



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R25-0450  
SEP 11 2025

**REPORT RE:**

**DRAFT ORDINANCE AMENDING DIVISION 10, ARTICLE 1, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE TO AMEND PORTIONS OF THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE IN ORDER TO ALLOW FOR SINGLE-EXIT APARTMENT BUILDINGS UP TO SIX STORIES DUE TO LOCAL CLIMATIC, GEOLOGIC OR TOPOGRAPHICAL CHANGES**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 25-0247

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance. The draft ordinance would amend Division 10, Article 1, Chapter IX of the Los Angeles Municipal Code (LAMC) at such time as an amendment to portions of the 2022 Edition of the California Building Standards Code modifies state law to allow for single-exit apartment buildings of up to six stories.

Background and Summary of Ordinance Provisions

On April 2, 2025, the City Council instructed the Department of Building and Safety (DBS), in consultation with the Los Angeles City Fire Department (Fire Department) and the Department of City Planning (Planning Department), and with requested input from the Livable Cities Initiative and the American Institute of Architects Los Angeles, to present proposed modifications to the City's Building Code to allow for



single-exit, single-stairway, multifamily residential buildings up to six stories. DBS presented its proposed modifications in a report dated June 25, 2025, that was updated on July 8, 2025, and subject to a revised report dated August 7, 2025.

On August 20, 2025, the City Council then instructed DBS and the Fire Department to present a draft ordinance that would amend any applicable portions of the City's Building and Fire Codes, including the modifications referenced in the report submitted by DBS on August 7, 2025, in order to allow for single-exit, single-stairway, multifamily residential buildings up to six stories. The August 20, 2025, City Council instruction also instructed specified departments to concurrently consult with applicable State regulatory authorities to enable their preliminary feedback to be included in a report to the City Council, and provide other information.

On September 5, 2025, DBS transmitted a proposed ordinance. At the regular meeting of the Planning and Land Use Management (PLUM) Committee on September 9, 2025, this Office presented a proposed ordinance as well, which the PLUM Committee ultimately recommended after making one amendment. The PLUM Committee also requested the City Attorney's Office to prepare the final draft ordinance for the City Council's consideration, which this Office now presents.

The enclosed draft ordinance follows the draft proposed by LADBS to amend the Los Angeles Building Code but not the Los Angeles Fire Code by adding LAMC Subsection 91.1006.3.5 to Chapter IX of the LAMC. CBC Section 1006.3.4 ordinarily does not permit single-exit, single-stairway construction in multifamily residential buildings above three stories. This Office included requirement No. 30 to LAMC Subsection 91.1006.3.5 to ensure that any single-exit, single-stairway construction in multifamily residential buildings above three stories also complies with all applicable state and local fire codes. This Office was informed by the Fire Department that all applicable local Fire Code amendments will be submitted at a later date.

#### State Building Code Framework

The State of California regularly adopts building standards and regulations via the California Building Standards Commission (CBSC). These standards are codified in Title 24 of the California Code of Regulations and published in the California Building Standards Code (hereinafter "California Building Code" or "CBC"). Cal. Health & Saf. Code § 17922. The California Building Code applies to all cities and counties in the state. Cal. Health & Saf. Code §§ 17950, 17958, and 17960. As stated in the DBS reports dated June 25, 2025, and August 7, 2025, the CBC sets forth minimum building standards and a local government may adopt ordinances to modify the CBC only to establish "more restrictive building standards" that are reasonably necessary due to local, climatic, geographical, or topographical conditions. Cal. Health & Saf. Code §§ 17958, 17958.5, 17958.7, and 18941.5.

In order to address the State Building Code framework raised by the DBS reports, this Office has included language making the draft ordinance operative only if and when the State amends the CBC to allow for the type of apartment buildings contemplated by this ordinance, and the City amends its Fire Code as required by the ordinance or as required by the City Council upon recommendation from the Fire Department. Due to potential legal ambiguity, the draft ordinance does not include the amendment recommended by the PLUM Committee at its regular meeting on September 9, 2025.

#### CEQA Determination

The Planning Department recommends that the City Council approve the draft ordinances in reliance on the Housing Element Environmental Impact Report No. ENV2020-6762-EIR, certified on November 29, 2021, and subsequent Addenda Nos. ENV2020-6762-EIR-ADD1 and ENV2020-6762-EIR-ADD2. A decisionmaker may approve a project in reliance on a previously certified Environmental Impact Report (EIR), if the decisionmaker finds in its independent judgment that, based on the whole of the record, no changes to the project, circumstances, or new information (not known or capable of being known when the EIR was certified and project approved) will require a major revision of the EIR due to the involvement of new significant impacts or more severe significant impacts than those identified in the EIR. Public Resources Code § 21166; CEQA Guidelines §§ 15162 and 15164. Planning recommends a finding that the draft ordinance will not result in a change to the project, change to circumstances, or result in new information requiring a major revision to the EIR.

#### Findings Required Under the Health and Safety Code

Pursuant to Health and Safety Code Sections 17958.5 and 17958.7, the City may make changes or modifications that are more restrictive than the provisions of the California Building Code, and other regulations adopted pursuant to California Health and Safety Code Section 17922, when the Council makes an express finding that the changes are reasonably necessary because of local climatic, geological, or topographical conditions. This express finding of reasonable necessity must be available as a public record. The City complies with this requirement when DBS files, with the California Building Standards Commission, technical information related to the express finding together with the more restrictive modification or more restrictive change expressly marked and identified to which the finding and technical information refers. No modification is effective until the DBS technical information, along with the ordinance making the express finding and adopting the modifications, have been filed with the California Building Standards Commission. The draft ordinance provides for the express finding of reasonable necessity but the operation of the ordinance is contingent upon having the State Building Code amended to allow any less restrictive modifications proposed.

Charter Findings Not Required

The enclosed draft ordinance relates to regulations and activities already within the authority of DBS, does not enact a new fee, and is not a land use ordinance. For this reason, this draft ordinance is not subject to approval by the City Planning Commission pursuant to City Charter Section 558.

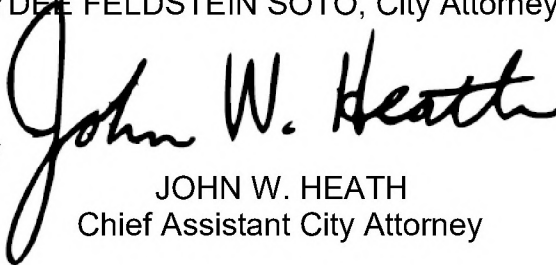
Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Planning Department, Fire Department, and DBS with a request to report all comments directly to City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Charles D. Sewell at (213) 978-8083. A member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

HYDÉE FELDSTEIN SOTO, City Attorney

By  JOHN W. HEATH  
Chief Assistant City Attorney

JWH:mh  
Transmittal