



# City of Huntington Beach

File #: 22-908

MEETING DATE: 11/15/2022

## REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Al Zelinka, City Manager

**VIA:** Ursula Luna-Reynosa, Director of Community Development

**PREPARED BY:** Jasmine Daley, Building Manager

**Subject:**

**Adopt Ordinance No. 4270 adopting the 2022 Model California Construction Codes. Approved for Introduction October 18, 2022 - Vote: 6-0-1 Peterson Absent**

**Statement of Issue:**

The State's Health and Safety Code requires local governments to adopt the most recent editions of the model codes related to construction. The construction codes include: the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical Building, Existing Building, Green Building Standards, Referenced Standards, Uniform Solar, Hydronics and Geothermal Code, and the Uniform Swimming Pool, Spa, and Hot Tub Code.

City Council approval is requested to approve Ordinance No. 4270 (Attachment No.1). If approved, the most recent editions of the California construction codes with the applicable amendments will become effective January 1, 2023 as required by State law.

**Financial Impact:**

The adoption of the proposed Codes will not have any fiscal impact on the City's budget.

**Recommended Action:**

Adopt Ordinance No. 4270, "An Ordinance of the City of Huntington Beach Amending Title 17 - Buildings and Construction of the Huntington Beach Municipal Code Adopting the California Building Standards Code and Repealing Ordinance No. 4190."

**Alternative Action(s):**

Do not adopt Ordinance No. 4270 of the City Council of the City of Huntington Beach. The 2022 CA Codes will automatically be in effect on January 1, 2023 without City amendments.

**Analysis:**

Construction codes that regulate the health and safety of the structures in Huntington Beach are published every three years to keep up with current design technology and construction materials.

The California Building Standards Commission is charged with approving and publishing the State Codes under Title 24. The 2022 editions of the California Building, Green Building Standards, Residential, Mechanical, Plumbing, and Electrical Codes were published on July 1, 2022. In accordance with Section 18941.5 of the California Health and Safety Code, the City is mandated to enforce the codes starting on January 1, 2023.

The construction codes proposed for adoption by reference with amendments include the following:

- 2022 California Administrative Code (Part 1)
- 2022 California Building Code (Part 2)
- 2022 California Residential Code (Part 2.5)
- 2022 California Electrical Code (Part 3)
- 2022 California Mechanical Code (Part 4)
- 2022 California Plumbing Code (Part 5)
- 2022 California Energy Code (Part 6)
- 2022 California Historical Building Code (Part 8)
- 2022 California Existing Building Code (Part 10)
- 2022 California Green Building Standards Code (Part 11)
- 2022 California Referenced Standards Code (Part 12)
- 2021 Solar, Hydronics and Geothermal Code
- 2021 Uniform Swimming Pool, Spa and Hot Tub Code

Official adoption of the codes by reference allows the City of Huntington Beach to amend the codes for administrative purposes and for special conditions and hazards that do not exist in all jurisdictions, if necessary. The specific findings (Attachment No. 1) are also required to be adopted since the State requires cities to justify that the amendments are reasonably necessary because of local climatic, geological or topographic conditions. If the codes are not adopted, they will become law by default without amendments.

Huntington Beach has certain climatic and geological conditions that need to be mitigated to prevent certain hazards from occurring. Climatic conditions include Santa Ana winds and dry climatic conditions that could result in fires. Local amendments include fire prevention systems and clarifying the minimum requirements for roof covering to mitigate fire hazards. Geological conditions include seismic activity, methane district, and corrosive soils. Examples of local amendments to mitigate such hazards include requiring soils and methane reports as part of Construction Documents and fire prevention systems. All other local amendments are administrative in nature.

The Uniform Swimming Pool, Spa and Hot Tub Code and Uniform Solar, Hydronics and Geothermal Code are not mandated by the State. However, new editions are proposed to be adopted to reflect changes and to stay current with industry standards.

Ordinance No. 4270 with express findings incorporates amendments to reflect the City's local conditions, and the remainder of the proposed amendments are administrative or procedural in nature.

The proposed amendments are consistent with the Orange County Code Uniformity Group and have the support of the Orange County Building Industry Association.

**Environmental Status:**

The project involves adoption of an ordinance to incorporate the California Building Code update into the Huntington Beach Municipal Code. The project is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The project is also exempt pursuant to City Council Resolution No. 4501, which supplements the CEQA Guidelines Section 15320, Class 20, and states that projects involving "adoption of ordinances (except zoning) which establish or amend procedures for reviewing an activity or which require subsequent discretionary action which is subject to CEQA..." are exempt.

**Strategic Plan Goal:**

Financial Sustainability, Public Safety or Other

**Attachment(s):**

1. Ordinance No. 4270 (Includes Express Findings)
2. PowerPoint Presentation