

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



BUILDING STANDARDS INFORMATION BULLETIN 15-03

DATE: July 24, 2015

TO: LOCAL BUILDING DEPARTMENTS
STATE AGENCIES AND DEPARTMENTS
LICENSED CONTRACTORS
DESIGN PROFESSIONALS
INTERESTED PARTIES

SUBJECT: Emergency Building Standards for Immediate Enforcement – Outdoor Landscape Irrigation for K-12 Public Schools and Community Colleges

The purpose of this Information Bulletin is to bring attention to emergency building standards that amend the 2013 California Administrative Code (Part 1, Title 24, California Code of Regulations) and the 2013 California Green Building Standards Code (Part 11, Title 24, California Code of Regulations, also known as “CALGreen”), and are effective immediately.

During the California Building Standards Commission (CBSC) meeting on July 21, 2015, the commission approved two separate emergency building standard submittals proposed by the Division of the State Architect-Structural Safety (DSA-SS). The first emergency building standards amend the California Administrative Code regarding fees and processes associated with code enforcement. The second emergency building standards amend CALGreen relative to exterior landscape irrigation systems applicable to specified K-12 public schools and community colleges, replacing emergency building standards that were adopted and became effective on June 1, 2015. It should be noted that these emergency building standards contain an addendum proposed by DSA-SS during the public meeting, which was then modified by the commissioners, and was approved-as-amended (see approved express term language below). The emergency building standards were filed with the Secretary of State on July 23, 2015, and became effective upon filing. These emergency building standards are effective and enforceable by DSA-SS as specified in state law for K-12 public schools and community colleges.

These emergency building standards were developed in response to the [Governor's Executive Order No. B-29-15](#), which addresses current ongoing emergency drought conditions in California. The express term language for the emergency building standards is available at the CBSC website www.bsc.ca.gov, under the Emergency Rulemaking tab and identified by the following rulemaking numbers:

- **DSA-SS EF-03-15** (emergency amendments to the 2013 California Administrative Code)
- **DSA-SS EF-02-15** (emergency amendments to the 2013 California Green Building Standards Code - CALGreen)

Pursuant to Government Code Section 11346.1, these emergency standards will expire after 180 days unless extended, or replaced with a final adoption of building standards. In order for the emergency building standards to become permanent, DSA-SS must complete the rulemaking process by engaging in the certification of compliance of the standards, including public comment and bringing the matter back before CBSC at a public meeting to consider adoption.

During this process, the public will have an opportunity to address DSA-SS with comments regarding the code language proposed for adoption, which will replace the emergency building standards language. All related rulemaking documents and announcements are available on the CBSC website www.bsc.ca.gov.

Questions concerning the emergency building standards and its application to K-12 public schools and community colleges should be directed to DSA-SS as follows:

Division of the State Architect – Structural Safety

1102 Q Street, Suite 5100
Sacramento, CA 95811
(916) 445-8100
www.dgs.ca.gov/dsa

Supplement (blue) pages for these emergency regulations will be made available by the International Code Council (ICC) to existing code subscribers once the final rulemaking is certified as complete. Title 24 is composed of thirteen parts and is published by ICC, the International Association of Plumbing and Mechanical Officials (IAPMO), and the National Fire Protection Association (NFPA). For information regarding code subscriptions the publisher contact information follows:

- The International Code Council at:
Website: <http://www.iccsafe.org/contact-icc/>
Telephone: 800-786-4452
(Publishes Parts 1, 2, 2.5, 6, 8, 9, 10, 11, and 12 of Title 24)
- The International Association of Plumbing and Mechanical Officials (IAPMO) at:
Online Store website: <http://iapmomembership.org/>
Telephone: 909-472-4208 or Email: at publications@iapmo.org
(Publishes Parts 4 and 5 of Title 24)
- National Fire Protection Association (NFPA) – BNI Publishers at:
<http://www.bnibooks.com/>
Telephone: 888-264-2665
(Publishes Part 3 of Title 24)

Questions concerning this bulletin should be directed to this office at (916) 263-0916 or via E-mail at cbsc@dgs.ca.gov.



Jim McGowan
Executive Director

EMERGENCY EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT – STRUCTURAL SAFETY

REGARDING PROPOSED CHANGES TO THE CALIFORNIA ADMINISTRATIVE CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1

These proposed regulations will amend the 2013 edition of the California Code of Regulations (CCR), Title 24, Part 1, California Administrative Code for application by DSA-SS to public elementary and secondary schools, and community colleges.

Legend for Emergency Express Terms:

1. **California language:** California language will appear in plain text.
2. **Amended, or repealed language:** Amended or repealed language will appear in ~~strikeout~~.
3. **Proposed adopted language:** Adopted language will appear in underline.

EMERGENCY EXPRESS TERMS

The Division of the State Architect (DSA) proposes to adopt into the 2013 California Code of Regulations (CCR), Title 24, Part 1, California Administrative Code, Chapter 4 the following text:

...

CHAPTER 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS)

...

GROUP 3 SUSTAINABLE CONSTRUCTION OF PUBLIC SCHOOLS & COMMUNITY COLLEGES

ARTICLE 1 GENERAL PROVISIONS

4-501. Purpose. These regulations implement sections of the Education Code to ensure that elementary, secondary, or community college buildings and facilities constructed or altered pursuant to these regulations are in compliance with the California Code of Regulations (C.C.R.), Title 24 related to the design aspects of sustainable (or “green”) building elements, components, and systems.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 81130 and 81142.

4-502. Scope. California Code of Regulations , Title 24, Part 11; known as the “CALGreen Code”, designates building regulations that are applicable to the Green Building Standards portions of the design, construction, or addition to any school building as defined in Sections 17283 and 81131 of the Education Code. The term “school building” shall include all buildings, structures, appurtenances, and related systems or facilities as defined in Section 4-314.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130

4-503. Authority for enforcement of regulations. All duties and functions that relate to the sustainability aspects of school construction plan checking and inspections have been vested by law in the Division of the State Architect (DSA).

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 through 17317 and 81130 through 81147.

4-504. Alternate materials and methods of construction and modifications. The provisions of these regulations are not intended to prevent the use of any material or method of construction not specifically prescribed by these

regulations, provided any alternate has been approved and its use authorized by DSA in accordance with Section 4-304.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

4-505. Application of building standards. Building standards applicable to public school buildings are set forth in Parts 2, 3, 4, 5, 6, 9, 11, and 12, Title 24, C.C.R., and have been adopted as minimum design and construction standards upon which to base the approval of plans and specifications. These regulations shall not be construed to prevent the use of higher design standards or to restrict the use of new or innovative design or construction techniques.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

ARTICLE 2 **DEFINITIONS**

4-506. General. The definition(s) in Sections 4-507 shall have the meaning stated therein throughout the regulations contained in Part 1, Section 4-400, et. seq, Title 24, C.C.R.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17283, 81130, 81131, and 81529.

4-507. Definitions.

SELF-CERTIFICATION shall mean a registered architect, licensed landscape architect, or civil engineer of record prepares a set of construction documents which comply with the California Code of Regulations (C.C.R.), Title 24 or other referenced regulations, and provides their signature ensuring that the construction documents and related reports meet or exceed the code requirements.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280, 17283, 17405, 81130, 81131, and 81529.

ARTICLE 3 **APPLICATION FOR VERIFICATION OF** **SELF-CERTIFICATION OF DRAWINGS AND SPECIFICATIONS**

4-508. Plans, specifications, calculations, fees, and other data. When an application for verification of self-certification of plans and specifications is filed, it shall be accompanied by a set of plans and specifications, a copy of the calculations, the site data, all required completed forms, and a fee payment.

Plans, specifications, or self-certification forms which, when submitted, are determined by DSA to be incomplete or incorrect, shall be returned to the architect or engineer in general responsible charge with a request for compliance with these regulations before verification is started by DSA.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

4-509. Application for verification of self-certified drawings and specifications. Before commencing with construction of a school building project, the school board shall submit the forms prescribed by the DSA and obtain verification of the self-certified plans and specifications. The applicant will receive DSA authorization when the plans and specifications have been approved by DSA; and later, when the construction is complete.

(a) The self-certification of the energy plans and reports shall meet the California Code of Regulations, Title 24, Part 6 (Energy Code). The architect of record or certified energy analyst will self-certify that the project's energy

design is compliant with the requirement of the Energy Code and commissioned in accordance to these regulations. All related drawings and specifications must display their registration seal and signature.

- (b) The self-certification of the irrigation plans and specifications shall meet the California Code of Regulations, Title 24, Part 11, Section 5.304 (CALGreen Code). The architect, a licensed landscape architect, or civil engineer of record will self-certify that the project's irrigation design is compliant with the Model Water Efficiency Landscape Ordinance (MWELO) per the CALGreen Code and built in accordance to these regulations. All related drawings and specifications must display their registration seal and signature.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

ARTICLE 4 **FEES**

4-510. Fees. The filing fee for CALGreen self-certification verification shall be a flat fee of \$500 due at the time of submission of the project and non-refundable once the verification of self-certification has begun.

Authority: Education Code Sections 17310 and 81142.

Reference: Education Code Sections 17280 and 81130.

EMERGENCY EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT – STRUCTURAL SAFETY

REGARDING PROPOSED CHANGES TO THE CALIFORNIA GREEN BUILDING STANDARDS CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11

These proposed regulations will amend the 2013 edition of the California Green Building Standards Code (CALGreen Code) for application by DSA-SS to public elementary and secondary schools, and community colleges.

Legend for Emergency Express Terms:

1. **California language:** California language will appear in plain text.
2. **Amended, or repealed language:** Amended or repealed language will appear in ~~strikeout~~.
3. **Proposed adopted language:** Adopted language will appear in underline.

EMERGENCY EXPRESS TERMS

CHAPTER 1 ADMINISTRATION

...

SECTION 105 DIVISION OF THE STATE ARCHITECT

...

105.1.1 Application - Public elementary and secondary schools and community colleges. New building construction, ~~alterations and additions~~ (per Section 301.4) and related site work on a new or existing site.

...

CHAPTER 2 DEFINITIONS

...

SECTION 202 GENERAL

...

EVAPOTRANSPIRATION ADJUSTMENT FACTOR (ETAF). [DSA] ~~For the purposes of this Part, ETAF means a~~ An adjustment factor of 0.65 that, when applied to reference evapotranspiration, that adjusts for plant factors and irrigation efficiency which are two major influences upon the amount of water that needs to be applied to the landscape.

...

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWEL) A California regulation commencing with Section 490 of Chapter 2.7, Division 2, Title 23, California Code of Regulations. The MWEL regulation establishes a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects.

...

SPECIAL LANDSCAPE AREA (SLA). [DSA] For public schools and community colleges, Special Landscape Area means an area of the landscape dedicated solely to edible plants, planting areas used for educational purposes, recreational areas, areas irrigated with recycled water, water features using recycled water ~~and areas dedicated to active play such as parks, sports fields, golf courses,~~ and where turf provides a playing surface or gathering space. ~~For the purposes of this Part, the additional water allowance for SLA's shall be 0.35.~~

...

CHAPTER 3 GREEN BUILDING

...

301.4 Public schools and community colleges. [DSA] Newly constructed buildings and facilities on new or existing sites shall comply with Chapter 5. ~~Alterations of or additions, 1,000 square feet or more, to existing buildings shall only be required to comply with Chapter 5, Section 5.304, as it relates to the reduction of outdoor water use.~~

For existing sites, this code section 5.304 shall apply to a minimum square footage equal to seventy-five percent of the total building or addition's site footprint in the project's scope of work and can be located in one or more of the following areas:

1. Construction of new landscape areas in the project's scope of site work.
2. Rehabilitation of existing landscape areas in the project's scope of site work.
3. Rehabilitation of existing landscape areas not included in the project's scope of site work.

Exceptions:

1. If the existing site meets the Water Resources Model Water Efficient Landscape Ordinance (MWELo) per Chapter 5, Section 5.304, then the minimum square footage is equal to the landscape area in the project's scope of site work.
2. If the project is only grading and landscaping, then the minimum square footage is equal to the landscape area in the project's scope of site work.

...

**CHAPTER 5 - NON-RESIDENTIAL MANDATORY MEASURES
DIVISION 5.3- WATER EFFICIENCY AND CONSERVATION**

...

**SECTION 5.302
DEFINITIONS**

5.302.1 Definitions. The following terms are defined in Chapter 2.

EVAPOTRANSPIRATION ADJUSTMENT FACTOR (ETAF).

GRAYWATER.

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELo).

POTABLE WATER.

RECYCLED WATER.

SUBMETER.

SPECIAL LANDSCAPE AREAS (SLA).

...

**CHAPTER 5 - NON-RESIDENTIAL MANDATORY MEASURES
DIVISION 5.3 - WATER EFFICIENCY AND CONSERVATION**

...

**SECTION 5.304
OUTDOOR WATER USE
[DSA]**

~~**5.304.1**~~ **5.304.5 Outdoor potable water use in landscape areas 2,500 square feet or greater.** ~~When potable water is used for~~ For public schools and community colleges, the outdoor irrigation for landscape projects that are 2,500 square feet or greater one of the following shall apply: shall comply with 1. A local water efficient landscape ordinance that is, based on evidence in the record, at least as effective in conserving water as the updated model ordinance adopted by the Department of Water Resources per Government Code Section 65595 (c) including an evapotranspiration adjustment factor (ETAF) of 0.65 and an additional water allowance for special landscape areas (SLA) of 0.35. 2. The California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELo) commencing with Section 490 of Chapter 2.7, Division 2, Title 23, California Code of Regulations including an except that the evapotranspiration adjustment factor (ETAF) of shall be 0.65 and with an additional water allowance for special landscape areas (SLA) of 0.35.

Note: The MWELo prescriptive measures to assist in compliance with the water budget are listed in Sections 492.4 through 492.8, 492.10 and 492.11 of the MWELo, which may be found at: <http://www.water.ca.gov/wateruseefficiency/docs/WaterOrdSec492.cfm>.

~~5.304.2~~ 5.304.6 *Alternate methods to reduce outdoor potable water use in landscape areas.* As allowed by a district's local city or county water or health agency, methods to reduce potable water use in landscape areas shall be permitted to include but are not limited to:

1. **On-site:** Use of captured rainwater, recycled water, or graywater designed per the *California Plumbing Code*.
 - a. Supplementary water supply: The use of potable water shall ~~only~~ be permitted as a back-up water supply for on-site water reuse systems.
2. **Off-site:** Water treated for irrigation purposes and conveyed by a water district or public entity.

5.304.2.1 5.304.6.1 *Authorized potable water use.* The use of potable water shall be authorized where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency.

~~5.304.3~~ 5.304.7 *Alternate Outdoor water use in landscape areas 1,000 to 2,500 2,499 square feet.* When water is used for outdoor irrigation for landscape projects at least 1,000 square feet but not more than **~~2,500 2,499~~** square feet, the following shall apply:

~~5.304.3.1~~ 5.304.7.1 *Irrigation controller and sensor application.* In new ~~nonresidential~~ construction or building addition or alteration with at least 1,000 but not more than **~~2,500 2,499~~** square feet of cumulative landscaped area (the level at which the MWELo applies), install irrigation controllers and sensors which include the following criteria, and meet manufacturer's recommendations.

~~5.304.3.2~~ 5.304.7.2 *Controllers.* Automatic irrigation system controllers installed at the time of final inspection shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

Note: More information regarding irrigation controller function and specifications is available from the Irrigation Association.

~~5.304.4~~ 5.304.8 *Outdoor water use meters.* For new or upgraded water service or for addition or alteration requiring upgraded water service for landscaped areas of at least 1,000 square feet but not more than 5,000 square feet (the level at which *Water Code* §535 applies), separate submeters or metering devices shall be installed for outdoor water use.

Note: Installation of multiple submeters is allowable for existing sites.

...

Notation:

Authority: Education Code Sections 17280—17317 and 81130--81147.
References: Education Code Sections 17310 and 81142.