



BEAC PUBLIC HEARING

LOCAL ADOPTION OF THE LATEST CALIFORNIA BUILDING STANDARDS CODE AND UNIFORM HOUSING CODE

JULY 15, 2019

PREPARED BY

LBD DEVELOPMENT SERVICES



SUSTAINABLE
LONG BEACH

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PROPOSED AMENDMENT:

Chapter 8.59 of the Long Beach Municipal Code is deleted in its entirety as follows:

**CHAPTER 8.59
LOT FENCING**

~~8.59.010 Purpose.~~

~~This Chapter is enacted pursuant to the City Charter and State law for the purpose, among others, of providing a system to keep all privately owned real property within the City subject to mandatory fencing in order to keep such real property free of weeds, debris, graffiti and other nuisances and providing a system for levy and collection to cover the cost of such fencing by the City including incurred enforcement costs.~~

~~8.59.020 Definitions.~~

~~For the purpose of this Chapter, certain terms used shall have the meanings provided in this Section unless such meanings would be repugnant to the subject matter or the context in which used:~~

- ~~A. "Board" means the Board of Examiners, Appeals and Condemnation.~~
- ~~B. "Building Official" means the Building Official of the City of Long Beach or designee.~~
- ~~C. "Fence" means any unobstructed fence composed of chainlink or other material, as determined suitable by the Building Official, of uniform height not less than six feet (6') high and not more than ten feet (10') high, as determined appropriate by the Building Official, complete with at least one (1) set of lockable gates which provide access to the property from a public street when unlocked.~~
- ~~D. "Graffiti" means any unauthorized inscription, word, figure or design which can be seen by any person using any public right of way and which is marked, etched, scratched, drawn or painted on any structural component of any building, structure, or other facility regardless of the nature of the material of that structural component.~~
- ~~E. "Lot" means an unimproved lot, parcel, tract or piece of land in the City.~~
- ~~F. "Lot fencing levy" means the charge made by the Building Official for erecting fencing around a lot plus all penalties for nonpayment of the charges which have accrued at the time. In the event the owner fails to comply within the time frame established by the Building Official or as modified on appeal by the board, the lot fencing levy shall also include all incidental enforcement costs incurred by the City whether or not the work was performed later by the City, by the owner, or by others, except as provided below. Incidental enforcement costs include, but are not limited to, the actual expenses and costs of the City in investigating the nuisance, obtaining title information, preparing notices, and performing inspections.~~
- ~~G. "Weeds" and/or "debris" includes all bushes, vines, trees, grass or other vegetation, whether cultivated or uncultivated, and whether dead or growing, and all refuse and rubbish of any kind or description, or wood, asphalt, concrete and similar materials, or tin cans, parts of machinery, implements and automobiles, any of which cause unpleasant or noxious odors, or which are or may become a refuge or breeding place for insects and vermin, or which conceal or are capable of concealing filth and other unsanitary conditions, or which are, or are capable of becoming, a fire or other hazard to the use and occupancy of neighboring property, or which obstruct or hinder the use of any public street, sidewalk, alley or way.~~

~~8.59.030 Nuisance.~~

~~The existence upon any lot of "weeds", "debris" and/or "graffiti", as defined in this Chapter, is expressly declared to be a public nuisance, and at the determination and direction of the Building Official it shall be the duty of both the owner of the lot and any person who may be in possession thereof or who has a right to such possession, to keep such lot fenced until the Building Official determines such fencing is no longer needed.~~

~~8.59.040 – Notice – Form.~~

~~Whenever the Building Official finds weeds, debris and/or graffiti on any lot and the Building Official determines that in order to effectively abate such nuisances, and prevent the recurrence of the same, the lot needs to be fenced, the Building Official shall cause a notice to fence premises to be given to the owner or owners of the lot as shown upon the current equalized assessment roll, in the manner provided in this Section. The notice shall be in substantially the following form:~~

~~NOTICE TO FENCE PREMISES~~

To _____, as owner of the hereinafter described premises:

~~Pursuant to the provisions of Chapter 8.59 of the Municipal Code of the City of Long Beach, you are hereby notified to erect an unobstructed fence composed of _____ of uniform height not less than _____ feet high and not more than _____ feet high complete with at least one (1) set of lockable gates which provide access to the property from a public street when unlocked. The fence shall completely enclose that certain real property known as:~~

~~(Description of property)~~

AKA _____
~~(address)~~

~~A permit shall be obtained and the fence shall be erected within twenty (20) days from the date of this notice. If such fence is not erected within that time, the undersigned will cause it to be erected and the charges for erection, including all incidental enforcement costs incurred by the City, shall become a lien upon your property. Be advised that incidental enforcement costs will become a lien upon your property if the fence is not erected within twenty (20) days even if you perform the work later.~~

~~If you intend to erect a fence on your account, you are required, pursuant to the Long Beach Municipal Code, to obtain from the undersigned a certificate stating that your premises have been satisfactorily fenced; otherwise the undersigned will, if dissatisfied with the manner in which said work has been done, cause the premises to be refenced at your expense.~~

~~If you object to the fencing of your premises you may appeal to the Board by filing a written notice of appeal in the office of the undersigned within fifteen (15) calendar days from the date of this notice. Failure to appeal shall be construed as your acceptance of the Building Official's determination and any and all remedies provided by the Long Beach Municipal Code. Further, if you elect not to appeal this action, said conduct shall be considered on your part a failure to exhaust administrative remedies.~~

~~Dated: _____

Superintendent of Building and Safety~~

~~City of Long Beach~~

~~8.59.050 – Notice – Service.~~

~~The notice to fence premises shall be served upon the person whose name appears on the current equalized assessment roll as the owner of the premises involved. Such service may be made either by personal delivery of the notice or by depositing the same in the United States mail, postage prepaid, as certified, first class mail, return receipt requested, addressed to the owner at the most recent address appearing on the assessment roll, or if no address appears thereon, such service may be made by posting the notice in a conspicuous place upon the property. Proof of the service of the notice shall be made by declaration of the person effecting the service.~~

~~8.59.060 Appeal hearing—Service of notice.~~

- ~~A. The Building Official shall serve on the owner who has appealed, a copy of the notice of hearing by certified mail.~~
- ~~B. The notice of hearing shall be served at least ten (10) days before the hearing. Proof of service shall be made by declaration filed with the Board.~~
- ~~C. Service shall be completed at the time of the deposit of the notice in a receptacle maintained by the United States Postal Service, with postage thereon fully prepaid.~~
- ~~D. "Owner", as used in this Section, means any person so designated on the last equalized assessment roll and also any person having or claiming to have any legal or equitable interest in the premises.~~
- ~~E. The failure of any person to receive such notice shall not affect the validity of any proceedings under this Chapter.~~

~~8.59.070 Appeal—Hearing—Procedure.~~

- ~~A. At the time stated in the notice, the Board shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from owners, witnesses, including City personnel, and interested persons relative to the alleged public nuisance and to the proposed fencing of the premises. The hearing may be continued without further notice.~~
- ~~B. Upon conclusion of the hearing, the Board shall determine whether the premises, or any part thereof, as maintained, constitute a public nuisance as defined in this Chapter. If the Board finds that such public nuisance does exist, it shall determine if fencing would be appropriate to effectively abate the nuisance and any recurrence of the same and shall establish a time, not to exceed twenty (20) days, within which the erection of the fencing shall take place; and in the event the owner fails to erect the fence within the time prescribed, the City shall cause the fence to be erected and the cost incurred by the City, including incidental enforcement costs, plus any prescribed penalties, shall become a lien upon the property.~~
- ~~C. A copy of the Board's determination shall be served by mail upon the owner of the affected premises. Service shall be complete at the time of its deposit in a receptacle maintained by the United States Postal Service, with postage thereon fully prepaid.~~
- ~~D. No legal proceeding or action shall lie against the City or any officer, agent or employee of the City, to review or enjoin the enforcement of its determination or orders made pursuant to this Chapter, unless such legal action is commenced within thirty (30) days after the decision of the Board.~~

~~8.59.080 Owner fencing notice.~~

~~Every owner served with a notice or order to fence premises, who upon his own account erects a fence around his lot shall upon completion of the work immediately give written notice thereof to the Building Official. Such notice shall be either delivered or mailed to the office of the Building Official. Upon receipt of such notice the Building Official shall cause the lot to be inspected, and if the fencing is acceptable, the Building Official shall issue to the owner a certificate so stating. If the fencing is unacceptable, the Building Official shall cause the same to be reconstructed and the cost thereof shall be assessed against the lot as if no such notice was received from the owner.~~

~~8.59.090 City fencing—Authorized.~~

~~If any owner served with a notice to fence premises fails to erect a fence around his lot within the time stated in the notice, or order of the Board after appeal, he shall be deemed to have consented to such erection by the Building Official who shall thereupon be authorized, and it shall be his duty to enter upon the lot and erect the fence thereon.~~

~~8.59.100—City fencing levy computation.~~

~~The Building Official shall, after the erection of a fence on any lot, compute all expenses so incurred by the City in connection therewith including the applicable processing fees as set forth by City Council resolution and all incidental enforcement costs plus any prescribed penalties. All expenses shall be charged to and become an indebtedness of the owner of such premises.~~

~~8.59.110—Lot fencing levy payment notice.~~

~~Upon computing the expenses, the Building Official shall serve upon the owners of all lots on which fencing was erected, as said owners are determined from the current assessment roll, and in the same manner as provided for service of the notice to fence premises, a notice to pay lot fencing levy (sometimes referred to in this Chapter as a notice to pay), which notice shall be in substantially the following form:~~

~~NOTICE TO PAY LOT~~

~~FENCING LEVY~~

~~In accordance with the provisions of Chapter 8.59 of the Long Beach Municipal Code, the Building Official has caused a fence to be erected enclosing the following real property:~~

~~_____~~
~~(legal description)~~

~~AKA _____~~
~~(address)~~

~~The fence was erected either at City expense or the work was accomplished by that owner or others after the established deadline.~~

~~You are hereby notified that the total cost, including incidental enforcement costs and any prescribed penalties, in the amount of _____ are now due and payable to the City of Long Beach.~~

~~Section 8.59.120 of the Long Beach Municipal Code provides, in part, that the property owner or any interested person may demand a hearing within fifteen (15) days of this notice before the Board on the reasonableness of the charges. Such demand shall be in writing, filed with the Building Official and shall describe the property involved, the reasons for objecting, and the name, address and interest of the appellant.~~

~~If no hearing is demanded, this payment shall become delinquent thirty (30) days from this notice and a lien for said amount, plus a fee for preparation of the lien, shall be attached to the affected property and thereafter bear interest at the rate of twelve percent (12%) per annum until paid. An additional fee will be incurred in the event that payment is not received before the end of the fiscal year and transfer of collection to the City Treasurer becomes necessary.~~

~~8.59.120—Hearing on charges.~~

~~Within fifteen (15) days from the date of the notice to pay, the property owner, or any interested person, may demand a hearing as to the reasonableness of such charges. Such demand shall be in writing and filed with the Building Official. It shall describe the property involved, state the reasons for objecting, and include the address of the applicant for service of notices in connection with such hearing. The Building Official shall thereupon set a date for hearing such protest by the Board within a reasonable time. The Building Official shall send written notice of such hearing in the manner provided in Section 8.59.060. At the time set for such hearing, the Board shall hear all evidence pertinent to the reasonableness of such charges and shall then either confirm or modify the charges. The decision of~~

~~the Board shall be final, and the Building Official shall give notice to the parties affected in the manner provided in Section 8.59.070.~~

~~8.59.130—Interest on charges.~~

~~If the amount of the charges as determined by the Board has not been paid within thirty (30) days of its decision, the payment shall thereupon become delinquent and a lien against the real property and the amount so determined shall thereafter bear interest at the rate of twelve percent (12%) per annum until paid. If no hearing is demanded as to the reasonableness of the charges, the payment shall become delinquent and a lien against the real property shall be recorded thirty (30) days after the notice of the charges for abatement is served by the Building Official; and such amount shall thereafter bear interest at the rate of twelve percent (12%) per annum until paid.~~

~~8.59.140—Transfer for collection.~~

~~The Building Official shall certify a list of all delinquent charges for lot fencing or nuisance abatement to the City Treasurer who shall submit the list to the City Council for confirmation. Each parcel of property shall be described sufficiently to identify it in accordance with the records of the County Tax Collector. The amount of the charges including such interest as has accrued after the delinquent date shall be set forth opposite the description by the City Treasurer.~~

~~8.59.150—Method of collection.~~

~~Upon receipt of the list, the County Tax Collector shall enter the charges shown thereon for each parcel of property upon the current tax roll and shall proceed to collect the charges in the same manner as ad valorem taxes, and penalties and interest for nonpayment thereafter shall attach as though the amounts were ad valorem taxes; provided, however, that no receipt for payment of ad valorem taxes appearing upon the tax roll as against a particular parcel shall be issued unless all such charges for collection for lot fencing, correction of substandard conditions or nuisance abatement, and penalties thereon, entered upon that tax roll against the lot are first paid in full.~~

~~8.59.160—Tax—Sold property.~~

~~Upon the sale of any lot to the State for nonpayment of taxes, all charges for lot fencing, correction of substandard conditions or nuisance abatement for the parcel appearing upon the tax roll, together with the penalties thereon, shall be added to and become a part of the same delinquent tax record.~~

~~8.59.170—Tax—Sold property—Redemptions.~~

~~No certificate of redemption from sale for delinquent taxes shall be issued until all charges for lot fencing, correction of substandard conditions and nuisance abatement, and penalties entered on the delinquent tax records against the property involved, have first been paid in full.~~

~~8.59.180—Error correction—Assessment cancellation.~~

~~A. The Building Official may, prior to certifying any such unpaid charges to the City Treasurer, correct any errors with respect to such levies appearing upon his records.~~

~~B. After such levies have been certified to the City Treasurer and confirmed by the City Council, the Council, by order entered on its minutes, may cancel any charges for lot fencing, correction of substandard conditions or nuisance abatement, or penalty, or any portion of either thereof, appearing on the tax records, which, because of error, is charged against the wrong property, or which has been paid but such payment has not been recorded upon the tax records, or which is based upon a clerical error in such records, or which was charged against property acquired subsequent to the lien date by the United States, by the State, or any City, or any school district or other political subdivision and, because of this public ownership, not subject to sale for delinquent assessments.~~

~~8.59.190 – Interfering with enforcement prohibited.~~

~~No person as owner, lessee, or agent or person in possession of any property within the City shall allow a public nuisance, as defined in Section 8.59.030, to exist within the City, or refuse to allow the Building Official to enter upon any property during the hours of daylight where any such nuisance exists, for the purpose of inspecting or abating same, after notice has been given as provided in Section 8.59.040, or after appeal is concluded or time for appeal has expired, or interfere with the Building Official in any manner whatsoever in the abating of the nuisance or the fencing of the property.~~

RATIONALE:

Administrative changes to delete LBMC §8.59 – LOT FENCING in its entirety due to the adoption of LBMC §18.29 – MAINTENANCE OF VACANT LOTS.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes editorial changes to delete LBMC §8.59 – LOT FENCING in its entirety due to the adoption of LBMC §18.29 – MAINTENANCE OF VACANT LOTS.

PROPOSED AMENDMENT:

Chapter 14.32 of the Long Beach Municipal Code is deleted in its entirety as follows:

**CHAPTER 14.32
HOUSE NUMBERING**

~~14.32.010 Installation authority.~~

~~The Superintendent of Building and Safety is authorized and instructed to install a system of house numbers for buildings in the City.~~

~~14.32.020 Baseline established.~~

~~Ocean Boulevard is determined to be the baseline for house numbering, and house numbers on all intersecting highways shall commence with numbers one and two at the baseline, and continue northerly and southerly, respectively, to the termini of such highways, or to the City limits, allowing as near as practicable one hundred (100) numbers to each block.~~

~~14.32.030 Meridian line established.~~

~~The meridian line for house numbering shall be a line running from the Pacific Ocean along the centerline of Pine Avenue to the centerline of Country Club Drive; thence in a direct line to a point in the centerline of Long Beach Boulevard two hundred feet (200') southerly of Forty-Eighth Street; and thence along the centerline of Long Beach Boulevard to the northerly City limits. House numbers on all intersecting highways shall commence with the numbers one hundred (100) and one hundred one (101) at the meridian line and continue easterly and westerly, respectively, to the termini of such highway or to the City limits allowing as near as practicable one hundred (100) numbers to the block.~~

~~14.32.040 Odd and even numbers.~~

~~Odd numbers shall be used on the northerly and westerly sides, and even numbers on the southerly and easterly sides of all highways. Where practicable twelve and one-half feet (12½') of street frontage shall be allowed for each number. Where necessary, fractional numbers may be used. Where numbers are required for rear designations, the house number in front thereof shall be used with letter suffixes. All highways not intersecting a base or meridian line shall be numbered in accordance with the numbering of highways parallel thereto. In any special case, such as a curved street or street not parallel either to the base line or meridian, the system may be modified in such a manner as, in the opinion of the Superintendent of Building and Safety, will best fit the conditions of such special case.~~

~~14.32.050 Notice to affix numbers.~~

~~The Superintendent of Building and Safety shall notify the owner or person in control of every building in the City not numbered in accordance with this Chapter of the number or numbers designated for the principal entrance or entrances thereto; and the owner or person in control of the building shall, within five (5) days after such notice, place, or cause to be placed, the number or numbers so designated in arabic digits, each of which shall be not less than three inches (3") in height, upon the door header, doorjamb, porch post, front steps or other place near the designated entrance or entrances to the building in plain view from the highway in front thereof.~~

~~14.32.060 Changing numbers.~~

~~The Superintendent of Building and Safety shall have the authority to change addresses of existing buildings if:~~

~~A. The change of address is necessary to comply with the requirements of this Chapter;~~

~~B. If a change of address is requested by the owner. Each change of address initiated and requested by the owner of a building shall be accompanied by a fee as set forth in the schedule of fees and charges established by City Council resolution.~~

~~14.32.070 Variance.~~

~~The City Manager, upon receipt of a written request for a variance from the house numbering requirements of this Chapter, may grant such variance with respect to unique projects or projects of communitywide significance and magnitude.~~

RATIONALE:

Administrative changes to delete Chapter 14.32 Housing Numbering in its entirety from Title 14 Streets and Sidewalks and reassign it to Title 18 Long Beach Standards Code under whose authority is responsible for the assignment of building/house numbers.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes administrative changes to the title numbering to align with authoritative responsibility.

PROPOSED AMENDMENT:

Section 18.02.020 of the Long Beach Municipal Code is amended to read as follows:

"Substandard building" means any building or other structure, or the premises on which the same is located, where any of the following conditions exist to an extent which, in the opinion of the Building Official or Fire Code Official, endangers the life, limb, health, property, safety or welfare of the occupants thereof, or of the public:

1. Inadequate sanitation. "Inadequate sanitation" shall include, but not be limited to, the following:
 - a. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit;
 - b. Lack of or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel;
 - c. Lack of or improper kitchen sink;
 - d. Lack of hot and cold running water to plumbing fixtures in a hotel;
 - e. Lack of hot and cold running water to plumbing fixtures in a dwelling unit;
 - f. Lack of adequate heating;
 - g. Lack of, or improper operation of, required ventilating equipment;
 - h. Lack of minimum amounts of natural light and ventilation required by this ~~code~~title;
 - i. Room and space dimensions less than required by this ~~code~~title;
 - j. Lack of required electrical lighting;
 - k. Dampness of habitable rooms;
 - l. Infestation of insects, vermin or rodents as determined by the Health Officer;
 - m. General dilapidation or improper maintenance;
 - n. Lack of connection to required sewage disposal system; and/or
 - o. Lack of adequate garbage and rubbish storage and removal facilities as determined by the Health Officer.

"Title" or "this title" means Title 18 of the Long Beach Municipal Code.

RATIONALE:

Administrative changes to replace the word "code" with "title reference the regulations contained in Title 18 of the LBMC.

Administrative changes to clarify that title as used throughout refers to the Long Beach Building Standards Code contained in Title 18 of the LBMC.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment clarifies or defines the use of certain words throughout Title 18 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 Long Beach Municipal Code.

PROPOSED AMENDMENT:

Section 18.04.020.B of the Long Beach Municipal Code is amended to read as follows:

- B. Building permits not required. Building permits are not required for any of the following, provided the work is not in violation of Title 21 Zoning Regulations:
1. Where the work regulated by this title is valued at five hundred dollars (\$500.00) or less, unless it affects the fire life-safety, structural stability or required accessible route of a building or structure, or public safety, or is done to make a building conform to the requirements of this title for a change in occupancy or use.
 2. One story detached accessory structures used as tool and storage sheds, children's playhouses and similar uses, provided that the building or structure is accessory to a dwelling unit; it does not exceed one hundred twenty (120) square feet in area nor eight (8) feet in height from floor to roof; it contains no plumbing, electrical, or mechanical installations regulated by this title.
 3. Isolated buildings or structures not larger in area than sixteen (16) square feet in size, including roof projections, and not more than eight (8) feet in height, if separated by a distance of twenty (20) feet or more.
 4. Fences constructed of any materials that are not over four (4) feet in height above grade; and fences constructed of materials other than concrete, masonry, brick or other similar materials that are not over six (6) feet and six (6) inches in height above grade ~~and not constructed of concrete, masonry, brick or other similar materials.~~
 5. Retaining walls or planter boxes that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or sloping earth, or impounding flammable liquids; ~~and is not in violation of Title 21 Zoning Regulations.~~ This exemption shall not apply to retaining walls of any height built on slopes steeper than one (1) unit vertical in five (5) units horizontal (20% slope).
 6. Sidewalks and driveways not more than thirty (30) inches above adjacent grade, not over any basement or story below, and not part of a required accessible route.
 7. Application of hot or cold paint on a roof of a building or structure.
 8. Repair of roofing not in excess of one hundred (100) square feet on an existing building or structure within any twelve (12) month period.
 9. Painting, papering, carpeting and similar finish work and that are not required to comply with accessibility regulations.
 10. Installation of ceramic tile on floor, ~~or~~ countertops and ~~on~~ walls less than forty-eight (48) inches in height.
 11. Replacement of broken or damaged ceramic tile in an existing installation.
 12. Plaster repairing not in excess of ~~ten (10) square yards~~ one hundred (100) square feet of interior or exterior plaster; ~~and is not in violation of Title 21 Zoning Regulations.~~
 13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches in height.

14. Exhibits, booths, partitions and display counters for temporary use not exceeding thirty (30) days in conjunction with an exhibit or show and not exceeding twelve (12) feet in height above the floor.
15. Window awnings in one- or two-family dwellings and related accessory building or structure supported by an exterior wall that do not project more than fifty-four (54) inches from the exterior wall and do not require additional support.
16. Swimming, bathing and wading pools not over two (2) feet in depth, provide a distance from the pool to the property lines and buildings or structures not less than the depth of the pool, and not having a surface area exceeding two hundred fifty (250) square feet; there is no electrical or plumbing installation.
17. Prefabricated swimming pools accessory to a one- or two-family dwelling that are less than ~~twenty~~-~~twenty~~-four (24) inches deep, do not exceed five thousand (5,000) gallons and are installed entirely above ground; it contains no plumbing, electrical, or mechanical installations regulated by this title.
18. Veneer less than four (4) feet in height.
19. Waterproof pointing of joints in masonry or veneer, also cleaning with detergents which are not injurious to clothing or skin of persons and are not removed by liquid washing, provided work is done from safely enclosed scaffolding which will collect any dust, debris or dropped tools and materials in use.
20. Prefabricated outdoor tents or canopy structures for temporary use not exceeding one hundred eighty (180) days, provided such tents or canopies are accessory to a one- or two-family dwelling on the site; and is not in violation of Title 9 Public Peace, Morals and Welfare, Section 9.65.050 Prohibited Canopy Structure, ~~Title 21 Zoning Regulations~~ or the California Fire Code adopted in Chapter 18.48.
21. Shade cloth structures constructed for nursery or agricultural purposes, not including service system.
22. Decks not exceeding two hundred (200) square feet in area, that are not more than thirty (30) inches above grade at any point, are not attached to a dwelling and do not serve the exit door.

RATIONALE:

Administrative changes to update when building permits are required.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

Items 5, 12 and 20 have the phrase "Title 21 Zoning Regulations" strike-out as it is repeating the same phrase in the main section.

Items 4, 9 and 10 are editorial in nature to improve the existing language.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes administrative changes to

update when building permits are not required 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 Long Beach Municipal Code.

PROPOSED AMENDMENT:

Subsection 18.04.050.A.4 of the Long Beach Municipal Code is amended to read as follows:

18.04.050 – Validity of permit.

A. Limit of authorization.

1. The issuance or granting of a permit is not an approval or an authorization of the work specified therein. A permit is merely an application for inspection, the issuance of which entitles the permittee to inspection of the work that is described therein.
2. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data.
3. Permits issued under the requirements of this title shall not relieve the owner of responsibility for securing required permits for work to be done which is regulated by any other title, code or other ordinances of the City or laws and statutes of the State.
4. ~~All work are subject to the following conditions:~~ If the work described by a valid permit is prohibited by a change in the municipal code, then such work may be completed only if the Building Official determines that both substantial liabilities have been incurred, and substantial work has been performed on site, in accordance with the terms of that permit. Work performed and liabilities incurred pursuant to a demolition or moving permit shall not be considered in determining whether an owner may complete a building or structure for which a permit has been issued.

RATIONALE:

Administrative changes to delete extra language to improve the reading of this subsection. There is no change to the requirement with this edit.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Chapter 18.11 is added to Title 18 of the Long Beach Municipal Code to read as follows:

CHAPTER 18.11
BUILDING ADDRESS AND NUMBER

18.11.010 Installation authority.

The Building Official is authorized and instructed to install a system of addresses and numbers for buildings in the City.

18.11.020 Baseline established.

Ocean Boulevard is determined to be the baseline for building addresses and building numbers on all intersecting highways shall commence with numbers one and two at the baseline and continue northerly and southerly, respectively, to the termini of such highways, or to the City limits, allowing as near as practicable one hundred (100) numbers to each block.

18.11.030 Meridian line established.

The meridian line for building addresses shall be a line running from the Pacific Ocean along the centerline of Pine Avenue to the centerline of Country Club Drive; thence in a direct line to a point in the centerline of Long Beach Boulevard two hundred feet (200') southerly of Forty-Eighth Street; and thence along the centerline of Long Beach Boulevard to the northerly City limits. Building numbers on all intersecting highways shall commence with the numbers one hundred (100) and one hundred one (101) at the meridian line and continue easterly and westerly, respectively, to the termini of such highway or to the City limits allowing as near as practicable one hundred (100) numbers to the block.

18.11.040 Odd and even building numbers.

Odd building numbers shall be used on the northerly and westerly sides, and even building numbers on the southerly and easterly sides of all highways. Where practicable, twelve and one-half feet (12½') of street frontage shall be allowed for each building number. Where necessary, fractional numbers may be used. Where building addresses are required for rear designations, the building number in front thereof shall be used with letter suffixes. All highways not intersecting a base or meridian line shall be numbered in accordance with the numbering of highways parallel thereto. In any special case, such as a curved street or street not parallel either to the base line or meridian, the system may be modified in such a manner as, in the opinion of the Building Official, will best fit the conditions of such special case.

18.11.050 Notice to affix building numbers.

The Building Official shall notify the owner or person in control of every building in the City not having a building numbered in accordance with this chapter designated for the principal entrance or entrances thereto; and the owner or person in control of the building shall, within five (5) days after such notice, place, or cause to be placed, the building number or numbers so designated in Arabic digits, each of which shall be not less than three inches (3") in height, upon the door header, doorjamb, porch post, front steps or other place near the designated entrance or entrances to the building in plain view from the highway in front thereof.

18.11.060 Changing building address.

The Building Official shall have the authority to change addresses of existing buildings if:

- A. The change of building address is necessary to comply with the requirements of this chapter;
- or

B. The change of building address requested by the owner of a building shall be accompanied by a fee as set forth in the schedule of fees and charges established by City Council resolution.

18.11.070 Variance.

The Director, upon receipt of a written request for a variance from the building address and number requirements of this chapter, may grant such variance with respect to unique projects or projects of community-wide significance and magnitude.

RATIONALE:

Administrative changes to relocate and edit Chapter 14.32 House Numbering to Chapter 18.11 Building Address and Number to align with the authority of the Building Official whom is responsible for the assignment of building addresses and numbers. Editorial changes include to use the title of “Building Official” to replace the former title “Superintendent of Building and Safety” and changing the decision to grant variances to the Director of Development Services in lieu of the City Manager.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes administrative changes to the building numbering regulation to align with the authoritative responsibility of the Building Official.

PROPOSED AMENDMENT:

Subsection 18.30.120.F of the Long Beach Municipal Code is amended to read as follows:

- F. Administrative Citation schedule. When during an inspection a building, housing, sanitation code, or Long Beach Municipal Code violation is noted that poses an imminent threat to the health and safety of the occupants or surrounding residents, the City Inspector will notify the owner of the violation in accordance with Subsection 18.30.120.E, and will notify the City Prosecutor's Office of the violation within twenty-four (24) hours of the inspection. If the owner fails to abate the violation within ~~thirty (30) days~~seventy-two (72) hours, the City Inspector may issue an administrative citation every fifteen (15) days for each continuing violation.

RATIONALE:

Change the thirty (30) days criteria to seventy-two (72) hours to be consistent with other "imminent threat to health and safety" abatement correction time frames.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes administrative changes to be consistent with other imminent threat to health and safety abatement correction time frames 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 Long Beach Municipal Code.

PROPOSED AMENDMENT:

Section 18.42.010 of the Long Beach Municipal Code is amended to read as follows:

18.42.010 – Adoption.

The City Council adopts and incorporates by reference as though set forth in full in this chapter the ~~2016~~2019 Edition of the California Electrical Code (herein referred to as the “California Electrical Code”). The California Electrical Code is Part 3 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part is based on the provisions of the ~~2014~~2017 Edition of the National Electrical Code (herein referred to as the “National Electrical Code”) as developed by the National Fire Protection Association with necessary California amendments. The following annexes of the California Electrical Code are included: Annexes A, B and C. The following articles, chapters or annexes of the California Electrical Code are deleted: Annexes D, E, F, G, H, I and J.

The adoption of the California Electrical Code is subject to the changes, amendments and modifications to said code as provided in this chapter, and certain provisions of the Long Beach Municipal Code, which shall remain in full force and effect as provided in this title. Such codes and code provisions shall constitute and be known as the Long Beach Electrical Code. A copy of the California Electrical Code, printed as code in book form, shall be on file in the Office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Electrical Code by January 1, 2020. This amendment adopts the latest edition of the California Electrical Code and makes minor editorial changes to reflect that certain non-mandatory articles, chapters, and/or annexes are either included or deleted as part of the code adoption.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Section 18.43.010 of the Long Beach Municipal Code is amended to read as follows:

18.43.010 – Adoption.

The City Council adopts and incorporates by reference as though set forth in full in this chapter the ~~2016~~2019 Edition of the California Plumbing Code (herein referred to as “California Plumbing Code”). The California Plumbing Code is Part 5 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part is based on the provisions of the ~~2015~~2018 Edition of the Uniform Plumbing Code as developed by the International Association of Plumbing and Mechanical Officials with necessary California amendments. The following appendices of the California Plumbing Code are included: Appendices A, B, D, H, ~~and I, and J.~~ The following sections, chapters, or appendices of the California Plumbing Code are deleted: Sections 101.0 through ~~403-8~~107.2 and Table ~~403-4~~104.5 of Chapter 1, Division II; Chapters 13, 15 and 16A; and Appendices C, E, F, G, J, K, ~~and L, and M.~~

The adoption of the California Plumbing Code is subject to the changes, amendments and modifications to said code as provided in this chapter, and certain provisions of the Long Beach Municipal Code, which shall remain in full force and effect as provided in this title. Such codes and code provisions shall constitute and be known as the Long Beach Plumbing Code. A copy of the California Plumbing Code, printed as code in book form, shall be on file in the Office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Plumbing Code by January 1, 2020. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Section 18.44.010 of the Long Beach Municipal Code is amended to read as follows:

18.44.010 – Adoption.

The City Council adopts and incorporates by reference as though set forth in full in this chapter the ~~2016~~2019 Edition of the California Mechanical Code (herein referred to as the “California Mechanical Code”). The California Mechanical Code is Part 4 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part is based on the provisions of the ~~2015~~2018 Edition of the Uniform Mechanical Code as developed by the International Association of Plumbing and Mechanical Officials with necessary California amendments. The following appendices of the California Mechanical Code are included: Appendices A, B, C, and D. The following sections, chapters or appendices of the California Mechanical Code are deleted: Sections 101.0 through ~~118.0~~107.2 and Table ~~114.1~~104.5 of Chapter 1, Division II; and Appendices E, F and G.

The adoption of the California Mechanical Code is subject to the changes, amendments and modifications to said code as provided in this chapter, and certain provisions of the Long Beach Municipal Code, which shall remain in full force and effect as provided in this title. Such codes and code provisions shall constitute and be known as the Long Beach Mechanical Code. A copy of the California Mechanical Code, printed as code in book form, shall be on file in the Office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Mechanical Code by January 1, 2020. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Section 18.46.010 of the Long Beach Municipal Code is amended to read as follows:

18.46.010 – Adoption.

The City Council adopts and incorporates by reference as though set forth in full in this chapter the ~~2016~~2019 Edition of the California Energy Code (herein referred to as the “California Energy Code”). The California Energy Code is Part 6 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part is developed by the California Energy Commission.

The adoption of the California Energy Code and certain provisions of the Long Beach Municipal Code shall remain in full force and effect as provided in this title. Such codes and code provisions shall constitute and be known as the Long Beach Energy Code. A copy of the California Energy Code, printed as code in book form, shall be on file in the office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Energy Code by January 1, 2020.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Section 18.47.010 of the Long Beach Municipal Code is amended to read as follows:

18.47.010 – Adoption.

The City Council adopts and incorporates by reference as though set forth in full in this chapter the ~~2016~~2019 Edition of the California Green Building Standards Code (herein referred to as “California Green Building Standards Code”). The California Green Building Standards Code is Part 11 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The following appendices of the California Green Building Code are deleted: Appendices A4, A5, and A6.1.

The adoption of the California Green Building Standards Code is subject to the changes, amendments and modifications to said code as provided in this chapter, and certain provisions of the Long Beach Municipal Code, which shall remain in full force and effect as provided in this title. Such codes and code provisions shall constitute and be known as the Long Beach Green Building Standards Code. A copy of the California Green Building Standards Code, printed as code in book form, shall be on file in the Office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

This proposed amendment adopts the latest edition of the California Green Building Standards Code and makes minor editorial changes to reflect that certain non-mandatory appendices are either included or deleted as part of the code adoption.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code.

PROPOSED AMENDMENT:

Section 18.47.030 of the Long Beach Municipal Code is amended to read as follows:

18.47.030 – Amend CALGreen Section 4.106.4.2—New multifamily dwelling EV charging space and charging station calculation.

~~Section 4.106.4.2 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:~~

~~4.106.4.2 New multifamily dwellings. Where a building contains 3 or more dwelling units is constructed on a building site, at least one electric vehicle charging spaces (EV spaces) capable of supporting future EVSE shall be provide for each dwelling unit. Where guest parking spaces are provided on a building site, 25 percent of the total number of guest parking spaces, but in no case less than one, shall be EV spaces capable of supporting future EVSE and 5 percent of the total number of guest parking spaces, but in no case less than one, shall have EV chargers installed. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.~~

~~Exception: On a case by case basis, where the Building Official has determined EV charging and infrastructure are not feasible based upon the installation of an alternative and innovative parking system, the following required number of EV spaces and EV chargers may be permitted in lieu of providing one EV space for each dwelling unit:~~

- ~~1. 100 percent of the total number of guest parking spaces shall be EV spaces capable of supporting future EVSE; and~~
- ~~2. 10 percent of the total number of guest parking spaces shall have EV chargers installed.~~

~~Note: Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.~~

~~4.106.4.2 New multifamily dwellings. If residential parking is available, twenty-five (25) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle charging spaces (EV spaces) capable of supporting future EVSE and five (5) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric vehicle charging stations (EVCS). Calculations for the required number of EV spaces and EVCS shall be rounded up to the nearest whole number.~~

~~Exceptions: In lieu of the EV spaces and EVSE required by Section 4.106.4.2, the following uses are permitted to calculate the required number of EV spaces capable of supporting future EVSE at ten (10) percent of the number of parking spaces:~~

- ~~1. Affordable housing.~~
- ~~2. Multifamily dwellings containing less than 17 units.~~
- ~~3. Where alternative and innovative parking system are permitted to be installed as determined by the Building Official.~~

~~Notes:~~

- ~~1. Construction documents are intended to demonstrate the project's capability and capacity for facilitating future EV charging.~~
- ~~2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.~~

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

This proposed amendment requires a certain percentage of parking stalls to be provided with EV charging space capable of supporting future EVSE and EV charging station. Increasing the number of EV charging space or station will allow both the community and residents to benefit from reduced local air and noise pollution, help to combat climate change and enable residents to improve their health and lifestyle.

This proposed amendment includes new exceptions to address parking situation associated with affordable housing units and multifamily dwelling units containing less than 17 units to allow the percentage of EV spaces to comply with the default state's code.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – The City of Long Beach is a densely populated area having buildings and structures constructed within heavily traveled traffic corridors and highways, near and within the proximity of the Long Beach airport and port, and near the ocean and within flood prone area. This impacts the quality of the air, causes higher decibel noise level, and increases the risk of rising sea or flood levels. The proposed modification to increase the number of EV charging space and station will help to address and significantly reduce local air and noise pollutions and greenhouse gas emissions will improve the health and welfare of the city's residents, businesses and visitors and reduce the rise in sea or flood levels, including in San Pedro Bay, that could put at risk the city's homes and businesses, public facilities, airport and port. Therefore, this amendment needs 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 California Green Building Standards Code.

PROPOSED AMENDMENT:

Section 18.47.040 of the Long Beach Municipal Code is amended to read as follows:

~~18.47.040 – Add CALGreen Section 4.106.4.3 – New hotels.~~

~~Section 4.106.4.3 is added to Chapter 4 of the 2016 Edition of the California Green Building Standards Code to read as follows:~~

~~4.106.4.3 New hotels. Where hotels are constructed on a building site, 30 percent of the total number of parking spaces, but in no case less than one, shall be EV spaces capable of supporting future EVSE and 10 percent of the total number of parking spaces, but in no case less than one, shall have EV chargers installed. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.~~

~~Construction shall comply with Section 5.106.5.3.1 or Section 5.106.5.3.2 to facilitate future installation of EVSE. When EVSE(s) is/are installed, it shall be in accordance with the California Building Code, the California Electrical Code, Section 5.106.5.3.1 or Section 5.106.5.3.2, and Section 5.106.5.3.4.~~

~~Note: Construction documents are intended to demonstrate the project’s capability and capacity for facilitating future EV charging. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.~~

~~18.47.040 – Amend CALGreen Section 4.106.4.3, Section 4.106.4.3.1 and Table 4.106.4.3.1—New hotels and motels EV charging space and charging station calculation.~~

~~Section 4.106.4.3, Section 4.106.4.3.1 and Table 4.106.4.3.1 of the 2019 Edition of the California Green Building Standards Code are amended to read as follows:~~

~~4.106.4.3 New hotels and motels. All newly constructed hotels and motels shall provide EV spaces capable of supporting future installation of EVSE and EVCS. The construction documents shall identify the location of the EV spaces and EVCS.~~

Notes:

1. Construction documents are intended to demonstrate the project’s capability and capacity for facilitating future EV charging.
2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

4.106.4.3.1 Number of required EV spaces and EVCS. The number of required EV spaces and EVCS shall be based on the total number of parking spaces provided for all type of parking facilities in accordance with Table 4.106.4.3.1. Calculation for the required number of EV spaces and EVCS shall be rounded up to the nearest whole number.

TABLE 4.106.4.3.1

<u>TOTAL NUMBER OF PARKING SPACES</u>	<u>NUMBER OF REQUIRED EV SPACES</u>	<u>NUMBER OF REQUIRED EVCS</u>
<u>0-9</u>	<u>0</u>	<u>0</u>
<u>10-25</u>	<u>3</u>	<u>1</u>
<u>26-50</u>	<u>8</u>	<u>3</u>
<u>51-75</u>	<u>16</u>	<u>6</u>
<u>76-100</u>	<u>23</u>	<u>8</u>
<u>101-150</u>	<u>31</u>	<u>11</u>
<u>151-200</u>	<u>46</u>	<u>16</u>
<u>201 and over</u>	<u>30 percent of total</u>	<u>10 percent of total</u>

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

This proposed amendment requires a certain percentage of parking stalls to be provided with EV charging space capable of supporting future EVSE and EV charging station. Increasing the number of EV charging space or station will allow both the community and residents to benefit from reduced local air and noise pollution, help to combat climate change and enable residents to improve their health and lifestyle.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – The City of Long Beach is a densely populated area having buildings and structures constructed within heavily traveled traffic corridors and highways, near and within the proximity of the Long Beach airport and port, and near the ocean and within flood prone area. This impacts the quality of the air, causes higher decibel noise level, and increases the risk of rising sea or flood levels. The proposed modification to increase the number of EV charging space and station will help to address and significantly reduce local air and noise pollutions and greenhouse gas emissions will improve the health and welfare of the city's residents, businesses and visitors and reduce the rise in sea or flood levels, including in San Pedro Bay, that could put at risk the city's homes and businesses, public facilities, airport and port. Therefore, this amendment needs 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 California Green Building Standards Code.

PROPOSED AMENDMENT:

Section 18.47.050 of the Long Beach Municipal Code is amended to read as follows:

~~18.47.050 – Amend CALGreen Section 5.106.5.3.3 – EV charging space calculation.~~

~~Section 5.106.5.3.3 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:~~

~~5.106.5.3.3 EV charging space calculation. [N] Where nonresidential buildings or structures are constructed on a building site, 25 percent of the total number of parking spaces, but in no case less than one, shall be EV spaces capable of supporting future EVSE and 5 percent of the total number of parking spaces, but in no case less than one, shall have EV chargers installed. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.~~

~~18.47.050 – Amend CALGreen Section 4.408 – Construction waste reduction, disposal and recycling.~~

~~Section 4.408 of the 2019 Edition of the California Green Building Standards Code is deleted in its entirety and replaced to read as follows:~~

SECTION 4.408
CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING

~~4.408.1 General. Covered projects meeting the threshold of Section 18.67.020 of Title 18 of the Long Beach Municipal Code shall comply with Chapter 18.67 Construction Waste Reduction, Disposal and Recycling of Title 18 of the Long Beach Municipal Code.~~

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

In 2006, the City was able to divert 69% of its waste into recycling or reuse. Among large cities, this diversion rate was the second highest in the nation. Through various programs such as residential curbside recycling, household hazard waste roundups, consistent public outreach, elementary school recycling education, and classes for at-home composting, the City has been able to remain at the forefront of sustainable practices. To this extent, construction and demolition waste contributes to about 25% to 30% of the entire waste in the United States according to the Sustainable Cities Institute. The proposed amendment references the City’s Construction and Demolition Recycling Program Ordinance adopted on May 15, 2007 in lieu of the CalGreen Code provisions. This Ordinance is contained in Chapter 18.67 of the Long Beach Municipal Code. It stipulates a diversion rate of 65% (same as the CalGreen Code) but provides administrative requirements to ensure and facilitate the recycling efforts the City has previously enacted that helps continue to keep landfills from prematurely reaching capacity and by reducing overall resource consumption.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – Amendment is necessary on the basis of a local climatic condition. The proposed amendment makes modification and changes to better preserve and protect the community where environmental resources are scarce and to realize a healthier, cleaner and more viable environment for the City’s residents, its workforce and visitors.

PROPOSED AMENDMENT:

Section 18.47.060 of the Long Beach Municipal Code is amended to read as follows:

~~18.47.060 Amend CALGreen Section 4.408 Construction waste reduction, disposal and recycling.~~

~~Section 4.408 of the 2016 Edition of the California Green Building Standards Code is deleted in its entirety and replaced to read as follows:~~

**SECTION 4.408
CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM**

~~4.408.1 General. Covered projects meeting the threshold of Section 18.67.020 of Title 18 of the Long Beach Municipal Code shall comply with Chapter 18.67 Construction and Demolition Recycling Program of Title 18 of the Long Beach Municipal Code.~~

~~18.47.060 – Amend CALGreen Section 5.106.5.3.3 and Table 5.106.5.3.3—New nonresidential EV charging space and charging station calculation.~~

~~Section 5.106.5.3.3 and Table 5.106.5.3.3 of the 2019 Edition of the California Green Building Standards Code are amended to read as follows:~~

~~5.106.5.3.3 EV charging space and charging station calculation. (N) Table 5.106.5.3.3 shall be used to determine the number of required single or multiple EV spaces capable of supporting future installation of EVSE and EVCS. Calculations for the required number of EV charging spaces and EVCS shall be rounded up to the nearest whole number.~~

~~**Exception:** On a case-by-case basis where the Building Official has determined EV charging and infrastructure is not feasible based evidence suitable to the Building Official that there is insufficient electrical supply.~~

TABLE 5.106.5.3.3

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV SPACES	NUMBER OF REQUIRED EVCS
0-9	0	0
10-25	3	1
26-50	7	2
51-75	13	3
76-100	19	4
101-150	26	6
151-200	38	8
201 and over	25 percent of total	5 percent of total

RATIONALE:

Administrative changes to reference the latest edition of the State’s code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

This proposed amendment requires a certain percentage of parking stalls to be provided with EV charging space capable of supporting future EVSE and EV charging station. Increasing the number of EV charging space or station will allow both the community and residents to benefit from reduced local air and noise pollution, help to combat climate change and enable residents to improve their health and lifestyle.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – The City of Long Beach is a densely populated area having buildings and structures constructed within heavily traveled traffic corridors and highways, near and within the proximity of the Long Beach airport and port, and near the ocean and within flood prone area. This impacts the quality of the air, causes higher decibel noise level, and increases the risk of rising sea or flood levels. The proposed modification to increase the number of EV charging space and station will help to address and significantly reduce local air and noise pollutions and greenhouse gas emissions will improve the health and welfare of the city’s residents, businesses and visitors and reduce the rise in sea or flood levels, including in San Pedro Bay, that could put at risk the city’s homes and businesses, public facilities, airport and port. Therefore, this amendment needs 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 California Green Building Standards Code.

DRAFT

PROPOSED AMENDMENT:

Section 18.47.070 of the Long Beach Municipal Code is amended to read as follows:

18.47.070 – Amend CALGreen Section 5.408—Construction waste reduction, disposal and recycling.

Section 5.408 of the ~~2016~~2019 Edition of the California Green Building Standards Code is deleted in its entirety and replaced to read as follows:

SECTION 5.408
CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM

5.408.1 General. Covered projects meeting the threshold of Section 18.67.020 of Title 18 of the Long Beach Municipal Code shall comply with Chapter 18.67 Construction and Demolition Recycling Program of Title 18 of the Long Beach Municipal Code.

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

In 2006, the City was able to divert 69% of its waste into recycling or reuse. Among large cities, this diversion rate was the second highest in the nation. Through various programs such as residential curbside recycling, household hazard waste roundups, consistent public outreach, elementary school recycling education, and classes for at-home composting, the City has been able to remain at the forefront of sustainable practices. To this extent, construction and demolition waste contributes to about 25% to 30% of the entire waste in the United States according to the Sustainable Cities Institute. The proposed amendment references the City's Construction and Demolition Recycling Program Ordinance adopted on May 15, 2007 in lieu of the CalGreen Code provisions. This Ordinance is contained in Chapter 18.67 of the Long Beach Municipal Code. It stipulates a diversion rate of 65% (same as the CalGreen Code), but provides administrative requirements to ensure and facilitate the recycling efforts the City has previously enacted that helps continue to keep landfills from prematurely reaching capacity and by reducing overall resource consumption.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – Amendment is necessary on the basis of a local climatic condition. The proposed amendment makes modification and changes to better preserve and protect the community where environmental resources are scarce and to realize a healthier, cleaner and more viable environment for the City's residents, its workforce and visitors.

PROPOSED AMENDMENT:

Section 18.47.080 of the Long Beach Municipal Code is amended to read as follows:

18.47.080 – Amend CALGreen Section 5.303.1—Meters.

Section 5.303.1 of the ~~2016~~2019 Edition of the California Green Building Standards Code is amended to read as follows:

5.303.1 Meters. Separate submeters or metering devices shall be installed for the uses described in Sections 5.303.1.1 through 5.303.1.3.

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

The proposed amendment clarifies the metering requirement of the Long Beach Water Department. By requiring the installation of water meters for new buildings with mixed-use occupancies, the Water Department can allocate water costs based upon water consumption in the residential and nonresidential portion of the building and create a financial incentive for residents or businesses to conserve water.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – Amendment is necessary on the basis of a local climatic condition. The City is reliant on imported water, importing as much as 40% from the Metropolitan Water District. To address the impact of imminent water supply shortage as the result of a statewide, multi-year droughts, critically low levels in key state reservoirs and significant pumping restrictions on imported water supplies from the State Water Project, it is necessary to increase water conservation efforts to ensure sufficient water resources is available for current and future residents of the City. Nearly 36% of water usage in the City can be attributed to multifamily residential or mixed-use buildings where water consumption in each individual dwelling unit is not measured. Therefore this amendment needs 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 California Green Building Standards Code.

PROPOSED AMENDMENT:

Section 18.47.090 of the Long Beach Municipal Code is amended to read as follows:

18.47.090 – Add CALGreen Section 5.303.1.3—Mixed-use occupancy.

Section 5.303.1 is added to Chapter 5 of the ~~2016~~2019 Edition of the California Green Building Standards Code to read as follows:

5.303.1.3 Mixed-use occupancy. In new buildings with mixed-use occupancies, separate metering devices shall be dedicated solely to each residential and nonresidential uses. The plumbing system downstream of the meters for the residential and nonresidential uses shall be independent of the other and not cross-connected.

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Green Building Standards Code by January 1, 2020.

The proposed amendment clarifies the metering requirement of the Long Beach Water Department. By requiring the installation of water meters for new buildings with mixed-use occupancies, the Water Department can allocate water costs based upon water consumption in the residential and nonresidential portion of the building and create a financial incentive for residents or businesses to conserve water.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Climatic Condition – Amendment is necessary on the basis of a local climatic condition. The City is reliant on imported water, importing as much as 40% from the Metropolitan Water District. To address the impact of imminent water supply shortage as the result of a statewide, multi-year droughts, critically low levels in key state reservoirs and significant pumping restrictions on imported water supplies from the State Water Project, it is necessary to increase water conservation efforts to ensure sufficient water resources is available for current and future residents of the City. Nearly 36% of water usage in the City can be attributed to multifamily residential or mixed-use buildings where water consumption in each individual dwelling unit is not measured. Therefore, this amendment needs 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 California Green Building Standards Code.

PROPOSED AMENDMENT:

Subsection 18.64.010.A of the Long Beach Municipal Code is amended to read as follows:

18.64.010 – Permit—Required.

- A. No person, firm or corporation shall engage in wet or dry sandblasting of the outside ~~of~~ any building or structure in the City without first obtaining a permit to do so from the Building Official.

RATIONALE:

The proposed amendment makes editorial and administrative changes to clarify the section is referring to wet and dry sandblasting applications. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes editorial and administrative changes to clarify the section is referring to wet and dry sandblasting applications 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 Long Beach Municipal Code.

PROPOSED AMENDMENT:

Section 18.64.080 of the Long Beach Municipal Code is amended to read as follows:

18.64.080 – Permitted hours.

No person, firm or corporation shall engage in sandblasting ~~before eight o'clock (8:00) a.m. or after five o'clock (5:00) p.m. of any day, or on Saturdays, Sundays or legal holidays upon any structure which is within one hundred feet (100') of any inhabited single or multifamily residential dwelling unless the hours of operation is in accordance with Section 8.80.202 Noise Regulations for Authorized Hours of Operations.~~

RATIONALE:

The proposed amendment makes editorial and administrative changes to align the hours of operation to the construction hours of operation outlined in Section 8.80.202.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment makes editorial and administrative changes to align the hours of operation to the construction hours of operation outlined in section 8.80.202 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 Long Beach Municipal Code.

PROPOSED AMENDMENT:

Subsection 18.99.010.A of the Long Beach Municipal Code is amended to read as follows:

18.99.010 – Purpose.

- A. The provisions of this title contain certain changes, deletions, modifications and additions to the ~~2016~~2019 Edition of the California Building Standards Code adopted by the City. Chapters and sections of this title, including the amendments herein, are considered amendments to the California Building Standards Code and Appendices. Some of these changes are administrative in nature in that they do not constitute changes, modifications or additions to the California Building Standards Code.
- B. Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council has, by resolution made specific findings of fact and determinations relative to the unique climatic, geological or topographical conditions existing in Long Beach that necessitate amendment to the various applicable California Building Standards Code. A copy of said resolution shall be on file with the office of the City Clerk.

RATIONALE:

Administrative changes to reference the latest edition of the State's code. State law requires that local jurisdictions adopt the 2019 Edition of the California Building Code by January 1, 2020.

FINDINGS:

Local Administrative Clarification – Amendment is necessary for local administrative clarification, does not modify a Building Standards as defined in Section 18909(c) of the California Health and Safety Code, and does not require the express findings and determination required by Sections 17958, 17958.5 and 17958.7 of the California Health and Safety Code. The proposed amendment references the latest edition of the State's code 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 Long Beach Municipal Code.