



The City of San Diego
Development Services Department

Proposed Local Amendments 2019 California Building Standards Code

Friday, October 18, 2019 (Revised February 24, 2020)

The 2019 edition of the California Building Standards Code (CBSC), Title 24 California Code of Regulations, has been adopted by the State of California and will be effective on statewide basis on January 1, 2020. The City of San Diego proposes to adopt by reference certain parts of the CBSC as follows to publish and adopt local amendments to those parts.

Administrative: The City of San Diego does not adopt Chapter 1 Division 2 of the various parts of the California Building Standards Code and instead publishes administrative rules for permits in chapter 9, 11 and 12 of the Municipal Code. The local regulations support local processes and rules and are consistent with those published in Chapter 1 Division 2 of the California Building Code, California Residential Code, California Mechanical Code and the California Plumbing Code.

Building Regulations: The 2019 California Building Code is Part 2 Title 24 in the California Code of Regulations is Based on the 2018 International Building Code. Local amendments to portions not including Chapter 1 are published in the Building Regulations, Chapter 14 Article 5, of the Municipal Code.

Electrical Regulations: The 2019 California Electrical Code is Part 3 Title 24 in the California Code of Regulations is Based on the 2017 National Electrical Code. Local amendments are published in the Electrical Regulations, Chapter 14 Article 6, of the Municipal Code. The CEC does not include administrative amendments, however Article 89 published by the Stater is adopted with no changes.

Plumbing Regulations: The 2019 California Plumbing Code is Part 5 Title 24 in the California Code of Regulations is Based on the 2018 Uniform Plumbing Code. Local amendments to portions not including Chapter 1 are published in the Plumbing

Regulations, Chapter 14 Article 7, of the Municipal Code.

Mechanical Regulations: The 2019 California Mechanical Code is Part 4 Title 24 in the California Code of Regulations is Based on the 2018 Uniform Mechanical Code. Local amendments to portions not including Chapter 1 are published in the Mechanical Regulations, Chapter 14 Article 8, of the Municipal Code.

Residential Building Regulations: The 2019 California Residential Code is Part 2.5 Title 24 in the California Code of Regulations is Based on the 2018 International Residential Code. Local amendments to portions not including Chapter 1 are published in the Plumbing Regulations, Chapter 14 Article 9, of the Municipal Code.

Green Building Regulations: The 2019 Green Building Standards Code (Calgreen) is Part 11 Title 24 in the California Code of Regulations. Local amendments are published in the Green Building Regulations, Chapter 14 Article 10, of the Municipal Code.

Existing Building Regulations: The 2019 California Existing Building Code is Part 10 Title 24 in the California Code of Regulations is Based on the 2018 International Existing Building Code. Local amendments to portions not including Chapter 1 are published in the Plumbing Regulations, Chapter 14 Article 11, of the Municipal Code. The Existing Building Regulations are used in conjunction with the Building Regulations and the Residential Building Regulations when determining requirements for repairs, alterations, additions, change of occupancy and the moving of buildings.

The local amendments as proposed are necessary due to the following reasons:

1. Comply with enacted State legislation.
2. Comply with the California Building Standards Code.
3. Local amendments necessary due to local climatic, topographical or geological conditions.
4. Repeal of existing local regulations that have become redundant due to adoption into the model code or CBSC.

The local review process will include the following:

1. Review by the Technical Advisory Committee scheduled for October 9, 2019.
2. Review by affected industry stakeholder groups in October 2019 via the DSD web site and direct outreach.
3. Review by the Land Use and Housing Committee in November of 2019.

4. Review and approval by the City Council expected December 2019. The effective date of the local amendments, shall be effective after final passage and filing with the California Building Standards Commission.

Note: Updates made following the Land Use and Housing Committee and highlighted in yellow and substantive changes are identified with ~~double-strikeout~~ and double underline for code text.

For questions or comments regarding the proposed amendments please contact Ali Fattah, Senior Research Engineer, at 619-446-5092 and via e-mail at afattah@sandiego.gov.

Administrative/Process Regulations

1. Updating the Scope Authority for Building Official

§129.0104 Construction Permit Authorities

- (a) The powers and duties of the Building Official are as follows:

Subsection (1) through ~~(14)~~ (13) No Change

- (14) To review applications for Grading Permits, and to inspect grading, on residential private lots that do not include public rights of way, as well as associated plans, specifications, and other data to determine if an application is in compliance with the grading regulations in the California Building Code, other adopted City standards, and engineering standards of practice.

Subsection (15) No Change

- (16) To review plans and specifications and inspect water and sewer utilities and installations when located in private streets for compliance with the issued construction permit, and the San Diego Fire Code and the Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building, and Existing Building Regulations, and all other

applicable provisions of the San Diego Municipal Code.

Reason: This amendment has been developed in conjunction with the Engineering and Public Utilities staff to expand the scope of the duties of the Building Official under item # 14. The City Engineer reviews and inspects public improvements in the public right-of-way to ensure that the work complies with City standards as the asset owner. As the asset owner, the City incurs maintenance obligations and as a consequence ensures that the quality and durability of the installation for the public improvements require minimal future maintenance costs. Grading activities are inspected since public improvements such as roadways, utilities and storm drains need to be supported on properly compacted and substrates and incorporate provisions to adequately drain wastewater and storm water discharge. Installations on private roadways and drives are maintained by owners of the private asset and therefore the minimum standards in the California Plumbing Code are appropriate for the design and installation of wet utilities. Additionally, private grading and private streets and sidewalks are designed and constructed to comply with standards for public streets and grading standards required by the City Engineer, however design reviews and inspections are performed under the authority of the City Engineer. The duties in Item # 14 were added during adoption of the 2010 California Building Code in July of 2012.

2. Update Building Permit Exemption Rules for Consistency with CBSC

§129.0203 Exemptions from a Building Permit

- (a) A Building Permit is not required for the following *structures* and activities, except when the *development* would involve alterations, repairs, or improvements to a *historical resource* as described in Section 143.0220; when *development* on a *premises* containing *environmentally sensitive lands* requires a *development*

permit in accordance with Section 143.0110; or when a building is constructed with unreinforced masonry bearing walls or exterior wall parapets:

Subsection 1 **and 3** through **5, 6** no change

- (2) Fences that are 6 feet 7 feet in height or less, ~~and not supporting any other super-imposed loads.~~
- (7) ~~Platforms, walks, Sidewalks~~ and driveways that are 30 inches or less above adjacent grade and not over any basement or story below and are not part of an accessible route in accordance with the California Building Code.

Subsection 8 through 9 no change

- (10) Window awnings supported by an exterior wall of Group R, Division 3, and Group U and Group M Occupancies that when they do not project more than 54 inches from the exterior wall and do not require additional support.

Subsection 11 through 13 no change

- ~~(14) Awnings projecting horizontally out to 6 feet or less and attached to the exterior walls of buildings of Group R, Division 3 or Group U,~~

~~Division 1 Occupancies.~~

- ~~(15)(14)~~ Electrolier standards, flag poles, and antennas that are 30 feet or less in height above finish grade when fully extended.
- ~~(16)(15)~~ Exterior walking decks that are supported on grade and extend 30 inches or less above grade and are accessory to buildings of Group R, Division 3 (dwellings) and Group U, Division 1 (residential accessory structures) Occupancies. Decks accessory to buildings within the scope of the California Residential Code that do not exceed 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and that do not serve the exit door required by Section R311.4 of the California Residential Code.
- ~~(17)(16)~~ Renewal of roof coverings on any building permitted by the California Building Code and the California Residential Code, where the existing roof structure, including roof diaphragm, is not altered.
- ~~(18)(17)~~ Repairs that involve only the replacement of components or existing work with similar materials for the purpose of maintenance, that do not have an aggregate valuation of over \$1,000.00, and that do not affect any electrical or mechanical installations. Repairs exempt from

permit requirements shall not include any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment. The following repairs are exempt from permit requirements without limit to valuation:

(A) through (D) [No change in text]

~~(19)~~(18) Structures placed in public streets, alleys and sidewalks, except those regulated by Chapter 32 of the California Building Code.

~~(20)~~(19) Work done by employees of the City on City-owned or leased buildings.

~~(21)~~(20) A temporary shed, office or storage building and other structure incidental to and for work authorized by a valid Grading or Building Permit. Such structures must be removed upon expiration of the permit or completion of work covered by the Grading or Building Permit.

~~(22)~~(21) Installing replacement windows in existing window openings where all of the following conditions apply:

- (A) The windows are replaced in detached one and two-family dwellings or townhouses as defined in the California Residential Code.
- (B) The proposed window replacement shall not require any modifications to the

weather resistive exterior wall envelope protecting the structure or the interior of the structure.

- (C) The existing windows to be replaced are not required to be fire resistive.
- (D) The proposed work shall not require modifications to the existing rough openings.

~~(23)~~(22) New permanent parking and vehicular use areas for less than four vehicles, including access to the spaces, but excluding parking for single dwelling unit uses on a single lot in Residential-Single Unit Zones.

~~(24)~~(23) Specific structures as determined by the Building Official for a particular and justifiable reason.

~~(25)~~(24) A sidewalk cafe that is in compliance with Section 141.0621, unless any one of the following applies:

- (A) The sidewalk cafe would alter or modify the existing building, building façade, or any means of building egress;
- (B) The sidewalk cafe would be located on a raised platform or in a sunken area; or
- (C) A barrier consisting of railings, fences, or planter boxes would be installed to delineate the area of the sidewalk cafe.

Remainder of section no change.

- Reason:** This amendment is necessary to update Section 129.0203 to comply with Section 105.2 in Chapter 1 Division 2 of the California Building Code as well as Section R105.2 of the California Residential Code, which are not adopted by the City of San Diego.
- Exemption 6 is updated to comply with the California Building Code and California Residential Code. Not modifying the minimum height would result in the imposition of additional local building standards and as a result would require findings under California Building Standards Law. Justifications based on local topographic, climatic or geological conditions are not possible. Additionally, existing language addressing superimposed loads on a fence is proposed to be deleted; the restriction was added during 2013 code adoption and has been determined to not be necessary to restrict fences constructed with hybrids of materials since a permit exemption is not an exemption from compliance.
 - Exemption 7 is made consistent with the California Building Code which does not exempt decks of any size or height from a building permit. The building code has different floor live loads based on use as well as accessibility requirements and does not limit the number and type of occupants that can be on a deck.
 - Exemption 10 is made consistent with the California Building Code and California Residential Code which does not exempt from a building permit window awning associated with Group M occupancies.
 - Exemption 14 is deleted since it conflicts with the California Building Code.
 - Renumber exemptions following exemption number 14.
 - Exemption 16 is renumbered and replaced with requirements consistent with the California Residential Code Section R105.2 exemption 10. The CRC includes an area limit in addition to a height limit and does not exempt decks providing access to the main exit from a dwelling typically the front door.

3. Update Building Permit Utilization Rules Pursuant to AB 2913

129.0216 Initial Utilization of a Building Permit

A Building Permit shall become void if work authorized by the

permit is suspended or the structure is abandoned, or if substantial work authorized by the permit has not been completed and validated by an inspection within ~~180 calendar days~~ 12 months of the date of permit issuance unless an extension has been granted pursuant to Section 129.0219.

Reason: This amendment is necessary to comply with recently enacted regulations in H&S Code Section 18938.6. Assembly Bill 2913 was approved in 2018 and is effective January 1, 2019.

The regulations require that the building permit not expire if work at the site has commenced within 12 months after issuance of the building permit unless the work is abandoned. Section 129.0216 has been modified for consistency and allows the Building Permit to expire if work is not performed within 12 months in lieu of the existing 180-day limit. Section 129.0217 does not require further updates since the legislation only addresses projects that fail to commence in a timely fashion.

The permit expiration rules in the Electrical Permit Procedures, the Plumbing and Mechanical Permit Procedures and the Fire Permit Procedures do not require similar updating since H&S Code Section 18938.5. (a) intends for Building Permit applications to be extended. These permit types may be stand alone or more frequently they are associated with a Building Permit and when associated with Building Permits they are extended concurrently with the Building Permit and expire concurrently. It does not make sense that a Building Permit for a building be extended but the associated permit for the electrical work for example to be allowed to expire.

In addition to the initial 1-year building permit utilization period required because of AB 2913, once implemented the proposed regulations will continue to allow two additional 180-day extensions as permitted in Section §129.0219 to utilize and maintain utilization of the Building Permit.

4. Update Electrical Plan Signature Rules

§129.0307 How to Apply for an Electrical Permit

- (a) An application for an Electrical Permit shall be submitted in accordance with Sections 112.0102 and 129.0105.

Subsection (b) through (f) no change.

- ~~(g) All plans required for hospitals and electrical installations operating in excess of 600 volts shall be signed by a California Licensed Electrical Engineer.~~

Reason: This amendment is necessary for consistency with the California Business and Professions Code. Additionally, subsection (f) references the California Business and Professions Code. The situation addressed with the voltage threshold implies a very large building that always has an electrical engineer signing and sealing the electrical plans. The Building Official under State law has no authority to regulate the construction of hospitals.

5. Create Application Expiration Rules for Stand Alone Electrical, Plumbing, Mechanical and Fire Permits.

§129.0211 Closing of Building Permit Application

- (a) If one year has elapsed since the date a Building Permit application is deemed complete and the *applicant* has not requested that a Building Permit be issued, the application file shall be closed. Plans and other data

submitted for review may be returned to the *applicant* or destroyed by the Building Official. To reapply, the *applicant* shall submit a new Building Permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is filed.

- (b) The application file for City projects shall be closed after two years have elapsed since the date the Building Permit application is deemed complete.
- (c) The Building Official may extend a Building Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the *applicant* prevented issuance of the Building Permit.
- (d) If a request to extend the closing date of a Building Permit application has been filed in accordance with this section, the existing Building Permit application shall be automatically extended until the Building Official has made a decision on the request for an extension.
- (e) The application for all Electrical, Plumbing, Mechanical or Fire Permits, associated with a Building Permit shall expire concurrently with the Building Permit.

§129.0218 Expiration of a Building Permit

Subsection (a) no change.

- (b) If the building or work authorized by a Building Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued. All Electrical, Plumbing, ~~or Mechanical~~ Permits, or Fire Permits associated with a Building permit shall expire concurrently with the Building Permit.

§129.0309 Closing of an Electrical Permit Application and Issuance of an Electrical Permit

- (a) An Electrical Permit may be issued after all approvals have been obtained and the required fees have been paid.
- (b) An Electrical Permit shall not be issued for a *development* that requires a *development permit* until the *development permit* has been issued.
- (c) If one year has elapsed since the date an Electrical Permit application is deemed complete and the applicant has not requested that an Electrical Permit be issued, the application file shall be closed. Plans and other data submitted for review may be returned to the applicant or destroyed by the Building Official. To reapply, the applicant shall submit a new Electrical Permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is filed.

- (d) The Electrical Permit application file for City projects shall be closed after two years have elapsed since the date the Electrical Permit application is deemed complete.
- (e) The Building Official may extend an Electrical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Electrical Permit.

§129.0410 Closing of a Plumbing/Mechanical Permit Application and Issuance of a Plumbing/Mechanical Permit

- (a) A Plumbing/Mechanical Permit may be issued after all approvals have been obtained and the required fees have been paid.
- (b) A Plumbing/Mechanical Permit shall not be issued for a *development* that requires a *development permit* until the *development permit* has been issued.
- (c) If one year has elapsed since the date a Plumbing/Mechanical Permit application is deemed complete and the applicant has not requested that a Plumbing/Mechanical Permit be issued, the application file shall be closed. Plans and other data submitted for review may be returned to the applicant or destroyed by the Building Official. To reapply, the applicant shall submit a new Plumbing/Mechanical Permit application with required submittal materials and shall be subject

to all applicable fees and regulations in effect on the date the new application is filed.

- (c) The Plumbing/Mechanical Permit application file for City projects shall be closed after two years have elapsed since the date the Plumbing/Mechanical Permit application is deemed complete.
- (d) The Building Official may extend a Plumbing/Mechanical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Plumbing/Mechanical Permit.

§129.0907 Closing of a Fire Permit Application and Issuance of a Fire Permit

- (a) A Fire Permit may be issued after all approvals have been obtained and the required fees have been paid.
- (b) A Fire Permit shall not be issued until associated Building Permit(s) has have been issued.
- (c) If one year has elapsed since the date a Fire Permit application is deemed complete and the applicant has not requested that a Fire Permit be issued, the application file shall be closed. Plans and other data submitted for review may be returned to the applicant or destroyed by the Building Official. To reapply, the applicant shall submit a new Fire Permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is filed.

(d) The Fire Permit application file for City projects shall be closed after two years have elapsed since the date the Fire Permit application is deemed complete.,

(e) The Building Official may extend a Fire Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Fire Permit.

Reason: This amendment to add application expiration rules for Electrical, Plumbing/Mechanical and Fire permits is necessary for consistency with the Building Permit procedures and to address cases where a stand-alone Electrical, Plumbing/Mechanical and Fire permit. A stand-alone permit will occur when a building permit is not required for the scope of work.

Section §129.0211(d) is added to differentiate between stand-alone permits and permits associated with a building permit where reviews and signoffs are performed concurrently. Permits and work associated with a Building Permit application and Building Permit expire concurrently.

§129.0218 (b) is updated to address an inadvertent error made when rules for Fire Permits were created during adoption of the 2013 code.

Examples of stand-alone permits require application expirations rules include:

- Addition of electric vehicle chargers to an existing building.
- The addition of photovoltaics on residential buildings.
- Electrical service upgrades to an existing building.
- Replacement of lighting.
- Commercial Kitchen Hood Fire Suppression system.
- Fire alarm or smoke control panel replacement in an existing building.
- Voluntary fire sprinkler or fire alarm retrofits.
- Replacement of mechanical equipment like chillers.
- Sewer lateral replacement when plans are required.

- New mechanical/electrical equipment such as batteries, chiller, condenser, generator, etc.

The proposed update is necessary to follow current business rules where the project tracking system expires applications for stand-alone for Electrical, Plumbing/Mechanical and Fire permits. Additionally, energy efficiency standards electrical standards, fire sprinkler and fire alarm standards change on a regular basis including during intervening cycle supplements to the California Building Standards Code. Additionally, fees are regularly updated to reflect changes in the cost for providing plan review and inspection services and fees and based on application fee date.

6. Update the Sign Regulations

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and *sign* maintenance regulations.

Subsection (a), (b) no change.

(c) Structural Regulations

Subsection (1) through (3) no change.

- (4) When installed on the exterior walls of high-rise buildings as defined in Chapter 4 of the California Building Code, exterior wall signs greater than 100 square feet in area or greater than 10 feet in either dimension shall comply with Section 705.12 of the ~~2013~~ 2019 California Building Code and Section 705.1 of the 2019

California Fire Code.

(d) [No change in text]

Reason: This amendment updates the code edition. The California State Fire Marshal first added this regulation to the 2013 edition. The City of San Diego does not allow temporary signs however such signs are not prohibited during certain special events and within the jurisdiction of the San Diego Unified Port District and within the jurisdiction of the Metropolitan Transit Authority. These neighboring agencies abide by City of San Diego health and safety regulations.

Building Regulations (2019 California Building Code Amendments)

7. Update Building Regulations

§145.0101 Purpose of the Building Regulations

- (a) The purpose of the Building Regulations is to establish minimum standards to safeguard health and safety, property, and public welfare, and to satisfy the purpose of the 2016 California Building Code as provided in Section 1.1.2 of the ~~2016~~ 2019 California Building Code.

(b) [No change in text]

§145.0103 Adoption of the California Building Code

- (a) The ~~2016~~ 2019 California Building Code, published by the California Building Standards Commission (BSC), and as amended by the State Department of Housing and Community Development (HCD 1, HCD 1/AC); the Division of the State Architect/Access and Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal; (SFM), is adopted by reference, except as otherwise provided in Chapter 14, Article 5 of the Land Development Code, Divisions 2 through ~~36-38~~. A copy of the ~~2016~~ 2019 California Building Code is on file in the office of the City Clerk as Document No. OO-XXXXX.
- (b) When reference is made to the California Building Code, it shall be the ~~2016~~ 2019 California Building Code, California Code of Regulations Title 24, Part 2, as

published by the California Building Standards Commission.

- (c) Each of the regulations, provisions, conditions, and terms of the ~~2016~~ 2019 California Building Code is made a part of Chapter 14, Article 5 as if fully set forth in this Article, except as otherwise provided in Divisions 2 through ~~36-38~~.
- (d) Numbering of Sections in Divisions 2 through ~~36-38~~ of this Article is cross referenced to Sections in the ~~2016~~ 2019 California Building Code.
- (e) The adoption of the ~~2016~~ 2019 California Building Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.

Remainder of Section no change.

145.0104 Portions of the California Building Code Not Adopted by the City of San Diego

The following portions of the ~~2016~~ 2019 California Building Code are not adopted by the City of San Diego:

- (a) Chapter 1, Division ~~44~~ 11 "Scope and Administration," all portions with the exception of Section 104.11.
- (b) Chapter 15, Roof Assemblies and Roof top Structures, Section ~~4510.4-1511.4~~.
- (c) Chapter 29, Plumbing Systems.

§145.0105 Modifications to the California Building Code Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Building Code are modified by the City of San Diego:

- (a) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Section 705A.4, Roof Gutters.
- ~~(c)~~ (b) Chapter 12, Interior Environment, Section 1206, Sound Transmission, Section 1207, Section 1207.4, Efficiency Dwelling Units.
- ~~(b)~~ (c) Chapter 15, Roofing Roof Assemblies and Rooftop Structures, Section 1505.1 General, Section 1505 Fire Classification, Section 1505.8 Building-integrated photovoltaic products, Section 1505.9 Rooftop mounted photovoltaic panel systems, Section 1510.7.1 Fire classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section ~~1510.4~~ 1511.1 General.
- (d) Chapter 16, Structural Design, Section 1607.7.2, Fire Truck and Emergency Vehicles; Establishment of Flood Hazard Areas, Section 1612.3.
- (e) Chapter 18, Soils and Foundations, Section 1803.2, 1803.5 and 1803.6.
- (f) Appendix J, Grading, Sections J101.2 and Section J104.4.
- (g) Appendix ~~N-Q~~ Emergency Housing Section ~~N-Q~~103.2.1 Exception 1, ~~N~~103.6 Lighting, Ventilation, and Heating, ~~N~~ Q106 General, Section ~~N~~ Q106.1.1 Tents, and Section ~~N~~ Q106.1.2 Membrane Structures.

(d) through (f) [No change in text]

§145.0106 Additions to the California Building Code Adopted by the City of San Diego

The following Sections and Subsections are added to the ~~2016~~ 2019 California Building Code by the City of San Diego:

- ~~(a)~~ Chapter 2, Definitions, Section ~~202 Live/Work Dwelling.~~
- ~~(a)(b)~~ Chapter 7, Ducts and Air Transfer Openings, Section 717.5.3 ~~Exception 5.~~ Chapter 4, Motor Vehicle Occupancies, Section 406.2.1.1
- ~~(c)(b)~~ Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, ~~Sections 710A.3, 701A.6,~~ Section 702A, Definitions, Section 703A.6.1, Alternative Materials, Designs or Methods, Section 703A.6.2, Modifications, Section 705A.4, Roof Gutters, Section 705A.4.1, Drip Edge Flashing 703A.6.1, 703A.6.2, 706A.4, Section 708A.2.2.1, Vinyl Window Reinforcing, and Section 711A.1, Spark Arrestors and 711A.2.
- ~~(d)(c)~~ Chapter 12, Sound Transmission, Section ~~1207.5-1206.5.~~
- ~~(e)(d)~~ Chapter 15, ~~Roofing and Roof~~ Roof Assemblies and Rooftop Structures, Subsections 1505.1.5 and 1505.1.6, Sections ~~1507.1.6~~ 1507.1.3 and Subsections 1510.1.1 1511.1 through 1510.1.5 1511.1.5.
- ~~(f)~~ (e) Chapter 16, Structural Design, Section 1607.2, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
- ~~(g)~~ (f) Chapter 17, Structural Tests and Special Inspections, Section ~~1705.5-1704.3.1~~ #6.

- (h)(g) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsections 1803.2 exceptions 2 through 4; Sections 1803.2.1, 1803.2.2, 1803.2.3, ~~1803.2 exceptions 2 through 4~~; Sections 1803.5.11.1, 1803.5.11.2, 1803.5.13, 1803.5.13.1, 1803.5.13.2 and Table 145.1803.
- (i) ~~Chapter 31, Special Construction, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsections 3109.1.1, 3109.1.2, and 3109.4.1.10.~~
- ~~(j)~~ (h) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
- ~~(k)~~ (i) Chapter 33, Safeguards During Construction, Section ~~3303.7~~ 3303.8, Demolition and Removal Regulations.
- ~~(l)~~ (j) Appendix ~~N Q~~, Emergency Housing, Subsection ~~N Q~~ 103.2.1 Exception 2, Subsections ~~N Q~~106.2 through ~~N Q~~106.7, Section ~~N Q~~111 Emergency Housing Lighting and Ventilation Requirements, Subsections ~~N Q~~111.1 and ~~N Q~~111.2, Section ~~N Q~~112 Emergency Housing Fire and Life Safety Requirements, Subsections ~~N Q~~112.1 through ~~N Q~~112.13, and Section ~~N Q~~113 Emergency Housing Alternatives and Modifications, Subsection ~~N Q~~113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the ~~2016~~ 2019 California Building Code are adopted by the City of San Diego:

- (a) Appendix chapters specifically amended by a State

agency listed in Section 145.0103 and identified in the adoption matrices of the ~~2016~~ 2019 California Building Code.

- (b) Appendix Chapter C, Group "U" Agricultural Buildings.
- (c) Appendix Chapter I, Patio Covers.
- (d) Appendix Chapter J, Grading.
- (e) Appendix L, Earthquake Recording Instrumentation excluding amendments by OSHPD.
- (f) Appendix ~~N~~ O, Emergency Housing.

Reason: This amendment updates code editions and renumbers Appendix N and associated Section numbers to O due to renumbering in the CBC. Division 7 amendments to Ch 7 will be repealed as well as Division 31 for swimming pool safety. Appendix N was renumbered Appendix O in the CBC

8. Repeal Live/Work Definition:

§145.0201 Local Modifications and Additions to Chapter 2 Definitions of the California Building Code

Chapter 2 of the California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code. ~~with additions pursuant to Section 145.0106 of the Land Development Code.~~

~~§145.0202~~ **Other Definitions**

- ~~(a) Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 5, Divisions 3 through 36 of the Land Development Code where they conflict with the definitions contained in the California Building Code.~~

- ~~(b) Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.~~
- ~~(e) Section 202 of the California Building Code is adopted with the addition of the definition of Live/work unit. A Live/work unit means a dwelling unit in which a portion is used for other than living purposes subject to the limitations set forth in Section 419 "live/work units" in the California Building Code. Live/work unit shall not mean live/work quarters as defined and regulated in Section 141.0311 of the Land Development Code.~~

Reason: HCD had adopted a definition for Live/Work Unit into the CBC and modified it in the 2019 edition. It has been determined that it is not necessary to continue differentiating between live work dwellings and join live/work quarters.

9. Backup Power for Residential Automatic Garage Door Openers

Text as it would appear in the CBC

406.2.1 Automatic garage door openers and vehicular gates. Automatic garage door openers shall be listed and labeled in accordance with UL 325. Where provided, automatic vehicular gates shall comply with Section 3110.

406.2.1.1 Backup Power for Automatic Garage Door Openers. When private parking garages that serve an individual dwelling are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate during an electrical outage. The battery backup function shall operate in a

manner so that the automatic garage door opener is operational without interruption during an electrical outage.

Text as it would appear in the LDC

§145.0401 Local Modifications and Additions to Chapter 4 “Special Detailed Requirements Based on Use and Occupancy” of the California Building Code

Chapter 4 of the California Building Code is adopted by reference ~~without change~~ with additions pursuant to Section ~~145.0103~~ 145.0106 of the Land Development Code.

§145.0406 Local Modifications and Additions to Section 406 “Motor Vehicle Related Occupancies”

(a) Section 406.2.1 “Automatic garage door openers and vehicular gates” is adopted with additions pursuant to Section 145.0106. Add Section 406.2.1.1 “Backup Power for Automatic Garage Door Openers” as follows.
406.2.1.1 Backup Power for Automatic Garage Door Openers. When private parking garages that serve an individual dwelling are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate during an electrical outage. The battery backup function shall operate in a manner so that the automatic garage door opener is operational without interruption during an electrical outage.

Reason: This code change is necessary to comply with recently adopted regulations adopted into Section 19892 of the Health and Safety Code due to passage of Senate Bill No. 969 in 2018. The Senate Bill made the regulations effective July 1, 2019. Recent wildfire in Sonoma County demonstrated the vulnerability of residents during an evacuation order when they were unable to exit their vehicles from garages that included electrically operated automatic door openers because of a power outage. The power outage coincided with the wildfire event. The CBC term dwelling is used since it includes a single dwelling or a dwelling with two dwelling units.

10. Update Ch 7A Very High Fire Hazard Severity Zone Building Standards

~~§145.0702~~ ~~**Local Additions and Modifications to Section 701A “Scope, Purpose, and Application” of the California Building Code**~~
Exception 5 “Fences” is added to Section 701A.3 as follows pursuant to Section 145.0106 of the Land Development Code.

§145.0711 Local Additions to Section 711A “Additional Building Standards for Buildings Located in the Local Agency Very High Fire Hazard Severity Zone” of Chapter 7A of the California Building Code
Sections 711A.1 and 711A.2 are added as follows to Chapter 7A pursuant to Section 145.0106 of the Land Development Code.

- (a) 711A.1 Spark arrester. All structures having any chimney, flue, or stovepipe shall be equipped with an approved spark arrester if the chimney, flue, or stovepipe is attached to any fireplace, stove, barbecue, or other solid or liquid fuel burning equipment or

device.

- (b) ~~711A.2 Skylights. Glazing materials used in skylights, roofs, and sloped walls shall comply with the glazing requirements in Section 708A.2.1 on buildings located in the Very High Fire Hazard Severity Zone areas identified within the "Very High Fire Hazard Severity Zone Map – Local Responsibility Areas" adopted pursuant to Section 55.9401 of the San Diego Municipal Code.~~

Reason: This amendment repeals a local amendment that is duplicative. The supplement to the 2016 California Building Code adopted skylight regulations that have been carried forward to the 2019 edition and address both operable and fixed skylights.

11. Update the Sound Transmission Regulations

§145.12071206 Local Additions and Modifications to Section 42071206

"Sound Transmission" of the California Building Code

- (a) Section 42071206 of the California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section 42071206 is modified by adding Section ~~4207.5~~ 1206.5.
- (b) Section ~~4207.5~~ 1206.5 Additional Noise Regulations. For additional noise regulations limiting the intrusion of exterior noise into buildings based on land use standards, see Chapter 13, Article 2, Division 15 of the Land Development Code. For additional noise regulations limiting the intrusion of exterior noise into

non-residential buildings, see Section 5.507 of the California Green Building Standards Code.

Reason: This amendment updates code Sections due to CBC Section renumbering.

12. Adopt Reduced Efficiency Dwelling Unit Living Minimum Room Area.

Text as it would appear in CBC:

1207.4 Efficiency dwelling units. An efficiency living unit shall conform to the requirements of the code except as modified herein:

1. The **dwelling** unit shall have a living room of not less than ~~220~~ 150 square feet (~~20.4~~ 13.93 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of such **dwelling** unit in excess of two.
2. The unit shall be provided with a separate closet.
3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Text as it would appear in LDC:

145.1207 Local Modifications and Additions to Section 1207 "Interior Space Dimensions." of the California Building Code

- (a) Section 1207.4 of the California Building Code is adopted with modifications pursuant to Sections 145.0106 145.0105 of the Land Development Code.
- (b) Section 1207.4 item 1 is modified as follows: 1. The **dwelling** unit shall have a living room of not less than 150 square feet (13.93 m²) of floor area. An additional 100

square feet (9.3 m²) of floor area shall be provided for each occupant of such dwelling unit in excess of two.

Reason: This amendment is proposed under the authority of Section 17958.1 of the Health and Safety Code and facilitates the development of microunits to meet affordable housing goals set by the State and the City.

13. Update the Roof Assemblies and Roof Top Structures Regulations

Text as it would appear in CBC:

[BF] 1505.8 Building-integrated photovoltaic products. Building-integrated photovoltaic products installed as the roof covering shall be tested, listed and labeled for fire classification in accordance with ~~Section 1505.1~~ Section 145.1505 (b).

[BF] 1505.9 Rooftop mounted photovoltaic panel systems. Rooftop rack-mounted photovoltaic panel systems shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703. The fire classification ~~shall comply with Table 1505.1 based on the type of construction of the building,~~ shall be in accordance with Section 145.1505 (b).

[BG] 1510.7.1 Fire classification. Rooftop-mounted photovoltaic panels and modules shall have the fire classification in accordance with ~~Section 1505.9~~ Section 145.1505 (b).

Text as it would appear in LDC:

§145.1501 Local Modifications and Additions to Chapter 15 “Roof Assemblies and ~~Roof Top~~ Rooftop Structures” of the California Building Code

- (a) Chapter 15 of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

- (b) Sections 1501 through 1504 and Sections ~~1505~~, 1506, 1508, and 1509 ~~and 1510~~ are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (c) Sections 1505.1, ~~1505.8, 1505.9,~~ 1507.1, 1507.8 and 1507.9, ~~1510.7.1~~ and 1511 are adopted by reference with modifications and additions pursuant to Section 145.0105 and 145.0106 of the Land Development Code.

§145.1505 Local Additions and Modifications to Section 1505 “Fire Classification” of the California Building Code

Subsection (a), (b) no change

- (c) Section 1505.8 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.8 Building-integrated photovoltaic products. Building-integrated photovoltaic products installed as the roof covering shall be tested, listed and labeled for fire classification in accordance with Section 145.1505 (b).
- (d) Section 1505.9 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.9 Rooftop mounted photovoltaic panel systems. Rooftop rack-mounted photovoltaic panel systems shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703. The fire classification shall be in accordance with Section 145.1505 (b).

**§145.1507 Local Additions and Modifications to Section 1507
“Requirements for Roof Coverings” of the California
Building Code**

Subsection (a) no change.

- (b) Section ~~1507.16~~ 1507.1.3 is added as follows pursuant to Section 145.0106 of the Land Development Code:
~~1507.16~~ 1507.1.3. Roof coverings shall be secured or fastened to the supporting roof construction.

§145.1510 Local Additions and Modifications to Section 1510

“Rooftop Structures” of the California Building Code

- (a) Section 1510.7.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows:
1510.7.1 Fire classification. Rooftop-mounted photovoltaic panels and modules shall have the fire classification in accordance with Section 145.1505.

§145.1510~~1510~~1511 Local Additions and Modifications to Section ~~1510~~ 1511

“Reroofing” of the California Building Code

- (a) Section ~~1510.1~~ 1511.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows:
~~1510.1~~ 1511.1 General. Materials and methods of application used for covering or replacing an existing roof covering shall comply with the requirements of Chapter 15 of the ~~2013~~ California Building Code as

adopted and amended by the City of San Diego.

- (b) Sections ~~1510.1.1~~ 1511.1.1 through ~~1510.1.2~~ 1511.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) ~~1510.1.1~~ 1511.1.1. All replacements, alterations, or repairs shall be a Class "A" roof assembly.
 - (2) ~~1510.1.2~~ 1511.1.2. The entire roof shall be a Class "A" roof assembly where more than twenty-five percent of the total roof area is replaced, altered or repaired within any twelve-month period.
- (c) Sections ~~1510.1.3~~ 1511.1.3 through ~~1510.1.5~~ 1511.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) ~~1510.1.3~~ 1511.1.3. Wood shakes and shingles are prohibited throughout the roof where more than twenty-five percent of the total roof area is replaced, altered or repaired within any twelve-month period.
 - (2) ~~1510.1.4~~ 1511.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section ~~145.1510(c)(1)~~ 145.1511 (c)(1).
 - (3) ~~1510.1.5~~ 1511.1.5. No roof covering shall be applied over any existing wood shakes or

wood shingles.

Reason: This amendment updates code Sections due to CBC Section renumbering and the retitling of CBC Chapter 15.

Sections 1505.8, 1505.9 and 1510.7.1 are new Sections that need to be updated to reference Section 145.1505(B) of the Municipal Code. The City requires a Class A fire classification for roof coverings City wide and does not adopt portions the CBC that establish fire classification based on occupancy and type of construction. Section 1510.7.1 is modified to directly reference the SDMC Section rather than send the code reader to the proposed modification to Section 1505.9 This is not a substantive change and reflects current process.

14. Correct Regulations Triggering Geotechnical Investigations

**§145.1803 Local Additions and Modifications to
Section 1803 “Geotechnical Investigations”
of the California Building Code**

Subsection (a) through (e) no change.

- (f) The Geologic Hazard Category and the Building, Structure and Facility Class must be determined as follows when using Table 145.1803 to determine whether a geotechnical investigation report is required due to local geological hazards within the City of San Diego:

Subsection (1) no change.

- (2) City staff shall assign one of four Building, Structure and Facility classes to each building,

structure, or facility based on their use, type of occupancy, number of occupants, and whether hazardous materials are being used or stored in the building, structure, or facility to determine whether a Geotechnical Investigation Report is required.

- (A) Class A includes the following:
 - (i) Buildings or structures classified as Essential Facilities in Risk Category IV as defined in Table 1604.5 of the California Building Code.
 - (ii) Any building, structure, or facility where significant generation or storage of toxic, hazardous, or flammable materials will occur.
- (B) Class B includes the following developments, occupancy groups, and structures provided they are not included in Class A:
 - ~~(i)~~ All developments consisting of four or more buildings on the same lot.
 - ~~(ii)~~(i) All new structures requiring deep foundations, such as piers or pilings.

~~(iii)~~ (ii) All structures over three stories in height.

~~(iv)~~ (iii) All structures containing the following occupancies pursuant to the California Building Code, Chapter 3:

- a. Group A, Divisions 1, 2, 3 and 4;
- b. Group E, buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load greater than 250;
- c. Group H, Divisions 1, 2, and 3; and
- d. Group I, Divisions 2 and 3.

~~(v)~~ (iv) All structures with an occupant load of more than 300 occupants as determined by Table 1004.1.2 of the California Building Code and structures used for public assembly assigned to Risk Category III in Table 1604.5 of the California Building Code.

~~(vi)~~ (v) Tanks, bins, hoppers, silos, and other storage structures with more than 20,000-gallon capacity intended to store toxic, hazardous, or flammable contents that are not associated with a building, structure, or facility in Class A.

~~(vii)~~ (vi) Tanks, bins, hoppers, silos, and other storage structures over 35 feet high.

~~(viii)~~ (vii) Towers over 35 feet high.

~~(ix)~~ (viii) Retaining walls over the heights listed in the following Subsections a. and b. with the height measured from the top of the footing to the top of the wall:

- a. Retaining walls over 12 feet in height; and
- b. Retaining walls over 8 feet in height supporting a surcharge or retaining toxic, hazardous, or flammable contents.

Remainder of Section no change.

Table 145.1803 ⁽¹⁾ Required Geotechnical Investigation		
Type of Hazard	Hazard Category	Building, Structure, and Facility Class
Fault Zones/Ground Rupture	11, 12, 13	A, B, C, D
Landslides/Potential Slope Instability	21, <u>22</u> through 27	A, B, C, D
	<u>23, 24, 25, 26, 27</u>	<u>A, B, C</u>
Liquefaction/Potential Ground Failure	31, 32	A, B, C, D
Coastal Bluff Stability	41, <u>42, 43</u> through 48	A, B, C, D
	<u>44, 45, 46, 47, 48</u>	<u>A, B</u>
Variable Stability/Unfavorable Geologic Structure with Sloping Topography <u>All Other Terrain</u>	53, 54 (with slope greater than or equal to 4:1 or <u>25%</u>)	A, B, C, D
	<u>53, 52</u>	<u>A, B</u>
	<u>51, 55</u>	<u>A, B, C, D</u>

All Other Conditions	53, 54 (with slope less than 4:1 or 25%)	A, B, C
	51, 52, 55	A, B, C

Footnotes:

- (1) See San Diego Municipal Code Section 145.1803 (f) and (g).

Reason:

Section 145.1803 was reformatted in its entirety, including Table 145.1803 when the regulations were moved into a new Section and updated to be consistent with the 2010 California Building Code. City staff reporting to the Building Official became aware that inadvertent errors during the creation of Table 145.1803 when its predecessor Table 145.1802 was repealed. The error resulted in Geotechnical Investigations being triggered more frequently for buildings and structures in structure/building facility class C and D. Additionally, lower hazard and higher hazard categories were grouped together within the same row in the table. The purpose of the 2010 update was mainly editorial to improve usability of the table by adding the description in column 1 and converting the footnote into Sections that precede the table.

The 2019 CBC in Section 1803.1.1 HCD codified regulations from H&S Code Section Sections 17953 through 17957 that require preliminary soils reports and investigations for expansive soils and other questionable soil conditions during the approval for tentative maps. Additionally, Section 1803.2 requires that geotechnical investigations be conducted to classify site soils as expansive or fill soils, determine location of water table, and determine seismic hazards due to liquefaction and slope instability.

Maps available from the [San Diego Seismic Safety Study](#) identify the Hazards listed in Table 145.1803 and facilitates application of CBC regulations in Section 1803 and building setbacks from slopes in Section 1808 as a consequence it is not necessary to trigger investigations for low hazard potentials for almost all projects as the table presently requires.

The last row is proposed to be deleted and the second row for

variable stability proposed to be modified to eliminate the slope modifier based on exceeding or being below 25% slope since the San Diego Seismic Safety Study does not include this modifier. Additionally, the slope modifier is inconsistent with for example Hazard Category 52 and 53 that are described as level areas.

15. Repeal Swimming Pool Regulations

§145.3101 Local Modifications and Additions to Chapter 31 “Special Construction” of the California Building Code

Chapter 31 of the California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

~~Sections 3101 through 3108, 3110, and 3111 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.~~

~~**145.3109 Local Additions and Modifications to Section 3109 “Swimming Pool Enclosure and Safety Devices” of the California Building Code**~~

~~Sections 3109.1.1, 3109.1.2 and 3109.4.1.10 of the California Building Code are added as follows pursuant to Section 145.0106 of the Land Development Code.~~

- (a) ~~3109.1.1 Purpose of Building Regulations for Swimming Pools, Spas and Hot Tubs. The purpose of this Section is to establish building regulations for private swimming pools and hot tubs or spas that do not have locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM F 1346) located on the premises of Group R, Division 3 (Occupancies) units.~~

- (b) ~~3109.1.2 When Swimming Pool, Spa, and Hot Tub Regulations Apply. The building regulations of this division apply to any outdoor private swimming pool. An outdoor swimming pool means any structure intended for swimming or recreational bathing that can contain water over 18 inches in depth and is not totally contained within a residence and surrounded on all four sides by walls of the structure. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.~~
- (c) ~~3109.4.1.10 Barrier Heights. When provided as a part of a pool enclosure pursuant to Section 3109.4.4.3 of the California Building Code, the enclosure barrier shall be designed so that it cannot be readily climbed by small children. The barrier shall comply with the height requirements contained in Section 3109.4.4.3 of the California Building Code. When located adjacent to a slope, planter or other fixed appendage, the barrier shall comply with Figure 31B-5 of the California Building Code.~~

§145.3110 Minimum Front, Side, and Rear Yard Setbacks for Swimming Pools

- (a) ~~This section applies to any outdoor swimming pool.~~
- (b) ~~Setback requirements for swimming pools shall be measured perpendicular from the property line to the~~

water's edge.

- (c) Swimming pools that project 3 feet or less above grade shall be located at least 3 feet from all front, side, and rear property lines.
- (d) Swimming pools that project more than 3 feet above grade shall be located at least 4 feet from all rear property lines, and the distance from front and side property lines specified in Chapter 13, Article 1 (Base Zones), for front and side yard clearances for the zone in which the pool is located, but in no case less than 3 feet and shall comply with front and side yard setback requirements for the applicable zone, and shall not be allowed less than 3 feet from the property line in any zone.
- (e) All heating, filtering, pumping, and accessory equipment constructed after the effective date of this ordinance shall be subject to a 4 foot side and rear yard requirement.
- (f) All heating, filtering, pumping, and accessory equipment used in connection with a swimming pool, if located entirely below the finished grade of the site and provided with a permanent, durable, protective cover, need not observe the front, side, or rear yard requirements.

~~§145.3111~~ Lot Coverage

- (a) This section applies to any outdoor swimming pool.

~~(b) — Swimming pools shall not be considered residential structures for purposes of computing lot coverage as set forth in Section 113.0240.~~

Reason: This amendment updates the Municipal Code in response to newly adopted swimming pool safety standards in in Section 3109.2 of the CBC. The standards transcribe Swimming Pool Safety Act statutorily required swimming pool safety regulations that are codified in Section 115920 through 115929 of the Health and Safety Code.

- Section 145.3109 (a) is addressed in Section 115925(b) and was in error since only hot-tubs and spas are exempt and not pools.
- Section 145.3109 (b) is addressed in Section 115929(a) which was in error. The act regulates all swimming pools whether interior or exterior.
- Section 145.3109 (c) is addressed in Section 115923(e) and is redundant.
- Section 145.3110 and 145.3111 are being repealed in the (a) is addressed in Section 115925(b) are being repealed in the 12th update of the Land Development Code.

16. Update Encroachments into Public Rights of Way

§145.3203 Local Additions to Chapter 32 “Encroachments into The Public Right-of-Way”

Section 3203 “Entrance Canopies” is added pursuant to Section 145.0106 of the Land Development Code:

Subsection (a) and (b) no change.

- (c) 3203.3. Construction. Entrance canopy frames and supporting structural members shall be constructed of corrosion-resistant metal designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 of the California Building Code.

Entrance canopies shall also meet all the following requirements:

~~Entrance canopies shall also meet all of the following requirements:~~

- (1) Canopies shall be covered with an approved covering that complies with Section ~~3105.4~~ 3105.3 of the California Building Code.

Remainder of subsection no change.

Reason: This amendment updates the Municipal Code in response to renumbering in the CBC. Redundant text is also proposed to be deleted.

17. Update Demolition Regulations:

**§145.3301 Local Modifications and Additions to Chapter 33
“Safeguards During Construction” of the California Building Code**

- (a) Chapter 33 of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Sections 3301 through 3302 and 3304 through ~~3313~~ 3314 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

**§145.3303 Local Modifications and Additions to Section 3303
“Demolition” of the California Building Code**

Section ~~3303.7~~ 3307.8 is added pursuant to Section 145.0106 of the Land Development Code: ~~3303.7~~ 3307.8 Additional Demolition Regulations. The following regulations apply to the demolition of a *structure* or building, in whole or in part, or the removal of a *structure* from a site:

Remainder of Section no change.

Reason: This amendment updates the Municipal Code in response to renumbering in the CBC. Section 3303.7 was already assigned in the CBC and as a result the existing section number is in error.

18. Renumber Emergency Shelter Regulations:

Division 38: Additions and Modifications to Appendix N O of the California Building Code

§ 145.3801 Local Modifications and Additions to Appendix N O “Emergency Housing” of the California Building Code

- (a) Appendix N O of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The Emergency Housing regulations adopted in this Division are adopted pursuant to the authority in California Government Code Section 8698.4 and shall remain in effect until January 1, 2021, at which time this Division shall be automatically repealed.

- (c) The regulations in this Division and in Appendix ~~N~~ Q shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under California Government Code Section 8698.4 and located in new or existing buildings or structures owned, operated, or constructed by, for, or on behalf of, the City.
- (d) The regulations in this Division and in Appendix ~~N~~ Q shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix ~~N~~ Q, as adopted with modifications and additions by this Division, the emergency housing need not comply with the requirements of the California Building Code for Group R occupancies.

**§ 145.3802 Local Modifications and Additions to Section ~~N~~ Q103
“Emergency Housing” of the California Building Code**

- (a) Section ~~N~~ Q103 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The existing exception in Section ~~N~~ Q103.2.1 is numbered as Exception 1. Exception 2 is added to Section ~~N~~ Q103.2.1 as follows:
 - 2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the

California Building Standards Code, provided such change in occupancy meets the minimum fire and life safety requirements set forth in Section 145.3805 of the Land Development Code.

- (c) Section ~~Q~~ Q103.6 Heating is modified as follows:
~~Q~~ Q103.6 Lighting, Ventilation, and Heating. All sleeping areas shall be provided with adequate lighting, ventilation, and heating as determined by the Building Official. When required, lighting and ventilation shall comply with Section 145.3804.

§ 145.3803 Local Modifications and Additions to Section ~~Q~~ Q106 “Tents and Membrane Structures” of the California Building Code

- (a) Section ~~Q~~ Q106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section ~~Q~~ Q106.1 General is modified as follows:
 - (1) Section ~~Q~~ Q106.1.1 Tents is modified as follows:
~~Q~~ Q106.1.1 Tents. Tents shall not be used to house occupants for more than 7 consecutive days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade

and equipped with curbs on all sides at least 6 inches (152.4 mm) high. A tent shall not be considered a suitable sleeping place when it is found necessary to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

- (2) Section ~~Q~~ Q106.1.2 Membrane Structures is added with modification as follows:

~~Q~~ Q106.1.2 Membrane Structures. Membrane structures installed and/or assembled in accordance with Chapter 31 of the California Building Code and the California Fire Code may be permitted to be used as emergency housing and emergency housing facilities.

- (c) Section ~~Q~~ Q106.2 Membrane Structures In Use for More than 180 Days is added as follows:

~~Q~~ Q 106.2 Membrane Structures In Use for More Than 180 Days. Membrane structures in use for a period of more than 180 calendar days shall comply with the California Fire Code and with the following:

- (1) The membrane structure shall be inspected by a California registered design professional at least once every 180 calendar days from the date of final inspection ~~prior to initial occupancy~~ to ensure that the membrane structure continues

to perform as designed and initially erected. The registered design professional shall certify in writing that the membrane structure continues to be in compliance with the applicable regulations of the California Fire Code and California Building Code in effect on the date of final inspection ~~prior to initial occupancy~~. Inspection records shall be kept and shall be made available for verification by the Fire Code Official and the Building Official.

- (2) The Fire Code Official shall inspect the membrane structure at least once every month from the date of final inspection prior to initial occupancy and verify compliance with the approved operations plan and the conditions of approval in effect at the time of final inspection and prior to initial occupancy.
- (d) Section ~~Q~~ Q106.3 Means of Egress is added as follows:
~~Q~~ Q106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section ~~Q~~ Q103.3.
- (e) Section ~~Q~~ Q106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:
~~Q~~ Q106.4 Storage of Flammable Materials Within Tents or Membrane Structures. Flammable materials, including the possessions of occupants and users stored

in tents and membrane structures shall not obstruct required aisle widths between beds or other furnishings. The quantity of stored flammable materials within a membrane structure not protected with an automatic fire sprinkler system, or within tents, shall be subject to the approval of the Fire Code Official.

- (f) Section ~~Q~~ Q106.5 Flammable or Combustible Liquids is added as follows:

~~Q~~ Q106.5 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted inside a tent or membrane structure except for intact cigarette lighters. The use of any type of open flame inside a tent or membrane structure is prohibited unless each separate use is approved by the Fire Code Official.

- (g) Section ~~Q~~ Q106.6 Fire Department Access is added as follows:

~~Q~~ Q106.6 Fire Department Access. Fire Department access to tents or membrane structures used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code and approved by the Fire Code Official.

- (h) Section ~~Q~~ Q106.7 Water Supply is added as follows:

~~Q~~ Q106.7 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code

Official, shall be provided for each tent or membrane structure, group of structures, or *premises* used for emergency housing.

§ 145.3804 Local Addition of Section ~~N~~ Q111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

- (a) Section ~~N~~ Q111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section ~~N~~ Q111.1 Emergency Housing Lighting Requirements is added as follows:
~~N~~ Q111.1 Emergency Housing Lighting Requirements. Buildings or structures used for emergency housing shall either be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 of the California Building Code or shall be provided with artificial light in accordance with Section 1205.3 of the California Building Code.
- (c) Section ~~N~~ Q111.2 Ventilation is added as follows:
~~N~~ Q111.2 Ventilation. Buildings or structures used for emergency housing shall either be provided with natural ventilation in accordance with Section 1203.5 of the California Building Code or mechanical ventilation in accordance with the California Mechanical Code.

§ 145.3805 Local Addition of Section ~~N~~ Q112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

- (a) Section ~~N~~ Q112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section ~~N~~ Q112.1 Fire Separation Distance is added as follows:
~~N~~ Q112.1 Fire Separation Distance. Buildings or structures used for emergency housing, including sleeping cabins, shall be constructed and located on a lot in compliance with the regulations in Chapters 6 and 7 of the California Building Code, based on their fire separation distance. During a declared shelter crisis, the fire separation distances are permitted to be measured to the existing buildings on the adjacent parcels rather than to the interior lot lines, provided the open spaces within the fire separation distance remain clear and unobstructed for the duration of the declared shelter crisis.
- (c) Section ~~N~~ Q112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:
~~N~~ Q112.2 Fire Separation Distance, Buildings on the Same Lot. Buildings or structures used for emergency housing, including sleeping cabins, shall be separated from each other and from other buildings on the same lot as set forth in Section 705.3 of the California Building Code.
- (d) Section ~~N~~ Q112.3 Means of Egress is added as follows:
~~N~~ Q112.3 Means of egress. Buildings or structures used

for emergency housing shall be provided with means of egress in compliance with Chapter 10 of the California Building Code.

- (e) Section ~~Q~~ Q112.4 Emergency Escape and Rescue is added as follows:

~~Q~~ Q112.4 Emergency Escape and Rescue. Each area of a building or structure used for sleeping accommodations in emergency housing shall contain an emergency escape and rescue opening in accordance with Section 1030 of the California Building Code.

- (f) Section ~~Q~~ Q112.5 Smoke Alarms is added as follows:

~~Q~~ Q112.5 Smoke Alarms. Buildings or structures with sleeping accommodations used for emergency housing shall be equipped with single station smoke alarms installed in accordance with the requirements of Section 907.2.11 and Section 1103.8.3 of the California Fire Code.

- (g) Section ~~Q~~ Q112.6 Carbon Monoxide Alarms is added as follows:

~~Q~~ Q112.6 Carbon Monoxide Alarms. Buildings or structures with sleeping accommodations used for emergency housing and equipped with fuel-burning appliances shall be provided with carbon monoxide detection in accordance with Section 915 of the California Fire Code and the California Building Code.

- (h) Section ~~Q~~ Q112.7 Fire Alarm is added as follows:

~~§~~ Q112.7 Fire Alarm. A manual fire alarm system capable of arousing sleeping occupants designed and constructed in compliance with Section 907.2.10.1 of the California Fire Code and the California Building Code shall be installed in buildings, structures, or groups of buildings or structures, used for emergency housing and having a *gross floor area* of more than 2,500 square feet or having the capacity for more than 49 sleeping occupants.

Exception: Individual buildings or structures in a group of buildings or structures with sufficient separation distances to allow each building or structure to function independently in case of a fire shall have their own individual fire alarm systems, as approved by the Fire Code Official.

- (i) Section ~~§~~ Q112.8 Automatic Fire Sprinklers is added as follows:

~~§~~ Q112.8 Automatic Fire Sprinklers. Fire sprinklers shall be provided for new and existing buildings or structures used for emergency housing that provide sleeping accommodations, as required by Section 903.3 of the California Fire Code and the California Building Code.

- (j) Section ~~§~~ Q112.9 Fire Extinguishers is added as follows:

~~§~~ Q112.9 Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with

Section 906.1 of the California Fire Code and the California Building Code.

- (k) Section ~~Q~~ Q112.10 Flammable or Combustible Liquids is added as follows:

~~Q~~ Q112.10 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted except for intact cigarette lighters. The use of any type of open flame indoors is prohibited unless each separate use is approved by the Fire Code Official.

- (l) Section ~~Q~~ Q112.11 Storage is added as follows:

~~Q~~ Q 112.11 Storage. Flammable materials, including the possessions of occupants, users, and staff, shall not obstruct required aisle widths between beds or other furnishings and shall not be stored in attics, under-floor spaces, or within other concealed spaces of buildings or structures with sleeping accommodations used for emergency housing.

- (m) Section ~~Q~~ Q112.12 Fire Department Access is added as follows:

~~Q~~ Q 112.12 Fire Department Access. Fire Department access to buildings and *premises* used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code, and approved by the Fire Code Official.

- (n) Section ~~Q~~ Q112.13 Water Supply is added as follows:

~~Q~~ Q112.13 Water Supply. An approved fire protection

water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each building or structure, group of structures or *premises* used for emergency housing.

§ 145.3806 Local Addition of Section ~~N~~ Q113 “Emergency Housing Alternatives and Modifications” to the California Building Code

- (a) Section ~~N~~ Q113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section ~~N~~ Q113.1 Alternatives and Modifications is added as follows:
~~N~~ Q113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix N and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

19. Update AED Regulations

§145.3905 Definitions

Except as otherwise provided, for the purposes of this Division:

Automated External Defibrillator or *AED* means “Automated External Defibrillator” or “AED” as defined in the California Code of Regulations, Title 22, Division 9, Chapter 1.8, Section 100033, which states “Automated External Defibrillator” or “AED” means an external defibrillator that after user activation is capable of cardiac rhythm analysis and will charge and deliver a shock, either automatically or by user interaction, after electronically detecting and assessing ventricular fibrillation or rapid ventricular tachycardia. *AED* shall also have the same meaning as “Automatic External Defibrillator” pursuant to Health and Safety Code section 1797.196.

Alteration means a tenant improvement or renovation to an existing building. A change of occupancy shall not be considered an alteration for purposes of this Division.

§145.3910 New Construction and Alterations Requiring AEDs

- (a) Prior to issuance of a certificate of occupancy or approval of final inspection, *AEDs* shall be placed in all newly constructed buildings in the occupancy groups and with occupant loads in excess of that shown in Table 145-3910. The occupant load shall be determined based on the occupant load factors in the California Building Code. Occupancy groups shall be determined based on Chapter 3 of the California Building Code.
- (b) Prior to approval of final inspection, *AEDs* shall be placed in all existing buildings undergoing *alteration* when the following apply:

- (1) The building undergoing alterations was first constructed prior to January 1, 2017; and
 - (2) The accumulated value of alterations within the building within 1 calendar year value of alterations is one hundred thousand dollars (\$100,000) or more.
 - (3) Any tenant improvement within a public assembly occupancy including auditoriums and performing arts and movie theaters.
- (c) The requirements in Section 145.3910 (b) shall not apply to the following:
- (1) A general acute care hospital, acute psychiatric hospital, skilled nursing facility or special hospital licensed under subdivision (a), (b), (c), or (f) of Section 1250 of the Health and Safety Code.
 - (2) When an existing AED is located within a common area of the building such as the main entry lobby or similar location.
- (d) AEDs shall be conspicuously placed and readily accessible in the event of an emergency. AEDs shall be mounted such that the top of the AED is no more than five (5) feet above floor level.

Table 145-3910

Occupancy Group	Occupant Load²
Group A "Assembly"	300
Group B "Business"	200
Group E "Educational"	200

Group F "Factory"	200
Group H "High Hazard"	200
Group I "Institutional"	200
Group M "Mercantile"	200
Group R "Residential" ¹	200
Group S "Storage"²	200

1. Excluding single-family and multi-family dwelling units.

~~2. Excluding parking garages~~

Reason: This amendment is necessary to comply Section 19300 of the Health and Safety Code. Senate Bill 1397 was approved in 2018 and requires AED's in existing buildings undergoing renovations or tenant improvements. Division 39 already regulates their installation in new buildings so the new State requirements have been added as local updates.

- 145.3905 includes a new definition for alterations applicable to this division. The CBC alterations definition includes change of occupancy and change of use however the Senate Bill only intended to scope in alterations based on the valuation.
- 145.3910 (b) adds the scoping and applicability requirements from H&S 19300 (b). Subsection (c) adds the exemptions from H&S 19300 (d).
- Table 145-3910 is proposed to be modified to delete H and S occupancies since the bill does not address them.
- While the bill (H&S Code Section 19300 ((d)(1)) exempts buildings owned or operated by any local government entity, it is proposed to not exempt City facilities. San Diego through Project Heart Beat has already deployed AED's in City facilities so the cost of construction is not expected to be impacted.

20. Update Voluntary Accessibility Program

§145.4005 Tier II-Visitable Unit Design Standards

Subsection (a) through (d) no change

- (e) At least one interior accessible route of travel shall be provided in compliance with California Building Code Section ~~1120.A.1~~ 1119A as may be amended. The interior route of travel shall connect an accessible entrance to the following rooms located on the primary entry level:

Remainder of subsection and Section no change

Reason: CBC Chapter 11A was renumbered in the 2016 Code cycle and this section number change was inadvertently missed and is being corrected. There is no change in regulatory effect.

Electrical Regulations (California Electrical Code Amendments)

21. Update the Electrical Regulations

§146.0103 Interpretation of the Electrical Regulations

- (a) The language used in this Article and in the ~~2016~~ 2019 California Electrical Code which is made a part of this Article by reference, is intended to convey the common and accepted meaning familiar to the electrical industry.

§146.0104 Adoption of the California Electrical Code

- (a) The ~~2016~~ 2019 California Electrical Code published by the California Building Standards Commission (BSC), as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Planning and Development (OSHPD3); and the State Fire Marshal (SFM), is adopted by reference and made a part of this Article as if fully set forth, except as otherwise provided in this Article. The regulations so referenced are the standard for electrical installations regulated by this Article. A copy of the 2016 California Electrical Code is on file in the office of the City Clerk as Document **No. OO-XXXX-2.**
- (b) When reference is made to the California Electrical Code, it shall be the ~~2016~~ 2019 California Electrical Code, California Code of Regulations Title 24, Part 3, as

published by the California Building Standards
Commission.

Remainder of Section no change

§146.0105 Portions of the California Electrical Code Not Adopted

The following Sections or Subsections of the ~~2016~~ 2019 California Electrical Code are not adopted by the City of San Diego:

- (a) Article 230, Services, Section ~~43~~ 230.43, Wiring Methods for ~~600~~ 1000 Volts, Nominal or Less, numbers (1) "Open Wiring on Insulators" and (7) "Service-entrance Cables" are not adopted.
- (b) Article 230, Services, Section 50, Protection of Open Conductors and Cables Against Damage – Above Ground; Section 51, Mounting Supports; and Section 52, Individual Conductors Entering Building or Other Structures; relating to protection and mounting of open wiring on insulators and service-entrance conductors are not adopted.
- ~~(c) Article 705, Interconnected Electric Power Production Sources; Section 705.12(D)(6), Wire Harness and Exposed Cable Arc-Fault Protection.~~

§146.0106 Portions of the California Electrical Code Adopted with Modifications

The following Sections of the ~~2016~~ 2019 California Electrical Code are adopted by the City of San Diego with

modifications:

The California Electrical Code is adopted with no modifications.

~~Article 690, Solar Photovoltaic (PV) Systems; Section 690.12(2) Rapid shutdown of PV Systems on Buildings.~~

§146.0107 Portions of the California Electrical Code Adopted with Additions

The following Sections of the ~~2016~~ 2019 California Electrical Code are adopted by the City of San Diego with additions:

The California Electrical Code is adopted with no additions.

~~Article 705, Interconnected Electric Power Production Sources; Section 705.12(D)(2)(3)(e) Bus or Conductor Ampere Rating.~~

~~§146.0208 Local Modifications and Additions to Article 690 Solar Photovoltaic (PV) Systems of the California Electrical Code~~

~~(a) — Article 690 of the California Electrical Code is adopted by reference with modifications pursuant to Section 146.0106 of the Land Development Code.~~

~~(b) — Section 690.12 Rapid Shut Down of PV Systems on Buildings is adopted with modifications as follows:~~

~~690.12 Rapid Shut Down of PV Systems on Buildings. PV system circuits installed on or in buildings shall include a rapid shut down function that controls specific conductors in accordance with subsections (1) through (5) as~~

follows:

- (1) — Requirements for controlled conductors shall apply only to PV system conductors of more than 1.5m (5 ft.) in length inside a building or more than 3m (10 ft.) from a PV array.
- (2) — Controlled conductors shall be limited to no more than 30 volts and 240VA within 30 seconds of rapid shutdown initiation.
- (3) — Voltage and power shall be measured between any two conductors and between any conductor and ground.
- (4) — The rapid shutdown initiation methods shall be labeled in accordance with 690.56(C) of the California Electrical Code.
- (5) — Equipment that performs rapid shutdown shall meet the requirements in Article 110 of the California Electrical Code and shall be listed and labeled by an approved Nationally Recognized Testing Laboratory.

~~§146.0209 — Local Modifications and Additions to Section 705.12 “Point of Connection” of the California Electrical Code~~

- (a) — Section 705.12(D)(3) of the California Electrical Code is adopted with additions and modifications pursuant to Sections 146.0106 and 146.0107 of the Land Development Code.
- (b) — Section 705.12(D)(3) “Bus or Conductor Ampere Rating”

~~is modified by adding subsection (e) as follows: (e) A connection at either end, but not both ends, of a center-fed panel board in dwellings shall be permitted where the sum of 125 percent of the power source(s) output circuit current and the rating of the overcurrent device protecting the busbar does not exceed 120 percent of the current rating of the busbar. For the purpose of this section, dwelling has the same meaning as in the California Residential Code and the California Building Code.~~

Reason: The Electrical Regulations that adopted amendments to the 2016 California Electrical Code adopted certain provisions published by NFPA as Tentative Interim Agreements (TIA). The TIA's were adopted into the 2017 National Electrical Code. The regulations are now redundant. Section 146.0105 is proposed to be updated for consistency with the 1,000-volt threshold in the CEC Section 230.43. Sections 230.50, 230.51 and 230.52 continue to not be adopted since they regulate the Utility side of the service under the jurisdiction of the local electric utility SDG&E.

Plumbing Regulations (California Plumbing Code Amendments)

The 2019 California Plumbing Code is Part 5 Title 24 in the California Code of Regulations is Based on the 2018 Uniform Plumbing Code. Local amendments to portions not including Chapter 1 are published in the Plumbing Regulations, Chapter 14 Article 7, of the Municipal Code.

22. Plumbing Regulation Updates

147.0103 Adoption of the California Plumbing Code

- (a) Except as provided in Sections 147.0104 through 147.0108, the ~~2016~~ 2019 California Plumbing Code, published by the California Building Standards Commission (BSC), and as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal (SFM); a copy of which is on file in the office of the City Clerk as Document OO-~~20897~~ XXXX-3, is adopted by reference.
- (b) When reference is made to the California Plumbing Code, it shall be the ~~2016~~ 2019 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.

Remainder of Section no change

§147.0104 Modifications to the California Plumbing Code Adopted by

the City of San Diego

The following Sections of the ~~2016~~ 2019 California Plumbing Code are modified by the City of San Diego:

- (a) ~~Chapter 6, Section 609, Installation, Testing, Unions and Location, Section 609.3.1. Chapter 4, Plumbing Fixtures and Fittings, Section 422.2.1 Single User Toilet Facility Identification.~~
- (b) Chapter 11, Storm Drainage, Section ~~1101.4~~ 1101.2 Where Required, Section ~~1101.3.1 Storm Drainage Material Uses, Section 1101.11.1 Primary Roof Drainage, Section 1101.5.1~~ 1101.6.1 Discharge.

§147.0105 Additions to the California Plumbing Code Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Plumbing Code are added by the City of San Diego:

- (a) Chapter 6, 609.3.1 Exception, Installation of Piping "Under Concrete Slab."
- (b) Chapter 11, Section 1101.1 Applicability; Section 1101.6.1, Discharge.
- (c)(b) Chapter 12, Section ~~1208.7.3.1~~ 1208.8.2.1 Gas Pressure Regulators, Location.

§147.0106 Adoption of Appendices to California Plumbing Code

- (a) The following Appendix Chapters of the 2016 California Plumbing Code adopted by a State agency as identified in Land Development Code Section 147.0103 and the adoption matrices of the 2016 California Plumbing Code, are adopted by the City of San Diego:

- ~~(1)~~ Appendix A – Recommended Rules for Sizing of Water Supply System
 - ~~(2)~~ Appendix D – Sizing Storm Water Drainage Systems
 - ~~(3)~~ Appendix H – Private Sewage Disposal Systems
 - ~~(4)~~ Appendix I – Installation Standards for Pex Tubing systems for Hot and Cold Water Distribution
 - ~~(5)~~ Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation Opening Design
- ~~(b)~~ The following Appendix Chapters of the ~~2016~~ 2019 California Plumbing Code not adopted by a State agency as identified in Land Development Code Section 147.0103 and in the adoption matrices of the ~~2016~~ 2019 California Plumbing Code are not adopted by the City of San Diego:
- ~~(6)~~ (1) Appendix B - Explanatory Notes on Combination Waste And Vent Systems
 - ~~(7)~~ (2) Appendix C – Alternate Plumbing Systems
 - ~~(8)~~ (3) Appendix E – Manufactured/Mobilehome Parks and Recreational Vehicle Parks
 - ~~(9)~~ (4) Appendix F – Fire Fighter Breathing Air Replenishment Systems
 - ~~(10)~~ (5) Appendix G – Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category Q Appliances, and Appliances Listed for Use with Type B Vents
 - ~~(11)~~ (6) Appendix K – Potable Rainwater Catchment

Systems

~~(12)~~ (7) Appendix L - Sustainable Practices

(8) Appendix M - Peak Water Demand Calculator

~~§147.0213-0211~~ Local Modifications and Additions to Section 1101

**“General” Storm Drainage Regulations of the California
Plumbing Code**

Remainder of Section no Change

§147.0212 Local additions to Section ~~1208.7~~ 1208.8 “Gas Pressure

Regulators” of the California Plumbing Code

Section ~~1208.7.3.1~~ 1208.8.2.1 of the California Plumbing Code is ~~added~~ modified as follows: ~~1208.7.3.1~~ 1208.8.2.1. Approved gas pressure regulators shall be installed and used in locations approved by the Building Official.

Reason:

The 2019 California Plumbing Code was renumbered, and this update adjusts to the new Section numbers.

- Section 147.0104 (a) incorrectly identifies as modifications Section 609.3.1, it is an added Section, so the text is proposed to be deleted.
- Section 147.0104 (b) incorrectly references modifications to Section 1101.3.1 Storm Drainage Material Uses is in error and is therefore deleted from Section 147.0104 (b). Section 1101.11.1 is incorrectly shown as modified and is therefore deleted Section 147.0104 (b).
- Section 147.0106 has been simplified to identify Appendix chapters not adopted similar to other articles in Chapter 14 of the LDC.
- Sections 147.0104 and 147.0105 are updated to reflect section number changes in CPC and to reflect that local

modifications are adopted to Section 1208.8.2.1 and not local additions, the SDMC has been in error.

- Section §147.0213 is renumbered 147.0211 to identify chapter 12 and not 13 and therefore be moved ahead of 147.0212.

23. Identification of Single User Toilet Rooms as All Gender

Text as it would appear in CPC:

422.2.1 Single-user Use Toilet Facilities Identification. ~~Single-use toilet facilities and family~~ Family or assisted use toilet facilities shall be identified with signage indicating use by either sex. All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Section 11B-703.7.2.6 of the California Building Code and designated for use by no more than one occupant at a time or for family or assisted use. For the purposes of this section, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

Text as it would appear in LDC:

§147.0203 Local Modifications to Section 422.2 "Separate Facilities" of the California Plumbing Code

- Section 422.2 of the California Plumbing Code is adopted with modifications pursuant to Section 147.0104 of the Land Development Code.
- Section 422.2.1 of the California Plumbing Code is modified as follows: 422.2.1 Single-user Toilet Facilities Identification. Family or assisted use toilet facilities shall be identified with signage indicating use by either sex. All single-user toilet facilities in

any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Section 11B-703.7.2.6 of the California Building Code and designated for use by no more than one occupant at a time or for family or assisted use. For the purposes of this section, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

Reason: This amendment is proposed under the authority of Section 118600 of the Health and Safety Code that was codified in response to Assembly Bill 1732 in 2016. The California Plumbing Code (CPC) in chapter 4 determines when separate toilet facilities are required for each gender or when unisex (single user) toilet facilities can be provided. CPC Section 422.2.1 conflicts with the H&S because it requires single user toilet rooms to be identified with signage indicating use by either sex when all gender signage is required by Statute.

24. Water Efficient Plumbing Updates

§147.0405 **Retrofit upon Bathroom Alteration**

~~Upon *bathroom* alteration, the responsible person shall replace any existing plumbing fixture in the bathroom being altered with a water-conserving plumbing fixture.~~

When plumbing fixtures are proposed to be replaced non-compliant plumbing fixtures shall be replaced with water-conserving plumbing fixtures complying with the prevailing

edition of the California Plumbing Code and Sections 147.0304 and 147.0305 of the Additional Plumbing Regulations for Water and Energy Conservation.

Reason: The 2019 California Plumbing Code was modified by the Department of Housing and Community Development in response to SB 407, codified in the California Civil Code (Section 1101.1, et seq.) and the text is shown in CPC Section 401.3. The text was modified to reflect the permit and inspection process in the City of San Diego and to update the water conservation article.

The requirement is generalized to include all plumbing fixture replacements. As an example, the California Plumbing Code requires self-closing faucets for new transient public lavatories however Section 147.0304 requires self-closing faucets in all new buildings. Self-closing are an effective water conservation measure.

Mechanical Regulations (California Mechanical Code Amendments)

The 2019 California Mechanical Code is Part 4 Title 24 in the California Code of Regulations is Based on the 2018 Uniform Mechanical Code. Local amendments to portions not including Chapter 1 are published in the Mechanical Regulations, Chapter 14 Article 8, of the Municipal Code.

25. California Mechanical Code Updates

§148.0103 Adoption of the California Mechanical Code

- (a) Except as provided in Land Development Code Section 148.0104, the ~~2016~~ 2019 California Mechanical Code, published by the California Building Standards Commission (BSC); and as amended by the California Department of Housing and Community Development (HCD); the Division of the State Architect-Access Compliance (DSA/AC); the State Office of Statewide Health Planning and Development (OSHPD3); and the State Fire Marshal (SFM); a copy of which is on file in the office of the City Clerk as Document No. OO-~~20897~~ XXXX-4, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the ~~2016~~ 2019 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.

Remainder of Section no change

§148.0104 Portions of the California Mechanical Code Not Adopted

The following portions of the ~~2016~~ 2019 California Mechanical Code are not adopted: Chapter 1 - Division II, Administration.

§148.0105 Modifications to the California Mechanical Code Adopted by the City of San Diego

The ~~2016~~ 2019 California Mechanical Code is adopted with no modifications.

§148.0106 Additions to the California Mechanical Code Adopted by the City of San Diego

The ~~2016~~ 2019 California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the ~~2016~~ 2019 California Mechanical Code are not adopted.

Reason: The 2019 California Mechanical Code continues to be adopted without local amendments. The revisions simply adopt the 2019 Code and revise the edition.

Residential Building Regulations (California Residential Code Amendments)

The 2019 California Residential Code is Part 2.5 Title 24 in the California Code of Regulations is Based on the 2018 International Residential Code. Local amendments to portions not including Chapter 1 are published in the Plumbing Regulations, Chapter 14 Article 9, of the Municipal Code.

26. Update the California Residential Code

§149.0103 Adoption of the California Residential Code

- (a) The ~~2016~~ 2019 California Residential Code, published by the California Building Standards Commission (BSC), and as amended by the State Department of Housing and Community Development (HCD 1, HCD 1/AC) and the State Fire Marshal (SFM), is adopted by reference, except as otherwise provided in this Article of the Land Development Code, Divisions 2 through 45. A copy of the 2016 California Residential Code is on file in the office of the City Clerk as Document **No. OO-XXXXX-5**.
- (b) When reference is made to the California Residential Code, it shall be the ~~2016~~ 2019 California Residential Code, California Code of Regulations Title 24, Part 2.5, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the ~~2016~~ 2019 California Residential Code is made a part of this Article as if fully set forth in this Article except as otherwise provided in Divisions 2

through 45.

- (d) Numbering of Sections and Subsections in Divisions 2 through 45 of this Article is cross referenced to Sections in the ~~2016~~ 2019 California Residential Code.
- (e) The adoption of the ~~2016~~ 2019 California Residential Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.

Remainder of Section no change

§149.0104 Portions of the California Residential Code Not Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Residential Code have not been adopted by the City of San Diego:

- (a) Chapter 1, Division II;
- (b) Table R301.2(1) "Climatic and Geographical Design Criteria."

§149.0105 Modifications to the California Residential Code Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Residential Code are modified by the City of San Diego:

- (a) ~~Chapter 2, Section R202, Definitions~~

- ~~(b)~~(a) Chapter 3, Section R301.2, Climatic and Geographic Design Criteria; Section R319.1, ~~Address Numbers~~ Address Identification; R322, Flood Resistant Construction; Section R324.4.2, Fire Classification; Section R324.5.2, Fire Classification; ~~Section R326, Swimming Pools, Spas and Hot Tubs;~~ Section R337.1.3.1, Application Date and Where required; Section R337.2, Definitions; Section R337.5.4, Roof Gutters and Downspouts; Section R337.8, Exterior Windows and Doors.
- ~~(c)~~(b) Chapter 9, Section 902.1.5, Roof Covering Materials, Section R902.2.1, Wood Shingles, Section R902.2.2, Wood Shakes, R902.4, Photovoltaic Panels and Roof Modules; Section R905.1.3, Roof Covering attachment; ~~R907.1.1~~ R908.1.1, Replacement Roof Covering, Class A; ~~R907.1.2~~ R908.1.2, Replacement Roof Covering, Class A, Additions; ~~R907.1.3~~ R908.1.3, Wood Shake, Shingles Reroof; ~~R907.1.4~~ R908.1.4, Wood Shake, Shingles, Historical Buildings; ~~R907.1.5~~ R908.1.5, Reroofing Over Wood Roofs.

§149.0106 Additions to the California Residential Code Adopted by the City of San Diego

The following Sections and Subsections are added to the ~~2016~~ 2019 California Residential Code by the City of San Diego:

- (a) Chapter 2, Section R202, Definitions, Live Work Unit.
- (b) Chapter 3, Section R309.4.1 "Backup Power for Automatic Garage Door Openers"; Section R320.2

Voluntary Accessibility program; ~~Section R326.2, When Swimming Pool, Spa, and Hot Tub Regulations Apply;~~ R326.2.1, Purpose; R326.2.2, Private Swimming Pools; R326.2.3, Private Swimming Pool Barrier; Section R329, Structural Tests and Special Inspections; Section R332, Encroachments into the Public Right-of-Way; Section R333, Safeguards During Construction; ~~Section R337.1.3, Exception 5;~~ Section R337.1.3.1, Exception 2.3; Section R337.2, Local Very High Fire Hazard Severity Zone; Section R337.3.6.1, Alternative Materials, Designs or Methods of Construction; Section R337.3.6.2, Modifications; Section R337.5.4, Roof Gutters and Downspouts; Section R337.5.5, Drip Edge Flashing; ~~Section R337.8.2.2.1~~ R337.8.2.1.1, Vinyl Windows; Section R337.11, Spark Arrester; ~~Section 337.12, Glazing Materials in Skylights;~~ R341, Sound Transmission Control.

- (c) Chapter 4, Section ~~R401.5~~ 401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- (d) Chapter 45, Residential Grading Regulations.

§149.0107 Adoption of Appendices to the California Residential Code

The following Appendix Chapters of the ~~2016~~ 2019 California Residential Code are adopted by the City of San Diego:

- (a) Appendix Chapter H Patio Covers.
- (b) Appendix Chapter Q, Tiny Houses
- (c) Appendix Chapter S, Straw Bale Construction.

(d) Appendix V, Swimming Pool Safety Act

§149.0108 Applicability of the California Building Code to Existing Buildings and Structures Regulated by the California Residential Code

- (a) The legal occupancy of any building or structure existing on the date of adoption of the ~~2016~~ 2019 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters 3, 4 and 4-5 of the ~~2016~~ 2019 California Existing Building Code, the California Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.
- (b) Additions, alterations or repairs to any building or structure shall conform to the requirements for a new building or structure without requiring the existing building or structure to comply with all of the requirements of the California Residential Code or, where applicable, the California Building Code, unless otherwise stated. Additions, alterations, repairs, and relocations shall not be permitted to cause an existing building or structure to become unsafe or adversely affect the performance of the building or structure.
- (c) Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the ~~2016~~ 2019 California Building Code shall be maintained in conformance with the code edition under which

installed. The owner shall be responsible for the maintenance of buildings and structures. To determine compliance with this Subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of the Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing building or structures.

Reason: The 2019 California Residential Code is adopted, and the revisions simply adopt the 2019 Code and revise the edition. Additionally, Section numbering errors are being corrected and the swimming pool safety regulations are being repealed.

- Some local regulations amending Section R337 for the Very High Fire Hazard Severity Zone are being repealed since they are redundant due to adoption into the CRC.
- Appendix Q Tiny Homes is adopted following the lead of HCD.
- Appendix V was adopted by the California Building Standards Commission, so the City follows suit. The Swimming Pool Safety Act is adopted into the Health and Safety Code because of State legislation. CBSC published the act without change into the CRC to facilitate enforcement by local agencies. Previously a combination building inspector had to utilize Chapter 31 of the California Building Code to determine swimming pool barriers.
- Appendix X for emergency housing is not adopted since CBC appendix O is adopted with local amendments.

27. Repeal the Live Work Dwelling Definition

§149.0201 Local Additions to Chapter 2 “Definitions” of the California Residential Code

- (a) Chapter 2 of the California Residential Code is

adopted by reference without change with additions pursuant to Section 149.0103 ~~Section 149.0103~~ and 149.0106 of the Land Development Code.

- (b) ~~Sections R201 is adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.~~
- (c) ~~Section R202 has been adopted with additions pursuant to Section 149.0106 of the San Diego Municipal Code.~~

~~§149.0202 Local Modifications and Additions to Chapter 2~~

~~“Definitions” of the California Residential Code~~

- (a) ~~Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 9, Divisions 3 through 45 of the Land Development Code where they conflict with the definitions contained in the California Residential Code.~~
- (b) ~~Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.~~

~~§149.0202 Local Modifications and Additions to Chapter 2~~

~~“Definitions” of the California Residential Code~~

- (a) ~~Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 9, Divisions 3 through 45 of the Land~~

~~Development Code where they conflict with the definitions contained in the California Residential Code.~~

- ~~(b) Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.~~
- ~~(e) The following definition has been added to the Section R202 California Residential Code pursuant to Section 149.0106 of the Land Development Code: LIVE WORK UNIT. A unit in which a portion of the unit is used for other than living purposes as defined and subject to the limitations set forth in Section 419 "LIVE/WORK UNITS" in the California Building Code, as adopted and amended by the City of San Diego. Live Work Unit shall not mean Live/Work Quarters as defined and regulated in Section 141.0311 of the Land Development Code.~~

Reason: HCD adopts a definition for Live/Work Unit into the CRC and the proposed amendment updates the LDC to be consistent. Live work dwelling unit more closely resembles shopkeeper units permitted in the Land Development Code. Shopkeeper units are a zoning use designation and do not necessarily fully comply as live work dwelling units. Joint live-work quarters are residential uses in commercial buildings and as a result are not within the scope of the CRC so the modification to the exception in the CRC is not necessary.

28. Update CRC Chapter 3

**§149.0301 Local Additions to Chapter 3 “Building Planning” of the
California Residential Code**

- (a) Chapter 3 of the California Residential Code is adopted by reference with additions pursuant to Sections 149.0103 and 149.0106 of the Land Development Code.
- (b) Sections ~~R301~~ R302 through R308 and R310 through R318, and ~~R321~~, R324 and R325 through R325 ~~R326~~, ~~R334~~ through R336, and R338 through R340 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Reason: This editorial change renumbers Sections per the CRC and repeal of local amendments to the CRC such as local swimming pool safety requirements.

29. Update Climatic and Geographic Design Criteria

**§149.0302 Local Modifications and Additions to Section R301.2
“Climatic and Geographic Design Criteria”**

Subsection (a) no change

- (b) Section R301.2 is adopted with modifications as follows. Buildings shall be constructed in accordance with the provisions of the California Residential Code as limited by the provisions of Section R301. Additional criteria are outlined in Table 149.0302 of the Municipal Code.

Subsection (c) no change

Reason: Editorial update to reference the Table in the Municipal Code. The City of SD does not adopt the CRC Table R301.2(1) since it was too complicated to adopt modifications to the Table.

30. Backup Power for Automatic Garage Door Openers.

Text as it would appear in the CRC

R309.4 Automatic garage door openers. Automatic garage door openers, if provided, shall be *listed* and *labeled* in accordance with UL 325.

R309.4.1 Backup Power for Automatic Garage Door Openers. Where garages are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate during an electrical outage. The battery backup function shall operate in a manner so that the automatic garage door opener is operational without interruption during an electrical outage.

Text as it would appear in the SDMC

§149.0309 Local Additions to Section R309 “Garages and Carports”

- (a) Section R309.4 “Automatic garage door openers” is adopted with additions pursuant to Section 149.0106. Add Section R309.4.1 “Backup Power for Automatic Garage Door Openers” as follows. R309.4.1 “Where garages are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate during an electrical outage. The battery backup function shall operate in a manner so that the automatic garage door opener is operational without interruption during an electrical outage.

Reason: This code change is necessary to comply with recently adopted regulations adopted into Section 19892 of the Health and Safety Code due to passage of Senate Bill No. 969 in 2018. The Senate Bill made the regulations effective July 1, 2019. Recent wildfire in Sonoma County demonstrated the vulnerability of residents during an evacuation order when they were unable to exit their vehicles from garages that included electrically operated automatic door openers because of a power outage. The power outage coincided with the wildfire event.

31. Update the Residential Building Regulations Address Numbers

§149.0319 Local Modifications to Section R319.1 “Address numbers Address identification” of the California Residential Code
Section R319.1 of the California Residential Code Building Code is adopted as amended in San Diego Municipal Code Section 95.0209 for building addressing requirements for the City of San Diego.

Reason: This code change is necessary to correct an error in the Title of the CRC Section and other minor errors.

32. Update the Fire Classification Reference for Solar Energy Systems

Text as it would appear in the CRC.

R324.4.2 Fire classification. Rooftop-mounted photovoltaic panel systems shall have the same fire classification as the roof assembly required in Section R902 Section 149.0902 (a).

R324.5.2 Fire classification. Building-integrated photovoltaic systems shall have a fire classification in accordance with Section R902.3 Section 149.0902 (a).

Text as it would appear in the SDMC.

§149.0324 Local Modifications and Additions to Section R324 “Solar Energy Systems” of the California Residential Code

- (a) Section R324.4.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code:
R324.4.2 Fire classification. Rooftop-mounted photovoltaic panel systems shall have the same fire classification as the roof assembly required in Section 149.0902 (a).
- (b) Section R324.5.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code:
R324.5.2 Fire classification. Building-integrated photovoltaic systems shall have a fire classification in accordance with Section 149.0902 (a).

Reason: The two new Sections need to be modified to reference Section 149.0902 (a) since the City requires Class A assemblies for all buildings within the City. Rooftop mounted solar photovoltaic panel systems and building integrated solar photovoltaic systems require Class A fire classification within the city.

33. Repeal Swimming Pool Safety Regulations

~~**§149.0326 Local Addition and Modifications to Section R326 “Swimming Pools, Spas and Hot Tubs” to the California Residential Code**~~

- ~~(a) Section R326 is adopted with modifications and~~

~~additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code.~~

~~(b) Section R326.1 is adopted with modifications as follows: R326.1, General. The design and construction of pools and spas shall comply with the swimming pool, spa, and hot tub safety regulations in Section 149.0326 of the Land Development Code.~~

~~(c) Section R326.2 is added as follows: R326.2, When Swimming Pool, Spa, and Hot Tub Regulations Apply. The building regulations of this Division apply to any outdoor private swimming pool. An outdoor swimming pool means any structure intended for swimming or recreational bathing that can contain water over 18 inches in depth and is not totally contained within a residence and surrounded on all four sides by walls of the structure. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.~~

~~(d) Section R326.2.1 is added as follows: R326.2.1, Purpose. The purpose of this Section is to establish building regulations for private swimming pools and hot tubs or spas that do not have locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM ES 1346-91), located on the premises of dwellings and dwellings units complying with the California Residential Code.~~

~~(e) Section R326.2.2 is added as follows: R326.2.2, Private Swimming Pool. Private swimming pool means any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by not more than three owner families and their guests.~~

~~(f) Section R326.2.3 is added as follows: R326.2.3, Private Swimming Pool Barrier. Barriers for private swimming pools shall comply with Section 3109 of the California Building Code, as adopted and amended in Section 145.3109(c) of the Land Development Code.~~

- Reason:** This amendment updates the Municipal Code in response to newly published swimming pool safety standards in Appendix V of the CRC. The standards transcribe the "Swimming Pool Safety Act" which through statute requires swimming pool safety regulations that are codified in Section 115920 through 115929 of the Health and Safety Code.
- Section 149.0326 (c) is addressed in Section 115925(b) and was in error since only hot-tubs and spas are exempt and not pools.
 - Section 145.3109 (c) is addressed in Section 115929(a) which was in error. The act regulates all swimming pools whether interior or exterior.
 - Section 145.3109 (c) is addressed in Section 115923(e) and is redundant.
 - Section 145.3110 and 145.3111 are being repealed in the (a) is addressed in Section 115925(b) are being repealed in the 12th update of the Land Development Code.

34. Update Section R337 Building Standards in the Very High Fire Hazard Severity Zone:

**§149.0337 Local Additions and Modifications to Section R337
“Materials and Methods for Exterior Wildfire Exposure” of
the California Residential Code**

Subsection (a) no change.

(b) — Section R337.1.3 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code. Exception 5 is added as follows: 5. Fences.

~~Remainder of Section no change.~~

~~**§149.0337 Local Additions and Modifications to Section R337
“Materials and Methods for Exterior Wildfire Exposure” of
the California Residential Code**~~

~~Subsection (c) through (g) no change~~ renumber (c) through (f)

(h) Section R337.12 is added pursuant to Section 149.0106 of the Land Development Code as follows: R337.12, Glazing materials used in skylights, roofs, and sloped walls on buildings located in the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, shall comply with the glazing requirements in Section R337.8.2.1.

Reason: Repeal Section 149.0337 (b) Fences are group U occupancies when

they exceed 6 ft in height and the SFM classifies miscellaneous structures in CRC Section R337.10.2 as “trellises, arbors, patio covers, gazebos, and similar structures”.

It is proposed to repeal additional local requirements for skylights incorporated within buildings located in the Very High Fire Hazard Severity Zone. The 2016 CRC Supplement adopts a revision to Section R337.8.2.1 whereby skylights are regulated similarly to window openings. As a result, plastic domed skylights are not permitted. Additionally, Section R337.8.2.2 regulates operable skylights and requires non-combustible mesh screen with openings in the screen shall not exceed 1/8-inch (3.2mm).

35. Fire Classification of Roof Top Solar PV in VHFHSZ

§149.0902 Local Additions and Modifications to Section R902.1 “Roof Classification” of the California Residential Code

Subsection (a) through (c) no change.

- (d) Section R902.4 is adopted by reference and modified as follows: R902.4 Roof-top mounted solar photovoltaic panels and modules. Roof-top mounted photovoltaic panels and modules installed on or above the roof covering shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL2703. Class A, B or C photovoltaic ~~panels~~ panel systems and modules shall be installed in areas designated by Section R902 of the California Residential Code, in jurisdictions designated by law as requiring their use or where the edge of the roof

is less than 3 feet (914 mm) from a lot line. When located in the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

Reason: The proposed amendment makes updates due updates to the residential code. The CRC now references UL 2703 and includes a definition for photovoltaic panel system.

Green Building Regulations (California Green Building Standards Code Amendments)

36. Updates to the California Green Building Standards Code

§1410.0103 Adoption of the California Green Building Standards Code

- (a) The ~~2016-2019~~ California Green Building Standards Code, published by the California Building Standards Commission (BSC), and as amended by the State Department of Housing and Community Development (HCD), is adopted by reference except as otherwise provided in this Article. A copy of the ~~2016-2019~~ California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO-XXXXX-6.
- (b) When reference is made to the California Green Building Standards Code, it shall be the ~~2016-2019~~ California Green Building Standards Code, California Code of Regulations Title 24, Part 11, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the ~~2016-2019~~ California Green Building Standards Code is made a part of this Article as if fully set forth in this Article.
- (d) Numbering of Sections and Subsections in this Article is cross referenced to Sections in the ~~2016-2019~~ California Green Building Standards Code.
- (e) The adoption of the ~~2016-2019~~ California Green Building

Standards Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.

Remainder of Section no change.

§1410.0107 Adoption of Appendices to the California Green Building Standards Code

Appendix Chapters to the ~~2016~~2019 California Green Building Standards Code are adopted as follows: The Residential Voluntary measures of the California Green Building Standards Code, Appendix Chapter A4, Residential Voluntary Measures, Section A4.305.1 "Graywater."

§1410.0403 Local Modifications Section A4.305 "Water Reuse Systems" of the California Green Building Standards Code

- (a) A4.305.1 "Graywater" of the California Green Building Standards Code is adopted with modifications pursuant to Sections 1410.0105 and 1410.0107 of the Land Development Code.
- (b) Section A4.305.1 is adopted with the following modifications. All new residential buildings that are within the scope of the California Residential

Code shall be constructed to include waste piping to discharge gray water from clothes washers to a place where it may be used for outdoor irrigation, in compliance with Section ~~1502-1503~~ of the California Plumbing Code.

Reason: The proposed amendment updates the code editions. Calgreen Changes in the 2019 edition do not impact local amendments. Also update the reference to renumbered California Plumbing Code Section 1503.0 Gray Water Systems.

Existing Building Regulations (California Existing Building Code Amendments)

37. Updates to the Existing Building Regulations Division 1.

§1411.0103 Adoption of the California Existing Building Code

- (a) The ~~2016~~2019 California Existing Building Code, published by the California Building Standards Commission (BSC), as amended by the State Department of Housing and Community Development (HCD 1, HCD 1/AC) and the State Fire Marshal (SFM), is adopted by reference, except as otherwise provided in this Article of the Land Development Code, Divisions 2 through ~~4-5~~ and Division 17 and 18. A copy of the ~~2016~~2019 California Existing Building Code is on file in the office of the City Clerk as Document **No. OO-XXXX-7**.
- (b) When reference is made to the California Existing Building Code, it shall be the ~~2016~~2019 California Existing Building Code, California Code of Regulations Title 24, Part 10, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the ~~2016~~2019 California Existing Building Code is made a part of this Article as if fully set forth in this Article except as otherwise provided in Divisions 2 through ~~4-5~~ and Division 17 and 18.

- (d) The numbering of Sections and Subsections in Divisions 2 through 4-~~5~~ and Division 17 and 18 of this Article is cross-referenced to Sections in the ~~2016-2019~~ California Existing Building Code.
- (e) The adoption of the ~~2016-2019~~ California Existing Building Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.
- (f) The Building Official is only authorized to enforce amendments to the ~~2016-2019~~ California Existing Building Code made by the following State agencies:
 - (1) The Department of Housing and Community Development for accessibility in privately funded housing and all housing (HCD 1 and HCD 1/AC).
 - (2) Office of the State Fire Marshal (SFM).
 - (3) Building Standards Commission (BSC), Appendix Ch. A1 only.

§1411.0104 Portions of the California Existing Building Code Not Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016-2019~~ California Existing Building Code have not been adopted by the City of San Diego:

- (a) Chapter 1, Division II "Scope and Administration."

- (b) Chapter 3, ~~Section 301.1, Exception 1~~; Section ~~301.1.2~~
301.3.2 Work Area Compliance Method; Section
~~301.1.3~~301.3.3 Performance Compliance Method.
- (c) Chapters ~~5~~ 6 through 13 and 15.

**§1411.0105 Modifications to the California Existing Building Code
Adopted by the City of San Diego**

The following Sections or Subsections of the ~~2016~~2019
California Existing Building Code are modified by the City of
San Diego:

- (a) Chapter 2, Section 202 Definitions for the terms Code
Official, Dangerous, and Unsafe are modified by
Section 1411.0202 of the Land Development Code.
- (b) Chapter 3, Section 301.1 General; Section 301.3,
Alteration, Addition or Change of Occupancy including
the exception; Section ~~302.3~~ 302.4 Existing Materials.
- (c) Chapter 4, ~~Section 404.1, Repairs, General~~ Section
401.3, Repairs, Flood Hazard Areas.
- (d) Chapter 5, Section 402.2 502.3, Flood Hazard Areas;
Section ~~403.2~~503.2, Flood Hazard Areas; Section 404.5
405.2.5, Flood Hazard Areas.
- (e) Appendix Chapter A1, Section A102.1, Scope, General.

**§1411.0106 Additions to the California Existing Building Code Adopted
by the City of San Diego**

The following Sections and Subsections are added to the ~~2016~~
2019 California Existing Building Code by the City of San Diego:

- (a) Chapter 2, Section 202, Definitions; Code Official;
Dangerous; Date of Service; External Hazards;

Unsafe.

- (b) Chapter 3, Section 302.7 Maintenance; 302.8 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings; 302.8.1 Applicability; 302.8.2 Compliance period; Removal, Stabilization and Bracing Process; 302.8.2.2 Historical Buildings.
~~Chapter 4, Section 401.6, Maintenance; 401.7 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings.~~

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the ~~2016~~2019 California Existing Building Code are adopted by the City of San Diego:

- (a) Chapter A1, Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings.
- (b) Chapter A3, Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings.
- (c) Chapter A6, Referenced Standards.

Reason: The proposed amendment updates the code editions. Additionally, the additional code changes are proposed as follows.

- Chapter 3 has been reformatted to include provisions for all compliance methods. Additionally, the State continues past practice of not adopting chapters 6 through 13 which include the work area and performance compliance methods.

- Repairs were relocated from a portion of the prescriptive method chapter 4 to be a standalone chapter 4.
- Relocated buildings have been moved from Chapter 4 to a standalone chapter 14.

38. Updates to the Existing Building Regulations Division 3 due to CEBC relocation/renumbering.

Text as it would appear in CEBC:

~~**301.1 General.** The repair, alteration, change of occupancy, addition or relocation of all existing buildings shall comply with Section 301.2, 301.3, or 301.4. [OSHPD 1R, 2, 4 and 5] Section 301.4 not adopted by OSHPD.~~

301.3 Alteration, addition or change of occupancy. The alteration, addition or change of occupancy of all existing buildings shall comply with one of the methods listed in Section 301.3.1, 301.3.2 or 301.3.3 as selected by the applicant. Sections 301.3.1 through 301.3.3 shall not be applied in combination with each other. [OSHPD 1R, 2, 4 and 5] Sections 301.3.2 and 301.3.3, not adopted by OSHPD.

Note: [HCD 1 & HCD 2] Sections 301.3.2 and 301.3.3 shall be permitted only if the performance compliance method and/or work area compliance method are adopted by a local ordinance.

Exception: Subject to the approval of the code official Building Official, alterations complying with the laws in existence at the time the building or the affected portion of the building was built shall be considered in compliance with the provisions of this code. New structural members added as part of the alteration shall comply with the *California Building Code*. This exception shall not apply to alterations that constitute substantial improvement in flood hazard areas, which shall comply with Section 503.2 1411.0503 of the Land Development Code, 701.3 or 1301.3.3. This exception shall not apply to the structural provisions of Chapter 5 of the California Existing Building Code or to the structural provisions of Sections 706, 806 and 906.

302.4 Existing materials. Materials already in use in a building or structure in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless

determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.

302.7 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the Building, Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which installed. The owner shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be reinspected. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings or structures.

302.8 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 302.8 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City owned buildings designated pursuant to Council resolution, which on January 1, 1994, had at least one "unreinforced masonry bearing wall." Section 302.8 shall not apply to the following:

- (A) Any detached single or two-family dwelling unit and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. The exemption does not apply to buildings or structures containing mixed or nonresidential occupancies.

- (B) Buildings that have been completely seismically retrofitted to comply with earlier editions of these regulations as provided in San Diego Municipal Code Chapter 9, Division 88 (Archaic Materials and Method of Construction), or equivalent, Chapter 14, Article 5, Division 4 (Additions and Modifications to Chapter 4 of the California Building Code) before January 1, 2008, or Chapter 14, Article 5, Division 37 (Additional Building Regulations for Archaic Materials and Methods of Construction) before February 17, 2018. Complete seismic retrofit shall be as determined by the Building Official.

302.8.1 Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section 302.8 and that are not classified as Essential or Hazardous Facilities and that contain any parapets and other external hazards attached to or located on the roof structure or forming the exterior facade of a building that meet both of the following criteria:

- (1) Critical Placement: Where the parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and
- (2) Relative Height. Where the parapets and other external hazards or exterior wall or roof appendages that extend above the lower of either the level of the closest adjacent roof to wall anchors or the roof sheathing do not meet the requirements of Sections A113 of the California Existing Building Code.

302.8.2 Compliance period. The owner of a building regulated by Section 302.8 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 302.8.1.

302.8.2.1 Removal, Stabilization and Bracing Process. The removal, stabilization, and bracing process shall include the provision of roof to wall anchors around the perimeter of the entire building. Existing roof to wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.

302.8.2.2 Historical Buildings. If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal may not be used as a method to mitigate external hazards.

Text as it would appear in LDC:

§1411.0301 Local Modifications and Additions to Chapter 3 “Provisions for All Compliance Methods” of the California Existing

Building Code

(a) Chapter 3 of the 2016 California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.

(b) ~~Section 301.1, including the exception 1 of the California Existing Building Code, is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~

~~(1) Section 301.1 is modified as follows: 301.1 General. The repair, alteration, change of occupancy, addition or relocation of all existing buildings shall comply with Section 301.1.1 301.3.1. Where the California Existing Building Code requires consideration of the seismic force resisting system of an existing building subject to repair, alteration, change of occupancy, addition or relocation of existing buildings, the seismic evaluation and design shall be based on Section 301.1.4.~~

~~(c)~~ Section 301.3, including the exception, of the California Existing Building Code, is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.

(1) Section 301.3 is modified as follows: 301.3 Alteration, addition or change of occupancy. The alteration, addition or change of occupancy

of all existing buildings shall comply with
Section 301.3.1.

- (2) The Exception to Section 301.3 is modified as follows: Exception: Subject to the approval of the Building Official, alterations complying with the laws in existence at the time the building or the affected portion of the building was built shall be considered in compliance with the provisions of this code. New structural members added as part of the alteration shall comply with the *California Building Code*. This exception shall not apply to alterations that constitute substantial improvement in flood hazard areas, which shall comply with Section 1411.0503 of the Land Development Code. This exception shall not apply to the structural provisions of Chapter 5 of the California Existing Building Code.

§1411.0302 Local Modifications and ~~Deletions~~ Additions to Section 302 “General Provisions” of the California Existing Building Code

- (a) Section ~~302.3~~ 302 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Section 1411.0105 and 1411.0106 of the Land Development Code.
- (b) Section ~~302.3~~ 302.4 is modified as follows: ~~302.3~~ 302.4 Existing materials. Materials already in use in a

building or structure in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.

- (c) Section 302.7 is added as follows: 302.7 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the Building Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which installed. The owner shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings or structures.
- (d) Section 302.8 is added as follows: 302.8 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings.

Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 302.8 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City owned buildings designated pursuant to Council resolution, which on January 1, 1994, had at least one “unreinforced masonry bearing wall.” Section 302.8 shall not apply to the following:

- (1) Any detached single or two-family dwelling unit and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. The exemption does not apply to buildings or structures containing mixed or nonresidential occupancies.
 - (2) Buildings that have been completely seismically retrofitted, as determined by the Building Official, to comply with earlier editions, or equivalent to these regulations.
- (e) Section 302.8.1 is added as follows: 302.8.1 Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section 302.8 and that are not classified as Essential or Hazardous Facilities and that contain any parapets and other external hazards attached to or located on the roof

structure or forming the exterior facade of a building that meet both of the following criteria:

- (1) Critical Placement: Where the parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and
 - (2) Relative Height. Where the parapets and other external hazards or exterior wall or roof appendages that extend above the lower of either the level of the closest adjacent roof to wall anchors or the roof sheathing do not meet the requirements of Sections A113 of the California Existing Building Code.
- (f) Section 302.8.2 is added as follows: 302.8.2 Compliance period. The owner of a building regulated by Section 302.8 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 302.8.1.
- (1) Section 302.8.2.1 is added as follows. 302.8.2.1 Removal, Stabilization and Bracing Process. The removal, stabilization, and bracing process shall include the provision of roof to wall

anchors around the perimeter of the entire building. Existing roof to wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.

- (2) Section 302.8.2.2 is added as follows. 302.8.2.2 Historical Buildings. If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal may not be used as a method to mitigate external hazards.

Reason: Portions of CEBC Chapter 4 were relocated to Chapter 3 or deleted. Others were moved to Chapter 5. Consequently, the updates address this issue.

- Section 301.1 is being updated and continues resolution of issues resulting from the State not publishing Chapter 6 through 13.
- New Section 301.3 is similarly updated for the same reason as 301.1. the new exception is modified to delta reference to Sections in CEBC chapters not printed and to reference Section 1411.0503 that is proposed to amend Section 503.2 for flood hazards.
- The existing amendment in Section 302.3 will be retained and renumbered to amend Section 302.4 with no change in regulatory effect.
- Section 302.7 is relocated from 1411.04021 (c) (1) which added Section 401.6 to the 2016 CEBC. While Section 101.8 is adopted in Chapter Division II, since the City does not adopt Division II and since the requirement should apply to all occupancies and not just

residential occupancies the existing amendment is proposed be retained and relocated to Chapter 3.

- Section 302.8 and associated subsections continues to be added to the CEBC to maintain existing Unreinforced Masonry Building URM requirements. The regulations are proposed be relocated from Section 1411.0401(C) (2) through (6) to new Section 1411.0302 (d) through (f). Section headings were added to the subsections.

39. Updates to the Existing Building Regulations Division 4 due to CEBC relocation/renumbering.

Text as it would appear in CEBC:

[BS] 401.3 Flood hazard areas. In flood hazard areas, *repairs* that constitute *substantial improvement* shall require that the building comply with ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

[BS] 405.2.5 Flood hazard areas. In *flood hazard* areas, buildings that have sustained *substantial damage* shall be brought into compliance with ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

Text as it would appear in LDC:

§1411.0401 Local Modifications ~~and Additions~~ to Chapter 4 “**Prescriptive Compliance Method Repairs**” of the California Existing Building Code

- (a) Chapter 4 of the California Existing Building Code is adopted by reference with modifications ~~and additions~~ pursuant to Sections 1411.0105 ~~and 1411.0106~~ of the Land Development Code.

- (b) Section 401.3 "Flood hazard areas" is modified pursuant to Section 1411.0105 of the Land Development Code as follows: 401.3 Flood hazard areas. In flood hazard areas, repairs that constitute substantial improvement shall require that the building comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable. ~~Section 401.2.1 Existing Materials is modified pursuant to Section 1411.0105 of the Land Development Code as follows: 401.2.1 Existing materials. Materials already in use in a building in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.~~
- (c) ~~Section 401 of the California Existing Building Code is adopted by reference with additions pursuant to Section 1411.0106 of the Land Development Code.~~

(1) ~~Section 401.6 is added as follows: 401.6 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the Building, Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in~~

~~conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which installed. The owner shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be reinspected. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings or structures.~~

- (2) ~~Section 401.7 is added as follows: 401.7 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 401.7 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City owned buildings designated pursuant to Council resolution, which on January 1, 1994, had at least one "unreinforced masonry bearing~~

wall." Section 401.7 shall not apply to the following:

(A) — Any detached single or two-family dwelling unit and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. The exemption does not apply to buildings or structures containing mixed or nonresidential occupancies.

(B) — Buildings that have been completely seismically retrofitted to comply with earlier editions of these regulations as provided in San Diego Municipal Code Chapter 9, Division 88 (Archaic Materials and Method of Construction), or equivalent, Chapter 14, Article 5, Division 4 (Additions and Modifications to Chapter 4 of the California Building Code) before January 1, 2008, or Chapter 14, Article 5, Division 37 (Additional Building Regulations for Archaic Materials and Methods of Construction) before

February 17, 2018. Complete seismic retrofit shall be as determined by the Building Official.

~~(3)~~ Section 401.7.1 is added as follows.

~~Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section 401.7 and that are not classified as Essential or Hazardous Facilities and that contain any parapets and other external hazards attached to or located on the roof structure or forming the exterior facade of a building that meet both of the following criteria:~~

~~(A) Critical Placement: Where the parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and~~

~~(B) Relative Height. Where the parapets and other external hazards or exterior wall or roof appendages that extend above the lower of either the~~

~~level of the closest adjacent roof to wall anchors or the roof sheathing do not meet the requirements of Sections A113 of the California Existing Building Code.~~

- (4) ~~Section 401.7.2 is added as follows. The owner of a building regulated by Section 401.7 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 401.7.1.~~
- (5) ~~Section 401.7.2.1 is added as follows. The removal, stabilization, and bracing process shall include the provision of roof to wall anchors around the perimeter of the entire building. Existing roof to wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.~~
- (6) ~~Section 401.7.2.2 is added as follows. If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal may not be used as a method to mitigate external hazards.~~

~~§1411.0402 Local Modifications to Section 402 “Additions” of the California Existing Building Code~~

- (a) ~~Section 402.2 of the California Existing Building Code is adopted by reference with~~

modifications pursuant to Section 1411.0105 of the Land Development Code.

- (b) ~~Section 402.2 is adopted with modifications as follows: 402.2 Flood hazard areas. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.~~

~~§1411.0403 — Local Modifications and Additions to Section 403 “Alterations” of the California Existing Building Code~~

- (a) ~~Section 403 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~

(b) ~~Section 403.2 is adopted with modifications as follows: 403.2 Special flood hazard areas. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.~~

**~~§1411.0404 Local Modifications and Additions to Section 404
“Repairs” of the California Existing Building Code~~**

- (a) ~~Section 404 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~
- (b) ~~Section 404.1 is adopted with modifications as follows: General. Structures, and parts thereof, shall be repaired in compliance with Sections 401.2 and 404. Work on non-damaged components that is necessary for the required repair of damaged components shall be considered part of the repair and shall not be subject to the requirements for alterations in Chapter 4 of the California Existing Building Code. Routine maintenance required by Section 401.2,~~

ordinary repairs exempt from permit requirements in accordance with Section 129.0203 of the Land Development Code, and abatement of wear due to normal service conditions, shall not be subject to the requirements for repairs in this Section.

- (c) — Section 404.5 is adopted with modifications as follows: 404.5 Flood hazard areas. For *structures in special flood hazard areas* established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any repair that constitutes *substantial improvement* or repair of substantial damage of the existing *structure* shall comply with the flood design requirements for new construction, and all aspects of the existing *structure* shall be brought into compliance with the requirements for new construction for flood design. For *structures in special flood hazard areas* established in Section 145.1612, or Section 149.0322 of the Land Development Code, as applicable, any repairs that do not constitute *substantial improvement* or repair of substantial damage of the existing *structure* are not required to comply with the flood design requirements for new construction.

§1411.0405 Local Modifications to Section 405 “Structural” of the California Existing Building Code

- (a) Section 405 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 405.2.5 Repair is adopted with modifications as follows: 405.2.5 Flood hazard areas. In *flood hazard areas*, buildings that have sustained substantial damage shall be brought into compliance with Section 145.1612 or Section

149.0322 of the Land Development Code, as applicable.

Reason: The prescriptive method in chapter 4 has been relocated to chapter 5 and chapter 3 includes requirements for all methods of compliance. As a result, deleted existing regulations in Division 4 of the LDC will be relocated to Division 3 or 5.

- The amendment to 2016 CEBC Section 401.2.1 is duplicative of Section 302.4 and is deleted from the 2019 CEBC since Ch 3 includes requirements applicable to all methods including repairs.
- Section 401.3 includes a modification carried forward from the 2016 edition where Section 404.1 was amended in Section 1411.0404 (b). The amendment is moved to new Section 401.3 in new repair chapter 4 of the 2019 CEBC.
- Section 1411.0401 (c) is repealed due to relocation of URM building regulations to Section 1411.0302 (d) through (f).
- Regulations for repairs to flood damaged buildings and buildings that sustain substantial damage due to flood amend Sections 401.3 and 405.2.5 to reference Section 145.1612 or Section 149.0322 of the Land Development Code and therefore local flood hazard maps and supplemental flood regulations.

40. Addition to the Existing Building Regulations of New Division 5 due to CEBC relocation/renumbering.

Text as it would appear in CEBC:

[BS] 502.3 Flood hazard areas. For buildings and structures in flood hazard areas established in ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established in ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land

Development Code, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

[BS] 503.2 Flood hazard areas. For buildings and structures in flood hazard areas established in ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established in ~~Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*~~ Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

Text as it would appear in LDC:

**Chapter 14: General
Regulations
Article 11: Existing
Building Regulations
Division 5: Additions and
Modifications to Chapter 5
of the California Existing
Building Code**

**§1411.0501 Local Modifications and Additions to Chapter 5
“Prescriptive Compliance Method” of the California Existing
Building Code**

- (a) Chapter 5 of the California Existing Building Code is
adopted by reference with modifications and additions

pursuant to Sections 1411.0105 and 1411.0106 of the
Land Development Code.

**§1411.0502 Local Modifications to Section 502 “Additions” of the
California Existing Building Code**

- (a) Section 502 of the California Existing Building Code is adopted by reference with modifications pursuant to Sections 1411.0105 of the Land Development Code.
- (b) Section 502.3 “Flood Hazard Areas” is modified as follows: 502.3 Flood hazard areas. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

**§1411.0503 Local Modifications to Section 503 “Alterations” of
the California Existing Building Code**

- (a) Section 503 of the California Existing Building

Code is adopted by reference with modifications pursuant to Sections 1411.0105 of the Land Development Code.

- (b) Section 503.2 "Flood Hazard Areas" is modified as follows: 502.3 Flood hazard areas. 503.2 Flood hazard areas. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

Reason: The prescriptive method in chapter 4 has been relocated to Chapter 5 and chapter 3 includes requirements for all methods of compliance.

- Amendments in Section 1411.0502 (b) amend Section 502.3 for additions in flood hazard areas in similar fashion to what was adopted in Section 1411.0402 (b). The local flood amendments to the CBC and CRC are being referenced and those Section reference the City flood hazard maps as well as supplemental flood hazard regulations.
- Amendments in Section 1411.0503 (b) amend Section 503.2 for alterations to buildings in flood hazard areas in similar fashion to what was adopted in Section 1411.0403 (b). The local flood amendments to the CBC and CRC are being referenced and those Section reference the City flood hazard maps as well as supplemental flood hazard regulations.