

**SUBJECT: URGENCY ORDINANCE AND FIRST READING OF AN ORDINANCE ADOPTING BY REFERENCE TITLES 26, 27, 28, 30, 31, AND 33 OF THE LOS ANGELES COUNTY CODES INCORPORATING THE CALIFORNIA STATE BUILDING STANDARDS CODE**

**PREPARED BY: PLANNING & DEVELOPMENT SERVICES DEPARTMENT**  
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**STATEMENT ON THE SUBJECT:**

The City Council will consider approving an Ordinance amending Chapters 13.04 (Building Code), 13.08 (Electrical Code), 13.12 (Plumbing Code), and 13.16 (Mechanical Code), 13.20 (Residential Code), 13.24 (Green Building Standards Code), Chapter 13.26 (Existing Building Code), Chapter 13.44 (Historical Building Code) of Title 13, of the West Hollywood Municipal Code.

**RECOMMENDATIONS:**

- 1) Adopt Urgency Ordinance No. 1199-U, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2022; ADD THE CALIFORNIA HISTORICAL BUILDING CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODES; AMENDING CHAPTERS 13.04, 13.08, 13.12, 13.16, 13.20 AND 13.24 OF TITLE 13 OF THE WEST HOLLYWOOD MUNICIPAL CODE; AND DECLARING THE URGENCY THEREOF. (ATTACHMENT A)

- 2) Introduce on first reading, Ordinance No. 1202, adopting by reference the building standards adopted by Urgency Ordinance No.1199-U. (ATTACHMENT B)
- 3) Direct staff to return with a Zone Text Amendment to coordinate electrical vehicle charging stations (EVCS) design standards in Title 19 (Zoning Ordinance) to comply with the 2023 Los Angeles County amendments to the 2022 California Green Building Standards Code (CalGreen).

### **BACKGROUND / ANALYSIS:**

Every three years, the California Building Standards Code is updated and adopted by the California Building Standards Commission and published in the California Code of Regulations. The Health and Safety Code, Sections 17958 and 18941.5 requires that all amendments, together with the unamended portions of the California Standards Code, become effective 180 days after the publication of the California Building Standards Code. The State has established that date to be January 1, 2023.

This Ordinance will adopt the 2022 California State Codes by reference and incorporate the necessary and local amendments. Many of the local amendments to the Codes are based on the model language generated by the Los Angeles Regional Uniform Code Program. This Regional Code Program is cofounded by the County of Los Angeles and has the support of 89 local jurisdictions, including the City of West Hollywood. The Regional Code Program goal is to provide consistency in Code language and interpretation within the Los Angeles County area. These local jurisdiction amendments are structured to be consistent with the 2022 California State Code provisions.

This Ordinance will also add the 2022, Part 8, the California Historical Building Code with minor administrative amendments clarifying key terms. Although the State requires that jurisdictions enforce all parts of the California Building Standards Code, the addition of the Historical Code to the West Hollywood Municipal Code allows for further clarification. Unlike the amendments in other building codes designating City Council as the “Board of Appeals”, the authority of the State Historic Building Safety Board will be preserved to act as the appeal and review body for designated historic properties utilizing the California Historical Building Code.

On July 15, 2019, City Council adopted Ordinance 19-1072 which amended the Municipal Code to adopt more stringent electrical vehicle charging stations (EVCS) and, indoor and outdoor water conservation design standards found in the 2019 California Green Building Standards Code (CalGreen). Design provisions for EVCS recently adopted in the 2023 Los Angeles County Amendments to the 2022 CalGreen now meet or exceed the City’s 2019 amendments (ATTACHMENT C). This ordinance will amend Section 13.24.015 of Title 13.24 (Green Building Standards Code) to align with the County’s EVCS standards. The City’s water conservation amendments for indoor and outdoor water use will remain.

Traditionally, the City of West Hollywood has adopted the most recent Los Angeles County Building, Electrical, Plumbing, Mechanical and Fire Codes shortly after their adoption by the County of Los Angeles. The Los Angeles County Codes are based on the 2019 Editions of the California State Building Code, the California State Plumbing Code, the California State Electrical Code and the California State Mechanical Code, the California Residential Code, the California State Green Building Standards Code, the California Existing Building Code and the California State Fire Code. These State Codes are based on the collection of 2021 International Building Codes.

Los Angeles County amendments to the 2023 California Fire Code are currently in draft form and have not been finalized or adopted by the County Board of Supervisors. These amendments are expected to be available in March 2023. Due to the unavailability of the final documents, staff will return to City Council in April 2023 with a separate ordinance to adopt the County Fire Code amendments. In the interim, the 2022 California Fire Code will become effective January 1<sup>st</sup>, 2023 as required by the State.

California State law requires that Cities have regulations based on the codes in effect within 180 days following the publication of those codes by the State of California. If the City of West Hollywood fails to do so, the codes published by the State of California will become law within the City automatically. This year, with the exception of the Fire code, the County of Los Angeles did not adopt its amendments to the California State Codes until November 15, 2022. For the City of West Hollywood to adopt these amendments by reference and have them in effect by January 01, 2023, it is necessary to adopt them by urgency ordinance.

## **CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD**

### **GENERAL PLAN:**

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-1: Adaptability to Future Change.
- OSP-7: Collaborative Public Safety.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-2: Maintain transparency and integrity in West Hollywood's decision-making process.

### **EVALUATION PROCESSES:**

Not applicable. California State law requires that all Cities adopt the 2022 California State

Codes and incorporate necessary local amendments.

**ENVIRONMENTAL SUSTAINABILITY AND HEALTH:**

The proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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 activity is not subject to CEQA. The Ordinance will not have a significant effect on the environment as it simply establishes general property development and use standards in accordance with State law; it does not authorize construction or development. Thus, the proposed Ordinance is not subject to CEQA. (State CEQA Guidelines, § 15061(b)(3).)

**COMMUNITY ENGAGEMENT:**

Not applicable. Los Angeles County adopted amendments to the 2019 California Building Codes on November 26, 2019. Due to time constraints as noted above, a recommendation for an urgency adoption is requested.

**OFFICE OF PRIMARY RESPONSIBILITY:**

PLANNING & DEVELOPMENT SERVICES DEPARTMENT / BUILDING & SAFETY DIVISION

**FISCAL IMPACT:**

No Fiscal Impact.

**ATTACHMENTS:**

- A. Urgency Ordinance (22-1199U)
- B. Ordinance (22-1202)
- C. EVCS Comparison Summary