



The City of San Diego
Development Services Department

**Proposed Local Amendments
2022 California Building Standards Code**

Monday October 24, 2022

The 2022 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, 2023. 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 2022 California Building Code is Part 2 Title 24 in the California Code of Regulations is Based on the 2021 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 2022 California Electrical Code is Part 3 Title 24 in the California Code of Regulations is Based on the 2020 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 2022 California Plumbing Code is Part 5 Title 24 in the California Code of Regulations is Based on the 2021 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 2022 California Mechanical Code is Part 4 Title 24 in the California Code of Regulations is Based on the 2021 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 2022 California Residential Code is Part 2.5 Title 24 in the California Code of Regulations is Based on the 2021 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 2022 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 2022 California Existing Building Code is Part 10 Title 24 in the California Code of Regulations is Based on the 2021 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 2022.
2. Review by affected industry stakeholder groups in November-December 2022 via the DSD web site and direct outreach.
3. Review by the Land Use and Housing Committee in January of 2022.
4. Review and approval by the City Council expected February or March of 2022. The effective date of the local amendments shall be effective after final passage and filing with the California Building Standards Commission.

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

Administrative/Process Regulations

1. Update Rules for Determining that A Building is Dangerous

§121.0403 Criteria for Determining That a Structure Is Dangerous

The City Manager or designated official may determine that a structure is dangerous if either of the following conditions exists and threatens life, health, safety, or property of its occupants or the public:

- (a) The structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground; or
- (b) There is a significant risk of collapse, detachment, or dislodgement of any portion, member, appurtenance, or ornamentation of the structure under service loads, under permanent, routine, or frequent loads; under actual loads already in effect; or under wind, rain, flood, earthquake, or other environmental loads when such loads are imminent.

Reason: This amendment is necessary to update the SDMC threshold used to determine whether a building or structure is dangerous. Chapter 2 of the California Building Code and California Existing Building Code were revised to be more specific on the applicable loads since the term service load used in editions prior the 2022 Code was not defined and incorrectly applied.

2. Correct Reference to CEBC In Certificate of Occupancy Rules

§129.0113 When a Certificate of Occupancy Is Required

Subsection (a) no change

- (b) Changes in the use or occupancy of a structure or portion of a structure shall not be made except as specified in California Existing Building Code ~~Section 407.~~

Reason: This amendment is necessary to correct an error during the 2019 Code Adoption

cycle when the California Existing Building Code was reorganized to make Chapter 4 address repairs and change of occupancy was relocated to the prescriptive method in Chapter 5. The State is proposing to adopt during the 2022 code intervening code adoption cycle the work area method in Chapter 6 through 9 and Chapter 10 will also address changes of occupancy. As a result, and in preparation for this possible change, the subsection (b) text will simply refer to the code and a determination will need to be made at the appropriate time when Ch 5 or 10 rules apply.

3. Updating When a Building Permit is Required

§129.0202 When a Building Permit Is Required

Subsection (a) and (b) no change

- (c) The placement of factory-built housing, or manufactured housing, meaning one or more factory assembled components comprising a single structure suitable for human occupancy that is brought to the job site for connection to a foundation or site built structure, requires a Building Permit in accordance with this division.

Reason: This amendment is necessary to update the Municipal Code to be reflective of the various forms of modular construction permitted under State and Federal law. Factory Built Housing (FBH) complies with the California Building Standards Code and is regulated in the H&S code through the Department of Housing and Community Development and can include volumetric modular systems or panelized systems and can range in size from a dwelling to a multi-story multi-unit building. FBH can be installed on top of site-built construction such as a concrete podium. Manufactured Housing is commonly a single dwelling unit building that conforms to regulations in Title 24 of the Code of Federal Regulations administered by the Department Housing and Urban Development Department.

The proposed change does not result in a change in regulatory effect.

4. Updating the Building Permit Exemptions

§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) through (14) No Change

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

Subsection (1) through (20) Change

- (21) Installing replacement exterior windows and exterior doors in existing window and door openings where all the following conditions apply:
- (A) The windows and doors are replaced in detached one and two-family dwellings or townhouses as defined in the California Residential Code.
- (B) The proposed window and door 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 and doors to be replaced are not required to be fire resistive.

(D) The proposed work shall not require modifications to the existing rough openings.

Remaining Subsections No Change

Reason: This amendment proposes to update the Building Permit exemption exemption (21) to address the replacements of both windows and doors and not just window.

The \$1,000 valuation exemption threshold in exemption 17 is not proposed to be updated since the CBC and CRC trigger the installation of smoke alarms and carbon monoxide alarms when the value of a repair, alteration or addition exceeds \$1,000. This exemption is not included in either the CBC or CRC.

Exemption 5 for retaining walls measures wall 3 feet about the top of the footing for determining the exemption. In CBC Section 105.2 item # 4 and CRC Section R105.2 item # 3 the 4 ft exemption is measure from the bottom of the footing. The Municipal Code is consistent since all foundations are at least 12 inches thick. The existing exemption relies on the wall face which is simpler to determine.

5. Update the Building Permit Application Extension Rules

§129.0219 Extension of Time for the Utilization of a Building Permit

- (a) Except for the relocation of structures, a permit holder may submit to the Building Official an application for an extension of time to utilize the Building Permit. The application shall be filed no later than one month in advance of the end of the ~~180 day~~ utilization period in Section 129.0216 or Section 129.0217. The Building Official may extend the time in which the permit holder may utilize the Building Permit one time, for a period not exceeding 180 calendar days from the end of the ~~180 day~~ utilization period in Section 129.0216 or Section 129.0217, if the Building Official

determines that circumstances beyond the control of the permit holder prevented completion of the work. All Electrical, Plumbing, or Mechanical Permits associated with a Building Permit shall be extended concurrently with the utilization period of the Building Permit.

Reason: This amendment proposes to update the Building Permit utilization extension rules to be reflective of two-time thresholds where initial utilization pursuant to State Law was updated from 180 days to 12 months during the 2019 Code Adoption cycle. The is not an intent to change regulatory effect and the proposed amendments are consistent with current processing.

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 ~~2019~~2022 California Building Code and Section 705.1 of the ~~2019~~2022 California Fire Code.

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)**

The 2022 California Building Code is Part 2 of Title 24 in the California Code of Regulations and is Based on the 2021 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.

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 ~~2019-2022~~ California Building Code as provided in Section 1.1.2 of the ~~2019-2022~~ California Building Code.

§145.0103 Adoption of the California Building Code

- (a) The ~~2019-2022~~ 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~~ California Department of Health Care Access and Information (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 ~~2019-2022~~ 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 ~~2019-2022~~ 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 ~~2019~~ 2022 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 38.
- (d) Numbering of Sections in Divisions 2 through 38 of this Article is cross referenced to Sections in the ~~2019~~ 2022 California Building Code.
- (e) The adoption of the ~~2019~~ 2022 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 ~~2019~~ 2022 California Building Code are not adopted by the City of San Diego:

- (a) Chapter 1, Division 44 II "Scope and Administration," all portions with the exception of Section 104.11.
- (b) Chapter 15, Roof Assemblies and Rooftop Structures, Section ~~1511.4~~ 1505.3 and 1505.4.
- (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 ~~2019~~ 2022 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.
- (b) Chapter 15, Roofing and Roof Top Structures, Section 1505.1 General, Section ~~1505~~ 1505.1 Fire Classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section ~~1511.1~~ 1512.1 General.
 - (c) Chapter 12, Interior Environment, Section 1206, Sound Transmission, Section ~~1207.4~~ 1208.4, Section ~~1207.4~~ 1208.4, Efficiency Dwelling Units.
 - (d) Chapter 16, Structural Design, Section ~~1607.7.2~~ 1607.8.2, 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 ~~Q-P~~, Emergency Housing Section ~~Q-P~~ 103.2.1 Exception 1, ~~Q-P~~ 103.6 Lighting, Ventilation, and Heating, ~~Q P~~ Q106 General, Section ~~Q-P~~ 106.1.1 Tents, and Section ~~Q P~~ 106.1.2 Membrane Structures.

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

The following Sections and Subsections are added to the ~~2019~~ 2022 California Building Code by the City of San Diego:

- (a) Chapter 4, Motor Vehicle Occupancies, Section 406.2.1.1.
- (b) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Section 702A, Definitions, ~~;~~ ; Section 703A.6.1, Alternative Materials, Designs or Methods, Section 703A.6.2, Modifications, ~~;~~ ; Section 705A.4, Roof Gutters, Section 705A4.1, Drip Edge Flashing, ~~;~~ ; Section ~~708A.2.2.4~~ 708A.2.1.1, Vinyl Window Reinforcing, and Section 711A.1, Spark Arrestors.
- (c) Chapter 12, Sound Transmission, Section ~~1206.5~~ 1206.6.
- (d) Chapter 15, Roof Assemblies and Rooftop Structures, Subsections

- 1505.1.5 and 1505.1.6, Sections 1507.1.3 and Subsections ~~4511.4~~
1512.1.1 through ~~4511.4.5~~ 1512.1.5.
- (e) Chapter 16, Structural Design, Section ~~1607.2~~ 1607.8, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
 - (f) Chapter 17, Structural Tests and Special Inspections, Section 1704.3.1 item 6.
 - (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~~;~~; Sections 1803.5.11.1, 1803.5.11.2~~;~~; Sections 1803.5.13, 1803.5.13.1, 1803.5.13.2 and Table 145.1803.
 - (h) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
 - (i) Chapter 33, Safeguards During Construction, Section ~~3303.8~~ 3315, Demolition and Removal Regulations.
 - (j) Appendix ~~Q-P~~, Emergency Housing, Subsection ~~Q-P~~ 103.2.1 Exception 2, Subsections ~~Q-P~~ 106.2 through ~~Q-P~~ 106.7, Section ~~Q-P~~ 111 Emergency Housing Lighting and Ventilation Requirements, Subsections ~~Q-P~~ 111.1 and ~~Q-P~~ 111.2, Section ~~Q-P~~ 112 Emergency Housing Fire and Life Safety Requirements, Subsections ~~Q-P~~ 112.1 through ~~Q-P~~ 112.13, and Section ~~Q-P~~ 113 Emergency Housing Alternatives and Modifications, Subsection ~~Q-P~~ 113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the ~~2019~~ 2022 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 ~~2019~~ 2022 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 ~~O-P~~, Emergency Housing.

Reason: This amendment updates code editions and renumbers Appendix O and associated Section numbers to P due to renumbering in the CBC. Division 40 Housing Accessibility Program, is not an amendment to the CBC, addresses incentives for increasing the level of accessibility that would be otherwise required in CBC Ch 11A. Some sections renumbered to correct errors and for the most part due to changes in CBC Section numbers. The State Office of Statewide Health Planning and Development was renamed the California Department of Health Care Access and Information however the regulations enforced at the local level are still identified as (OSHPD3).

8. Update Existing Amendments CBC Ch 7A

§145.0703 Local Additions and Modifications to Section 702A “Definitions” and Section 703A “Standards of Quality” of the California Building Code

- (a) Section 702A “Definitions” is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code as follows:
 - (1) Accessory building and structure shall mean accessory structure as defined in Section 113.0103 of the San Diego Municipal Code.
 - (2) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas” adopted pursuant to

~~Section 55.9404~~ 511.0301(a) ~~511.4904 (a)~~ of the San Diego Municipal Code.

- (b) Section 703A.6 is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code as follows:
- (1) 703A.6.1. The Building Official may approve the use of alternative materials, designs or methods of construction pursuant to Section 129.0109 of the San Diego Municipal Code.
 - (2) 703A.6.2. The Building Official may modify the provisions of Chapter 7A of the California Building Code for site-specific conditions in accordance with Section 129.0104(a)(~~5~~ 6) of the San Diego Municipal Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.

§145.0708 Local Additions and Modifications to Section 708A “Exterior Windows and Doors” of the California Building Code

Subsection ~~708A.2.2.1~~ 708A.2.1.1 is added pursuant to Section 145.0106 of the San Diego Municipal Code. 708A.2.2.1 Vinyl window reinforcing. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWWDA 101/I.S.2 structural requirements.

Reason: Section 145.0703 (a) (2) is proposed to be updated to reflect the relocated reference to the Fire Code amendment that adopts the Very High Fire Hazard Severity Zone map which was relocated to current Section 511.0301 (a) [the Fire Rescue Department proposes to relocate the Section 511.0301 to an amendment to CFC chapter 49 in Section 511.4904 (a) and as a result the Fire Rescue amendments need to be adopted prior to or in conjunction to the ones proposed by the Chief Building Official at DSD]. It is also proposed to update Section 145.0703 (b) (2) to correctly Section 129.0104(a)(6) that was renumbered in the last code change cycle. Section 145.0708 is proposed to be updated to reference Section 708A.2.1.1 which is more

appropriate windows since the existing amendment references a skylight section. No change in regulatory effect is intended.

9. Update the Sound Transmission Regulations

§145.~~1207~~1206 Local Additions and Modifications to Section ~~1207~~1206 "Sound Transmission" of the California Building Code

- (a) Section ~~1207~~1206 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 ~~1207~~1206 is modified by adding Section ~~1206.5~~ 1206.5.1.
- (b) Section ~~1206.5~~ 1206.5.1 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.

10. Update Reduced Efficiency Dwelling Unit Living Minimum Room Area.

Text as it would appear in CBC:

1208.4 Efficiency dwelling units. *[HCD 1] Unless modified by local ordinance pursuant to Health and Safety Code Section 17958.1, efficiency dwelling units shall comply with the following:*

1. The unit shall have a living room of not less than ~~190~~ 150 square feet (~~17.7 m²~~) (13.93 m²) of floor area.
2. The unit shall be provided with a separate closet.

3. For other than Accessible, *adaptable* dwelling units, the unit shall be provided with a kitchen sink, cooking appliance and refrigerator, 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~~ 1208 Local Modifications and Additions to Section 1207 "Interior Space Dimensions." of the California Building Code

- (a) Section ~~1207.4~~ 1208.4 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~~ 1208.4 item 1 is modified as follows: 1. The 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 unit in excess of two.~~

Reason: This amendment is proposed to update the SDMC to be consistent with the renumbering of Sections in the 2022 CBC. While the CBC revised the common room floor area to 190 sq ft, H&S Section 17958.1 permits 150 sqft for the living room that is retained. It is worth noting that CBC Ch 2 includes a definition for efficiency dwelling units and if non-transient or transient they can be classified as Group R-2 or R-1 respectively.

11. Update the Roof Assemblies and Roof Top Structures Regulations

§145.1501 Local Modifications and Additions to Chapter 15 "Roof Assemblies and Roof Top 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, 1507.1, 1507.8 ~~and~~ 1507.9 and 1512 are adopted by reference with modifications and additions pursuant to Section 145.0105 and 145.0106 of the Land Development Code.

§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.~~1511~~1512 Local Additions and Modifications to Section ~~1511~~1512 “Reroofing” of the California Building Code

- (a) Section ~~1511.1~~ 1512.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: ~~1511.1~~ 1512.1 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 California Building Code as adopted and amended by the City of San Diego.
- (b) Sections ~~1511.1.1~~ 1512.1.1 through ~~1511.1.2~~ 1512.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) ~~1511.1.1~~ 1512.1.1. All replacements, alterations, or repairs shall

be a Class “A” roof assembly.

- (2) ~~4511.1.2~~ 1512.1.2. 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 ~~4511.1.3~~ 1512.1.3 through ~~4511.1.5~~ 1512.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) ~~4511.1.3~~ 1512.1.3. 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) ~~4511.1.4~~ 1512.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section ~~145.1511(c)(1)~~ 145.1512 (c)(1).
 - (3) ~~4511.1.5~~ 1512.1.5. 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.

12. Update Live Load Provisions for Fire Truck and Emergency Vehicles Roadways

§145.1607 Local Modifications and Additions to Section 1607 “Live Loads” of the California Building Code

- (a) Section ~~1607.7.2~~ 1607.8.2 is adopted by reference with modifications and additions pursuant to Section 145.0105 and Section 145.0106 of the Land Development Code.

- (b) ~~1607.7.2.~~ 1607.8.2 Fire Truck and Emergency Vehicles. Where a structure or portions of a structure are accessed and loaded by fire department access vehicles and other similar emergency vehicles, the structure shall be designed for the greater of the following loads:
- (1) The actual operational loads, including outrigger reactions and contact areas of the vehicles as stipulated and approved by the Building Official for driving surfaces in Section D102.1 in Appendix Chapter D of the California Fire Code; or
 - (2) The live loading specified in Section ~~1607.7.1~~ Section 1607.8.1.

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

13. Correct Regulations Triggering Geotechnical Investigations for retaining walls

§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:

Subsection (i) through (vii) no change.

- (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 6 feet in height supporting a surcharge or retaining toxic, hazardous, or flammable contents.
- (C) Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:

Subsection (i) no change.

- (ii) 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 6 feet in height; and
 - b. Retaining walls of 8 6 feet or less supporting a surcharge or retaining toxic, hazardous, or flammable contents.
- (iii) Tanks, bins, hoppers, silos, and other storage structures intended to store toxic, hazardous, or flammable contents.

Remainder of Section no change.

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. At that time City staff reporting to the Building Official became aware that inadvertent errors occurred during the re-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.

More recently City staff became aware of inconsistencies in triggers based on retaining wall heights where retaining walls assigned to structure Class C supporting hazardous materials trigger a review and a larger height than other walls.

Section 145.1803 (a) 1 and the amendment to Section 1803.2.1 adopts the CBC as is and Section 145.1803 (d) adopts local requirements triggering evaluation of geological hazards. As a result, the retaining wall height thresholds for structure and

facility class are for different purposes in Section 145.1803 Section (f)(2) than CBC Section 1803.5.

- The CBC sets a retaining wall or foundation wall height of 6 feet in Section 1803.5.12 for when the geotechnical investigation report needs to provide recommendations for dynamic seismic lateral earth pressures on foundation walls and retaining walls.
- The CBC sets a retaining wall or foundation wall height of 6 feet in Section 1807.2.2 for when for the structural design for retaining walls assigned to SDC D, E or F are required to incorporate the additional seismic lateral earth pressures determined in Section 1803.2 to the .
- City of San Diego Table 145.1803 triggers a geotechnical investigation report based on the local seismic safety element based on the mapped numerical hazard categories and building, structural or facility class. This separate trigger is for purposes of initiating a geology review for site conditions that may require remediation or building setbacks which are not building code requirements.

It is proposed that structure class C and B should have the same trigger for “retaining walls supporting a surcharge or retaining toxic, hazardous or flammable contents” like it was in the 2001 amendments, however the correction will not trigger for any height rather a 6 foot height is proposed.

14. Update the local demolition regulations.

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

Section ~~3307.8~~ 3303.8 is added pursuant to Section 145.0106 of the Land Development Code: ~~3307.8~~ 3303.8 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: The proposed amendment corrects a Section numbering error for consistency with the 2022 Code

15. Renumber Emergency Shelter Regulations:

Division 38: Additions and Modifications to Appendix Θ P of the California Building Code

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

- (a) Appendix Θ P 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~~ January 1, 2026, at which time this Division shall be automatically repealed.
- (c) The regulations in this Division and in Appendix Θ P 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 Θ P shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix Θ P 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 ~~Θ~~P-103 “Emergency Housing” of the California Building Code

- (a) Section ~~Θ~~P-103 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 ~~Θ~~P-103.2.1 is numbered as Exception 1. Exception 2 is added to Section ~~Θ~~P-103.2.1 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 ~~Θ~~P-103.6 Heating is modified as follows:
~~Θ~~P-103.6 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 ~~Θ~~P 106 “Tents and Membrane Structures” of the California Building Code

- (a) Section ~~Θ~~P 106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section ~~Θ~~P-106.1 General is modified as follows:

- (1) Section Θ P 106.1.1 Tents is modified as follows:
 Θ P 106.1.1 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.

Section Θ P-106.1.2 Membrane Structures is added with modification as follows:

- (2) Θ P-106.1.2 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 Θ P-106.2 Membrane Structures In Use for More than 180 Days is added as follows:
 Θ P 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 ~~Θ~~ Π-106.3 Means of Egress is added as follows:
~~Θ~~ Π 106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section ~~Θ~~ Π 103.3.
- (e) Section ~~Θ~~ Π 106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:
~~Θ~~ Π 106.4 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 ~~Θ~~ ϒ 106.5 Flammable or Combustible Liquids is added as follows:

~~Θ~~ ϒ 106.5 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 ~~Θ~~ ϒ 106.6 Fire Department Access is added as follows:

~~Θ~~ ϒ 106.6 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 ~~Θ~~ ϒ 106.7 Water Supply is added as follows:

~~Θ~~ ϒ 106.7 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 ~~Q~~P-111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

(a) Section ~~Q~~P 111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section ~~Q~~P 111.1 Emergency Housing Lighting Requirements is added as follows:

~~Q~~P 111.1 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 ~~Q~~P 111.2 Ventilation is added as follows:

~~Q~~P 111.2 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 ~~Q~~P 112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

(a) Section ~~Q~~P 112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section ~~Q~~P 112.1 Fire Separation Distance is added as follows:

Ø P 112.1 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 Ø P 112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

Ø P 112.2 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 Ø P 112.3 Means of Egress is added as follows:

Ø P 112.3 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 Ø P 112.4 Emergency Escape and Rescue is added as follows:

Ø P 112.4 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 P~~ 112.5 Smoke Alarms is added as follows:
~~Q P~~ 112.5 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 P N Q~~ 112.6 Carbon Monoxide Alarms is added as follows:
~~Q P~~ 112.6 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 P~~ 112.7 Fire Alarm is added as follows:
~~Q P~~ 112.7 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 ~~Q~~ P 112.8 Automatic Fire Sprinklers is added as follows:

~~Q~~ P 112.8 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 ~~Q~~ P 112.9 Fire Extinguishers is added as follows:

~~Q~~ P 112.9 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~~ P 112.10 Flammable or Combustible Liquids is added as follows:

~~Q~~ P 112.10 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~~ P 112.11 Storage is added as follows:

~~Q~~ P 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~~ P 112.12 Fire Department Access is added as

follows:

Ø P 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 Ø P 112.13 Water Supply is added as follows:

Ø P 112.13 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 Ø P 113 “Emergency Housing Alternatives and Modifications” to the California Building Code

(a) Section Ø P 113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section Ø P 113.1 Alternatives and Modifications is added as follows:

Ø P 113.1 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.

Reason: This amendment is necessary to update Section numbers due to change in Appendix Number in the CBC to Appendix P. Additionally, Section 145.3801 (b) requires updating to modify the effective date for applicability until January 1,

2026 from January 1, 2021 in accordance with Govt Code Section 8698.4 (d).
The Section has been effective since September 25, 2020.

Electrical Regulations
(California Electrical Code Amendments)

The 2022 California Electrical Code is Part 3 Title 24 in the California Code of Regulations is Based on the 2020 National Electrical Code. Local amendments to portions not including Chapter 1 are published in the Electrical Regulations, Chapter 14 Article 6, of the Municipal Code.

16. Update the Electrical Regulations

§146.0103 Interpretation of the Electrical Regulations

- (a) The language used in this Article and in the ~~2019–2022~~ 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 ~~2019–2022~~ 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 Health Planning and Development (OSHPD)~~ California Department of Health Care Access and Information HCAI; 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.

- (b) When reference is made to the California Electrical Code, it shall be the ~~2019~~–2022 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 ~~2019~~–2022 California Electrical Code are not adopted by the City of San Diego:

Remainder of Section no change

§146.0106 Portions of the California Electrical Code Adopted with Modifications

The following Sections of the ~~2019~~–2022 California Electrical Code are adopted by the City of San Diego with modifications:

The California Electrical Code is adopted with no modifications.

§146.0107 Portions of the California Electrical Code Adopted with Additions

The following Sections of the ~~2019~~–2022 California Electrical Code are adopted by the City of San Diego with additions:

The California Electrical Code is adopted with no additions.

Reason: Revise the electrical regulations to reference the 2022 code.

**Plumbing Regulations
(California Plumbing Code Amendments)**

The 2022 California Plumbing Code is Part 5 Title 24 in the California Code of Regulations is Based on the 2021 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.

17. Plumbing Regulation Updates

147.0103 Adoption of the California Plumbing Code

- (a) Except as provided in Sections 147.0104 through 147.0108, the ~~2019-2022~~ 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 (OSHDP3)~~ California Department of Health Care Access and Information (OSHDP3); and the State Fire Marshal (SFM); a copy of which is on file in the office of the City Clerk as Document OO-XXX, is adopted by reference.
- (b) When reference is made to the California Plumbing Code, it shall be the ~~2019-2022~~ 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 ~~2019-2022~~ California Plumbing Code are

modified by the City of San Diego:

- (a) Chapter 4, Plumbing Fixtures and Fittings, Section 422.2.1 Single User Toilet Facility Identification.
- (b) Chapter 11, Storm Drainage, Section 1101.2 Where Required, Section 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 ~~2019-2022~~ 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 12, Section 1208.8.2.1 Gas Pressure Regulators, Location.

§147.0106 Adoption of Appendices to California Plumbing Code

The following Appendix Chapters of the ~~2019-2022~~ 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 ~~2019-2022~~ California Plumbing Code are not adopted by the City of San Diego:

- (1) Appendix B - Explanatory Notes on Combination Waste And Vent Systems
- (2) Appendix C - Alternate Plumbing Systems
- (3) Appendix E - Manufactured/Mobilehome Parks and Recreational Vehicle Parks
- (4) Appendix F - Fire Fighter Breathing Air Replenishment Systems
- (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~~

- (6) Appendix K – Potable Rainwater Catchment Systems
- (7) Appendix L – Sustainable Practices
- (8) Appendix M - Peak Water Demand Calculator

Reason: Update the code edition and delete a typographical error that existed in the prior code cycle due to the naming of Appendix G.

**Mechanical Regulations
(California Mechanical Code Amendments)**

The 2022 California Mechanical Code is Part 4 Title 24 in the California Code of Regulations is Based on the 2021 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.

18. California Mechanical Code Updates

§148.0103 Adoption of the California Mechanical Code

- (a) Except as provided in Land Development Code Section 148.0104, the ~~2019~~2022 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); California Department of Health Care Access and Information (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-XXXXX, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the ~~2019~~2022 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 ~~2019-2022~~ California Mechanical Code is adopted with no modifications.

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

The ~~2019-2022~~ California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the ~~2019-2022~~ California Mechanical Code are not adopted.

Reason: The 2022 California Mechanical Code continues to be adopted without local amendments. The revisions simply adopt the 2022 Code and revise the edition.

Residential Building Regulations
(California Residential Code Amendments)

The 2022 California Residential Code is Part 2.5 Title 24 in the California Code of Regulations is Based on the 2021 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.

19. Update the California Residential Code

§149.0103 Adoption of the California Residential Code

- (a) The ~~2019-2022~~ 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.
- (b) When reference is made to the California Residential Code, it shall be the ~~2019-2022~~ 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 ~~2019-2022~~ 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 ~~2019~~ 2022 California Residential Code.

- (e) The adoption of the ~~2019-2022~~ 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 ~~2019-2022~~ California Residential Code have not been adopted by the City of San Diego:

- (a) Chapter 1, Division II;
- (b) Table R301.2 (4) "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 ~~2019-2022~~ California Residential Code are modified by the City of San Diego:

- (a) Chapter 3, Section R301.2, Climatic and Geographic Design Criteria; Section R319.1, Address Identification; R322, Flood Resistant Construction; ~~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.
- (b) Chapter 9, Section ~~902.1.5~~ 902.1.4, Roof Covering Materials, Section R902.2.1, Wood Shingles, Section R902.2.2, Wood

Shakes; Section R902.4 ~~Photovoltaic Panels and Roof Modules~~
Rooftop-mounted photovoltaic (PV) panel systems; Section
R905.1.3, Roof Covering attachment; R908.1.1, Replacement
Roof Covering, Class A; R908.1.2, Replacement Roof Covering,
Class A, Additions; R908.1.3, Wood Shake, Shingles
Reroof; R908.1.4, Wood Shake, Shingles, Historical Buildings;
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 ~~2019~~ 2022
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 ~~R329~~ R331, Structural Tests and Special
Inspections; Section R332, Encroachments into the Public
Right-of-Way; Section R333, Safeguards During Construction;
~~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
R337.8.2.1.1 , Vinyl Windows; Section R337.11, Spark Arrester;
R341, Sound Transmission Control.
- (c)(b) Chapter 4, Section R401.5 , Geotechnical Investigations; Section
R401.6, Geotechnical Reports; Section R401.7, Notice of
Geologic Hazards.

- ~~(d)~~(c) Chapter 9, Section R905.1.3, Roof Covering attachment;
R908.1.1, Replacement Roof Covering, Class A;
- ~~(e)~~(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~~X, 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 ~~2019~~ 2022 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters 3, 4 and 5 of the ~~2019~~ 2022 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 ~~2019~~ 2022 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 2022 California Residential Code is adopted, and the revisions simply adopt the 2019 Code and revise the edition.

Additionally, Section numbering errors are being corrected.

- Reference to local definition amendment for live-work which had been repealed had inadvertently not been deleted.
- Amendments Section R337.1.3.1 were repealed in prior cycle and reference was inadeptly not deleted.

20. 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 R302 through R308, R310 through R318, R321, R323, R325 through R336, and R338 ~~through and~~ 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 in response to newly added sections that are not proposed to be amended.

21. Update Climatic and Geographic Design Criteria Table

Table 149.0302				
Wind Design		Seismic Design Category	Termite	Flood Hazards
Speed (Mph)	Topographic Effects			
85 <u>95</u>	B	D2	Severe per Fig R301.2(3)	Section §143.0145

Reason: Editorial update to the Table in the Municipal Code to reflect the revision to minimum ultimate design wind speed in Figure R301.2(2) which shows the City of San Diego at 95 mph. The City of San Diego does not adopt the CRC Table R301.2(1) since it was too complicated to adopt modifications to the Table. The local wind speed is the minimum code wind speed and is updated for consistency with the revised wind map.

22. Amend Section R309.3 for garages and carports to reflect local flood hazard areas.

Text as it would appear in the CRC

R309.3 Flood Hazard Areas. Garages and carports located in flood hazard areas established by Table ~~R302.4~~ Table 149.0302 shall be constructed in accordance with Section ~~R322~~ 143.0145.

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

- (a) Section R309.3 Flood Hazard areas is adopted with additions and modifications pursuant to Section 149.0105 and Section 149.0106 of the Land Development Code. Section R309.3 is amended as follows. R309.3 Flood Hazard Areas. Garages and carports located in flood hazard areas established by Table Table 149.0302 shall be constructed in accordance with Section 143.0145.
- (b) Section R309.4 “Automatic garage door openers” is adopted with additions and modifications pursuant to Section 149.0105 additions pursuant to and Section 149.0106 of the Land Development Code.. 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 align the Municipal Code with a new flood Section added in the CRC for garage sand carports in flood

hazard areas and to cross reference to a local Table and Section as relates to local flood hazard areas.

23. Renumber Section R329 Structural Tests and Special Inspections to R331

~~§149.0329~~ §149.0331 Local Addition of Section ~~R329~~ R331 "Structural Tests and Special Inspections" to the California Residential Code

Section ~~R329~~ R331 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: ~~R329~~ R331 Structural Tests and Special Inspections. When structural tests and special inspections are required due to the methods of construction, the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

Reason: This code change is necessary to align the Municipal Code with the 2022 CRC due to the addition of a Section R329 for Stationary Energy Generators.

24. 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 R337.2 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the

Land Development Code as follows: ~~Local Agency Very High~~ Fire Hazard Severity Zones shall mean the Very High Fire Hazard Severity Zones as designated on the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to ~~Section 55.9401~~ 511.0301 (a) 511.4904 (a) of the Land Development Code.

Remainder of Section no change.

Reason: The proposed update to the existing local amendment points to Section 511.0301(a) that amends the fire code to reference the Very High Fire Hazard Severity Zone map. The map was relocated to this Section after adoption of the 2019 CRC amendments [the Fire Rescue Department proposes to relocate the Section 511.0301 to an amendment to CFC chapter 49 in Section 511.4904 (a) and as a result the Fire Rescue amendments need to be adopted prior to or in conjunction to the ones proposed by the Chief Building Official at DSD]. Additionally, new definitions were added and the code change aligns with them.

25. 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

(a) Section R902.1 is adopted by reference and modified by adding Section ~~R902.1.5~~ R902.1.4 as follows:

- (1) ~~R902.1.5~~ R902.1.4 Roof Covering Materials. All newly constructed roofs shall be covered with a fire-retardant roof covering that is at least Class

“A” and the roof classification shall be demonstrated based on the requirements in the California Residential Code.

- (2) ~~R902.1.5.1~~ R902.1.4.1 The entire roof shall be covered with a fire-retardant roof covering that is at least Class “A” where a building addition is more than twenty-five percent of the original floor area of the building.

Subsection (b) no change.

- (c) Section R902.3 is adopted by reference and modified as follows: R902.3 Building integrated solar photovoltaic systems, Integrated solar photovoltaic systems that serve as the roof covering shall be listed and labeled for fire classification in accordance with UL 7103 for the fire classification determined in accordance with Section 149.0902(a) of the Land Development Code.
- (d) Section R902.4 is adopted by reference and modified as follows: R902.4 Rooftop mounted solar photovoltaic panels and modules. Rooftop mounted photovoltaic panels and modules installed on or above the roof coverings shall be tested, listed and identified with a fire classification in accordance with UL ~~1703 and UL 2703~~ 7103. Class A, B or C photovoltaic 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 ~~55.9404~~ 511.0301(a) **511.4904 (a)** of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

§149.0907 **Local Additions and Modifications to Section R907**

“Rooftop-Mounted Photovoltaic Panel Systems” of the California Residential Code

Section R907 is adopted by reference and modified as follows: R907.2 Fire Classification. Rooftop-mounted photovoltaic panel systems shall have the fire classification as required by Section 149.0902 (a).

Reason: The proposed amendment makes updates due updates to the residential code. The CRC now references UL 7103 a new standard and includes a definition for photovoltaic panel system and roof top mounted photovoltaic panel system. Section R907 is newly added and is proposed to be amended to reference the City’s class A fire classification requirement.

**Green Building Regulations
(California Green Building Standards Code Amendments)**

The 2022 California Residential Code is Part 11 Title 24 in the California Code of Regulations. Local amendments to portions not including Chapter 1 are published in the Green Building Regulations, Chapter 14 Article 10, of the Municipal Code.

26. Updates to the California Green Building Standards Code

§1410.0103 Adoption of the California Green Building Standards Code

- (a) The ~~2019-2022~~ 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 ~~2019~~ 2022 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO-XXXXX.
- (b) When reference is made to the California Green Building Standards Code, it shall be the ~~2019-2022~~ 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 ~~2019-2022~~ 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 ~~2019-2022~~ California Green Building Standards Code.
- (e) The adoption of the ~~2019-2022~~ 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 ~~2019~~2022 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 1503 of the California Plumbing Code.

Reason: The proposed amendment updates the code editions. Calgreen Changes in the 2022 edition do not impact local amendments.

Existing Building Regulations
(California Existing Building Code Amendments)

The 2022 California Existing Building Code is Part 10 Title 24 in the California Code of Regulations is Based on the 2021 International Existing Building Code. Local amendments to portions not including Chapter 1 are published in the Existing Building Regulations, Chapter 14 Article 11, of the Municipal Code.

36. Updates to the Existing Building Regulations Division 1.

§1411.0103 Adoption of the California Existing Building Code

- (a) The ~~2019-2022~~ 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 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.
- (b) When reference is made to the California Existing Building Code, it shall be the ~~2019-2022~~ 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 ~~2019-2022~~ 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 5 and Division 17 and 18.

- (d) The numbering of Sections and Subsections in Divisions 2 through 5 and Division 17 and 18 of this Article is cross-referenced to Sections in the ~~2019-2022~~ California Existing Building Code.
- (e) The adoption of the ~~2019-2022~~ 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 ~~2019-2022~~ 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 ~~2019-2022~~ 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 301.3.2 Work Area Compliance Method; Section 301.3.3 Performance Compliance Method.
- (c) Chapters 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 ~~2019-2022~~ 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 302.4 Existing Materials.
- (c) Chapter 4, Section 401.3, Repairs, Flood Hazard Areas.
- (d) Chapter 5, Section 502.3, Flood Hazard Areas; Section 503.2, Flood Hazard Areas; Section 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 ~~2019-2022~~ 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.

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the ~~2019-2022~~ 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 16 includes the referenced standards and not Appendix A6.

37. Updates to the Existing Building Regulations Division 3 due to CEBC relocation /renumbering and additional text.

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 the following:

1. Alterations for accessibility required by the *California Building Code, Chapter 11A*.
2. Alterations that constitute substantial improvement in flood hazard areas, which shall comply with Section 1411.0503 of the Land Development Code. ~~s-503.2, 701.3, or 1301.3.3.~~
3. ~~This exception shall not apply to the structural~~ Structural provisions of Section 304, Chapter 5 of the California Existing Building Code.

302.4 New and replacement 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 ~~Code~~ Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.

302.6 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.

302.7 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 302.7 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 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.

302.7.1 Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section 302.7 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:

- (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.

302.7.2 Compliance period. The owner of a building regulated by Section 302.7 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 302.7.1.

302.7.2.1 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.

302.7.2.2 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 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 301.3, 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:
 - (A) Alterations for Accessibility required by the California Building Code, Chapter 11A.
 - (B) Alterations ~~alterations~~ that constitute substantial improvement in flood hazard areas,

which shall comply with Section 1411.0503 of the Land Development Code.

- (C) ~~This exception shall not apply to the structural~~
Structural provisions of Section 304, 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 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 302.4 is modified as follows: ~~302.4 Existing materials~~
New and Replacement 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~~ 302.6 is added as follows: ~~302.7~~ 302.6
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 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~~ 302.7 is added as follows: ~~302.8~~ 302.7
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~~ 302.7 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 ~~302.8~~ 302.7 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~~ 302.7.1 is added as follows: ~~302.8.1~~ 302.7.1 Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section ~~302.8.1~~ 302.7.1 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~~ 302.7.2 is added as follows: ~~302.8.2~~ 302.7.2 Compliance period. The owner of a building regulated by Section ~~302.8.2~~ 302.7.2 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~~ 302.7.1.

- (1) Section ~~302.8.2.1~~ 302.7.2.1 is added as follows.
~~302.8.2.1~~ 302.7.2.1 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~~ 302.8.2.2 is added as follows.
~~302.8.2.2~~ 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: Section 302.6 of the 2019 CEBC was repealed and consequently existing amendment had to be renumbered. There will be no change in regulatory effect.

38. 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] 405.2.6 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. 401.3, In flood hazard areas, ~~the owner shall comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, when making repairs that constitute substantial improvement.~~ 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.

§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~~ 405.2.6 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 proposed updates to existing local amendments are necessary due to CEBC renumbering and minor text changes.