

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2013 CALIFORNIA RESIDENTIAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5  
  
(HCD)**

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The Administrative Procedure Act (APA) requires an Initial Statement of Reasons (ISOR) to be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE AND BENEFITS:**

(Government Code Section 11346.2 requires a statement of specific purpose of **EACH** adoption, amendment or repeal, the problem the agency intends to address and the rationale for the determination by the agency that EACH adoption, amendment or repeal is reasonably necessary to carry out the purpose, including the problem the agency intends to address, for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

**1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.**

**Administrative Requirement:** Health and Safety Code Section 17921 directs the Department of Housing and Community Development (HCD) to propose adoption, amendment or repeal of building standards for the protection of public health, safety and general welfare.

**2) Specific Purpose**

The specific purpose of these regulations is to adopt by reference the 2012 edition of the International Residential Code, with California Amendments, into the 2013 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations (CCR) for the following programs:

- a) **State Housing Law:** relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2.
- b) **Employee Housing Act:** relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks or Special Occupancy Parks:** relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Section 18865 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

**3) Rationale for Necessity**

The proposed building standards are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. Many of the proposed amendments are a result of recommendations developed during the public participation period prior to submittal to the California Building Standards Commission (CBSC) to be included in the 2012 Triennial Code Adoption Cycle.

## **Specific Proposed Regulatory Actions:**

HCD proposes to adopt by reference the 2012 edition of the International Residential Code with amendments into the 2013 California Residential Code. The rationale for each amendment by chapter and section is listed below.

### **PART 1**

#### **Part I — Administrative**

#### **CHAPTER 1 SCOPE AND APPLICATION**

##### **1. SECTION 1.1 GENERAL**

HCD proposes to bring forward existing California amendments in California Chapter 1, Division I, from the 2010 California Residential Code for adoption into the 2013 California Residential Code with amendment as follows.

<b>Section:</b>	<b>1.1.1</b>	<b>Title.</b>
<b>Section:</b>	<b>1.1.3</b>	<b>Scope.</b>

**Rationale:** HCD proposes to continue adoption of the above referenced California amendments with modification. The modifications reflect the adopted model code as the 2012 International Residential Code, permits the construction of lodging houses as specified, and clarifies the application of the California Residential Code to efficiency dwelling units consistent with the California Building Code. In addition, fire sprinkler requirements are deleted in the Live/work and lodging house exceptions.

HCD proposes to not adopt fire sprinkler requirements for 1- and 2 family dwellings, townhouses and garages and to repeal all related 2010 HCD amendments relating to residential fire sprinklers in the California Residential Code. Sections requiring fire sprinklers and fire sprinkler specifications were co-adopted by HCD and the California State Fire Marshal (SFM) during the 2009 triennial code adoption cycle. This created confusion with stakeholders regarding interpretation and enforcement. Residential fire sprinkler requirements and other amendments related to fire sprinklers, and their continued adoption and maintenance will be promulgated through the SFM for efficiency in rulemaking and effectiveness in enforcement and interpretation. Therefore, the HCD proposal for non-adoption of related model code sections and adoption of model code sections without amendment, and repeal of any related HCD amendments have no change in regulatory effect if the SFM maintains its model code adoptions and amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code for residential fire sprinklers.

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##### **2. SECTION 1.8 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)**

<b>Section:</b>	<b>1.8.1</b>	<b>Purpose.</b>
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**Rationale:** HCD proposes to adopt the above referenced new California amendment, Section 1.8.1 "Purpose." This amendment is consistent with the format in the other California Building Standards Codes. The inclusion of this new section necessitates the renumbering of the subsequent sections (i.e., Section 1.8.2, *et seq.*) and also any references to these renumbered sections. There is no intended change in regulatory effect.

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##### **3. SECTION 1.8 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) – continued**

<b>Section:</b>	<b>1.8.4.4 Inspections.</b>
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**Rationale:** HCD proposes to bring forward the existing California amendment from the 2010 California Residential Code for adoption into the 2013 California Residential Code with a renumbering and amendment. The California amendment provides a concise listing of the applicable inspections required in Section R109.1 for user convenience. Additionally, the section is renumbered from Section 1.8.3.4 to Section 1.8.4.4. HCD also proposes a nonsubstantive editorial correction that deletes the reference to the Matrix Adoption Table (non-regulatory text) for conformity as directed by the CBSC. There is no intended change in regulatory effect.

(Note: See Part 2 of this document for discussion of existing California amendments in Section 1.8 proposed to be

brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

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## CHAPTER 1, DIVISION II

### 4. SECTION R106 CONSTRUCTION DOCUMENTS

- Section:** R106.1 Submittal documents.  
**Section:** R106.1.1 Information on construction documents.  
**Section:** R106.1.3 Information for construction in flood hazard areas.  
**Section:** R106.2 Site plan or plot plan.

**Rationale:** HCD proposes to adopt the above referenced sections from the 2012 International Residential Code into the 2013 California Residential Code without amendment. The above sections are referenced in other adopted sections of the International Residential Code, used as part of the local agency permitting and inspection process, and are also required for meeting mandatory measures in Title 24, Part 11, CALGreen, Chapter 4. This adoption is consistent with similar actions taken in the California Building Code.

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### 5. SECTION R109 INSPECTIONS

- Section:** R109.1 Types of inspections.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The California amendment has been brought forward from the 2010 California Residential Code with a reference to a mandatory measure in Title 24, Part 11, CALGreen, Chapter 4, requiring verification of moisture content of framing members. Therefore, a new section number is being added as a required inspection. There is no intended change in regulatory effect.

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### 6. SECTION R109 INSPECTIONS – continued

- Section:** R109.1.3 Floodplain inspections.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code without amendment. There is no intended change in regulatory effect.

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### 7. SECTION R109 INSPECTIONS – continued

- Section:** R109.1.4.1 Moisture content verification.

**Rationale:** HCD proposes to renumber former California amendment Section R109.1.4.1 “Lath and gypsum board inspection” to Section R109.1.4.2 from the 2010 California Residential Code (see Part 2 of this document for discussion) and adopt the above referenced new Section R109.1.4.1 “Moisture content verification” into the 2013 California Residential Code.

During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

## 8. SECTION R109 INSPECTIONS – continued

### Section: R109.1.6.2 Operation and maintenance manual.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

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## 9. Part II — Definitions CHAPTER 2 DEFINITIONS

HCD proposes to adopt the 2012 International Residential Code, Chapter 2, into the 2013 California Residential Code with amendment as follows.

(NOTE: Definitions shown as deletions in the proposed Express Terms are not adopted in California and will not be printed in the California Residential Code unless adopted by the Office of the State Fire Marshal. Deleted terms are used in portions of the International Residential Code not proposed for adoption into the California Residential Code.)

### SECTION R202 DEFINITIONS

#### ALTERATION.

**Rationale:** HCD proposes to amend this definition for consistency with the California Building Code. There is no intended change in regulatory effect.

#### APPROVED. [HCD1]

**Rationale:** HCD proposes to delete reference to Health and Safety Code Section 17921.3, which no longer provides a definition for “approved” as of January 2008 when the statute was amended.

#### COMMERCIAL BUILDING.

**Rationale:** HCD proposes to delete this definition. (See NOTE above.)

#### CURTAIN WALL.

**Rationale:** HCD proposes to delete this definition. (See NOTE above.)

#### DEMAND RECIRCULATION WATER SYSTEM.

**Rationale:** HCD proposes to delete this definition. (See NOTE above.)

#### EFFICIENCY DWELLING UNIT.

**Rationale:** HCD proposes to adopt this new California amendment since the term is used in newly proposed Section R304.5 as related to room dimensions. This definition is consistent with the California Building Code. There is no intended change in regulatory effect.

#### GRAY WATER.

**Rationale:** HCD proposes to delete this definition. (See NOTE above.)

#### GUARD OR GUARDRAIL.

**Rationale:** HCD proposes to add the term “guardrail” for consistency with the California Building Code. The terms “guard” and “guardrail” are also used in the International Residential Code. There is no intended change in regulatory effect.

**INSULATING SHEATHING.**

**Rationale:** HCD proposes to amend this definition to delete reference to Chapter 11, which is not adopted in California. There is no intended change in regulatory effect.

**LODGING HOUSE.**

**Rationale:** HCD proposes to amend this term to be consistent with the California Building Code and the 1997 Uniform Housing Code, Chapter 4.

**REPAIR.**

**Rationale:** HCD proposes to amend this definition to delete reference to Chapter 11, which is not adopted in California. There is no intended change in regulatory effect.

**RISER.**

**Rationale:** HCD proposes to adopt this formerly non-adopted definition with amendment since the model code definition now includes a reference to steps and stairs. HCD proposes to delete the reference related to plumbing features.

**SKYLIGHT.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**SLEEPING UNIT.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**SUNROOM.**

**Rationale:** HCD proposes to amend this definition to delete reference to Chapter 11, which is not adopted in California. There is no intended change in regulatory effect.

**THIRD PARTY CERTIFIED.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**THIRD-PARTY CERTIFICATION AGENCY.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**THIRD-PARTY TESTED.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**VENTILATION.**

**Rationale:** HCD proposes to amend this definition to delete reference to Chapter 11 which is not adopted in California. There is no intended change in regulatory effect.

**WHOLE HOUSE MECHANICAL VENTILATION SYSTEM.**

**Rationale:** HCD proposes to delete this definition. (See **NOTE** above.)

**10. Part III—Building Planning and Construction  
CHAPTER 3 BUILDING PLANNING**

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 3, except Section R313, into the 2013 California Residential Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

**SECTION R300 SITE DRAINAGE**

**Rationale:** HCD proposes to adopt the above referenced section heading, “Section R300 Site Drainage”. In order to adopt new California amendments, Sections 300.1 and 300.2, a new section heading was necessary.

**Section: R300.1 Storm water drainage and retention during construction.**  
**Section: R300.2 Grading and paving.**

**Rationale:** HCD proposes to adopt the above referenced new California amendments. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

## **SECTION R302 FIRE-RESISTANT CONSTRUCTION**

**Section: R302.1 Exterior walls.**  
**TABLE: R302.1 (1) EXTERIOR WALLS**  
**TABLE: R302.1 (2) EXTERIOR WALLS – DWELLINGS WITH FIRE SPRINKLERS**

**Rationale:** HCD proposes to adopt the above referenced sections from the 2012 International Residential Code into the 2013 California Residential Code with amendments.

HCD is proposing to not adopt fire sprinkler requirements for 1- and 2 family dwellings, townhouses and garages and to repeal all HCD amendments in the 2010 California Residential Code relating to residential fire sprinklers in the California Residential Code. Sections requiring fire sprinklers and fire sprinkler specifications were co-adopted by HCD and the California State Fire Marshal (SFM) during the 2009 triennial code adoption cycle. This created confusion with stakeholders regarding interpretation and enforcement. Residential fire sprinkler requirements and other amendments related to fire sprinklers, and their continued adoption and maintenance will be promulgated through the SFM for efficiency in rulemaking and effectiveness in enforcement and interpretation. Therefore, the HCD proposal for non-adoption of related model code sections and adoption of model code sections without amendment, and repeal of any related HCD amendments have no change in regulatory effect if the SFM maintains its model code adoptions and amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code for residential fire sprinklers.

**Section R302.5.1 Opening protection.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The HCD amendment in the 2010 California Residential Code brought forward a provision from the California Building Code, which is still included in Section 406.3.4 of the 2012 International Building Code requiring door openings between the garage and dwelling-unit to be self-closing and self-latching. Although the International Residential Code now requires the doors to be self-closing, it does not specify that the doors also be self-latching. HCD's amendment provides clarity and consistency with the California Building Code for application and enforcement. There is no intended change in regulatory effect.

**Section R302.5.2 Duct penetration.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment in response to Public Petition SFM-P-1-11 submitted by Hugh Tuck, Atlas Heating and Ventilation Co. Ltd. The petition was received and determined complete by the California Building Standards Commission in December 2011. It was then forwarded to the Office of the State Fire Marshal and the Department of Housing and Community Development for response. As this was a ventilation issue as well as fire related, HCD took the lead in proposing additional clarifying language. The petition requested amendment to provisions in Section 406.3.4 (section number corrected from petition reference), of the California Building Code, which requires ducts in a garage or ducts penetrating walls or ceilings separating dwelling units from garage to be constructed of sheet steel at least 0.019 inches in thickness, and to have no openings into the garage. The petitioner noted that "the current code makes no sense as it dictates a lower level of protection," and proposed that additional language be added to provide an option allowing penetrations through the walls to be protected with fire dampers per Section 716.5.4 (the corrected section is Section 717). HCD believes the code already allows for the relief the petitioner sought, but the code was not clear. HCD's proposed language does not lessen minimum standards currently in the code.

## SECTION R303 LIGHT, VENTILATION AND HEATING

### Section: R303.1 Habitable rooms.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The new California amendment deletes reference to Section M1507 since the International Residential Code mechanical provisions are not adopted by HCD. It provides a correct reference to the California Mechanical Code. HCD proposes to continue adoption of the existing California amendment, which adds Exceptions 4 and 5 in recognition of Health and Safety Code Section 17959.3, and a need to encourage passive solar energy design, and HCD's adoption of related building standards. These amendments provide clarity and consistency to the code user for application and enforcement and make specific existing state laws. There is no intended change in regulatory effect.

### Section: R303.3 Bathrooms.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The new California amendment provides the required local exhaust rates for bathrooms and private toilet rooms as proposed for the 2013 California Mechanical Code, Table 403.7, and provides metric equivalents as specified in ASHRAE 62.2. This amendment also deletes reference to Section M1507 since the International Residential Code mechanical chapters are not adopted by HCD. These amendments provide consistency for the code user for application and enforcement.

### Section: R303.3.1 Bathroom exhaust fans.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

### Section: R303.4 Ventilation.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The title and section have been broadened from only "mechanical ventilation" to "ventilation". The model code section requires whole house mechanical ventilation (in accordance with the requirements in the Mechanical part of the International Residential Code) in dwelling units if the air infiltration rate is less than 5 air changes per hour, when tested with a blower door (in accordance with testing requirements in the Energy part of the International Residential Code). The California Residential Code does not adopt International Residential Code, Chapter 11 (Energy) or Chapter 15 (Exhaust Systems); therefore, adoption of model code language in Section R303.4 will conflict with the requirements in the California Mechanical Code. The proposed amendments will provide the code user with a correct reference to the applicable California code.

### Section: R303.5.2.1 Openings for whole house exhaust fans.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

*Special Note: The amendment of Section R303.5.2.1 may be further modified or deleted from this rulemaking pending final decision on the California Energy Commission's proposed 2013 California Energy Code rulemaking regarding requirements for whole house exhaust fans in all or specific climate zones in California and benefits of insulated covers or louvers.*

## SECTION R304 MINIMUM ROOM AREAS

**Section:** R304.5 Efficiency dwelling units.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. The proposed amendment clarifies and recognizes efficiency dwelling units and required minimum dimensions in the California Residential Code. This amendment represents no change from California Building Code Section 1208.4 and provides clarity and consistency to the code user for application and enforcement, and to make specific existing state laws. (Health and Safety Code Section 17958.1 provides for local agencies to adopt ordinances further reducing floor areas of efficiency dwelling units.)

## SECTION R310 EMERGENCY ESCAPE AND RESCUE OPENINGS

**Section:** R310.1 Emergency escape and rescue required.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The proposed California amendment clarifies that the bottom of emergency escape and rescue openings must be 44 inches or less as measured from the floor to the bottom of the clear opening. This section was changed in the 2012 International Residential Code by Code Change Proposal RB41-09/10, which proposed clarification to show that the sill height should be at the bottom of the clear opening pursuant to the interpretation in the 2009 International Residential Code commentary. The *2009 International Residential Code Commentary* states "To be accessible from the interior of the sleeping room, attic or basement, the emergency escape and rescue opening cannot be located more than 44 inches (1118 mm) above the floor. The measurement is to be taken from the floor to the bottom of the clear opening." This interpretation is further clarified in ICC's *Significant Changes to the International Residential Code* (2012 Edition) as "...the new language clearly prescribes the method of measurement from the finished floor to the bottom of the clear opening..." The intent in Change Proposal RB41—09/10 was to clarify the height of the bottom of the clear opening especially in cases where there was no sill or the sill had additional materials on top, e.g., weather stripping, increasing height of the clear opening. Regardless, the code text still references "sill height", which may be misleading to code users. The California Building Code, Section 1029.3, does not include references to sill height and provides a clear reference to the 44-inch maximum height as measured from the floor to the bottom of the clear opening. Previous comments from local jurisdictions have noted this inconsistency and again brought up for discussion during HCD's IRC/IBC focus group meeting on April 4, 2012. The proposed amendment deleting the reference to "sill height" and "finished" floor provides clarity and consistency to the code user for application and enforcement. There is no change in regulatory effect from the model code.

## SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

**Section:** R313.1 Townhouse automatic fire sprinkler systems.  
**Section:** R313.1.1 Design and installation.  
**Section:** R313.2 One- and two-family dwellings automatic fire systems.  
**Section:** R313.2.1 Design and installation.

**Rationale:** HCD proposes to not adopt the above referenced sections.

HCD is proposing to not adopt fire sprinkler requirements for 1- and 2-family dwellings, townhouses and garages and to repeal all related 2010 HCD amendments relating to residential fire sprinklers in the California Residential Code. Sections requiring fire sprinklers and fire sprinkler specifications were co-adopted by HCD and the State Fire Marshal (SFM) during the 2009 Triennial Code Adoption Cycle. This created confusion with stakeholders regarding interpretation and enforcement. Residential fire sprinkler requirements and other amendments related to fire sprinklers, and their continued adoption and maintenance will be promulgated through the SFM for efficiency in rulemaking and effectiveness in enforcement and interpretation. Therefore, the HCD proposal for non-adoption of related model code sections and adoption of model code sections without amendment, and repeal of any related HCD amendments have no change in regulatory effect if the SFM maintains its model code adoptions and amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code for residential fire sprinklers.

## **SECTION R321 ELEVATORS AND PLATFORM LIFTS**

### **Section: R321.3 Accessibility.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The previous California amendment in this section provided duplicative references to standards for elevators and platforms lifts referenced in model code Sections R321.1 and R321.2, respectively. In addition, California Building Code Section 1124A “Elevators and Platform (Wheelchair) Lifts”, also referenced in the amendment, already includes standards referenced in Sections R321.1 and R321.2 and provides a reference to the California Code of Regulations, Title 8. The amendment has been shortened to reference only California Building Code Section 1124A to avoid duplicative language. There is no intended change in regulatory effect.

## **SECTION R324 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING**

**Rationale:** HCD proposes to adopt the above referenced section heading, “Section R324 Construction Waste Reduction, Disposal and Recycling”. In order to adopt new California amendments, Sections 324.1 and 324.1.1, a new section heading was necessary.

### **Section: R324.1 Construction waste management.**

#### **Section: R324.1.1 Excavated soil and land clearing debris.**

**Rationale:** HCD proposes to adopt the above referenced new California amendments. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

## **SECTION R330 POLLUTANT CONTROL**

**Rationale:** HCD proposes to adopt the above referenced section heading, “Section R330 Pollutant Control”. In order to adopt new California amendment, Section 330.1, a new section heading was necessary.

### **Section: R330.1 Finish material pollutant control.**

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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## **11. CHAPTER 4 FOUNDATIONS**

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 4, into the 2013 California Residential Code with amendment as follows.

(Note #1: Existing California amendments in Section R401.4.1.1, proposed to be brought forward for adoption into the 2013 California Residential Code without change, are shown for purposes of clarity.)

(Note #2: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

## SECTION R401 GENERAL

- Section:** R401.4.1.1 General and where required for applications listed in Section 1.8.2.1.1 regulated by the Department of Housing and Community Development.
- Section:** R401.4.1.1.1 Preliminary soil report.
- Section:** R401.4.1.1.2 Soil investigation by lot, necessity, preparation, and recommendations.
- Section:** R401.4.1.1.3 Approval, building permit conditions, appeal.
- Section:** R401.4.1.1.4 Liability. (new)
- Section:** R401.4.1.1.5 Alternate procedures. (new)

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code. These California amendments are necessary to implement existing law found in Health and Safety Code Sections 17953 through 17955, which require soils investigation for subdivisions. These Health and Safety Code sections are also reproduced in the California Building Code. The new proposed California amendments (Sections R401.4.1.1.4 and R401.4.1.1.5) include text from Health and Safety Code Sections 17956 and 17957 addressing liability and authority for local use of alternate procedures, respectively, which were not referenced in the 2010 California Residential Code. The HCD amendments brought forward from the 2010 California Residential Code represent no change from past model code amendments and provide clarity and consistency to the code user for application, enforcement, and to make specific existing state laws. The new amendments complete the soil report requirements and options as stated in existing statute, and reflect renumbering in Chapter 1, Section 1.8. There is no intended change in regulatory effect.

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## 12. CHAPTER 5 FLOORS

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 5, into 2013 California Residential Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

### SECTION R506 CONCRETE FLOORS (ON GROUND)

- Section:** R506.2.3.1 Capillary break.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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## 13. CHAPTER 6 WALL CONSTRUCTION

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 6, into the 2013 California Residential Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

## **SECTION R602 WOOD WALL FRAMING**

### **Section: R602.3.4.1 Rodent proofing.**

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

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## **14. CHAPTER 7 WALL COVERING**

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 7, into the 2013 California Residential Code without new amendments.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

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## **15. CHAPTER 8 ROOF-CEILING CONSTRUCTION**

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 8, into the 2013 California Residential Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

## **SECTION R802 WOOD ROOF FRAMING**

### **Section: R802.10.2 Design.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The International Residential Code provisions for trusses do not include prescriptive design criteria; therefore, it requires design by a registered professional. The proposed new California amendments provide reference to the defined term “registered design professional” and deletes extraneous references to statutory state and local requirements. There is no intended change in regulatory effect.

## **SECTION R806 ROOF VENTILATION**

### **Section: R806.2 Minimum vent area.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. The model code section references International Energy Conservation Code (IECC) Climate Zones not proposed for adoption by HCD. California has its own energy standard, including climate zone specific references for vapor retarders, which already include 16 defined climate zones. (See additional information on California Climate Zones in the discussion for Section R702.7.) This California amendment, subject to verification for consistency with the 2013 California Energy Code, provides clarity and consistency to the code user and enforcing agencies. There is no intended change in regulatory effect.

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## 16. CHAPTER 9 ROOF ASSEMBLIES

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 9, into the 2013 California Residential Code without new amendments.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

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## 17. CHAPTER 10 CHIMNEYS AND FIREPLACES

HCD proposes to adopt the 2012 International Residential Code, Part III, Chapter 10, except Section 1004.4, into the 2013 California Residential Code with amendment as follows.

(Note: See Part 2 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections.)

### SECTION R1004 FACTORY-BUILT FIREPLACES

**Section:** R1004.1.1 Factory-built wood burning fireplaces.

**Rationale:** HCD proposes to adopt the above referenced new California amendment. During this rulemaking, pointers to mandatory CALGreen requirements are being proposed for inclusion into this code to enhance user convenience and familiarity. These pointers may also serve as potential locations for the complete CALGreen requirement(s) in the event that HCD makes the decision in a future rulemaking to discontinue Part 11, CALGreen, and incorporate its requirements into other parts of Title 24, the California Building Standards Code. These pointers are excerpts to code sections in CALGreen. There is no intended change in regulatory effect from the requirements in CALGreen.

**Section:** R1004.4 Unvented gas log heaters.

**Rationale:** HCD proposes to delete and not adopt the above referenced model code section, and proposes that the section not be printed in the California Residential Code. Health and Safety Code Section 19881 prohibits the sale of unvented heaters in any dwelling house or unit (exceptions apply for electric heaters and decorative gas logs). The 2010 California Mechanical Code and the proposed 2013 California Mechanical Code also prohibit installation, use, maintenance or permitting unvented fuel-burning room heaters in a Group R Occupancy. The CALGreen Code requires all gas fireplaces to be sealed combustion and direct-vent appliances. This International Residential Code provision for unvented gas log heaters appears to be in conflict with existing statute as well as the referenced codes and should not be available as a provision of the California Residential Code to avoid conflict between codes.

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## 18. Part IV—Energy Conservation

### CHAPTER 11 ENERGY EFFICIENCY

HCD proposes to not adopt the 2012 International Residential Code, Part IV Energy Conservation, Chapter 11.

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19. Part V—Mechanical

CHAPTER 12	MECHANICAL ADMINISTRATION
CHAPTER 13	GENERAL MECHANICAL SYSTEM REQUIREMENTS
CHAPTER 14	HEATING AND COOLING EQUIPMENT AND APPLIANCES
CHAPTER 15	EXHAUST SYSTEMS
CHAPTER 16	DUCT SYSTEMS
CHAPTER 17	COMBUSTION AIR
CHAPTER 18	CHIMNEYS AND VENTS
CHAPTER 19	SPECIAL APPLIANCES, EQUIPMENT AND SYSTEMS
CHAPTER 20	BOILERS AND WATER HEATERS
CHAPTER 21	HYDRONIC PIPING
CHAPTER 22	SPECIAL PIPING AND STORAGE SYSTEMS
CHAPTER 23	SOLAR ENERGY SYSTEMS

HCD proposes to not adopt the 2012 International Residential Code, Part V Mechanical, Chapters 12 through 23.

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20. Part VI—Fuel Gas

CHAPTER 24	FUEL GAS
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HCD proposes to not adopt the 2012 International Residential Code, Part VI Fuel Gas, Chapter 24.

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21. Part VII—Plumbing

CHAPTER 25	PLUMBING ADMINISTRATION
CHAPTER 26	GENERAL PLUMBING REQUIREMENTS
CHAPTER 27	PLUMBING FIXTURES
CHAPTER 28	WATER HEATERS
CHAPTER 29	WATER SUPPLY AND DISTRIBUTION
CHAPTER 30	SANITARY DRAINAGE
CHAPTER 31	VENTS
CHAPTER 32	TRAPS
CHAPTER 33	STORM DRAINAGE

HCD proposes to not adopt the 2012 International Residential Code, Part VII, Plumbing, Chapters 25 through 33.

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22. Part VIII—Electrical

CHAPTER 34	GENERAL REQUIREMENTS
CHAPTER 35	ELECTRICAL DEFINITIONS
CHAPTER 36	SERVICES
CHAPTER 37	BRANCH CIRCUIT AND FEEDER REQUIREMENTS
CHAPTER 38	WIRING METHODS
CHAPTER 39	POWER AND LIGHTING DISTRIBUTION
CHAPTER 40	DEVICES AND LUMINAIRES
CHAPTER 41	APPLIANCE INSTALLATION
CHAPTER 42	SWIMMING POOLS
CHAPTER 43	CLASS 2 REMOTE-CONTROL, SIGNALING AND POWER-LIMITED CIRCUITS

HCD proposes to not adopt the 2012 International Residential Code, Part VIII, Electrical, Chapters 34 through 43.

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**23. PART IX—Referenced Standards**

**CHAPTER 44 REFERENCED STANDARDS**

**Rationale:** HCD proposes to adopt the 2012 International Residential Code, Chapter 44 Reference Standards, into the 2013 California Residential Code with amendment as follows.

HCD proposes amendments to International Code Council listings, which are no longer referenced in the California Residential Code sections noted. Additionally, the title and code section reference associated with NFPA 720 are corrected, and referenced code sections for UL standards 2034 and 2075 are corrected to correspond to appropriate California amendment sections. The proposed amendments provide the code user additional clarity and consistency for application and enforcement. There is no change in regulatory effect.

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**24. APPENDIX A SIZING AND CAPACITIES OF GAS PIPING**

HCD proposes to not adopt Appendix A of the 2012 International Residential Code.

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**25. APPENDIX B SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS**

HCD proposes to not adopt Appendix B of the 2012 International Residential Code.

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**26. APPENDIX C EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS**

HCD proposes to not adopt Appendix C of the 2012 International Residential Code.

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**27. APPENDIX D RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION**

HCD proposes to not adopt Appendix D of the 2012 International Residential Code.

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**28. APPENDIX E MANUFACTURED HOUSING USED AS DWELLINGS**

HCD proposes to not adopt Appendix E of the 2012 International Residential Code.

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**29. APPENDIX F RADON CONTROL METHODS**

HCD proposes to not adopt Appendix F of the 2012 International Residential Code.

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**30. APPENDIX G SWIMMING POOLS, SPAS AND HOT TUBS**

HCD proposes to not adopt Appendix G of the 2012 International Residential Code.

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**31. APPENDIX H PATIO COVERS**

**Rationale:** HCD proposes to adopt Appendix H of the 2012 International Residential Code into the 2013 California Residential Code without amendment. There is no intended change in regulatory effect.

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**32. APPENDIX I PRIVATE SEWAGE DISPOSAL**

HCD proposes to not adopt Appendix I of the 2012 International Residential Code.

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**33. APPENDIX J EXISTING BUILDINGS AND STRUCTURES**

HCD proposes not adopt Appendix J of the 2012 International Residential Code.

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**34. APPENDIX K SOUND TRANSMISSION**

HCD proposes to not adopt Appendix K and continue to include a “Note” that references Section 1207 of the California Building Code for sound transmission requirements.

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**35. APPENDIX L PERMIT FEES**

HCD proposes to not adopt Appendix L of the 2012 International Residential Code.

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**36. APPENDIX M HOME DAY CARE— R-3 OCCUPANCY**

HCD proposes to not adopt Appendix M of the 2012 International Residential Code.

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**37. APPENDIX N VENTING METHODS**

HCD proposes to not adopt Appendix N of the 2012 International Residential Code.

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**38. APPENDIX O AUTOMATIC VEHICULAR GATES**

HCD proposes to not adopt Appendix O of the 2012 International Residential Code.

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**39. APPENDIX P SIZING OF WATER PIPING SYSTEM**

HCD proposes to not adopt Appendix P of the 2012 International Residential Code.

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**40. APPENDIX Q ICC INTERNATIONAL RESIDENTIAL CODE ELECTRICAL PROVISIONS/NATIONAL ELECTRICAL CODE CROSS REFERENCE**

HCD proposes to not adopt Appendix Q of the 2012 International Residential Code.

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## PART 2

**NOTE:** The language in Part 2 is brought forward from the previous code adoption cycle without change, except for nonsubstantive editorial corrections, and is displayed for context and for the convenience of the code users.

### 41. Part I — Administrative CHAPTER 1, SCOPE AND APPLICATION, DIVISION I, CALIFORNIA ADMINISTRATION

HCD proposes to bring forward existing California amendments, including chapter title, contained in Chapter 1, Scope and Application, Division I, California Administration, from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections.

#### SECTION 1.1 GENERAL

Section:	1.1.1	Title. (See Part 1)
Section:	1.1.2	Purpose.
Section:	1.1.3	Scope. (See Part 1)
Section:	1.1.3.1	Nonstate-regulated buildings, structures, and applications.
Section:	1.1.3.1.1	(Reserved for SFM)
Section:	1.1.3.2	Regulated buildings, structures, and applications.
Section:	1.1.4	Appendices.
Section:	1.1.5	Referenced codes.
Section:	1.1.6	Nonbuilding standards, orders and regulations.
Section:	1.1.7	Order of precedence and use.
Section:	1.1.7.1	Differences.
Section:	1.1.7.2	Specific provisions.
Section:	1.1.7.3	Conflicts.
Section:	1.1.7.3.1	Detached one- and two-family dwellings.
Section:	1.1.8	City, county, or city and county amendments, additions or deletions.
Section:	1.1.8.1	Findings and filings.
Section:	1.1.9	Effective date of this code.
Section:	1.1.10	Availability of codes.
Section:	1.1.11	Format.
Section:	1.1.12	Validity.

**Rationale:** HCD proposes to bring forward the above referenced California amendments in Chapter 1, Scope and Application, Division I, from the 2010 California Residential Code for adoption into the 2013 California Residential Code with nonsubstantive editorial corrections, including deletion of references to the Matrix Adoption Table (non-regulatory text) for conformity as directed by the CBSC. There is no intended change in regulatory effect.

#### SECTION 1.8 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

Section:	1.8	Department of Housing and Community Development (HCD).
Section:	1.8.1	Purpose. (See Part 1)
Section:	1.8.2	AUTHORITY AND ABBREVIATIONS. (formerly 1.8.1)
Section:	1.8.2.1	General. (formerly 1.8.1.1)
Section:	1.8.2.1.1	Housing construction. (formerly 1.8.1.1.1)
Section:	1.8.2.1.2	Housing accessibility. (formerly 1.8.1.1.2)
Section:	1.8.2.1.3	Permanent buildings in mobilehome parks and special occupancy parks. (formerly 1.8.1.1.3)
Section:	1.8.3	LOCAL ENFORCING AGENCY. (formerly 1.8.2)
Section:	1.8.3.1	Duties and powers. (formerly 1.8.2.1)
Section:	1.8.3.2	Laws, rules and regulations. (formerly 1.8.2.2)
Section:	1.8.3.2.1	State Housing Law. (formerly 1.8.2.2.1)
Section:	1.8.3.2.2	Mobilehome Parks Act. (formerly 1.8.2.2.2)
Section:	1.8.3.2.3	Special Occupancy Parks Act. (formerly 1.8.2.2.3)
Section:	1.8.3.2.4	Employee Housing Act. (formerly 1.8.2.2.4)
Section:	1.8.3.2.5	Factory-Built Housing Law. (formerly 1.8.2.2.5)
Section:	1.8.4	PERMITS, FEES, APPLICATIONS AND INSPECTIONS. (formerly 1.8.3)
Section:	1.8.4.1	Permits. (formerly 1.8.3.1)

<b>Section:</b>	<b>1.8.4.2</b>	<b>Fees. (formerly 1.8.3.2)</b>
<b>Section:</b>	<b>1.8.4.3</b>	<b>Plan review and time limitations. (formerly 1.8.3.3)</b>
<b>Section:</b>	<b>1.8.4.3.1</b>	<b>Retention of plans. (formerly 1.8.3.3.1)</b>
<b>Section:</b>	<b>1.8.4.4</b>	<b>Inspections. (See Part 1) (formerly 1.8.3.4)</b>
<b>Section:</b>	<b>1.8.5</b>	<b>RIGHT OF ENTRY FOR ENFORCEMENT. (formerly 1.8.4)</b>
<b>Section:</b>	<b>1.8.5.1</b>	<b>General. (formerly 1.8.4.1)</b>
<b>Section:</b>	<b>1.8.6</b>	<b>LOCAL MODIFICATION BY ORDINANCE OR REGULATION. (formerly 1.8.5)</b>
<b>Section:</b>	<b>1.8.6.1</b>	<b>General. (formerly 1.8.5.1)</b>
<b>Section:</b>	<b>1.8.6.2</b>	<b>Findings, filings, and rejections of local modifications. (formerly 1.8.5.2)</b>
<b>Section:</b>	<b>1.8.7.</b>	<b>ALTERNATE MATERIALS, DESIGNS, TESTS AND METHODS OF CONSTRUCTION. (formerly 1.8.6)</b>
<b>Section:</b>	<b>1.8.7.1</b>	<b>General. (formerly 1.8.6.1)</b>
<b>Section:</b>	<b>1.8.7.2</b>	<b>Local building departments. (formerly 1.8.6.2)</b>
<b>Section:</b>	<b>1.8.7.2.1</b>	<b>Approval of alternates. (formerly 1.8.6.2.1)</b>
<b>Section:</b>	<b>1.8.7.3</b>	<b>Department of Housing and Community Development. (formerly 1.8.6.3)</b>
<b>Section:</b>	<b>1.8.8</b>	<b>APPEALS BOARD. (formerly 1.8.7)</b>
<b>Section:</b>	<b>1.8.8.1</b>	<b>General. (formerly 1.8.7.1)</b>
<b>Section:</b>	<b>1.8.8.2</b>	<b>Definitions. (formerly 1.8.7.2)</b>
		<b>HOUSING APPEALS BOARD.</b>
		<b>LOCAL APPEALS BOARD.</b>
<b>Section:</b>	<b>1.8.8.3</b>	<b>Appeals. (formerly 1.8.7.3)</b>
<b>Section:</b>	<b>1.8.9</b>	<b>UNSAFE BUILDINGS OR STRUCTURES. (formerly 1.8.8)</b>
<b>Section:</b>	<b>1.8.9.1</b>	<b>Authority to enforce. (formerly 1.8.8.1)</b>
<b>Section:</b>	<b>1.8.9.2</b>	<b>Actions and proceedings. (formerly 1.8.8.2)</b>
<b>Section:</b>	<b>1.8.10</b>	<b>OTHER BUILDING REGULATIONS. (formerly 1.8.9)</b>
<b>Section:</b>	<b>1.8.10.1</b>	<b>Existing structures. (formerly 1.8.9.1)</b>
<b>Section:</b>	<b>1.8.10.2</b>	<b>Moved structures. (formerly 1.8.9.2)</b>

**Rationale:** HCD proposes to bring forward the above referenced California Chapter 1, Scope and Application, Division I, from the 2010 California Residential Code for adoption into the 2013 California Residential Code with nonsubstantive editorial corrections. There is no intended change in regulatory effect.

HCD proposed a new amendment, as discussed in Part 1, to include a new Section 1.8.1 for "Purpose" which is consistent with the format in the other California Building Standards Codes. The inclusion of this new section necessitates the renumbering of the subsequent sections and also any references to these renumbered sections. These sections have been included in Part 2 since the changes only involve renumbering. There is no intended change in regulatory effect.

## **42. CHAPTER 1 SCOPE AND ADMINISTRATION, DIVISION II, ADMINISTRATION**

HCD proposes to bring forward existing California amendments in Division II from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections.

### **SECTION R105 PERMITS**

#### **Section: R105.2 Work exempt from permit.**

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code (Items 1 through 10) into the 2013 California Residential Code with amendment. Item 1, "Work exempt from permit," in the 2012 International Residential Code, permits one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, to be exempt from a permit, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>). Allowing up to 80 additional square feet of floor area can significantly increase the amount of combustible building materials and the amount of stored chemicals, combustible or volatile compounds. HCD, in consultation with the State Fire Marshal's office, determined this may adversely affect health and safety and proposed to maintain the exemption from the 2001 California Building Code with a maximum of 120 square feet of floor area. This California amendment is brought forward from the 2010 California Residential Code. There is no intended change in regulatory effect.

## SECTION R109 INSPECTIONS

Section:	R109.1	Types of inspections. (See Part 1)
Section:	R109.1.1	Foundation Inspection.
Section:	R109.1.1.1	Concrete slab and under-floor inspection.
Section:	R109.1.4	Frame and masonry inspection.
Section:	R109.1.4.1	Moisture content verification. (See Part 1)
Section:	R109.1.4.2	Lath and gypsum board inspection. (Renumbered from R109.1.4.1)
Section:	R109.1.5.1	Fire-resistance-rated construction inspection.
Section:	R109.1.5.2	Special inspections.
Section:	R109.1.6.2	Operation and maintenance manual. (See Part 1)

**Rationale:** HCD proposes to adopt the above referenced sections from the 2012 International Residential Code into the 2013 California Residential Code with amendments. The California amendments, originally proposed to align with the currently adopted inspection provisions in the California Building Code, are also germane to the construction of single and two family dwellings. The amendments provide additional clarity and consistency for application and enforcement. These California amendments, with the exception of those with references to Part 1, are brought forward from the 2010 California Residential Code. There is no intended change in regulatory effect.

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### 43. Part II — Definitions CHAPTER 2 DEFINITIONS

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as follows.

#### SECTION R201 GENERAL

**Section:** R201.3 Terms defined in other codes.

**Rationale:** HCD proposes to adopt the above referenced section from the 2012 International Residential Code into the 2013 California Residential Code with amendment. HCD deleted references to the International Codes that California does not adopt. In addition, this California amendment provides consistency with Chapter 2 of the California Building Code and maintains clarity and consistency in the application and enforcement of code provisions. The California amendment is brought forward from the 2010 California Residential Code. There is no intended change in regulatory effect.

#### SECTION R202 DEFINITIONS

*(California Amendments Brought Forward from the 2010 California Residential Code for Adoption into the 2013 California Residential Code with Editorial Corrections):*

**APPROVED AGENCY.**  
**APPROVED LISTING AGENCY.**  
**APPROVED TESTING AGENCY.**  
**BUILDING.**  
**DEPARTMENT.**  
**ENFORCEMENT.**  
**ENFORCING AGENCY.**  
**ENFORCEMENT AGENCY.**  
**FAMILY.**  
**FENESTRATION.**  
**LABELED.** Deletion of non-applicable "HCD 2" reference proposed.  
**LIMITED-DENSITY OWNER-BUILT RURAL DWELLINGS.**  
**LISTED.**  
**LISTING AGENCY.**  
**MASONRY UNIT.**  
**PASSIVE SOLAR ENERGY COLLECTOR.**  
**TESTING AGENCY.**

#### 43-A. CHAPTER 2 DEFINITIONS

HCD proposes to delete and not adopt the following definitions from the 2010 California Residential Code as indicated below.

**Note:** The following terms will not be printed in the 2013 California Residential Code unless adopted by the Office of the State Fire Marshal.

ACCESSIBLE.  
ACCESSIBLE, READILY.  
AIR ADMITTANCE VALVE.  
AIR BARRIER.  
AIR BREAK (DRAINAGE SYSTEM).  
AIR CIRCULATION, FORCED.  
AIR-CONDITIONING SYSTEM.  
AIR GAP, DRAINAGE SYSTEM.  
AIR GAP, WATER-DISTRIBUTION SYSTEM.  
AIR-IMPERMEABLE INSULATION.  
ANTISIPHON.  
APPLIANCE.  
BACKFLOW, DRAINAGE.  
BACKFLOW PREVENTER.  
BACKFLOW PREVENTER, REDUCED-PRESSURE ZONE TYPE.  
BACKFLOW, WATER DISTRIBUTION.  
BACKPRESSURE.  
BACKPRESSURE, LOW HEAD.  
BACKSIPHONAGE.  
BACKWATER VALVE.  
BATHROOM GROUP.  
BEND.  
BOILER.  
BRANCH.  
BRANCH, FIXTURE.  
BRANCH, HORIZONTAL.  
BRANCH INTERVAL.  
BRANCH, MAIN.  
BRANCH, VENT.  
BTU/H.  
BUILDING DRAIN.  
BUILDING SEWER.  
BUILDING THERMAL ENVELOPE.  
CHIMNEY.  
CHIMNEY CONNECTOR.  
CHIMNEY TYPES.  
CIRCUIT VENT.  
CLEANOUT.  
COMBINATION WASTE AND VENT SYSTEM.  
COMBUSTION AIR.  
COMMON VENT.  
CONDENSATE.  
CONDENSING APPLIANCE.  
CONDITIONED AIR.  
CONDITIONED AREA.  
CONDITIONED FLOOR AREA.  
CONDITIONED SPACE.  
CONTAMINATION.  
CONTINUOUS WASTE.  
CONTROL, LIMIT.  
CONTROL, PRIMARY SAFETY.  
CONVECTOR.

**CROSS CONNECTION.**  
**DAMPER, VOLUME.**  
**DEAD END.**  
**DEVELOPED LENGTH.**  
**DIAMETER.**  
**DILUTION AIR.**  
**DIRECT-VENT APPLIANCE.**  
**DRAFT.**  
    Induced draft.  
    Natural draft.  
**DRAFT HOOD.**  
**DRAFT REGULATOR.**  
**DRAIN.**  
**DRAINAGE FITTING.**  
**DUCT SYSTEM.**  
**DURHAM FITTING.**  
**DURHAM SYSTEM.**  
**DWV.**  
**EFFECTIVE OPENING.**  
**ELBOW.**  
**EQUIPMENT.**  
**EQUIVALENT LENGTH.**  
**ESSENTIALLY NONTOXIC TRANSFER FLUIDS.**  
**ESSENTIALLY TOXIC TRANSFER FLUIDS.**  
**EVAPORATIVE COOLER.**  
**EXCESS AIR.**  
**EXHAUST HOOD, FULL OPENING.**  
**EXISTING INSTALLATIONS.**  
**FACTORY-BUILT CHIMNEY.**  
**FIXTURE.**  
**FIXTURE BRANCH, DRAINAGE.**  
**FIXTURE BRANCH, WATER-SUPPLY.**  
**FIXTURE DRAIN.**  
**FIXTURE FITTING.**  
    Supply fitting.  
    Waste fitting.  
**FIXTURE GROUP, MAIN.**  
**FIXTURE SUPPLY.**  
**FIXTURE UNIT, DRAINAGE (d.f.u.).**  
**FIXTURE UNIT, WATER-SUPPLY (w.s.f.u.).**  
**FLOOD-LEVEL RIM.**  
**FLOOR DRAIN.**  
**FLOOR FURNACE.**  
**FLOW PRESSURE.**  
**FLUE.**  
**FLUE, APPLIANCE.**  
**FLUE COLLAR.**  
**FLUE GASES.**  
**FLUSH VALVE.**  
**FLUSHOMETER TANK.**  
**FLUSHOMETER VALVE.**  
**FUEL-PIPING SYSTEM.**  
**FULLWAY VALVE.**  
**FURNACE.**  
**GRADE, PIPING.**  
**GRIDDED WATER DISTRIBUTION SYSTEM.**  
**GROUND-SOURCE HEAT PUMP LOOP SYSTEM.**  
**HANGERS.**  
**HAZARDOUS LOCATION.**  
**HEAT PUMP.**

HEATING DEGREE DAYS (HDD).  
HIGH-EFFICACY LAMPS.  
HIGH-TEMPERATURE (H.T.) CHIMNEY.  
HORIZONTAL BRANCH, DRAINAGE.  
HORIZONTAL PIPE.  
HOT WATER.  
HYDROGEN GENERATING APPLIANCE.  
IGNITION SOURCE.  
INDIRECT WASTE PIPE.  
INDIVIDUAL SEWAGE DISPOSAL SYSTEM.  
INDIVIDUAL VENT.  
INDIVIDUAL WATER SUPPLY.  
MACERATING TOILET SYSTEMS.  
MAIN.  
MAIN SEWER.  
MANIFOLD WATER DISTRIBUTION SYSTEMS.  
MANUFACTURED HOME.  
MASS WALL.  
MECHANICAL DRAFT SYSTEM.  
    Forced-draft venting system.  
    Induced draft venting system.  
    Power venting system.  
MECHANICAL EXHAUST SYSTEM.  
MECHANICAL SYSTEM.  
NATURAL DRAFT SYSTEM.  
NONCONDITIONED SPACE.  
OFFSET.  
PELLET FUEL-BURNING APPLIANCE.  
PELLET VENT.  
PITCH.  
PLENUM.  
PLUMBING.  
PLUMBING APPLIANCE.  
PLUMBING APPURTENANCE.  
PLUMBING FIXTURE.  
PLUMBING SYSTEM.  
POLLUTION.  
PORTABLE-FUEL-CELL APPLIANCE.  
POTABLE WATER.  
PRESSURE-RELIEF VALVE.  
PUBLIC SEWER.  
PUBLIC WATER MAIN.  
PURGE.  
QUICK-CLOSING VALVE.  
R-VALUE, THERMAL RESISTANCE.  
RECEPTOR.  
REFRIGERANT.  
REFRIGERANT COMPRESSOR.  
REFRIGERATING SYSTEM.  
RELIEF VALVE, VACUUM.  
RETURN AIR.  
ROOM HEATER.  
ROUGH-IN.  
SANITARY SEWER.  
SEPTIC TANK.  
SEWAGE.  
SEWAGE PUMP.  
SIDE VENT.  
SLIP JOINT.  
SLOPE.

SOIL STACK OR PIPE.  
SOLAR HEAT GAIN COEFFICIENT (SHGC).  
STACK.  
STACK VENT.  
STACK VENTING.  
STANDARD TRUSS.  
STATIONARY FUEL CELL POWER PLANT.  
STORM SEWER, DRAIN.  
SUBSOIL DRAIN.  
SUMP.  
SUMP PUMP.  
SUPPLY AIR.  
SWEEP.  
TEMPERATURE- AND PRESSURE-RELIEF (T AND P) VALVE.  
TEMPERATURE-RELIEF VALVE.  
THERMAL ISOLATION.  
THERMAL RESISTANCE, R-VALUE.  
THERMAL TRANSMITTANCE, U-FACTOR.  
TRAP.  
TRAP ARM.  
TRAP PRIMER.  
TRAP SEAL.  
TYPE L VENT.  
U-FACTOR, THERMAL TRANSMITTANCE.  
VACUUM BREAKERS.  
VENT.  
VENT COLLAR.  
VENT CONNECTOR.  
VENT DAMPER DEVICE, AUTOMATIC.  
VENT GASES.  
VENT STACK.  
VENT SYSTEM.  
VENTING SYSTEM.  
VERTICAL PIPE.  
WASTE.  
WASTE PIPE OR STACK.  
WATER-DISTRIBUTION SYSTEM.  
WATER HEATER.  
WATER MAIN.  
WATER OUTLET.  
WATER-SERVICE PIPE.  
WATER SUPPLY SYSTEM.  
WET VENT.

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**44. Part III—Building Planning and Construction**  
**CHAPTER 3 BUILDING PLANNING**

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change, except for nonsubstantive editorial corrections. The California amendments are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

**SECTION R301 DESIGN CRITERIA**

**Section:** R301.1.1 Alternative provisions.

**Rationale:** HCD proposes to bring forward the existing California amendment from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. “International” is deleted and

replaced with “California” to provide the code user a correct reference to the California Building Code.

**Section: R301.1.1.1 Alternative provisions for limited-density owner-built rural dwellings.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. Five criteria demonstrating instances where the local enforcing agency must allow or can consider alternative requirements for limited-density owner-built rural dwellings are specified. The change is identical to similar provisions in the California Building Code and provides clarity and consistency to the code user for application, enforcement and to make specific existing state laws with regard to one- and two-family dwellings and townhouses.

**Section: R301.1.3 Engineered design.**

**Rationale:** HCD proposes to bring forward the existing California amendment from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. “International” is deleted and replaced with “California” to provide the code user a correct reference to the California Building Code.

- Section: R301.1.3.1 California licensed architect or engineer.**
- Section: R301.1.3.2 Woodframe structures greater than two-stories.**
- Section: R301.1.3.3 Structures other than woodframe.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction, which clarify existing state law. Current and past California Building Codes have not contained prescriptive provisions for cold-formed steel, masonry, concrete, and structural insulated panel load-bearing walls and roofs. Existing statute only exempts (in specific applications) woodframe construction of two stories or less from professional design requirements. The modifications provide the code user with necessary information about additional California requirements and also direct the code user to the applicable law located in the Business and Professions Code.

**TABLE R301.2 (1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The modification deletes model code language from Footnote “e” that directs the code user to Appendix D of the International Plumbing Code (IPC), which is not proposed for adoption by HCD. The building official shall be responsible for making any determination of local temperatures required by Footnote “e”.

**Section: R301.2.1.1 Wind limitations and wind design required.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. “International” is deleted and replaced with “California” to provide the code user a correct reference to the California Building Code.

**Section: R301.2.2.1.1 Alternate determination of seismic design category.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. “International” is deleted and replaced with “California” to provide the code user a correct reference to the California Building Code. There is no change in regulatory effect.

**Section: R301.2.2.1.2 Alternative determination of Seismic Design Category E.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. “International” is deleted and replaced with “California” to provide the code user a correct reference to the California Building Code.

**Section: R301.2.2.3.7 Anchorage of water heaters.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The reference to Section M1307.2 is deleted since the International Residential Code mechanical and plumbing provisions are not adopted by HCD. A correct reference to the California Plumbing Code is added.

**Section: R301.2.2.4 Seismic Design Category E.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. "International" is deleted and replaced with "California" to provide the code user a correct reference to the California Building Code.

**Section: R301.3 Story height.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. In paragraph two of Exception 5, "International" is deleted and replaced with "California" to provide the code user a correct reference to the California Building Code.

**SECTION R302 FIRE-RESISTANT CONSTRUCTION**

**Section: R302.2 Townhouses.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The reference to the International Residential Code electrical chapters (Chapters 33 through 42) is deleted in the exception since the International Residential Code electrical chapters are not adopted by HCD. The code user is provided a correct reference to the California Electrical Code.

**Section: R302.6 Dwelling/garage fire separation.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment identifies a provision contained in the California Building Code exempting separation between a dwelling unit and carport as specified. Since this provision is still included in Section 406.3.4(3), the HCD amendment provides clarity and consistency to the code user for application and enforcement.

**Section: R302.13 Combustible insulation clearance.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. "Thermal" is deleted in "building thermal envelope" and the reference to International Residential Code Section N1102.4.4 is also deleted since Chapter 11, "Energy," is not adopted by HCD. Amending the term to read "building envelope" is consistent with the definition in the California Energy Code, Title 24, Part 6; therefore, the code user is provided a correct reference to the California Energy Code for minimum requirements regarding clearance to recessed luminaires.

**SECTION R303 LIGHT, VENTILATION AND HEATING**

**Section: R303.8 Required glazed openings. (formerly R303.7)**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendments added Exception 4 in recognition of Health and Safety Code Section 17959.3, need to encourage passive solar energy design, and HCD adoption of related building standards. This amendment represents no change from California Building Code Section 1205.1 and provides clarity and consistency to the code user for application and enforcement and to make specific existing state laws.

**Section: R303.8.1.1 Passive solar energy collectors. (formerly R303.7.1.1)**

**Rationale:** HCD proposes to bring forward an existing California amendment from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction of the section number to reflect renumbering in the 2012 International Residential Code. This amendment is consistent with provisions in the California Building Code Section 1204.1.

**Section: R303.9 Required heating. (formerly R303.8)**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment added a note to direct the code user to Section R301.1.1.1 where amended language for limited-density owner-built rural dwellings has been placed.

**SECTION R304 MINIMUM ROOM AREAS**

**Section: R304.3 Minimum dimensions.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment added Exception 2 addressing limited-density owner-built rural dwellings. Pointers have been placed within the California Residential Code directing code users to applicable code provisions in Section R301.1.1.1

**SECTION R305 CEILING HEIGHT**

**Section: R305.1 Minimum height.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment deleted reference to Figure R307.1 "Minimum Fixture Clearances", which is not adopted for the California Residential Code.

**SECTION R307 TOILET, BATH AND SHOWER SPACES**

**Section: R307.1 Space required.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The California amendment deletes reference to requirements of Section P2705.1 since the International Residential Code plumbing provisions are not adopted. The California Plumbing Code is added to provide the code user a correct reference.

**Section: Figure R307.1 MINIMUM FIXTURE CLEARANCES.**

**Rationale:** HCD proposes to continue non-adoption of the above referenced model code figure since it conflicts with California Plumbing Code requirements. A banner is added in the proposed Express Terms of this non-adopted section stating "Not Adopted in CA."

**SECTION R308 GLAZING**

**Section: R308.5 Site built windows.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. "International" is deleted and replaced with "California" to provide the code user a correct reference to the California Building Code.

## SECTION R309 GARAGES AND CARPORTS

**Section:** R309.4 Automatic garage door openers.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with without change. The California amendment adds a pointer to existing California law regarding automatic garage door openers.

**Section:** R309.6 Extension garage door springs. (formerly R309.5)

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for an editorial renumbering of the section number. The amendment provides a pointer to existing California amendments in the California Building Code Section 1211, which are also relevant to the construction of one- and two-family dwellings and townhouses covered in the California Residential Code.

## SECTION R312 GUARDS AND WINDOW FALL PROTECTION

**Section:** R312.1.2 Height. (formerly R312.2)

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The modification is provided to maintain the same 42" guard height requirement as in the California Building Code. The basis for this proposed amendment was stated in HCD's Initial Statement of Reasons (ISOR) during the 2006 Triennial Code Adoption Cycle. This amendment is germane to the construction of single and two family dwellings as well and provide uniformity, additional clarity, and consistency for application and enforcement. A related provision in the California Building Code is proposed for amendment for consistency with this section.

## SECTION: R315 CARBON MONOXIDE ALARMS

- Section:** R315.1 Carbon monoxide alarms in new construction.
- Section:** R315.1.1 Carbon monoxide detection systems.
- Section:** R315.1.2 Power supply.
- Section:** R315.1.3 Interconnection.
- Section:** R315.1.4 Alarm requirements.
- Section:** R315.1.5 Multiple-purpose alarms.
- Section:** R315.2 Carbon monoxide alarms in existing dwelling units and sleeping units.
- Section:** R315.2.1 Carbon monoxide detection systems.
- Section:** R315.2.2 Existing dwellings or sleeping units requiring a permit.
- Section:** R315.2.3 Existing dwellings or sleeping units not requiring a permit (no construction taking place).
- Section:** R315.2.3.1 Carbon monoxide alarms on or after July 1, 2011.
- Section:** R315.2.3.2 Carbon monoxide alarms on or after January 1, 2013.
- Section:** R315.2.4 Power supply.
- Section:** R315.2.5 Interconnection.
- Section:** R315.2.6 Alarm requirements.

**Rationale:** HCD proposes to bring forward the existing California amendments of the above referenced sections from the 2010 California Residential Code for adoption into the 2013 California Residential Code in its entirety. The above sections replace model code language and reflect provisions for carbon monoxide devices as adopted in an emergency rulemaking and approval of adoption of the proposed regulations by the California Building Standards Commission in July 2011. This will provide consistency for enforcing agencies and code users that are implementing the emergency regulations, which became effective in July 2011. There is no change in regulatory effect from the 2010 provisions.

Current California Health and Safety Code "The Carbon Monoxide Poison Prevention Act of 2010", as enacted by Senate Bill 183 (Chapter 19, States of 2010), requires all detached single family dwellings to have carbon monoxide alarms installed prior to July 1, 2011, and all other dwelling units by January 1, 2013. State law allows these devices to be battery operated or plug-in with battery back-up, however, also states that the devices comply with installation requirements for new construction contained in the California Building Code and the California Residential Code,

which require these devices to be hardwired and interconnected. The emergency regulations adopted in July 2011 were for the purposes of addressing carbon monoxide device requirements for both new and existing residential structures and to provide guidance on conditions under which battery operated or plug-in devices were appropriate and also conditions under which interconnection of devices would not be required. In part, these regulations were patterned after requirements for smoke alarms in residential structures. The regulations also addressed listing requirements, installation locations and reference standards for carbon monoxide alarms and detectors. These amendments, as carried forward, intend to clarify existing statute, reduce economic hardship and ensure internal consistency and compliance with California building standards.

For additional history on these amendments, see the Initial Statement of Reasons and Final Statement of Reasons rulemaking documents for the 2010 California Building Code and 2010 California Residential Code prepared in July 2011. These documents are available on HCD's website.

## **SECTION R320 ACCESSIBILITY**

### **Section: R320.1 Scope.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The model code section references an International Building Code chapter not proposed for adoption by HCD; consequently, reference to International Building Code Chapter 11 conflicts with Chapter 11A in the California Building Code, which is adopted by HCD. The editorial correction directs the code user to the applicable code requirements and also reflects editorial renumbering changes in Chapter 1, Section 1.8.

## **SECTION R322 FLOOD-RESISTANT CONSTRUCTION**

### **Section: R322.1.6 Protection of mechanical and electrical systems.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The exception to this model code section references an International Residential Code division, chapter, and/or sections not proposed for adoption by HCD. The editorial correction deletes text from the exception and replaces it with an appropriate reference to the California Electrical Code.

### **Section: R322.1.7 Protection of water supply and sanitary sewage systems.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The exception to this model code section references an International Residential Code division, chapter, and/or sections not proposed for adoption by HCD. Text referencing the International Private Sewage Disposal Code has been removed. In addition, the editorial correction deletes text requiring replacements to meet the prescribed standards. Existing statute in the Health and Safety Code allows the continued use, maintenance and replacement of original materials so long as they do not become substandard or except by act of the legislature.

### **Section: R322.1.9 Manufactured homes.**

**Rationale:** HCD proposes to continue non-adoption of the above referenced model code section. This model code section conflicts with existing state law applicable to manufactured housing.

## 45. CHAPTER 4 FOUNDATIONS

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with nonsubstantive editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R401 GENERAL

**Section:** R401.2 Requirements.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment addresses limited-density owner-built rural dwellings. Pointers have been placed within the California Residential Code directing code users to applicable code provisions in Section R301.1.1.1.

### SECTION R403 FOOTINGS

**Section:** R403.1.8 Foundations on expansive soils.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. "International" is deleted and replaced with "California" to provide the code user a correct reference to the California Building Code.

### SECTION R404 FOUNDATION AND RETAINING WALLS

**Section:** R404.5.1 Design.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. International Residential Code provisions for precast concrete do not include prescriptive design criteria; therefore, it requires design by a registered professional.

### SECTION R408 UNDER-FLOOR SPACE

**Section:** R408.3 Unvented crawl space.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. This model code section references International Residential Code sections not proposed for adoption by HCD. The language proposed by HCD regarding crawl space wall insulation provided prescriptive standards not found in the California Energy Code. During the 2010 rulemaking, HCD consulted with the California Energy Commission with regard to amendments proposed to ensure the amendments were not in conflict with or become more restrictive than Title 24, Part 6 requirements. Additionally, a correct reference to the California Mechanical Code is provided.

**Section:** R408.4 Access.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. This model code section references an International Residential Code division, chapter, and/or sections not proposed for adoption by HCD. The editorial correction provides a correct reference to the California Mechanical Code.

## 46. CHAPTER 5 FLOORS

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R502 WOOD FLOOR FRAMING

**Section:** R502.1 Identification.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment adds a reference to limited-density owner-built rural dwellings. Pointers have been placed within the California Residential Code directing code users to applicable code provisions in Section R301.1.1.1.

**Section:** R502.11.1 Design

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. International Residential Code provisions for trusses do not include prescriptive design criteria; therefore, it requires design by a registered professional.

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## 47. CHAPTER 6 WALL CONSTRUCTION

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R602 WOOD WALL FRAMING

**Section:** R602.1 Identification.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendment added a sentence for limited-density owner-built rural dwellings. Pointers have been placed within the California Residential Code directing code users to applicable code provisions in Section R301.1.1.1.

**Table:** R602.10.3 (3) Bracing Requirements Based on Seismic Design Category.  
(formerly Table R602.10.1.2 (2))

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. Footnote "b" of this model code table references the International Building Code. The editorial correction deletes "International" and replaces it with "California" to provide the code user a correct reference to the California Building Code.

**Section:** R602.10.11 Cripple wall bracing.

**Rationale:** HCD proposes an editorial correction to correct the spelling of "respectively." There is no intended change in regulatory effect.

## SECTION 606 GENERAL MASONRY CONSTRUCTION

**Section:** R606.1.1 Professional registration.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. This change is based on stakeholder comments and helps clarify existing state law. The HCD modification provides the code user with necessary information about additional California requirements and also directs the code user to the applicable law located in the Business and Professions Code. Additionally, the text aligns with California amendments proposed in Section R301.

### TABLE R606.12.2.1 MINIMUM SOLID WALL LENGTH ALONG EXTERIOR WALL LINES.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The descriptive text for "NP" below this model code table references the International Building Code. "International" is deleted and replaced with "California" to provide the code user a correct reference to the California Building Code.

## SECTION R611 EXTERIOR CONCRETE WALL CONSTRUCTION

**Section:** R611.1 General.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. This change is based on stakeholder comments and helps clarify existing state law. The editorial correction provides the code user with necessary information about additional California requirements and also directs the code user to the applicable law located in the Business and Professions Code. Additionally, the text aligns with amendments proposed in Section R301.

## SECTION R613 STRUCTURAL INSULATED PANEL WALL CONSTRUCTION

**Section:** R613.1 General.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. This change is based on stakeholder comments and helps clarify existing state law. The editorial correction provides the code user with necessary information about additional California requirements and also directs the code user to the applicable law located in the Business and Professions Code. Additionally, the text aligns with amendments proposed in Section R301.

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## 48. CHAPTER 7 WALL COVERING

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R702 INTERIOR COVERING

**Section:** R702.7 Vapor retarders. (formerly R601.3)  
**Section:** R702.7.1 Class III vapor retarders. (formerly R601.3.1)  
**TABLE** R702.7.1 Class III VAPOR RETARDERS. (formerly Table R601.3.1)

**Rationale:** HCD proposes to continue adoption of model code Sections R702.7 and R702.7.1 (as relocated from Chapter 6) with existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction, and to continue to delete Table R702.7.1 (formerly Table R601.3.1) from the code. The modifications reflect California requirements for vapor retarders and California Climate Zones pursuant to the California Energy Code (CEC) and are intended to prevent confusion by code users. The original 2010 California amendments were proposed by HCD in consultation with the California Energy Commission to ensure the amendments were not in conflict with or become more restrictive than the CEC

requirements. The new editorial changes related to the California Energy Code California Climate Zone map reflect proposed changes for the 2013 California Energy Code.

HCD also proposes to continue deletion of Table R601.3.1 (now renumbered to Table R702.7.1) since most of the IECC-defined Climate Zones do not occur in California.

## **SECTION R703 EXTERIOR COVERING**

### **Section: R703.1.1 Water resistance.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The editorial correction deletes a reference to an International Residential Code section and replaces it with a correct reference to the California Energy Code.

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## **49. CHAPTER 8 ROOF-CEILING CONSTRUCTION**

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

## **SECTION R802 WOOD ROOF FRAMING**

### **Section: R802.1 Identification.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. Pointers have been placed within the California Residential Code directing code users to applicable code provisions in Section R301.1.1.1 addressing limited-density owner-built rural dwellings.

### **Section: R802.1.3.4 Labeling.**

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The modification deletes "International" and replaces it with "California" to provide the code user a correct reference to the California Building Code.

## **SECTION R806 ROOF VENTILATION**

### **Section: R806.5 Unvented attic and unvented enclosed rafter assemblies. (formerly R806.4)** **TABLE: R806.5 INSULATION FOR CONDENSATION CONTROL. (formerly Table R806.4)**

**Rationale:** HCD proposes to bring forward existing California amendments of Section R806.5 from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction, and to delete Table R806.5. The model code section references IECC Climate Zones not proposed for adoption by HCD. Because of the preexisting California requirement for vapor retarders, and the familiarity the building industry has with the California Climate Zones, the use of the IECC Climate Zones references will cause confusion. In addition, since most of the IECC-defined Climate Zones do not occur in California, a table format is not needed because only California Climate Zones 14 and 16 have requirements for vapor retarders. An editorial change reflects renumbering of the referenced California Climate Zone map in the 2013 California Energy Code.

## SECTION R807 ATTIC ACCESS

**Section:** R807.1 Attic access.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The model code section references an International Residential Code section not proposed for adoption by HCD. The editorial correction deletes the reference to Section M1305.1.3 and replaces it with a correct reference to the California Mechanical Code.

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## 50. CHAPTER 9 ROOF ASSEMBLIES

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R903 WEATHER PROTECTION

**Section:** R903.4.1 Secondary (emergency overflow) drains and scuppers.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The editorial correction deletes "International" and replaces it with "California" to provide the code user a correct reference. A model code paragraph specifying overflow drain connection requirements is omitted because it conflicts with storm water drainage provisions of the California Plumbing Code.

### SECTION R905 REQUIREMENTS FOR ROOF COVERINGS

**Section:** R905.10.3 Material standards.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The editorial correction deletes "International" and replaces it with "California" to provide the code user a correct reference to the California Building Code.

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## 51. CHAPTER 10 CHIMNEYS AND FIREPLACES

HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial corrections as indicated below. The HCD modifications are intended to provide clarity and consistency to the code user for application and enforcement. There is no intended change in regulatory effect.

### SECTION R1001 MASONRY FIREPLACES

**Section:** R1001.3 Seismic reinforcing.

**Section:** R1001.4 Seismic anchorage.

**TABLE:** R1001.1 SUMMARY OF REQUIREMENTS FOR MASONRY FIREPLACES AND CHIMNEYS

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. The California amendments aligned the 2010 California Residential Code with changes in the 2009 International Building Code Chapter 21 requiring masonry fireplaces and masonry chimneys in Seismic Design Category "C" to meet seismic reinforcing and anchorage requirements.

## SECTION R1003 MASONRY CHIMNEYS

**Section:** R1003.3 Seismic reinforcing.  
**Section:** R1003.4 Seismic anchorage.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change. See discussion of Sections R1001.3 and R1001.4 for additional details.

**Section:** R1003.11.3 Gas appliances.

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The model code section references an International Residential Code section not proposed for adoption by HCD. The editorial correction provides the code user a correct reference to the California Mechanical Code.

**Section:** R1003.14 Flue area (appliance).

**Rationale:** HCD proposes to bring forward existing California amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code with editorial correction. The model code section references an International Residential Code section not proposed for adoption by HCD. The editorial correction provides the code user a correct reference to the California Mechanical Code.

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### **BENEFITS ANTICIPATED FROM THE PROPOSED REGULATORY ACTION**

(Government Code Section 11346.2(b)(1) requires an enumeration of the benefits anticipated from the proposed regulatory action, including the benefits or goals provided in the authorizing statute.)

- Updated and improved minimum building standards for one- and two-family dwellings.
- Protection of public health and safety, worker safety and the environment.
- General welfare of California residents.

### **ECONOMIC IMPACT ASSESSMENT REPORT RELIED UPON**

(Government Code Section 11346.3(b) requires preparation of an Economic Impact Assessment upon which the agency relies in proposing the regulation (s).)

- Economic Impact Assessment for the Adoption by Reference of the 2012 edition of the International Residential Code with Proposed Amendments into the 2013 California Residential Code.

### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

(Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

None.

### **STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

(Government Code Section 11346.2(b)(4) requires a statement of reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.)

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(5)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered an alternative. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt this model code by reference.

**REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

(Government Code Section 11346.2(b)(5)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

None. There were no alternatives available to HCD. HCD is required by statute to adopt this model code by reference.

**FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS**

(Government Code Section 11346.2(b)(6) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.)

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(7) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.)

These regulations do not duplicate nor conflict with federal regulations.