

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS OF THE
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11**

(HCD XX/XX)

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

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and 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 and address the problem 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.

Item 1

Chapter 1, ADMINISTRATION

Rationale: HCD proposes to bring forward Chapter 1 from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 2

Chapter 2, DEFINITIONS

ELECTRIC VEHICLE CHARGING SPACE (EV SPACE)

Rationale: HCD proposes to continue adoption of this definition from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code with modification to align with and provide reference to the California Vehicle Code. Recent changes to the California Vehicle Code require Electric Vehicle Charging Spaces and Electric Vehicle Charging Stations to satisfy the total number of locally required parking spaces. HCD is proposing this modification to remove the conflict between CALGreen and the California Vehicle Code.

ELECTRIC VEHICLE CHARGING STATION (EVCS)

Rationale: HCD proposes to continue adoption of this definition from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code with modification to align with and provide reference to the California Vehicle Code. Recent changes to the California Vehicle Code require Electric Vehicle Charging Spaces and

Electric Vehicle Charging Stations to satisfy the total number of locally required parking spaces. HCD is proposing this modification to remove the conflict between CALGreen and the California Vehicle Code.

EV CAPABLE SPACE

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), the California Air Resources Board (CARB) has requested HCD to propose this definition as related to electric vehicle charging to the 2022 California Green Building Standards Code on behalf of CARB.

EV READY SPACE

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), the California Air Resources Board (CARB) has requested HCD to propose this definition as related to electric vehicle charging to the 2022 California Green Building Standards Code on behalf of CARB.

ENERGY (LOAD) MANAGEMENT SYSTEM

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), the California Air Resources Board (CARB) has requested HCD to propose this definition as related to electric vehicle charging to the 2022 California Green Building Standards Code on behalf of CARB.

NONWATER URINAL WITH DRAIN CLEANSING ACTION

Rationale: HCD proposes to continue adoption of this definition (previously URINAL, HYBRID) with modification to align with the name of the fixture as referenced in the California Plumbing Code. The modification has no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 3

Chapter 3, GREEN BUILDING

Rationale: HCD proposes to bring forward Chapter 3 from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 4

Chapter 4, RESIDENTIAL MANDATORY MEASURES, DIVISION 4.1, PLANNING AND DESIGN

Section 4.106.4.2 New multifamily dwellings

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), the California Air Resources Board (CARB) has requested HCD propose amendments to the 2022 California Green Building Standards Code on behalf of CARB.

Section 4.106.4.3 New hotels and motels

Rationale: HCD proposes to bring forward Chapter 4, Section 4.106.4.3 from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

Section 4.106.4.3.1 Number of required EV spaces

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), the California Air Resources Board (CARB) has requested HCD propose amendments to the 2022 California Green Building Standards Code on behalf of CARB to meet the greenhouse gas reduction goals of the Administration.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 5

Chapter 4, RESIDENTIAL MANDATORY MEASURES, DIVISION 4.3, WATER EFFICIENCY AND CONSERVATION

Rationale: HCD proposes to bring forward Chapter 4, Division 4.3, from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 6

CHAPTER 4, RESIDENTIAL MANDATORY MEASURES, DIVISION 4.4, MATERIAL CONSERVATION AND RESOURCE EFFICIENCY

Rationale: HCD proposes to continue adoption of this Chapter from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code with modification.

Section 4.510.1, Operation and maintenance manual.

Rationale: Pursuant to Senate Bill 280, HCD is proposing Fall Prevention measures in the 2022 California Residential Code which require grab bar reinforcements in certain circumstances. Item #11 requires that information and/or drawings identifying the location of the grab bar reinforcements to be placed in the building.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 7

**CHAPTER 4, RESIDENTIAL MANDATORY MEASURES, DIVISION 4.5,
ENVIRONMENTAL QUALITY**

Rationale: HCD proposes to bring forward Chapter 4, Division 4.5, from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 8

CHAPTER 6, REFERENCED ORGANIZATIONS AND STANDARDS

Rationale: HCD proposes to bring forward Chapter 6 from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 9

CHAPTER 7, INSTALLER AND SPECIAL INSPECTOR QUALIFICATIONS

Rationale: HCD proposes to bring forward Chapter 7 from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 10

CHAPTER 8, COMPLIANCE FORM, WORKSHEET, AND REFERENCE MATERIAL

Rationale: HCD proposes to continue the non-adoption of Chapter 8.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 11

APPENDIX A4, RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.1, PLANNING AND DESIGN

Section A4.106.8.2 New multifamily dwellings

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), HCD is proposing amendments to the 2022 California Green Building Standards Code on behalf of the California Air Resources Board.

Section A4.106.8.3 New hotels and motels

Rationale: Pursuant to Section 1-404 of the California Administrative Code (Part 1 of Title 24), HCD is proposing amendments to the 2022 California Green Building Standards Code on behalf of the California Air Resources Board to meet the greenhouse gas reduction goals of the Administration.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 12

APPENDIX A4, RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.3, WATER EFFICIENCY AND CONSERVATION

A4.303.4 Nonwater urinals and waterless toilets

Rationale: HCD proposes to continue adoption of this section (formerly hybrid urinals) from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code with modification to align terminology with the California Plumbing Code. The modification has no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 13

APPENDIX A4, RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.4, MATERIAL CONSERVATION AND RESOURCE EFFICIENCY

Rationale: HCD proposes to bring forward Appendix A4, Division A4.4, from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 14

**APPENDIX A4, RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.5,
ENVIRONMENTAL QUALITY**

Rationale: HCD proposes to bring forward Appendix A4, Division A4.5, from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code without amendment and with no intended change in regulatory effect.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

Item 15

**APPENDIX A4, RESIDENTIAL VOLUNTARY MEASURES, DIVISION A4.6, TIER 1 AND
TIER 2**

A4.602 RESIDENTIAL OCCUPANCIES APPLICATION CHECKLIST

Rationale: HCD proposes to continue adoption of the section referenced above from the 2019 California Green Building Standards Code into the 2022 California Green Building Standards Code with modification. Modifications are proposed to align with changes in other Chapters and Appendices.

CAC Recommendation (if applicable):

TBD

Agency Response:

TBD

**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).

TBD

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

TBD

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons 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 as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

TBD

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

Government Code Section 11346.2(b)(4)(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.

TBD

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

Government Code Section 11346.2(b)(5)(A) 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.

TBD

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

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

Department of Housing and Community Development has assessed whether or not and to what extent this proposal will affect the following:

- A. The creation or elimination of jobs within the State of California.

TBD

- B. The creation of new businesses or the elimination of existing businesses within the State of California.

TBD

- C. The expansion of businesses currently doing business within the State of California.

TBD

- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

TBD

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

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance,

the estimated potential benefits, and the related assumptions used to determine the estimates.

TBD

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) 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.

TBD