

May 14, 2025

The Honorable Nick Shultz
California State Assembly
P.O. Box 942849
Sacramento, CA 94249-0044

Re: Oppose Unless Amended: Assembly Bill 306 (Schultz)—Building regulations: state building standards.

Dear Assemblymember Schultz,

On behalf of the City of Long Beach (City), we respectfully submit our opposition to Assembly Bill 306 (AB306) unless it is amended. While we share and support the bill's intent, to reduce the cost of housing construction in California, we are deeply concerned that its current form may undermine critical local efforts to enhance public safety, resilience, and climate adaptation. We fear this could ultimately result in unintended consequences that work against the very goal of increasing housing affordability.

The City is a state-designated Pro-Housing jurisdiction and has demonstrated a strong track record in advancing housing production. In 2024, we set local records for housing units entitled, permitted and completed, and we are proud to continue to be a per-capita leader in Accessory Dwelling Unit production. Our robust pipeline of both market-rate and affordable units reflects our unwavering commitment to addressing California's housing crisis.

Equally important, we are steadfast in our commitment to other statewide goals including emergency preparedness and resilience, public safety and climate action and adaptation. Our ability to adopt thoughtful, well-vetted local amendments to the building code is essential to achieving these goals. Over the past year, City staff have been actively preparing for the triennial adoption of the California Building Standards Code, working collaboratively with our development community and state agency partners, including the California Department of Housing and Community Development (HCD).

The amendments under development, all of which will be presented to our City Council later this year, are vital. They include:

- Updating and improving provisions related to construction near abandoned oil wells to facilitate the state and local goal of transitioning away from oil extraction to new uses.
- Enhancing pool safety standards in response to a troubling increase in child drowning deaths nationwide since 2020.
- Advancing implementation of our Climate Action Plan by transitioning new residential construction to all-electric reducing emissions, lowering costs for most projects, and aligning with evolving legal precedents (e.g., Berkeley).



These local code changes do not increase the cost of new housing. In fact, some may reduce costs while improving safety and sustainability. However, the restrictions proposed in AB 306 would delay, prohibit, or complicate these efforts, with potentially detrimental effects.

We acknowledge that some changes to building codes can affect housing costs and agree that improvements in the regulatory process are warranted. HCD and sister agencies should be more thoughtful and conduct better cost-benefit analysis when considering changes to building codes and regulations. For example, the 2022 Edition of the California Green Building Standards Code, includes the embodied carbon study requirements for adaptive reuse projects, which have had unintended consequences. Though well meaning, these regulations cause it to be more expensive and time-consuming to repurpose buildings, thereby discouraging a form of development the State itself seeks to promote. Importantly, this change was not initiated by local governments or technical experts but rather imposed without sufficient practical analysis.

We believe the solution is not to suspend local innovation and safety enhancements, but to refine the process for state-level code changes and improve transparency and accountability. To that end, the City joins other cities to propose amendments to AB 306 that would:

- Preserve local to adopt building code changes that have negligible or no impact on construction costs but supports safety, resiliency, and sustainability;
- Enable cities to improve the safety and performance of existing buildings without hindering new construction;
- Delay the effective date of the 2025 Edition of the California Building Standards Code by one year to allow time for critical fire rebuilding efforts while preserving the code's vital safety improvements for later implementation in 2027; and
- Provide clearer implementation guidance to minimize uncertainty.

Selected sections of the original texts for AB 306 are shown here with the proposed amended text shown in underline.

Section 2, 17958

(b) Commencing June 1, 2025, until June 1, 2031, inclusive, a city or county shall not make changes that are applicable to residential units in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations thereafter adopted pursuant to Section 17922 to amend, add, or repeal ordinances or regulations which impose the same requirements as are contained in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations adopted pursuant to Section 17922 or make changes or modifications in those requirements upon express findings pursuant to Sections 17958.5 and 17958.7, unless one of the following conditions is met:

- (1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of January 1, 2025.
- (2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.



(3) The changes or modifications relate to home hardening.

(4) The building standards relate to home hardening and are proposed for adoption by a fire protection district pursuant to Section 13869.7.

(5) The city, county, or city and county demonstrates to the commission that the changes will have a negative or negligible impact on construction costs and is necessary to advance building safety, resilience or climate sustainability.

Section 3, 17958.5

(c) Commencing June 1, 2025, until June 1, 2031, inclusive, a city or county shall not make a change or modification as described in subdivision (a) or (b), including to green building standards, that is applicable to residential units, unless one of the following conditions is met:

(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of January 1, 2025.

(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.

(3) The changes or modifications relate to home hardening.

(4) The building standards relate to home hardening and are proposed for adoption by a local fire prevention district pursuant to Section 13869.7.

(5) The city, county, or city and county demonstrates to the commission that the change will have a negative or negligible impact on construction cost and is necessary to advance building safety, resilience or climate sustainability.

Section 4, 17958.7

(c) Commencing June 1, 2025, until June 1, 2031, inclusive, the commission shall reject a modification or change to any building standard affecting a new residential unit and filed by the governing body of a city or county, unless one of the following conditions is met:

(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of January 1, 2025.

(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.

(3) The changes or modifications relate to home hardening.

(4) The building standards relate to home hardening and are proposed for adoption by a local fire prevention district pursuant to Section 13869.7.

(5) The city, county, or city and county demonstrates to the commission that the change will have a negative or negligible impact on construction cost and is necessary to advance building safety, resilience or climate sustainability.

Section 6, 18930



(g) The Statewide effective date of the 2025 Edition of the California Building Standards Code shall be effective on January 1, 2027. Commencing June 1, 2025, after the adoption of the 2025 Edition of the California Building Standards Code, until June 1, 2031, inclusive, proposed building standards amending the 2025 Edition of the California Building Standards Code affecting new residential units shall not be considered, approved, or adopted by the commission or any other adopting agency, unless any of the following conditions is met:

(1) The commission deems those changes necessary as emergency standards to protect health and safety.

(2) The building standards relate to home hardening and are proposed for adoption by the Office of the State Fire Marshal.

(3) The building standards are proposed for adoption in relation to standards researched pursuant to Section 13108.5.2.

(4) The building standards are proposed for adoption pursuant to Sections 17921.9, 17921.11, or 18940.7 of this code, or Section 13558 of the Water Code.

(5) The building standards are proposed for adoption would not have a Statewide effective date until January 1, 2032."

We appreciate the legislature's willingness to consider these constructive amendments. We also welcome broader dialogue on the root causes of high housing construction costs in California that range from complex affordable housing finance mechanisms to workforce shortages and training gaps, to liability frameworks and fiscal disincentives for cities. The City of Long Beach remains committed to expanding the State's housing supply and stands ready to work with you and your colleagues toward that shared goal.

Sincerely,



THOMAS B. MODICA

City Manager

cc: The Honorable Lena Gonzalez, State Senate, 33rd District
The Honorable Mike Gipson, State Assembly, 65th District
The Honorable Josh Lowenthal, State Assembly, 69th District

