

October 17, 2019

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Recommend that City Council accept Negative Declaration (ND09-19) and approve Zone Code Amendment (ZCA 19-009) to amend portions of Title 21 - Zoning of the Long Beach Municipal Code (LBMC) including Sections 21.33.045, 21.45.4009(B) and 21.45.4009(I)(3) relating to the IP Zoning District, LEED Building Rating System, and Solar Ready Roofs. (Citywide)

APPLICANT: City of Long Beach Development Services
411 W. Ocean Boulevard
Long Beach, CA 90802
(Application No. 1908-33)

DISCUSSION

The California Building Standards Commission updates the California Building Standards Code every three (3) years. The California Building Standards Code contains, among others, the California Building Code, California Green Code, and California Fire Code, and applies to every jurisdiction in California. California jurisdictions are required to adopt the California Building Standards Code, but may adopt local amendments to customize provisions to better fit the characteristics of that City. The City of Long Beach is currently preparing local amendments to Title 18, contained within the LBMC. Title 21 (Zoning) also contains regulations applied in concert with the Building standards Codes as part of the development review process (Exhibit A - Draft Code Amendment with redlines). Staff reviewed Title 21 for provisions that relate to the Building Code that require updating or clarification to maintain consistency with Building Code provisions. The Planning Commission is required to review all proposed amendments to Title 21 and forward a recommendation to the City Council, who is the decision maker on all changes to the Municipal Code.

The table on the next page summarizes and provides a rationale for each amendment.

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October 17, 2019

Page 2 of 3

Table 1

Proposed Title 21 Amendments

TITLE 21 SECTION	ORIGINAL TEXT	PROPOSED AMENDMENTS	RATIONALE
21.33.045	Projects proposed on property located in the IP district shall be subject to review by the Harbor Department pursuant to Section 18.12.040 of the Municipal Code.	Projects proposed on property located in the IP district shall be subject to review by the Harbor Department pursuant to Section 18.12.040 <u>18.04.040</u> of the Municipal Code.	The reference to Section 18.12.040 is no longer valid. The correct reference Section is 18.04.040.
21.45.400(B)	The Leadership in Energy and Environmental Design (LEED) Green Building Rating System; trade; created by the U.S. Green Building Council (USGBC) is hereby established as the rating system the City shall use in administering the green building program. Alternative green building systems may be substituted, at the discretion of the Director of Development Services, if the system can be demonstrated to achieve a comparable standard of achievement as LEED.	The Leadership in Energy and Environmental Design (LEED) Green Building Rating System; trade; created by the U.S. Green Building Council (USGBC) is hereby established as the rating system the City shall use in administering the green building program. Alternative green building systems may be substituted, at the discretion of the Director of Development Services, if the system can be demonstrated to achieve a comparable standard of achievement as LEED.	Editorial change.
21.45.400(I)(3)	Roofs shall be designed to be solar-ready by allowing for an additional eight (8) pounds per square foot of dead load and providing a conduit from the electrical panel to the roof; and	Roofs shall be designed to be solar-ready <u>subject to all Applicable state and local construction codes</u> by allowing for an additional eight (8) pounds per square foot of dead load and provide providing a conduit from the electrical panel to the roof; and	Solar-Ready roofs shall be built to all applicable construction codes and not a prescribed load capacity in the Zoning Code.

The Municipal Code does not set forth required findings for approval of a Zoning Code Amendment. However, pursuant to Government Code Section 65860, a zoning ordinance must be consistent with the adopted General Plan; these changes are consistent with the General Plan, specifically Public Safety Element goals. (Exhibit B - Findings). Staff recommends that the Planning Commission recommend that City Council approve Zoning

Code Amendment No. 19-009 to modify portions of Title 21 - Zoning of the Long Beach Municipal Code pertaining to the triennial Building Code Adoption. Should the Planning Commission recommend that City Council approval of these amendments, staff anticipates that this item will be presented for a City Council hearing in November.

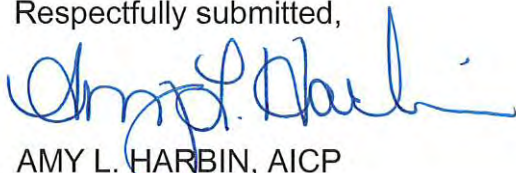
PUBLIC HEARING NOTICE

The required public hearing notice was provided in accordance with the Municipal Code. A public hearing notice was published in the Long Beach Press-Telegram October 1, 2019, public hearing notices were also mailed to the California Coastal Commission and all City Libraries, and three public hearing notices were posted in the public places within the City.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration (Exhibit C - Negative Declaration ND 09-16) was prepared for the Zoning Code amendment for changes to Title 21 - Zoning relating to the triennial Building Code Update. The Negative Declaration is posted on the City's website and currently is in its 30-day public review period, which is October 1, 2019 through October 30, 2019. As of the date of preparation of this report, not comments have been received.

Respectfully submitted,



AMY L. HARBIN, AICP
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:AO:AH

Attachments: Exhibit A – Draft Code Amendment with redlines
 Exhibit B – Findings
 Exhibit C – Negative Declaration ND 09-16