

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
STATE HISTORICAL BUILDING SAFETY BOARD (SHBSB)**

**REGARDING PROPOSED CHANGES TO
THE CALIFORNIA HISTORICAL BUILDING CODE (CHBC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 8**

**2016 CALIFORNIA HISTORICAL BUILDING CODE
TRIENNIAL CODE CYCLE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons 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:

Health and Safety Code Sections 18950 through 18961 authorize the State Historical Building Safety Board (SHBSB) to develop alternative regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of qualified historical buildings or structures. These alternative standards and regulations are intended to facilitate the rehabilitation, restoration, or change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation and cost-effective approach to preservation, and to provide for the safety of the building occupants.

This proposed regulatory action by the SHBSB will provide greater consistency and clarity for code users by:

- Adopting existing California provisions carried forward from the 2013 CA Historical Building Code (CHBC) and incorporated into the 2016 CHBC.
- Amending existing California provisions from the 2013 CHBC and incorporating into the 2016 CHBC.

ITEM 1

**SECTION 8-201 - DEFINITIONS
Definition of ENFORCING AGENCY**

REASON: The SHBSB is proposing to amend this definition to correct a grammatical error. The word “gaining” is being replaced with the word “granting”. This amendment will provide clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 2

**SECTION 8-302 - GENERAL
302.3 Occupancy separations**

REASON: The SHBSB is proposing to amend this section to correct an incorrect code reference. This amendment will provided clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 3

SECTION 8-303 - RESIDENTIAL OCCUPANCIES

8-303.1 Purpose

REASON: The SHBSB is proposing to amend this section to correct two grammatical omissions. The word “residential” is being added to the first sentence consistent with the section title, Residential Occupancies. The word “alternative” is being added to the second sentence to correct an inadvertent omission. These amendments will provide clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 4

SECTION 8-401 - PURPOSE, INTENT AND SCOPE

8-401.1 Purpose

REASON: The SHBSB is proposing to amend this section to correct two grammatical omissions. The word “regulation” is being added to the first sentence consistent with Section 8-101.2 which states the purpose of the CHBC. The word “alternatives” is being added to the second sentence to correct an inadvertent omission. These amendments will provide clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 5

SECTION 8-402 - FIRE-RESISTIVE CONSTRUCTION

8-402.2 One-hour construction

REASON: The SHBSB is proposing to amend this section to correct an incorrect code reference in Item 1. This amendment will provided clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 6

SECTION 8-403 - INTERIOR FINISH MATERIALS

REASON: The SHBSB is proposing to amend the second sentence of this section to correct an inadvertent publishing error in the 2013 CHBC. The SHBSB is also proposing to correct several grammatical inconsistencies. These amendments will provide clarity and consistency for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 7

SECTION 8-407 - VERTICAL SHAFTS

REASON: The SHBSB is proposing to amend this section to correct a grammatical inconsistency. The unnecessary phrase “installed so as” is being deleted from the first sentence. This amendment will provide clarity for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 8

SECTION 8-410 - AUTOMATIC SPRINKLER SYSTEMS

8-410.2 (No title)

REASON: The SHBSB is proposing to amend this section for consistency with standards adopted by the California State Fire Marshal. The proposed amendments strike references to specific National Fire Protection Association (NFPA) editions and instead reference NFPA editions as adopted by the State Fire Marshal. The SHBSB is also proposing to correct several grammatical inconsistencies. These amendments will provide clarity and consistency for code users.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 9

SECTION 8-411 - OTHER TECHNOLOGIES

REASON: The SHBSB is proposing to amend this section to correct an inadvertent typographical error. This this is an editorial change without regulatory effect.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 10

SECTION 8-603 - ALTERNATIVES

8-603.1 Alternative minimum standards

REASON: The SHBSB is proposing to amend this section to revise an outdated reference to the federal ADA Standards for Accessible Design (ADAS). The section number indicated is from the 1991 ADAS which has been superseded by the 2010 ADAS. The updated corresponding information is referenced in the 2010 ADAS, Section 202.5. This amendment will provide clarity and consistency for code user.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

RELATED ITEM 10.1:

APPENDIX A

CHAPTER 8-6

TABLE 1 - PROVISION APPLICABILITY

REASON: The SHBSB is proposing to amend this table to revise an outdated reference to the federal ADA Standards for Accessible Design (ADAS), in coordination with the related change to Section 8-603.1. The section number indicated is from the 1991 ADAS which has been superseded by the 2010 ADAS. The updated corresponding information is referenced in the 2010 ADAS, Section 202.5. This amendment will provide clarity and consistency for code user.

CODE ADVISORY COMMITTEE (Building, Fire and Other): Approve as Submitted

ITEM 11

SECTION 8-706 - LATERAL LOAD REGULATIONS

8-706.1 Seismic forces

Exceptions

8-706.1.2

8-706.5.2

REASON: During its 4/22/14 meeting, the SHBSB discussed and approved several changes to Section 8-706, Lateral Load Regulations. The changes include:

8-706.1 – The SHBSB directed that the technical term “Occupancy Category” be changed to “Risk Category” throughout the exceptions to this section consistent with terminology found in the CA Building Code, Chapter 16.

8-706.1.2 – The SHBSB directed that the California Existing Building Code (CEBC), Appendix Chapter A1 reference be updated from the 2010 edition to the 2013 edition. Terminology and format changes to this section are also proposed in coordination with the reference change. The terminology of the first sentence is being revised to better reflect the purpose of the CEBC Appendix A1. This section is being restructured to clarify exceptions to the requirement for seismic strengthening of unreinforced masonry bearing wall buildings to comply with CEBC, Appendix A1.

8-706.5.2 – The SHBSB directed that a new section be added related to the use of seismic forces used to evaluate and improve nonstructural components and their anchorage.

CODE ADVISORY COMMITTEE (Structural Design/Lateral Forces): Approve as Submitted

ITEM 12

SECTION 8-706 - LATERAL LOAD REGULATIONS

8-706.1.2 (No title)

REASON: The SHBSB is proposing to amend this section by removing the reference specific California Existing Building Code (CEBC) edition so this section need not be amended in each triennial code cycle. Also, because the SHBSB has not modified the CEBC, suggestive language is proposed to be deleted.

CODE ADVISORY COMMITTEE (Structural Design/Lateral Forces): Approve as Submitted

ITEM 13

SECTION 8-806 - ADOBE

8-806.3 Height to thickness ratio

REASON: The SHBSB is proposing to amend this section to correct a grammatical error. The words “shall meet” is being replaced with the word “meeting”. This amendment will provide clarity for code users.

CODE ADVISORY COMMITTEE (Structural Design/Lateral Forces): Approve as Submitted

ITEM 14

APPENDIX A

CHAPTER 8-1

CHAPTER 8-6

TABLE 1 - PROVISION APPLICABILITY

REASON: The SHBSB is proposing to amend Appendix A, Chapter 8-1 and Chapter 8-2 as follows:

Chapter 8-1 – CHBC Chapter 8-1 clearly states the purpose and intent of the CA Historical Building Code. The SHBSB is proposing to repeal the non-regulatory language identified as Appendix A, Chapter 8-1.

Chapter 8-6, Table 1 – The SHBSB is proposing to amend Table 1 to change the word “people” to the word “persons” in two instances, consistent with the regulatory text in Chapter 8-6, Sections 8-601.2 and 8-601.3.

Chapter 8-6, Table 1, Notes – The SHBSB is proposing to amend Table 1, Notes to correctly reference Chapter 11B rather than Chapter 11, consistent with the regulatory text in Chapter 8-6, Section 8-602.1.

CODE ADVISORY COMMITTEE: No Action Required (Non-regulatory, editorial changes)

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

The SHBSB relied, in part, on the 2010 Americans with Disabilities Act Standards for Accessible Design and the 2015 International Existing Building Code.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

Health and Safety Code Sections 18950 through 18961 authorize the SHBSB to develop alternative regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of qualified historical buildings or structures. This rulemaking carries forward and amends the existing regulations promulgated by the SHBSB contained in the California Historical Building Code (Title 24, Part 8).

CONSIDERATION OF REASONABLE ALTERNATIVES

The SHBSB has determined that no reasonable alternative considered by SHBSB or that has otherwise been identified and brought to the attention of SHBSB would be more effective in carrying out the purpose for which the action is proposed. The California Historical Building Code itself is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.

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

The SHBSB has determined that no reasonable alternative considered by SHBSB or that has otherwise been identified and brought to the attention of SHBSB would be as effective as and less burdensome to private property and business owners than the proposed action. The California Historical Building Code itself is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.

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

The California Historical Building Code is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

The SHBSB has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
The SHBSB has determined that the proposed action has no effect.
- The creation of new businesses or the elimination of existing businesses within the State of California.
The SHBSB has determined that the proposed action has no effect.
- The expansion of businesses currently doing business with the State of California.
The SHBSB has determined that the proposed action has no effect.
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
The SHBSB has determined that the proposal establishes minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

The SHBSB estimates that there may be a cost savings to a state agency, local agency, or private persons utilizing the alternative building regulations in the California Historical Building Code.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The proposed amendments to the California Historical Building Code do not duplicate or conflict with federal regulations.