains EV reach standards and no further CALGreen EVSE amendments are recommended.

## **Grading and Drainage Amendment - Carry over of existing 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 - Carry over of existing amendment**

In Appendix A of the 2022 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 three sub sections (A1 to A3) 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 Sill Plate Anchorage of Light, Wood-Frame Residential Buildings; and

### **Automatic Gas Shut-off Valves - Carry over of existing amendment**

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.

### **Phase 1 Reach Code Standards - Carry over of existing amendment**

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.

## **FISCAL ANALYSIS**

There is minimal fiscal impact associated with adopting the updated California Building Code regulations. The additional costs may include additional training of plan checking, inspection, and permitting staff, updating handouts and websites, indirect training time of applicants, and conducting outreach 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. Proposed Ordinance
2. Resolution of Express Findings
3. Current Chapter 15.02: Buildings, Structures, and Equipment
4. Building Code Public Hearing Notice

## **MOTIONS**

That the City Council:

1. Introduce an Ordinance (a) repealing and replacing Culver City Municipal Code (CCMC) Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", (b) repealing and replacing CCMC Subchapter 15.02.1100, of Chapter 15.02, "Local Amendments to the Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Code Standards" and (c) adopting by reference the 2022 California Building Standards Administrative Code, 2022 California Building Code with Local Amendments, 2022 California Residential Building Code with Local Amendments, 2022 California Electrical Code, 2022 California Mechanical Code with Local Amendments, 2022 California Plumbing Code with Local Amendments, 2022 California Energy Code, 2022 California Historical Building Code, 2022 Existing Building Code with Local Amendments, 2022 California Green Building Standards Code with Local Amendments, and 2022 California Reference Standards Code; 2021 International Property Maintenance Code with Local Amendments; and
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