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October 31, 2022

Honorable Members of the Public Safety Committee
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Report back in response to recommendations by the Public Safety Committee of the Los Angeles City Council at its hearing of action on August 4, 2021 relative to the retrofit of all previously exempt non-sprinklered residential high-rise buildings in the City of Los Angeles. CF: 20-0146.

On August 4, 2021, the Public Safety Committee considered a LAFD report relative to requiring existing non-sprinklered residential high-rise buildings in the City to install new fire sprinkler systems. Following consideration of the LAFD report, the Committee requested a report back responding to four recommendations. The recommendations and joint responses by LADBS and LAFD are separately considered below.

Recommendation No. 1: Instruct the LADBS and the LAFD Inspectors to survey a sample of a mix of high-rise buildings including both commercial and condominiums of different construction types.

Response: Five residential high-rise buildings out of the 55 buildings that would be impacted by the proposed sprinkler retrofit program were surveyed by LAFD and LADBS on September 7 and October 10 of 2021. Four of them were apartments and one was a condominium. One of the buildings was owned by the City of Los Angeles. Prior to the survey, the owners of the buildings to be surveyed were contacted seeking their approval. The buildings ranged between 12 stories and 25 stories.

After the owner approval was obtained, a small group of Fire Inspectors under the supervision of a LAFD Captain, and a Senior Inspector and a Chief Inspector from LADBS reviewed existing fire/life safety systems as well as the feasibility to add the required fire sprinklers, pumps, water storage tanks and emergency generators. The surveys averaged approximately 2 hours per building.

Recommendation No. 2: Request the City Attorney to report on the feasibility of waiving building permit fees for property owners seeking compliance with a high-rise sprinkler compliance ordinance.

Response: California Government Code Section 66014 states that a Building and Safety building permit fee may not exceed the estimated reasonable cost of providing the service for which the fee is charged. To ensure that plan and permit fees collected are only used for activities related to plan and permit fees and not for other activities, LADBS set up the Enterprise Fund on July 1, 2005 under Ordinance No. 176604.

Waiving Building and Safety fees for sprinkler retrofit projects would be violation of Government Code Section 66014 because the cost of providing those services would have to be paid with money paid by other Building and Safety customers. This would mean that other customers would have to pay more money than the cost of services provided in violation of Government Code Section 66014. One of the purposes of the Enterprise Fund is to ensure that fees charged do not exceed the estimated cost of the service provided.

Waiving fees can only be done if the General Fund appropriates the necessary funding for the amount of the fees waived to the Enterprise Fund.

Recommendation No. 3: Direct the CAO to work with LADBS to identify any funding within the Department's budget to cover the \$33,000 needed for inspections, and if no funding is available for this purpose, to provide it in the next Financial Status Report.

Response

LADBS was able to perform the survey inspections on five buildings without any additional funding and the survey was performed without any special revenue source. It was determined that no additional buildings needed to be surveyed due to knowledge gained by both LADBS and LAFD of the work performed during well over one hundred high-rise voluntary retrofit projects and sprinkler installations on adaptive reuse high-rise buildings.

Recommendation No. 4: Direct LADBS and LAFD to report with the findings of the residential high-rise survey, once completed, and with recommendations to implement the residential high-rise sprinkler program that has the least impact on tenants possible.

Response: The recommendations presented in response to this item are a result of the survey done on the five buildings as described in the response to Recommendation No. 1, the knowledge gained from a number of existing residential high-rise buildings that have voluntarily installed fire sprinklers and the knowledge gained from dozens of existing

commercial high-rise buildings that were converted into residential use and had sprinklers installed using the provision of the Adaptive Reuse Ordinance. All of the fire sprinkler retrofit installations utilized to gain knowledge were required to apply the requirements of Chapter 86, specifically, Sec. 91.8604.6 et seq. of the Building Code.

While Chapter 86 has proven effective for retrofitting existing non-sprinklered buildings with new fire sprinkler systems, Chapter 86 was intended for commercial buildings. Several one-time code modifications were typically necessary in order to approve a fire sprinkler system that could work well in a residential building.

LADBS and LAFD therefore recommend using Chapter 86 as a basis to introduce new regulatory language with amendments that are applicable to residential high-rise buildings. In addition, the current building code edition as applied to new buildings, includes provisions that in some instances are less restrictive than older regulations, such as Chapter 86. Therefore, the new code provisions would be specifically designed for existing residential high-rise buildings and in some instances be less restrictive than Chapter 86 but in line with the current code. The goal of the new regulation would be to simplify the installation of sprinklers compared to using Chapter 86.

It is recommended that the owners of residential high-rise buildings be encouraged to initially complete the installation of the main support infrastructure such as water storage tanks, fire pumps, supply pipes for water systems and standpipes. In the majority of cases, this work can be done without requiring any tenants to vacate their units.

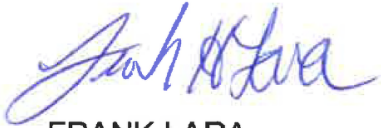
Each building will have its own challenges in complying with potential retrofit requirements. This includes factors such as original construction date, type of construction, number of stories, existing partial sprinkler system, adequacy of maintenance and other factors. The challenges could also include the need to convert parking spaces or other building areas to new uses such as fire pump/generator rooms, asbestos or lead abatement, structural issues and exposed piping that may be considered unsightly.

Based on the buildings surveyed, knowledge gained with prior fire sprinkler installations on adaptive reuse buildings and voluntary installations on existing residential buildings, LADBS and LAFD are providing the following recommendations to implement the residential high-rise sprinkler program that would simplify installation and provide a safe and effective fire sprinkler system for existing residential high-rise buildings.

- Allow the existing sprinkler/standpipe risers for buildings that are partially sprinklered to be utilized for the new sprinkler/standpipe system if the risers are of adequate size, meet Code requirements and are maintained in a safe and operable condition.
- Allow a single fire pump to be allowed in circumstances similar to those allowed in the current building code for new construction. In Chapter 86 of the existing building code, a redundant/secondary fire pump is required for buildings over 150' in height. The current building code for new construction (not applied to existing retrofit) provides for that secondary fire pump threshold to be at 200' above the highest occupied floor level where Fire Department vehicle access can be utilized. By utilizing the 200' threshold as the requirement to provide the secondary fire pumps approximately 85% of the buildings affected would be allowed to provide a single fire pump.
- Allow a water storage tank requirement similar to that allowed in new construction. Similar to the fire pump requirement, Chapter 86 of the existing building code requires a 20,000 gallon water storage tank for buildings over 150' in height. The current building code for new construction (not applied to existing retrofit) provides for that water storage tank threshold to be at 200' above the highest occupied floor level where Fire Department vehicle access can be utilized. By utilizing the 200' threshold as the requirement for providing the storage tank approximately 85% of the buildings affected could forgo the storage tank.
- Allow existing water storage tanks meeting current code requirements to be considered on a case by case basis after evaluation of their working condition.
- Allow alternate Code-accepted methods to prevent smoke and fire migration at elevator lobbies rather than separating the elevator lobby from the remainder of the building with walls having a fire-resistive rating of not less than one hour.
- Developments with more than one residential high-rise building under a single ownership could be considered for a single "campus" fire pump and water storage tank system. This would be considered on a case by case basis while taking steps to ensure that the property cannot be sold separately without redesigning independent systems.
- Require a project management plan to be approved by LAFD and LADBS. This management plan would be needed to ensure that any existing fire protection systems remain operational and minimum life/safety requirements are maintained at all times during the retrofit work. The management plan will be required to include timeframes wherein certain portions of the work are required to be completed. The timeframes can be revised with the approval of both LAFD and LADBS.

If you have any questions regarding this report, please direct them to Hector Buitrago of LADBS via email at hector.buitrago@lacity.org

Sincerely,



FRANK LARA
Director of Government and
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Los Angeles Department of Building
and Safety



DEPUTY CHIEF ORIN SAUNDERS
Fire Marshal
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