



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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November 9, 2010

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and declare the Ordinance adopting and amending the 2010 Edition of the California Building Standards Codes and the 1997 Edition of the Uniform Housing Code by amending and restating Title 18 of the Long Beach Municipal Code, and by repealing Chapter 21.62, read for the first time and laid over to the next regular meeting of the City Council for final reading; and

Adopt a Resolution making findings and determinations relating to the adoption of more restrictive Code provisions, where appropriate. (Citywide)

## DISCUSSION

Every three years, the State of California adopts new model codes (known collectively as the California Building Standards Code) to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that the latest edition of the California Building Standards Code and Uniform Housing Code apply to local construction 180 days after publication. The 2010 Edition of the California Building Standards Code adopted by the California Building Standards Commission was published July 1, 2010. The 1997 Edition of the Uniform Housing Code was adopted by the California Department of Housing and Community Development as provided for in the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 5, Section 32. Therefore, State law requires that these codes become effective at the local level on January 1, 2011.

Title 18 of the Long Beach Municipal Code (LBMC) is the City's code that regulates the construction of buildings and structures. It is based upon the 2010 Edition of the California Building Standards Code. Part 2.5 of the California Building Standards Code is the 2010 Edition of the California Residential Code, and is based on the International Residential Code. The International Residential Code is used extensively throughout the nation; however, this is the first time it will be used in California. This code regulates the construction of one- and two-family dwellings and townhouses not more than three (3) stories in height. Part 11 of the California Building Standards Code is the 2010 Edition of

the California Green Building Standards Code, and will be the first mandatory code in the nation to require homes and buildings be designed and constructed utilizing sustainable construction practices in the areas of energy efficiency, water efficiency and conservation, material conservation, and environmental quality. Additionally, Low Impact Development (LID) Standards, designed to retain and reuse rainwater onsite in new developments, have been incorporated in Chapter 18.74 of Title 18 of the City's Municipal Code. The LID Standards are based on regional standards from the City and County of Los Angeles, providing coordination between regional jurisdictions, and are consistent with upcoming efforts to update the City's Storm Water Permit. They are complementary to the City's Model Landscape Ordinance, Green Building Ordinance, and the California Green Building Standards Code. The LID Standards will take effect on July 1, 2011 and will be voluntary until that time. The provisions of the State mandated Code and Title 18 of the City's Code are summarized in the attached document titled "Summary of Code Regulations" (Exhibit A).

Prior to adoption, State law does permit local jurisdictions to amend the State codes in certain circumstances. Such amendments can only be enacted when an express finding is made that such amendments are reasonably necessary because of local climatic, geological and/or topographical conditions that affects the jurisdiction.

Staff from the Department of Development Services' Building and Safety Bureau, the Fire Department's Fire Prevention Bureau, and the Office of Sustainability have reviewed the State codes and are recommending a number of local amendments in order to address concerns of a local nature. The proposed amendments consist of structural, green building standards, fire and life safety, and administrative provisions. These amendments are adopted to protect the community from the hazards of future earthquakes, to prevent fire related hazards and to require sustainable construction practices that support the Sustainable City Action Plan.

The proposed amendments are detailed in the attached Ordinance and Resolution. A summary of the proposed changes is detailed in the attached document titled "Final Statement of Reasons for Proposed 2011 Code Amendments to Title 18 of the Long Beach Municipal Code" (Exhibit B). The proposed amendments have been circulated to industry, local individuals and groups. Public notice to increase awareness of the State mandated Code includes posting information on the Department's website, making flyers available at the public counter, announcing the changes in the Department's newsletter, providing multiple press releases, posting information on the City's social networking sites, spreading the news via several E-Notify and email distribution lists, and posting to local newspapers. A community workshop was held on October 27<sup>th</sup>; additional workshops are scheduled for November 11<sup>th</sup> and December 9<sup>th</sup> to highlight the provisions of the State mandated Code for the public. An initial draft of the proposed amendments was presented at the October 18, 2010 meeting of the Board of Examiners, Appeals and Condemnation. If adopted by the City Council, copies of the Ordinance and Resolution will be submitted to the California Building Standards Commission as required by State law.

This letter was reviewed by Assistant City Attorney Michael J. Mais on October 18, 2010 and by Budget Management Officer Victoria Bell on October 26, 2010.

### California Environmental Quality Act (CEQA)

The proposed amendments to the California Building Standards Code and Uniform Housing Code are exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3). The purpose of the State mandated Code update is to provide minimum standards to safeguard health, safety and public welfare for all types of construction. Buildings and projects that are subject to CEQA are reviewed prior to the issuance of a building permit.

### SUSTAINABILITY

State law requires the adoption of the 2010 Edition of the California Green Building Standards Code, which will require homes and buildings to be designed and constructed utilizing sustainable construction practices. These new State mandated regulations, coupled with the City's existing Model Landscaping Ordinance, Construction Demolition Debris Recycling Ordinance, and Green Building Ordinance, will help to preserve and protect the community to realize a healthier, cleaner and more viable environment for the City.

The LID Standards promote the goal of environmental sustainability by helping improve the quality of receiving waters, protecting the Los Angeles and San Gabriel River watersheds, maintaining natural drainage paths, and protecting potable water supplies within the City.

The California Green Building Standards Code, the LID Standards, and local green amendments support the Sustainable City Action Plan, adopted in February 2010, and specifically include provisions for green building and sustainable development, urban nature, waste reduction, and water and energy conservation to create a more sustainable Long Beach.

### TIMING CONSIDERATIONS

State law requires that the effective date of the Ordinance be January 1, 2011. City Council action is requested on November 9 2010, in order to comply with this State mandated deadline.

### FISCAL IMPACT

There will be no fiscal or job impact as a result of the recommended action.

### SUGGESTED ACTION:

Approve recommendation.

HONORABLE MAYOR AND CITY COUNCIL

November 9, 2010

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Respectfully submitted,



AMY J. BODEK  
DIRECTOR OF DEVELOPMENT SERVICES



ALAN PATALANO  
FIRE CHIEF

AJB:AP:TQH:LB:JR:dz:mr

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Attachments: City Council Ordinance, with Ordinance Exhibit A  
City Council Resolution, with Resolution Exhibit A  
Exhibit A - Summary of Code Regulations  
Exhibit B - Final Statement of Reasons for Proposed 2011 Code Amendment Title 18 of the  
LBMC

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING AND RESTATING TITLE  
18 IN ITS ENTIRETY; AND BY REPEALING CHAPTER  
21.62, ALL RELATING TO THE ADOPTION AND  
AMENDMENTS TO THE 2010 EDITION OF THE  
CALIFORNIA BUILDING STANDARDS CODES AND THE  
1997 EDITION OF THE UNIFORM HOUSING CODE TO BE  
KNOWN AS THE LONG BEACH BUILDING STANDARDS  
CODE

The City Council of the City of Long Beach ordains as follows:

Section 1. Title 18 of the Long Beach Municipal Code is amended in its  
entirety and restated as shown on Exhibit "A", which is attached hereto and incorporated  
herein by this reference as if set forth in full.

Section 2. Chapter 21.62 of the Long Beach Municipal Code is hereby  
repealed.

Section 3. The City Clerk shall certify to the passage of this ordinance by  
the City Council and cause it to be posted in three (3) conspicuous places in the City of  
Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
Mayor, but in no event prior to January 1, 2011.

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OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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I hereby certify that the foregoing ordinance was adopted by the City  
Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the  
following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor

## SUMMARY OF CODE REGULATIONS

| STATE CODE                                 | LONG BEACH CODE                | SUMMARY AND PURPOSE OF CODE  |
|--|--------------------------------|--|
| Part 2 California Building Code (CBC)      | Chapter 18.40 Building Code    | The provisions of the California Building Code adopted in Chapter 18.40 shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.  |
| Part 2.5 California Residential Code (CRC) | Chapter 18.41 Residential Code | The provisions of the California Residential Code adopted in Chapter 18.41 shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three (3) stories above grade plane in height with a separate means of egress and their accessory structures.  |
| Part 3 California Electrical Code (CEC)    | Chapter 18.42 Electrical Code  | The provisions of the California Electrical Code adopted in Chapter 18.42 shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.   |
| Part 4 California Mechanical Code (CMC)    | Chapter 18.44 Mechanical Code  | The provisions of the California Mechanical Code adopted in Chapter 18.44 shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.   |
| Part 5 California Plumbing Code (CPC)      | Chapter 18.43 Plumbing Code    | The provisions of the California Plumbing Code adopted in Chapter 18.43 shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.   |
| Part 6 California Energy Code              | Chapter 18.46 Energy Code      | The provisions of the California Energy Code adopted in Chapter 18.46 shall apply to all matters governing the design and construction of buildings for energy efficiency.   |
| Part 8 California Historical Building Code | Chapter 18.40 Building Code    | The provisions of the California Historical Building Code adopted in Chapter 18.40 is to provide regulations for the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.  |
| Part 9 California Fire Code (CFC)          | Chapter 18.48 Fire Code        | The provisions of the California Fire Code adopted in Chapter 18.48 shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. |
| Part 10 California Existing Building Code  | Chapter 18.40 Building Code    | The provisions of the California Existing Building Code adopted in Chapter 18.40 is to establish   |

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|   |  | minimum standards for structural seismic resistance and primarily to reduce the risk of life loss or injury.   |
| Part 11 California Green Building Standards Code (CALGreen) | Chapter 18.47 Green Building Standards Code    | The provisions of the California Green Building Standards Code adopted in Chapter 18.47 shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this title, throughout the City.   |
| 1997 Edition of Uniform Housing Code                        | Chapter 18.45 Housing Code                     | The provisions of the Uniform Housing Code adopted in Chapter 18.45 is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location, and maintenance of all residential buildings and structures within the City.  |
|   | Chapter 18.74 Low Impact Development Standards | The provisions of the Low Impact Development Standards adopted in chapter 18.74 is to require the use of low impact development (LID) standards in the planning and construction of development projects, to promote the goal of environmental sustainability by helping to improve the quality of receiving waters, protecting the Los Angeles and San Gabriel River watersheds, maintaining natural drainage paths, and protecting potable water supplies within the City. |





**FINAL STATEMENT OF REASONS (FSOR)  
FOR PROPOSED 2011 AMENDMENTS TO  
TITLE 18 OF THE LONG BEACH MUNICIPAL CODE**

**PREPARED BY**

**LBD** DEVELOPMENT SERVICES



**SUSTAINABLE  
LONG BEACH**

### **CHAPTER 18.01 GENERAL PROVISIONS**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.04 General Provisions to this new Chapter 18.01 General Provisions. General provisions contained in other chapters of Title 18 are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Add new code section to clarify and address work not within the scope of this title,
- Update section or chapter references to the appropriate sections or chapters in Title 18 relating to the 2010 Edition of the California Building Standards Code required by state law to be adopted by the city,
- Update the provisions relating to existing buildings or structures to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Add new code sections to reference provisions of Chapters 18.20, 18.21 and 18.60 for unsafe buildings and structures, long-term boarded and vacated buildings, and moved buildings or structures, and
- Add new code section to reference provisions of Section 18.04.010.D for temporary structures and uses.

### **CHAPTER 18.02 DEFINITIONS**

LBDS propose the creation of this new chapter. This is the result of renumbering Chapter 18.08 Definitions to this new Chapter 18.02 Definitions. Highlight of the proposed editorial and administrative changes includes the following:

- Update chapter reference to the appropriate sections or chapters in Title 18 relating to 2010 Edition of the California Building Standards Code required by state law to be adopted by the city,
- Update section references to reflect revisions in Title 18,
- Correct the name of the Department from "Planning and Building" to "Development Services",
- Delete definition of "Approved Fabricator" and "International Building Code" as it is no longer necessary and such definitions are defined the 2010 Edition of the California Building Standards Code,
- Add reference to Webster's Third New International Dictionary of the English Language, Unabridged for the purpose of providing ordinarily accepted meanings for terms used in this title,
- Add new definitions to reflect the 2010 Edition of the California Green Building Standards Code, California Energy Code, California Residential Code and the 1997 Edition of the Uniform Housing Code required by state law to be adopted by the city,
- Update definition of "valuation" to be consistent with the model code language in the 2010 Edition of the California Building Standards Code,

### **CHAPTER 18.03 ADMINISTRATION AND ENFORCEMENT**

LBDS propose the creation of this new chapter. Administration and enforcement provisions contained in other chapters of Title 18 are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Relocate the administrative and enforcement provisions of Chapter 18.20 pertaining to the Building Official authorities and duties from Sections 18.20.010 thru 18.20.085 to this new chapter where the provisions are updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Relocate the administrative and enforcement provisions of Chapters 18.32, 18.36 and 18.44 pertaining to the Building Official authorities and duties related to electrical, plumbing and mechanical installation to this new chapter where the provisions are updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Relocate the administrative provisions of Chapter 18.04 pertaining to the granting of modification and alternate material from Sections 18.04.090 and 18.04.100 to this new chapter where the provisions are updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes, and
- Update section references to reflect revisions in Title 18.

#### **CHAPTER 18.04 PERMITS**

LBDS proposes editorial and administrative changes to this chapter that includes the following:

- Update section references to reflect revisions in Title 18,
- Change the title name of this chapter from "General Provisions" to "Permits" to better reflect the provisions contained in this chapter,
- Permit provisions contained in other chapters of Title 18 are relocated to this chapter to better reflect the provisions of this chapter,
- Update the provisions relating to permit applications to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Add new code section to address time limitation of permit application,
- Add new code section to address temporary permits,
- Update the provisions relating to work exempted from permit to be consistent with the model code language in the 2010 Edition of the California Building Standards Code,
- Replace reference to "Group R-3 and U occupancies" with "one- or two-family dwelling and related accessory building or structure" to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update the provisions relating to the validity of permit to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes, and
- Update the provisions relating to the responsibility and requirement of permittee.

#### **CHAPTER 18.05 SUBMITTAL DOCUMENTS**

LBDS propose the creation of this new chapter. Submittal documents provisions contained in other chapters of Title 18 are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Update the provisions relating to the site plan requirement to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update section references to reflect revisions in Title 18,
- Add new code section to clarify information required on construction documents for flood hazard areas,
- Update the provisions relating to the examination of construction documents to be consistent with the model code language in the 2010 Edition of the California Building Standards Code, and
- Clarify that changes not authorized or approval by the registered design professional is subject to the provisions of Sections 5536.25 and 6735 of the California Business and Professions Code.

#### **CHAPTER 18.06 FEES**

LBDS propose the creation of this new chapter. Provisions relating to fees contained in other chapters of Title 18 are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Update section references to reflect revisions in Title 18,
- Add new code section to collect fees from permit applicant on behalf of the California Building Standards Commission for the development, adoption, publication, updating and educational efforts associated with green building standards as required by the Health and Safety Code Sections 18930.5, 18931.6 and 18931.7 resulting from the passage of SB 1473 (Stats. 2008, c. 719),
- Relocate the fee provisions for the subtrade permit and plan check from Chapter 18.12, 18.16, 18.32, 18.36, and 18.44 into this new chapter,
- Update the reference to the "California State Energy Resources Conservation and Development Commission" to the "California Energy Commission" to reflect the change in the commission's name,
- Reintroduce a code enforcement fee that was inadvertently removed from the previous code adoption cycle,
- Create new fee for plan review and permit related to the enforcement of the new CalGreen Code in Chapter 18.47,
- Create new fee for plan review and permit related to the enforcement of LID standards in chapter 18.74

- Relocate the fee provisions for the board of appeals from Chapter 18.12 and 18.20 into this new chapter, and
- Correct the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services".

#### **CHAPTER 18.07 INSPECTIONS**

LBDS propose the creation of this new chapter. Provisions relating to inspections of buildings and structures contained in Chapter 18.16 and other chapters of Title 18 (Chapters 18.32, 18.36, 18.40, etc.) are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Update section references to reflect revisions in Title 18,
- Update the provisions relating to inspection to be consistent with the model code language in the 2010 Edition of the California Building Standards Code,
- Add new code section to clarify required inspections relating to grading operation, and
- Change the expiration date for certificate issued to special inspector from one year to three year.

#### **CHAPTER 18.08 CERTIFICATE OF OCCUPANCY**

LBDS proposes editorial and administrative changes to this chapter that includes the following:

- Change the title name of this chapter from "Definition" to "Certificate of Occupancy" to better reflect the provisions contained in this chapter,
- Provisions relating to certificate of occupancy and temporary certificate of occupancy contained in Chapter 18.16 and other chapters of Title 18 are relocated to this chapter to better reflect the provisions of this chapter,
- Update section references to reflect revisions in Title 18, and
- Update the provisions relating to certificate of occupancy and temporary certificate of occupancy to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes.

#### **CHAPTER 18.09 VIOLATIONS**

LBDS propose the creation of this new chapter. Provisions relating to violations of the building and construction code contained in other chapters of Title 18 are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Relocate the violation provisions of Sections 18.04.040, 18.16.010.C, 18.12.100.E and 18.20.080 to this new chapter where the provisions are appropriately group with other provisions that address violations and updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Code,
- Add new code sections to provide clarification on noticing, prosecution and penalties for violations,
- Expand the name of entities who may be charged with a violation of the code from "person" to "person, firm or corporation",
- Add code language to include "as determined by legal council of the city" for cases where a determination is made regarding misdemeanor, and
- Include "plan examination" as another approval type that cannot be construed to be an approval of a violation of the title or any other law.

#### **CHAPTER 18.10 BOARD OF APPEALS**

LBDS propose the creation of this new chapter. Provisions relating to the Board of Examiners, Appeals and Condemnation and the Disabled Access Appeals Board contained in other chapters of Title 18 or in City Council Resolution are relocated to this new chapter to better reflect the provisions of this chapter. Highlight of the proposed editorial and administrative changes includes the following:

- Add new code section to reference the provisions of Chapter 2.18 is applicable to all Boards,
- Relocate the administrative and enforcement provisions of Chapter 18.20 pertaining to the Board of

Examiners, Appeals and Condemnation authorities and duties from Sections 18.20.090 thru 18.20.100 to this new chapter where the provisions are appropriately group with other provisions that address appeals relating to the Building Official's determination and updated to be consistent with the code language in this chapter,

- Incorporated the provisions for the Disabled Access Appeals Board, created by Council Resolution, into this chapter,
- Correct the name of the Department from "Planning and Building" to "Development Services", and
- Add new code section to clarify the limitation of the Boards' authority.

#### **CHAPTER 18.17 TRANSPORTATION IMPROVEMENT FEE**

LBDS proposes minor editorial changes to this chapter that include correcting the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services" in Sections 18.17.070 and 18.17.080, and update section references to reflect revisions in Title 18.

#### **CHAPTER 18.18 PARK AND RECREATION FACILITIES FEE**

LBDS proposes minor editorial changes to this chapter that include correcting the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services" in Sections 18.18.060, 18.18.070, 18.18.080, 18.18.100, and 18.18.120.B, and update section references to reflect revisions in Title 18.

#### **CHAPTER 18.19 LONG BEACH AIRPORT TRAFFIC STUDY AREA TRAFFIC FEE AND MITIGATION REQUIREMENTS**

LBDS proposes minor editorial changes to this chapter that include correcting of the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services" in Sections 18.19.090 and 18.19.100, and update section references to reflect revisions in Title 18.

#### **CHAPTER 18.20 UNSAFE BUILDINGS OR STRUCTURES**

LBDS proposes editorial and administrative changes to this chapter that includes the following:

- Change the title name of this chapter from "Administration and Enforcement" to "Unsafe Buildings or Structures" to better reflect the provisions contained in this chapter,
- Relocate the administrative and enforcement provisions of this chapter pertaining to the Building Official authorities and duties from Sections 18.20.010 thru 18.20.085 to the new Chapter 18.03 Administration and Enforcement where the provisions are updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Relocate the administrative and enforcement provisions of this chapter pertaining to the Board of Examiners, Appeals and Condemnation authorities and duties from Sections 18.20.090 thru 18.20.100 to the new Chapter 18.10 Board of Appeals where the provisions are appropriately group with other provisions that address appeals relating to the Building Official's determination and updated to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Change the title from "The Building and Safety Bureau" to the "Department of Development Services" provisions for posting of a placard for vacated building,
- Update the use of the word "he" or "his" to "he or she" or "his or her",
- Update fee by referencing the fees set forth in the City Council resolution,
- Change the title of the "Superintendent of Building and Safety" to "Building Official" for consistency throughout the chapter,
- Correct the name of the Department from "Planning and Building" to "Development Services", and
- Update section references to reflect revisions in Title 18.

#### **CHAPTER 18.21 MAINTENANCE OF LONG-TERM BOARDED AND VACATED BUILDINGS**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Update section references to reflect revisions in Title 18,

- Change the title of the "Superintendent of Building and Safety" to "Building Official" for consistency throughout the chapter,
- Correct the name of the Director from "Director of Community Development" to "Director of Development Services", and
- Correct the name of the Department from "Planning and Building" to "Development Services".

#### **CHAPTER 18.22 POLICE FACILITIES IMPACT FEE**

LBDS proposes minor editorial changes to this chapter that include correcting the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services" in Sections 18.22.060, 18.22.070 and 18.22.080; and correcting the name of the "Planning Department" to the "Planning Bureau" in Section 18.22.060.

#### **CHAPTER 18.23 FIRE FACILITIES IMPACT FEE**

LBDS proposes minor editorial changes to this chapter that include correcting the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services" in Sections 18.23.060, 18.23.070 and 18.23.080; and correcting the name of the "Planning Department" to the "Planning Bureau" in Section 18.23.060.

#### **CHAPTER 18.40 BUILDING CODE**

LBDS propose the renumbering of Chapter 18.24 to Chapter 18.40. State law requires that local jurisdictions adopt the 2010 Edition of the California Building Code by January 1, 2011. LBDS propose amendments to various provisions of the California Building Code in order to address concerns of a local nature pursuant to Section 17958 of the California Health and Safety Code. Several structural amendments were made to the Long Beach Municipal Code in 1999 as the result of lessons learned from the Northridge Earthquake. These amendments are proposed to be carried forward into the current iteration of the code. These amendments were adopted to protect the community from the hazards of future earthquakes and are also being adopted by many of the jurisdictions in the area, including but not limited to the City and County of Los Angeles as part of the Los Angeles Regional Uniform Code Program. Several additional structural amendments will be made to the California Building Code based on information that became available since the previous code adoption. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code. In addition, LBDS propose administrative amendments to clarify that all structures, other than one- and two-family dwellings and townhomes, must be built under the new California Building Code.

#### **CHAPTER 18.41 RESIDENTIAL CODE**

LBDS propose the creation of this new chapter. State law requires that local jurisdictions adopt the 2010 Edition of the California Residential Code by January 1, 2011. This is the first time the state has mandated the use of the California Residential Code. LBDS propose amendments to various provisions of the California Residential Code in order to address concerns of a local nature pursuant to Section 17958 of the California Health and Safety Code. Several structural amendments were made to the Long Beach Municipal Code in 1999 as the result of lessons learned from the 1994 Northridge Earthquake. These amendments are proposed to be carried forward into the current iteration of the California Residential Code. These amendments were adopted to protect the community from the hazards of future earthquakes and are also being adopted by many of the jurisdictions in the area, including but not limited to the City and County of Los Angeles as part of the Los Angeles Regional Uniform Code Program. Several additional structural amendments will be made to the California Residential Code to be consistent with amendments made to the California Building Code. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code. In addition, LBDS propose administrative amendments to clarify that all one- and two-family dwellings and townhomes must be built under the new California Residential Code.

#### **CHAPTER 18.42 ELECTRICAL CODE**

LBDS propose the creation of this new chapter. This is a result of renumbering and combining Chapters 18.28 and 18.32 to new Chapter 18.42. State law requires that local jurisdictions adopt the 2010 Edition of the California Electrical Code by January 1, 2011. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code.

#### **CHAPTER 18.43 PLUMBING CODE**

LBDS propose the creation of this new chapter. This is a result of renumbering and combining Chapters 18.40 and 18.44 to new Chapter 18.43. State law requires that local jurisdictions adopt the 2010 Edition of the California Plumbing Code by January 1, 2011. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code.

#### **CHAPTER 18.44 MECHANICAL CODE**

LBDS propose the renumbering of Chapter 18.36 to Chapter 18.44. State law requires that local jurisdictions adopt the 2010 Edition of the California Mechanical Code by January 1, 2011. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code.

#### **CHAPTER 18.45 HOUSING CODE**

LBDS propose the creation of this new chapter. This is a result of relocating several provisions relating to the adoption and amendments of the Housing Code from Chapter 18.24 to this new Chapter 18.45. State law requires that local jurisdictions adopt the most current edition of the Uniform Housing Code. Several amendments were made to the Long Beach Municipal Code in previous code adoption cycle. These amendments are proposed to be carried forward into the current iteration of the code. Some of the changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code.

#### **CHAPTER 18.46 ENERGY CODE**

LBDS propose the creation of this new chapter. State law requires that local jurisdictions adopt the 2008 Edition of the California Building Energy Efficiency Standards by January 1, 2010.

#### **CHAPTER 18.47 GREEN BUILDING STANDARDS CODE**

LBDS propose the creation of this new chapter. State law requires that local jurisdictions adopt the 2010 Edition of the California Green Building Standards Code by January 1, 2011. LBDS propose amendments to various provisions of the California Green Building Standards Code in order to address concerns of a local nature. The City of Long Beach a densely populated area having residential and nonresidential buildings constructed within a region where environmental resources are scarce due to varying and occasional immoderate temperatures and weather conditions. The proposed modification will result in a healthier, cleaner and more viable environment for the City's residents, its workforce and visitors and therefore need to be incorporated into the code to assure that new buildings and structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

#### **CHAPTER 18.48 FIRE CODE**

State law requires that local jurisdictions adopt the 2010 Edition of the California Fire Code by January 1, 2011. LBFD propose amendments to various provisions of the California Fire Code in order to address concerns of a local nature pursuant to Section 17958 of the California Health and Safety Code. Several fire and life safety amendments were made to the Long Beach Municipal Code as the result of lessons learned from the prevention of fire and life safety related hazards. These amendments are proposed to be carried forward into the current iteration of the code. These amendments were adopted to protect the community from fire and life safety related hazards. Some of the changes are administrative in nature in

that they do not constitute changes, modifications or additions to the California Building Standards Code.

#### **CHAPTER 18.60 MOVING BUILDINGS**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.52 Moving Buildings to this new Chapter 18.60 Moving Buildings. Highlight of the proposed minor editorial changes includes the following:

- Correct the name of the Department from "Planning and Building" to "Development Services",
- Change the title of the "Superintendent of Building and Safety" to "Building Official" to be consistent with the use of the later title found throughout this chapter,
- Correct the name of the "Park Department" to the "Department of Parks, Recreation and Marine", and
- Correct the name of the "Department of Engineering" to the "Department of Public Works."

#### **CHAPTER 18.61 NPDES AND SUSMP REGULATIONS**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.95 to this new Chapter 18.61. Highlight of the proposed minor editorial changes includes the following:

- Change the title of the "Superintendent of Building and Safety" to "Building Official" to be consistent with the use of the later title found throughout this chapter, and
- Permit the person responsible for certifying that the project complies with the requirement to be a registered design professional licensed in the State of California in lieu of limiting it to the architect or engineer.

#### **CHAPTER 18.62 REPORT ON AVAILABLE OFF-STREET PARKING SPACES UPON RESALE**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.76 to this new Chapter 18.62. LBDS proposes minor editorial and administrative changes to this chapter that includes the following:

- Update section references to reflect revisions in Title 18,
- Correct the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services",
- Correct the name of the Department from "Planning and Building" to "Development Services", and
- Update reference of "inspector" to "department's duly authorize representative" in Section 18.62.060 to ensure that it may be someone other than an inspector that may be authorize to provide this inspection.

#### **CHAPTER 18.63 ALTERNATIVE BUILDING REGULATIONS FOR LIVE/WORK USES**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.90 to this new Chapter 18.63. LBDS proposes minor editorial and administrative changes to this chapter that includes the following:

- Update section references to reflect revisions in Title 18,
- Correct the name of the Department from "Planning and Building" to "Development Services",
- Update Subsection A of Section 18.63.040 by replacing "Section 3407 of the 1994 UBC Appendix Chapter 34, Division 1" with "Chapter 10 of the California Building Code adopted in Chapter 18.40" and to reference Section 3406 of the California Building Code adopted in Chapter 18.40 for existing fire escape requirement to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update Subsection B of Section 18.63.040 by replacing "Section 3408 of the 1994 UBC Appendix Chapter 34, Division 1" with "Section 708 of the California Building Code adopted in Chapter 18.40" to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update Subsection C of Section 18.63.040 by replacing "Section 1005.8 of the 1994 UBC" with "Section 715 of the California Building Code adopted in Chapter 18.40" to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update Subsections E, I, J, O and P of Section 18.63.040 by replacing "UBC" or "meet current code



requirements” with “California Building Code adopted in Chapter 18.40” to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,

- Update Subsection K of Section 18.63.040 by replacing “National Electrical Code” with “California Electrical Code adopted in Chapter 18.42” to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes,
- Update Subsection L of Section 18.63.040 by replacing “meet current code requirements” with “California Mechanical Code adopted in Chapter 18.44” to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes, and
- Update Subsections I and N of Section 18.63.040 by replacing “smoke detector” with “smoke alarm” to be consistent with the model code language in the 2010 Edition of the California Building Standards Codes.

#### **CHAPTER 18.64 SANDBLASTING**

LBDS proposes minor editorial changes to this chapter that include updating section/chapter references for fee in Section 18.64.050 to Chapter 18.06.

#### **CHAPTER 18.65 DEMOLITION OF HISTORIC LANDMARKS**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.80 to this new Chapter 18.65. LBDS proposes minor editorial changes to this chapter that includes the following:

- Correct the name of the Department from “Planning and Building” to “Development Services”, and
- Correct the name of the Director for the Department from “Director of Planning and Building” to “Director of Development Services.”

#### **CHAPTER 18.67 CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 18.97 to this new Chapter 18.67. LBDS proposes minor editorial and administrative changes to this chapter that includes the following:

- Correct the name of the Director for the Department from “Director of Planning and Building” to “Director of Development Services”,
- Correct the name of the Department from “Planning and Building” to “Development Services”,
- Replace all reference to fees and direct users to the schedule of fees and charges established by city council resolution, and
- Update the name of the “Building Bureau” to “Building and Safety Bureau.”

#### **CHAPTER 18.68 EARTHQUAKE HAZARD REGULATIONS**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Update the name of the “Building Bureau” to “Building and Safety Bureau”, and
- Update the name of the “Department of Building and Safety” to “Building and Safety Bureau”,

#### **CHAPTER 18.69 VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING WOOD FRAME RESIDENTIAL BUILDINGS WITH WEAK CRIPPLE WALLS AND UNBOLTED SILL PLATES**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Update the reference “ASCE 7” with “ASCE 7-05” to reflect the most current adopted standard,
- Clarify that the California Building Code is as adopted in Chapter 18.40, and
- Update section references from the California Building Code adopted in Chapter 18.40,

#### **CHAPTER 18.70 VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING WOOD FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK OR OPEN FRONT WALLS**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Clarify that the California Building Code is as adopted in Chapter 18.40,

- Clarify that the California Residential Code is as adopted in Chapter 18.41, and
- Update section references from the California Building Code or California Residential Code.

**CHAPTER 18.71 VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE BUILDINGS AND CONCRETE FRAME BUILDINGS WITH MASONRY INFILLS**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Clarify that the California Building Code is as adopted in Chapter 18.40, and
- Update section references from the California Building Code.

**CHAPTER 18.72 VOLUNTARY EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS**

LBDS proposes minor editorial changes to this chapter that includes the following:

- Clarify that the California Building Code is as adopted in Chapter 18.40, and
- Update section references from the California Building Code.

**CHAPTER 18.73 FLOOD RESISTANT DESIGN AND CONSTRUCTION**

LBDS propose the creation of this new chapter. This is a result of renumbering Chapter 21.62 to this new Chapter 18.73. LBDS proposes minor editorial changes to this chapter that includes the following:

- Change the title of this Chapter from "Flood Damage Prevention" to "Flood Resistant Design and Construction",
- Change the name of the designer from "architect or engineer" or "surveyor or civil engineer" to "register design professional licensed in the State of California to practice as such",
- Correct the name of the Department from "Planning and Building" to "Development Services", and
- Correct the name of the Director for the Department from "Director of Planning and Building" to "Director of Development Services."

**CHAPTER 18.74 LOW IMPACT DEVELOPMENT STANDARDS**

LBDS propose the creation of this new chapter. The purpose of this chapter is to require the use of low impact development (LID) standards in the planning and construction of development projects. LID standards promote the goal of environmental sustainability by helping improve the quality of receiving waters, protecting the Los Angeles and San Gabriel River watersheds, maintaining natural drainage paths, and protecting potable water supplies within the City. The LID objective of controlling and maintaining flow rate is addressed through land development and stormwater management techniques that imitate the natural hydrology (or movement of water) found on the site. Using site design and best management practices that allow for storage and retention, infiltration, filtering, and flowrate adjustments achieve the goals of LID, advances sustainability and reduces the overall cost of stormwater management. The use of engineered systems, structural devices, and vegetated natural designs distributes stormwater and urban runoff across a development site maximizing the effectiveness of LID.

**CHAPTER 18.99 FINDINGS**

LBDS proposes minor editorial changes to this chapter to reflect changes, deletions, modifications and additions to the 2010 Edition of the California Building Standards Code to be adopted by the City.



**City of Long Beach Memorandum**  
*Working Together to Serve*

## REQUEST TO ADD AGENDA ITEM

**Date:** 11/2/2010  
**To:** Larry Herrera, City Clerk  
**From:** Patrick H. West, City Manager  
**Subject:** Request to Add Agenda Item to Council Agenda of November 9, 2010

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Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

**Receive the supporting documentation into the record, conclude the public hearing, and declare the Ordinance adopting and amending the 2010 Edition of the California Building Standards Codes and the 1997 Edition of the Uniform Housing Code by amending and restating Title 18 of the Long Beach Municipal Code; and by repealing Chapter 21.62, read for the first time and laid over to the next regular meeting of the City Council for final reading; and**

**Adopt a Resolution making findings and determinations relating to the adoption of more restrictive Code provisions, where appropriate. (Citywide)**

| Council District | Authorizing Councilmember | Signed by              |
|------------------|---------------------------|------------------------|
| 2                | S. LOWENTHAL              | <i>Susan Lowenthal</i> |
| 4                | P. O'Donnell              | <i>P. O'Donnell</i>    |
| 3                | Gary DeLong               | <i>Gary DeLong</i>     |

Attachment: Staff Report dated November 9, 2010

CC: Office of the Mayor