

**NINE-POINT CRITERIA ANALYSIS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)**

**REGARDING THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11 (CALGREEN)**

Building standards submitted to the California Building Standards Commission for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

**1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.**

CBSC has coordinated the proposed standards with other state agencies to prevent conflict or duplication with other laws and regulations.

**2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.**

Pursuant to Health and Safety Code Section 18930.5, CBSC is the state agency enabled by legislation to adopt and publish building standards for specified nonresidential occupancies in the California Green Building Standards Code for California.

**3) The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.**

The standards are being proposed for change in response the Governors Executive Order No. B-29-15 to address an extraordinary drought condition the state is experiencing, and also to align with corresponding plumbing fixture flow rates the California Energy Commission recently adopted via emergency regulation in Title 20, California Code of Regulations.

**4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.**

The standards are being proposed for change in response the Governors Executive Order No. B-29-15 to address an extraordinary drought condition the state is experiencing. Additionally, these standards are being proposed to prevent a conflict between Title 20 and Title 24. Therefore, the standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.

**5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.**

CBSC has analyzed the cost to building owners and has determined in its economic and fiscal impact statement that the cost is reasonable, since the changes proposed will prevent conflicts in existing regulations and help reduce indoor water use.

**6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.**

The proposed standards are not unnecessarily ambiguous or vague, in whole or in part.

**7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.**

There are no national specifications or published standards that have been incorporated into these proposed changes. These changes are based on existing state regulations for mandatory plumbing fixture flow rates, pursuant to requirements contained within Title 20 and Title 24 of the California Code of Regulations.

**8) The format of the proposed building standards is consistent with that adopted by the Commission.**

The format of the proposed building standards is consistent with the format adopted by the CBSC for Title 24.

**9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.**

The State Fire Marshal's confirmation that these proposed regulations do not promote fire and panic safety has been solicited.