

AB 529 Adaptive Reuse Working Group Findings



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Background

[Assembly Bill 529 \(Chapter 743, Statutes of 2023\)](#) (AB 529) requires the California Department of Housing and Community Development (HCD) to convene a Working Group, no later than December 31, 2024, to identify challenges to, and opportunities that help support, the creation and promotion of adaptive reuse residential projects, including identifying potential amendments to building standards. If the Working Group's findings include proposing adaptive reuse building standards, HCD or the appropriate state agency may plan to include them in the 2027 Triennial Code Adoption Cycle. The findings are due to the Legislature in HCD's annual report by December 31, 2025.

Adaptive reuse is defined in [Health and Safety Code \(HSC\), Section 53559.1](#), which means the following:

“Repurposing of building structures for residential purposes, such as former office use, commercial use, or business parks. When referring to building structures, adaptive reuse means retrofitting and repurposing of existing buildings that create new residential rental units, and expressly excludes a project that involves rehabilitation of any construction affecting existing residential units that are, or have been, recently occupied.”

Introduction

This report explores the implications of AB 529 on adaptive reuse projects. Through detailed analysis, HCD and Working Group members identified opportunities and challenges that relate to the creation and promotion of adaptive reuse residential projects.

As part of the implementation of AB 529, HCD began outreach to stakeholders in March of 2024, soliciting interest from representatives from both the public and private sector. As specified in AB 529, HCD consulted with stakeholders including, but not limited to the California Building Standards Commission (CBSC), California Energy Commission (Commission), Office of the State Fire Marshal (OSFM), Public Utilities Commission (CPUC), local government representatives, professional groups, and other community-based organizations and stakeholders.

The Working Group met on August 21, 2024, with participants representing state and local agencies, industry groups, and community organizations. On October 21, 2024, HCD issued a [Request for Information](#) (RFI) to gather written input from all interested parties. Copies of the RFI and the RFI Public Response Template have been included in this draft report as Appendices A and B. HCD accepted RFI responses from October 21, 2024, through December 5, 2024, and posted the RFI responses that were received during the comment period. On May 8, 2025, HCD posted this draft report, which summarized the findings received from participants and responses from HCD. All comments received before June 6, 2025, will be reviewed and then posted on HCD's website. The comments received may be incorporated into the final report of the AB 529 Working Group Findings where appropriate.

Findings

The findings below are based on comments provided by participants and are organized based on the following topics outlined in AB 529:

- 1) Energy and insulation upgrades.
- 2) Fire-rated assemblies.
- 3) Water and sewer piping.
- 4) Energy infrastructure, including individual utility meter upgrades.
- 5) Habitability.
- 6) Any other local or state building requirement that may render the conversion or reuse of an existing building financially infeasible for residential uses.

The findings outlined in the report are categorized as “Challenges” and/or “Opportunities” and include the state agency or agencies with regulatory authority. Numerous recommendations were made that are outside the scope of AB 529 and would require legislation to implement. All RFI responses are available on [HCD's website](#).

Topic: Energy and Insulation Upgrades

Challenges: Commenters identified the following challenges to Energy and Insulation Upgrades in the California Energy Code (CEC) (Title 24, Part 6). Below are two comments that were provided:

Comment 1: [California Energy Code, Part 6 - Compliance for Adaptive Reuse](#)

Summary of Comment(s):

The Commenter stated that the only provision that directs the user is a note in CEC, section 141.0: "For alterations that change the occupancy classification of the building, the requirements specified in [CEC, section] 141.0(b) apply to the occupancy after the alteration." However, CEC section 141.0 does not cover multifamily buildings, and instead the user would need to go to CEC, subchapters 10-12. Specifically, CEC, section 180.2(c) covers the performance approach for compliance with alterations to existing multifamily buildings.

Additionally, the Commenter recommended adding specific provisions to CEC subchapters 5 and 6, for a change of occupancy from "Nonresidential and hotel/motel" to "Multifamily". The Commenter also recommended additional provisions specific to adaptive reuse projects be added to the time-dependent value (TDV) equations that govern the performance compliance method for alterations to existing buildings.

State Agency with Regulatory Authority: The Commission.

HCD Response:

HCD has provided the Commission with a copy of this comment for consideration of potential amendments to building standards in future Code Adoption Cycles. The Commenter is encouraged to participate in future Commission meetings and Code Adoption Cycle activities to further identify the proposal intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

Comment 2: [Envelope upgrades required by the CEC often make a project economically infeasible.](#)

Summary of Comment(s):

The Commenter stated that it is typically not feasible to apply the Energy Code requirements based on new construction to existing commercial building retrofit and reuse for new residential use. The Commenter identified envelope upgrades as particularly problematic as many commercial buildings have complex envelope conditions where wholesale upgrade would be economically infeasible.

The Commenter also noted that commercial projects that are candidates for adaptive reuse often have well-developed façades and envelopes which limit the potential for insulation upgrades. The Commenter also noted that Commercial

buildings often have significant glazing, which makes wholesale replacement a major expense, potentially rendering some projects infeasible.

The Commenter recommended that adaptive reuse projects which create new housing, should have wide latitude in how much they should be required to spend on energy and insulation upgrades, as these upgrades can be disproportionately expensive for such of projects.

State Agency with Regulatory Authority: The Commission.

HCD Response:

HCD has provided the Commission with a copy of this comment for consideration of potential amendments to building standards in future Code Adoption Cycles. The Commenter is encouraged to participate in future Commission meetings and Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

Opportunities: Commenters identified the following opportunities to promote adaptive reuse by amending the California Building Standards Code. Below are two comments that were provided:

Comment 3: [Adopt Energy Code Exemptions from the State Historical Building Code \(SHBC\).](#)

Summary of Comment(s):

The Commenter stated that envelope and insulation upgrades are a major cost driver for adaptive reuse projects. The Commenter noted that the SHBC (Title 24, Part 8) includes a blanket exemption for energy updates in historical buildings. The Commenter recommended extending this exemption to adaptive reuse projects.

State Agencies with Regulatory Authority: State Historical Building Safety Board (Board) and the Commission.

HCD Response:

HCD has provided the Board and the Commission with a copy of this comment for consideration of potential amendments to building standards in future Code Adoption Cycles. The Commenter is encouraged to participate in future Board and Commission meetings and Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

Comment 4: [Existing Building Characteristics in Commercial Buildings](#)

Summary of Comment(s):

The Commenter suggested amending the California Building Standards Code to provide more flexibility in code requirements for insulation, ventilation, light and air, and shading for adaptive reuse projects, with allowance to take credit for offsetting features of the existing building geometry, construction and features that can mitigate variations from new code requirements. The Commenter contended that, while these kinds of accommodations can be made using code provisions that permit consideration of alternative means and methods, the uncertainty that exists early in the project development process hinders feasibility analysis and thus discourages adaptive reuse.

State Agency with Regulatory Authority: The Commission.

HCD Response:

HCD has provided the Commission with a copy of this comment for consideration of potential amendments to building standards in future Code Adoption Cycles. The Commenter is encouraged to participate in future Commission meetings and Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

Topic: Fire-Rated Assemblies (Other Fire Safety Requirements)

Challenges: Commenters identified the following California Building Code (CBC) provisions, which require bringing existing building conversions up to current building standards, as challenges to adaptive reuse. Below are 15 challenges that were identified in the CBC:

California Building Code, Part 2

Comment 1: [CBC, Chapter 10 Means of Egress, Table 1006.3.3](#)

Summary of Comment(s):

The Commenter recommended CBC, Table 1006.3.3, be amended to "12 dwelling units" with a footnote that includes provisions for buildings with 5-8 dwelling units, and 9-12 dwelling units that would require more stringent fire safety measures for single stairwells.

State Agencies with Regulatory Authority: HCD, OSFM, Division of the State Architect (DSA), CBSC, and the Department of Health Care Access and Information (HCAI).

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide, while not reducing minimum health and safety standards. The Commenter is encouraged

to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 2: [CBC, Chapter 10 Means of Egress, Section 1006.3.3](#)

Summary of Comment(s):

The Commenter stated that the CBC, Section 1006.3.3 requirements for multiple stairwells/elevators in multifloor residential buildings can make the conversion of existing buildings with only a single stairwell infeasible. The Commenter recommended code changes to permit greater use of single-stair residential development for existing buildings that are constrained by property dimensions and existing conditions. The Commenter requested that the risk assessment and equivalency of such design should be completed so the issue can be advanced statewide, rather than by alternate means reviews jurisdiction by jurisdiction.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how the proposal creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. Furthermore, OSFM is currently hosting a work group established to address single stairwells. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 3: [CBC, Chapter 10 Means of Egress, sections 1011 and 1023](#)

Summary of Comment(s):

The Commenter identified stairwell requirements in CBC, sections 1011 (Stairways), 1011.2 (Width and Capacity), 1011.5.2 (Riser Height and Tread Depth), 1011.6 (Stairway Landings), 1011.11 (Handrails), and 1023 (Interior Exit Stairways and Ramps) as challenges to adaptive reuse. Many older buildings do not meet these requirements, and any resulting upgrade of the existing stairwell envelope can cause rippling effects, potentially making the shaft infeasible.

The Commenter recommended adding the following provision to CBC, section 1011:

“Existing stairs and stairwells in good condition may remain. Stairways replacing existing ones, where the pitch or slope cannot be modified due to construction limitations, are exempt from maximum riser and minimum tread requirements.

Additionally, handrail extension shall not be required when it creates a hazard condition and reduces the existing landing size.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal’s intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 4: [CBC, Chapter 7 Fire and Smoke Protection Features, section 705.8](#)

Summary of Comment(s):

The Commenter identified the need to bring existing exterior walls and openings up to current code requirements as a significant challenge when undertaking an adaptive reuse project. The Commenter recommended amending California Building Standards Code with the following language:

Exterior Wall and Exterior Opening Protection:

“Existing construction of the exterior walls may be maintained without complying with current exterior fire resistive wall construction. Existing unprotected exterior openings, which are not allowed or are required to be protected due to their proximity to a property line, may be maintained without complying with the requirements of CBC Section 705.8 provided the openings are protected with an approved water curtain. Openings in the exterior walls that are not allowed by CBC Section 705.8 due to their proximity to a property line, may not be used to satisfy other code requirements, such as light and ventilation, smoke control or emergency escape.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal’s intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 5: [*CBC, Chapter 9 Fire Protection and Life Safety Systems, section 909.20 and Chapter 10 Means of Egress, section 1023.12*](#)

Summary of Comment(s):

The Commenter identified the requirement for vestibules include smokeproof enclosures as an impediment to adaptive reuse projects and recommended adding the following language to California Building Standards Code:

“Every exit enclosure in high-rise buildings shall comply with [CBC] Sections 909.20 and 1023.12. Exceptions:

Allow smoke proof enclosures to be constructed without vestibules in high-rise buildings when one of the following conditions exist:

1) Building over 75 feet to 150 feet in height, a vestibule is not required, provided that each interior exit stairway is provided with a mechanical ventilation system. The mechanical ventilation system shall provide a uniform air velocity of not less than 50 feet per minute while maintaining a positive pressure (not exceeding 15 pounds force on an interior door) relative to the adjacent areas and discharging this air to the outside of the building. The height may be increased to 165 feet for Amenity Deck complying with Section 8502.17.

2) Buildings over 150 feet to 275 feet in height, a vestibule is not required, provided that each interior exit stairway or ramp is pressurized to not less than 0.10 inch of water (25 Pa) and not more than 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, the CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 6: [*CBC, Chapter 9 Fire Protection and Life Safety Systems, section 911*](#)

Summary of Comment(s):

The Commenter identified the requirement for modern fire command centers in CBC, section 911, as a challenge for adaptive reuse projects. The Commenter recommended amending CBC, section 911, to reduce the minimum square footage requirement of the fire command center in existing building to 100 square feet, but not less than 0.015 percent of the total building area of the facility

served with a minimum dimension of 10 feet in all directions or 8 feet of clearance between opposite equipment.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 7: [CBC, Chapter 30 Elevators and Conveying Systems, section 3002.4](#)

Summary of Comment(s):

The Commenter identified gurney-sized elevator requirement in CBC, section 3002.4.1(a) as challenge for adaptive reuse projects as many existing commercial buildings do not have elevators large enough to comply, and enlarging elevators and elevator shafts is often infeasible.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, the CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)).

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 8: [CBC, Chapter 30 Elevators and Conveying Systems, section 3002.4](#)

Summary of Comment(s):

The Commenter recommended either eliminating the gurney sized elevator requirement for existing elevators in adaptive reuse projects or adopting the following language:

Medical Emergency Elevator:

“At least one gurney compliant elevator car serving all occupied levels shall conform to the requirements specified in section 3002.4.1a of the California Building Code. If the building does not have a gurney compliant elevator that stops on every floor, a building can comply with this

requirement by means of transfer elevators that are gurney compliant between floors.

Exceptions:

1. Building not more than four stories above nor more than four stories below grade plane, without a gurney compliant elevator cab.
2. If the Installation of new Gurney Elevator necessitates the creation of new shafts, significant structural work, or major reconfiguration of the building and there are no new added floors, buildings may maintain existing non-gurney elevators, provided a standard LAFD gurney can fit in a locked seated position and is stored on-site in an unlocked closet adjacent to the elevator lobby. For buildings converting spaces to occupied areas without elevator service, a new gurney compliant transfer elevator shall be provided from the highest existing floor to the new spaces.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal’s intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 9: *CBC, Chapter 4 Special Detailed Requirements Based on Occupancy and Use, section 403.3.2 and section 403.3.3*

Summary of Comment(s):

The Commenter identified the current 120-foot height trigger for the water supply requirements in CBC sections 403.3.2 and 403.3.3, as a potential obstacle to adaptive reuse projects and recommended the following amendments to building standards:

“Buildings with an occupied floor more than 150 feet (in lieu of 120 feet) above the lowest fire department vehicle access level must have fire pumps connected to at least two water mains on different streets. Separate piping is required for each connection to the pumps, sized to meet flow and pressure requirements. Alternatively, two connections to the same main are allowed if the main is valved to ensure an uninterrupted water supply through at least one connection.

Existing buildings with habitable levels under 150 feet (in lieu of 120 feet) above LLFDVA adding rooftop amenity space that exceeds 150 feet (in lieu of 120 feet)

in height are exempt from requiring a second fire pump if the following conditions are met:

1. The deck is for the exclusive use of the building's occupants and their guests.
2. The deck is open to the sky, with covered areas meeting these criteria:
 - 2a. Covered roof areas must not exceed 10% of the usable deck space (or 15% if the deck is under 10,000 sq. ft., with a maximum of 1,000 sq. ft.).
 - 2b. Covered areas must be 100% open on all sides, except for restrooms and mechanical/electrical rooms.
 - 2c. A trellis counts as a covered roof area."

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 10: [CBC, Chapter 4 Fire service access elevator, section 403.6.1 & Chapter 30 Elevators and Convey Systems, section 3007](#)

Summary of Comment(s):

The Commenter identified the current 120-foot height trigger for the fire service access elevator requirement in CBC, sections 403.6.1 and 3007 as a potential obstacle to adaptive reuse. The proposal language is provided below:

"Fire service access elevator. Buildings with occupiable level(s) more than 150 feet above the lowest level of fire department vehicle access (LLFDVA) shall have a minimum of one fire service access. Each fire service access elevator shall have a capacity of not less than 3,500 pounds, be in accordance with Section 3007 and gurney compliant per Section 3002.4.

Exception: Building height may be increased to 165 feet for Amenity Deck complying with Section."

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is

encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)).

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 11: [CBC, Chapter 4 Fire service access elevator, section 403.6.1 & Chapter 30 Elevators and Convey Systems, section 3007](#)

Summary of Comment(s):

The Commenter identified the current 120-foot height trigger for the fire service access elevator requirement in CBC Sections 403.6.1 and 3007 as a potential obstacle to adaptive reuse. The proposal language is provided below:

“Fire service access elevator. Building with occupiable level(s) more than 150 feet above the lowest level of fire department vehicle access (LLFDVA) shall have a minimum one fire service access elevator. Each fire service access elevator shall have a capacity of not less than 3000 pounds, be in accordance with [CBC, section] 3007 and gurney compliant per [CBC, section] 3002.4 of the Los Angeles Building Code. If the building does not have a FSAE that stops on every floor, a building can comply with this requirement by means of transfer FSAEs between floors.

Exception: FSAE are not required to serve existing below grade floors and top floors of a building where that floor is utilized only for equipment for building systems.

Building height may be increased to 165 feet for Roof Addition/Amenity Deck.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 12: [CBC, Chapter 30 Elevators and Conveying Systems, section 3007.6](#)

Summary of Comment(s):

The Commenters identified requirements for fire service elevator lobbies, originally developed for new construction, as creating challenges for adaptive reuse projects. They recommend amending CBC Section 3007.6.1, to read:

“Fire service access elevator lobby.

The fire service access elevator shall open into an enclosed fire service access elevator lobby in accordance with [CBC, sections] 3007.6.1 through 3007.6.5. Egress is permitted through the enclosed elevator lobby in accordance with Item 1 of [CBC, section] 1016.2.

Lobby size.

Regardless of the number of fire service access elevators served by the same elevator lobby, the enclosed fire service access elevator lobby shall be not less than 150 100 square feet in an area with each dimension of not less than 8 feet (2440 mm) (1829 mm).

Exception:

1. If the minimum dimension of 8'-0" cannot be achieved without significant structural work, or major reconfiguration of the building due to existing hardships, the minimum lobby dimension can be reduced to 6 feet (1829 mm).

If existing stair is not adjacent to FSAE lobby, access via a 1 hour rated corridor to provide access.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 13: [CBC Chapter 10: Means of Egress](#)

Summary of Comment(s):

The Commenter identified various challenges to adaptive reuse projects arising from means of egress requirements, including existing stairways, exit discharge under canopies, and existing fire escapes. The Commenter recommends amending CBC Chapter 10 to include the following language:

“Means of Egress:

1. Existing stairway and any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements; provided the stair

has a with a minimum run of 9 inches, maximum rise of 8 inches, and a minimum landing depth of 30".

2. Existing Exit Discharge under canopies should be allowed to remain per the provisions of CA Existing Building Code Section 314.8 provided that water curtains are installed at unprotected exterior openings within 10'-0" of the exit.
3. New roof occupancy may maintain use of existing fire escape as a legal roof exit as long as total occupancy is below 50 occupants and 750sf maximum of occupiable area per the provisions of CA Existing Building Code Section 314.8.

Handrails:

1. Handrail extensions as defined in LABC Section 1014.6 are not required if the extension creates a more hazardous condition and are permitted to return in a perpendicular or vertical direction to avoid any such hazards.

Guards:

1. When the existing guardrails are deemed historically significant and/or a historic character defining feature, such guardrails are allowed to remain per CA Historic Bldg. Code Part 8 504.

Water supply to required fire pumps:

Buildings having an occupied floor that is more than 150 feet (36 576 mm) above the lowest level of fire department vehicle access, required fire pumps shall be supplied by connections to not fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

In lieu of connections to two main water mains located in different streets, two connections to the same main shall be permitted provided that the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through not fewer than one of the connections.

Exception:

Building height may be increased to 165 feet for Roof Addition/Amenity Deck

Stairway Pressurization:

Every exit enclosure in high-rise buildings shall comply with [CBC sections] 909.20 and 1023.11.

Exception:

1. Building over 75 feet to 150 feet in height, a vestibule is not required, provided that each interior exit stairway is provided with mechanical ventilation system. The mechanical ventilation system shall provide a uniform air velocity of not less than 50 feet per minute while maintaining a positive pressure (not exceeding 15 pounds force on an interior door) relative to the adjacent areas and discharging this air to the outside of the building. As an alternate, each interior exit stairway or ramp can be pressurized to not less than 0.10 inch of water (25 Pa) and not more than 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect.

Exception:

The height may be increased to 165 feet for Roof Addition/Amenity Deck

1. Buildings over 150 feet to 275 feet in height, a vestibule is not required, provided that each interior exit stairway or ramp is pressurized to not less than 0.10 inch of water (25 Pa) and not more than 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clarify how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal’s intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 14: [CBC Chapter 9: Fire Protection and Life Safety Systems, section 909](#)

Summary of Comment(s):

The Commenter identified the current smoke control system requirements for high-rise buildings in CBC, section 909, as a potential challenge to adaptive reuse of existing commercial buildings. The Commenter recommended adding the following language to the California Building Standards Code:

“Smoke Control System:

Existing high-rise buildings shall provide a smoke control system in all portions of the building including basements. The smoke control system shall meet the requirements of CBC Section 909 or all the requirements of this section.

EXCEPTION: The following areas are exempt:

- A. New or existing rooms less than 50 square feet in area.
- B. New or existing rooms located at or above grade level provided the room has a direct exit to the exterior of the building.
- C. Floor levels with openable windows or breakable tempered glass panels in the exterior walls. The area of the openable windows or breakable tempered glass panels shall be a minimum of 20 square feet in area.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 15: [Sprinkler Systems](#)

Summary of Comment(s):

The Commenter identified the high costs associated with meeting current fire code requirements—particularly the installation of fire sprinkler systems—as an obstacle to adaptive reuse. The Commenter also noted that addressing sprinkler mandates can trigger additional code compliance upgrades, such as seismic and accessibility improvements, further compounding costs.

The Commenter recommended amending building standards to permit alternative fire safety measures in lieu of traditional sprinkler systems. These alternatives could include enhanced fire detection and alarm systems, compartmentalization strategies to prevent the spread of fire, or the use of fire-retardant materials and treatments.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly demonstrate how this recommendation promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Challenges: Commenters identified the following provisions in the California Existing Building Code (CEBC), which require bringing existing buildings up to current code, as challenges to adaptive reuse. Below are two challenges/provisions that were identified.

California Existing Building Code, Part 10

Comment 16: [Ambiguity regarding partial conversions in the CEBC.](#)

Summary of Comment(s):

The Commenter stated that in most, if not all, California jurisdictions, partial occupancy conversions may be problematic because this scenario is not specifically addressed in the Existing Building Code.

The Commenter recommended adding language to the CEBC to clearly state that portions of existing buildings not subject to an occupancy conversion (Chapter 10) do not require upgrades to existing Fire Life Safety systems unless triggered by the scope of work.

Additionally, the Commenter suggests that the state adopt thresholds for 'Level 3 Alterations' (50% of building area) as the point at which a partial conversion scope would trigger 'full conversion' requirements, including but not limited to structural upgrades.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM with a copy of this comment.

Comment 17: [CEBC Chapter 10: Risk Tables \(see also\)](#)

Summary of Comment(s):

The Commenter identified the Risk Tables in CEBC Chapter 10 – specifically Tables 1011.5 (Means of Egress Hazard Categories), 1011.6 (Height and Areas Hazards Categories), and Table 1011.7 (Exposure of Exterior Walls Hazard Categories) – as an obstacle to some adaptive reuse projects. These tables determine which life safety aspects of a project must be reviewed and updated. The Commenter noted that, because the tables are based on the current building occupancy rather than current building characteristics, they can complicate a developer's ability to assess whether certain issues will impact project feasibility

early in the process. This is critically important for the success of many commercial to residential conversion projects.

The Commenter recommended two amendments to the risk tables in CEBC Chapter 10:

1. Add an exception to Tables 1011.5, 1011.6, and 1011.7 in CEBC chapter 10 that allows commercial occupancy buildings that are currently or proposed to be fully fire sprinklered to be considered equivalent to R2 occupancy risk. This change would apply to existing B, M, and F buildings.
2. Add an exception to the above risk tables that would allow the risk level for commercial to housing conversion to R2 occupancy to be based on either the original use, or any prior legal conforming use; or to building characteristics that at time of construction exceeded minimum code standards to create equivalency with any occupancy in the same risk category as R2. Many buildings were built to greater-than-minimum standards; or to standards based on a prior occupancy, with occupancy subsequently changing. The Commenter maintains that these buildings should be permitted to use the same risk assessment that would have been available either due to a previous legal conforming use; or to documented conditions that met or exceeded those conditions required for any occupancy that is in the same risk category as R2 in the table.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM with a copy of this comment.

Opportunities: Commenters identified opportunities to promote adaptive reuse by amending the California Building Standards Code. Below are five comments that were provided:

California State Historical Building Code (SHBC)

Comment 18: *Existing Interior Partitions*

Summary of Comment(s):

Recognizing that the demolition of existing interior partitions and floor assemblies, even when retention is possible, is both wasteful and unnecessarily

costly, the Commenter recommended greater flexibility in requirements for occupancy separations, exit and shaft enclosures, and other interior fire assemblies in adaptive reuse projects, similar to provisions found within the SHBC. The Commenter proposed allowing substitutions such as active fire sprinkler and alarm systems, recognition of the fire benefits of archaic assemblies, and other alternative measures for commercial to residential conversion projects, even when they are nonhistorical.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Comment 19: [Property-line Sprinkler Protection](#)

Summary of Comment(s):

The Commenter noted that for existing buildings which were built to the property line, updating to current standards for new construction based on the CBC can range from challenging to nearly impossible. To address this, the Commenter proposed allowing sprinklers as means of providing property line protection. Additionally, the Commenter recommended permitting the use of SHBC Section 8-402.1 for existing buildings.

“The fire-resistance requirement for existing exterior walls and existing opening protection may be satisfied when an automatic sprinkler system designed for exposure protection is installed per the [SHBC]. The automatic sprinklers may be installed on the exterior with at least one sprinkler located over each opening required to be protected. Additional sprinklers shall also be distributed along combustible walls under the roof lines that do not meet the fire-resistive requirement due to relationship to property lines as required by regular code. Such sprinkler systems may be connected to the domestic water supply on the supply-main side of the building shut-off valve. A shut-off valve may be installed for the sprinkler system, provided it is locked in an open position.”

State Agencies with Regulatory Authority: The Board, HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged

to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM and the Board with a copy of this comment.

Comment 20: [One-Hour Construction Requirements](#)

Summary of Comment(s):

The Commenter recommended allowing flexibility with reducing requirements for one-hour construction and openings in one-hour construction. They proposed making provisions in the SHBC applicable to Commercial to Housing conversion projects which do not involve historical buildings. The Commenter specifically referenced SHBC Sections 8-402.2 (One-Hour Construction) and 8-402.3 (Openings in Fire-Rated Systems).

State Agencies with Regulatory Authority: The Board, HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM and the Board with a copy of this comment.

Comment 21: [Existing Archaic Systems](#)

Summary of Comment(s):

The Commenter noted that current code often requires the removal and replacement of existing archaic systems, including those employing old growth wood and heavy timber construction. The Commenter recommends allowing retention of archaic systems in adaptive reuse projects by recognizing the performance capabilities of old growth wood and heavy timber construction. Similar provisions are currently included in the SHBC.

State Agencies with Regulatory Authority: The Board, or HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and](#)

[Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM and the Board with a copy of this comment.

Comment 22: *[Alternative Sprinkler Systems/ Partial Sprinklering](#)*

Summary of Comment(s):

The Commenter identified the State Historical Building Code's (SHBC) approach to alternative and partial sprinkling as an example for adaptive reuse, noting its inclusion of fire sprinklers both as broad stroke risk reduction tools and as targeted solutions to mitigate specific risks. This approach avoids the cost or potential infeasibility associated with full building sprinkler systems.

The Commenter recommended incorporating alternative sprinkler systems currently permitted by the SHBC - such as mist systems - should be evaluated and included performance code provisions to support adaptive reuse of existing commercial building for housing and other uses, or for partial building conversions.

Additionally, the Commenter suggested that partial sprinkler mitigation measures should be included in code updates for specific challenges such as:

- Single stair conditions, or conditions where a second stair consists of an existing exterior fire escape.
- Using hallways or spaces as 'place of refuge' provisions where gurney access via elevator is not feasible.
- Shaft or opening protections.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM with a copy of this comment.

Topic: Water and Sewer Piping

Challenges: Commenters identified the following challenges related to energy infrastructure in the California Building Standards Code. Below is one challenge that was identified:

Comment 1: *[Metering/submetering, hot water distribution and tenant cost allocation requirements are difficult to meet for many adaptive reuse projects.](#)*

Summary of Comment(s):

The Commenter identified code and regulatory requirements for metering/submetering, hot water distribution, and tenant cost allocation as challenges for commercial to residential adaptive reuse projects.

The Commenter recommended developing a process to evaluate alternative means and methods for large or complex commercial to housing developments. Such a process would improve project feasibility determinations, thereby increasing development interest.

State Agency with Regulatory Authority: California Department of Water Resources (DWR).

HCD Response:

HCD requires further information to specify which provisions in the California Building Standards Code should be amended to address the challenges outlined above. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided DWR with a copy of this comment.

Opportunities: Commenters identified the following opportunities to promote adaptive reuse by amending the California Building Standards Code. Below are three comments that were provided:

Comment 2: *[Allow use of NFPA 13D systems in multifamily buildings for adaptive reuse projects.](#)*

Summary of Comment(s):

The Commenter noted that one major challenge in adapting a commercial building for residential use is the potential lack of adequate water supply and drainage systems, as commercial buildings tend to have a much lower demand for supply and waste piping compared to similarly sized residential building.

The Commenter stated that the use of PEX piping has shown to save both time and money in residential plumbing systems. They noted that National Fire Protection Association (NFPA) 13D systems are currently restricted to one-and two-family houses, excluding multifamily buildings.

The stakeholder proposed amending the California Plumbing Code to permit the use of NFPA 13D systems within individual dwelling units in adaptive reuse projects.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires additional information to specify how this recommendation creates or promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM with a copy of this comment.

Comment 3: [Adopt provisions from the International Plumbing Code to facilitate adaptive reuse](#)

Summary of Comment(s):

The Commenter noted that conversion of commercial to residential buildings spaces typically often involves considerable new water and sewer piping within the building interior and that chases or runs for the piping can involve considerable costs.

The Commenter noted that the International Plumbing Code, widely used across the United States, allows several plumbing and water piping systems not currently allowed under California codes, such as single-stack waste systems. The Commenter recommended that these provisions should be incorporated into the California Existing Building Code and/or the California Plumbing Code to facilitate for adaptive reuse projects. Furthermore, the Commenter suggested extending these provisions to cover hot and cold water metering, enabling it to be performed in the most cost-effective manner, which may currently be restricted by existing California regulations.

State Agency with Regulatory Authority: HCD.

HCD Response:

Health and Safety Code (HSC), section 17922, directs HCD to adopt the most recent edition of the Uniform Plumbing Code (UPC) of the issued by the International Association of Plumbing and Mechanical Officials (IAPMO). Incorporating provisions from the International Plumbing Code would require either legislative direction or amendments to the UPC by IAPMO.

The Commenter is encouraged to participate in future IAPMO/UPC code adoption cycles to introduce this proposal. Interested parties can visit the [IAPMO Website](#) for more information.

Comment 4: Comment Provided by HCD. Repeal outdated restrictions for the use of Polyvinyl Chloride (PVC) and Acrylonitrile Butadiene Styrene (ABS) drain, waste, and vent (DWV) piping in residential construction.

Summary of Comment(s):

The current California Plumbing Code includes California amendments in sections 701.1(2)(a), 707.2 (footnote), 903.1.1, 1101.4, and 1101.4.2.1 that limit the use of ABS and PVC to 2-story residential buildings. Restrictions in the use of ABS or PVC piping used for DWV systems were originally located in the Uniform Plumbing Code (UPC), and although removed from the UPC in the 1980s, the restrictions have remained as California amendments even though there was no statutory direction for HCD to amend model code. Repealing these outdated California amendments will align with HCD's mandate to adopt model code in HSC, section 17922(a), create uniformity in enforcement, and reduce construction costs for residential buildings.

State Agency with Regulatory Authority: HCD.

HCD Response:

HCD will consider this proposal during the 2027 Triennial Code Adoption Cycle.

Topic: Energy infrastructure, including individual utility meter upgrades

Challenges: Commenters identified the following challenges related to energy infrastructure in the California Building Standards Code. Below is one challenge or provision that was identified:

Comment 1: [Building envelope upgrade requirements.](#)

The Commenter identified Building Envelope requirements in the California Energy Code (CEC) as an impediment to adaptive reuse projects. The Commenter explained that changes to existing building façades during conversions from commercial to residential use are inevitable, yet these changes can trigger full façade compliance with the current energy code, making such conversions infeasible.

The Commenter recommended amending building standards to include the following language:

“Energy Conservation:

An Existing Building, or portion thereof, that is converted to residential use need not to comply with the Building Envelope requirements of the California Energy Code, if the Building Envelope is altered only for compliance with habitability and other code requirements for operational windows, mechanical intake and

mechanical exhausts, provided such alterations do not exceed 50 percent in exterior surface area.”

State Agency with Regulatory Authority: The Commission.

HCD Response:

HCD has provided the Commission with a copy of this comment for consideration of potential amendments to building standards in the next Triennial Code Adoption Cycle. The Commenter is encouraged to participate in future code adoption cycle activities to further clarify the proposal’s intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

Opportunities: Commenters identified the following opportunities to promote adaptive reuse by amending the California Building Standards Code. Below are two comments that were provided:

Comment 2: [Adding Flexibility to time-dependent valuation \(TDV\) budgeting equations.](#)

Summary of Comment(s):

The Commenter recommended adding specific provisions to the California Energy Code (CEC) that would provide greater flexibility in the time-dependent valuation (TDV) budgeting equations, enabling the use of shared systems such as centralized boilers. The Commenter argued that commercial buildings are typically designed to share one electrical service, which makes them more adaptable for residential use if shared systems are incorporated into the final design.

State Agencies with Regulatory Authority: The Commission, and OSFM.

HCD Response:

HCD has provided the Commission and OSFM with a copy of this comment for consideration of potential amendments to building standards. The Commenter is encouraged to participate in future meetings and code adoption cycle activities to further clarify the proposal’s intent, rationale, and economic impact required for proposing amendments to building standards.

Comment 3: [Permit use of load-sharing technologies for certain ADU projects.](#)

Summary of Comment(s):

The Commenter identified energy infrastructure, including utility meter upgrades, as a significant challenge for small adaptive reuse projects, such as Junior Accessory Dwelling Units (JADU) and garage-to-housing conversions.

The Commenter highlighted that various load-sharing technologies available could help avoid the expenses associated with infrastructure and meter upgrades. The Commenter recommended that these technologies be permitted for use when they are shown to be effective and safe, even if they are not included in codes designed for new buildings.

State Agency with Regulatory Authority: The Commission.

HCD Response:

HCD has provided the Commission with a copy of this comment for consideration of potential amendments to building standards in the next Triennial Code Adoption Cycle. The Commenter is encouraged to participate in future code adoption cycle activities to further clarify the proposal's intent, rationale, and economic impact (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building.

Topic: Habitability

Challenges: Commenters identified the following challenges related to habitability in the California Building Standards Code. Below are two comments that were provided:

Comment 1: [*Accessibility requirements.*](#)

Summary of Comment(s):

The Commenter identified accessibility requirements as a challenge for adaptive reuse projects, explaining that disabled access requirements can provide significant hardship in existing buildings. The Commenter argued that, within residential units, the layout of kitchens, bathrooms and entries often require creative solutions and layouts to accommodate existing structural and physical constraints of the building. Additionally, the Commenter noted that these requirements are not interpreted consistently throughout the state, leading to further uncertainty during the early stages of development.

The Commenter recommended that HCD amend the California Building Standards Code to clarify that new units created through adaptive reuse of commercial buildings for new residential use, along with their associated accessory areas such as amenities, should not be considered as “covered multifamily units” and do not need to follow CBC Chapters 11A or 11B.

Further, the Commenter suggested that residential buildings lacking public access or publicly facing facilities should be exempt from the disabled access requirements outlined in CBC Chapter 11A or 11B, whichever is applicable. They also proposed that roof additions or amenity decks, provided they are used exclusively as accessory spaces for residential units and not for publicly accessible events or functions, should not be required to meet disabled access standards.

State Agencies with Regulatory Authority: HCD and DSA.

HCD Response:

HCD has determined that the recommendations to broadly limit the application of accessibility requirements would likely violate federal law, as well as state laws requiring that building amenities and common areas remain accessible to residents with disabilities. Therefore, no action will be taken.

Comment 2: [*Residential acoustics standards can be difficult to meet in existing commercial buildings.*](#)

Summary of Comment(s):

The Commenter noted that existing construction of floors, ceilings, and exterior façades and envelopes may not feasibly meet the acoustic standards required for newly constructed dwelling units.

The Commenter recommended amending the California Building Standards Code to allow reasonable or alternative standards of acoustic performance for residential units created through adaptive reuse of existing commercial buildings.

Acceptable improvements may involve approaches that do not have traditional assembly test results and may not reach standards to new construction.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Opportunities: Commenters identified the following opportunities to promote adaptive reuse by amending the California Building Standards Code. Below is one comment that was provided:

Comment 3: [Allowing the use of Fiber-Optic Daylighting.](#)

Summary of Comment(s):

The Commenter identified natural light and ventilation requirements as a challenge to adaptive reuse projects, particularly when converting newer office buildings with larger floor plates. The Commenter noted that while ventilation needs can often be addressed through mechanical means, natural light cannot.

The Commenter recommended adding specific exceptions to CBC Section 1204.2 (Natural Light) to allow the use of fiber-optic daylighting systems. These systems employ rooftop collectors to distribute natural light throughout a building, providing an innovative solution to meet natural lighting requirements.

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires additional information to identify how this recommendation creates or promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. Traditionally, windows in habitable spaces have served as emergency escape and rescue openings as required by the California Building Standards Code. The Commenter is encouraged to participate in future code adoption cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to the building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Topic: Any other local or state building requirement that may render the conversion or reuse of an existing building financially infeasible for residential uses.

Challenges: Commenters identified the following “other local or state building requirement that may render the conversion or reuse of an existing building financially infeasible for residential uses.” Below is one comment that was provided:

Comment 1: [Roof Additions/Amenity Decks trigger extra requirements.](#)

Summary of Comment(s):

The Commenter noted that under current regulations, a one-story addition or a new roof occupancy for an open space amenity, such as a garden or gathering area, is considered new construction. This classification often triggers full compliance requirements for the entire building. Additionally, if the new roof occupancy is intended solely for residents of the new housing units below, and the amenity space exceeds 750 square feet, roof use is typically classified as an “assembly” occupancy. This designation further amplifies the compliance requirements for the entire building.

The Commenter recommended creating the following definition for “Roof Addition/Amenity Deck”:

1. One story addition maximum with no occupancy on top of the roof of the new addition.
2. The Roof addition/amenity deck is for the exclusive use by the building's residents and their guests.
3. Use shall be for residential amenities or open space, such as fitness rooms, lounges, or shade structures and/or residential units.
4. Conversion of existing mechanical penthouse structures are considered existing floor area/height, not a roof addition/amenity deck.

Roof "Addition/Amenity Decks" Occupancy Load Factor:

As accessory use to residential units and not open to the public, an occupant load factor of 100 for common areas typically considered assembly occupancy may be used and shall have posted maximum occupancy signs.”

State Agencies with Regulatory Authority: HCD, OSFM, DSA, CBSC, and HCAI.

HCD Response:

HCD requires additional information to clearly clarify how this recommendation creates or promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future code adoption cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC, OSFM, DSA, and HCAI with a copy of this comment.

Opportunities: Commenters identified the following opportunities to promote adaptive reuse by amending the California Building Standards Code. Below are two that were provided:

Comment 2: [*Adopting the Historical Code's Archaic Materials Provisions for Adaptive Reuse*](#)

Summary of Comment(s):

The Commenter noted that SHBC Section 8-803 allows the use of archaic materials and construction methods but noted that this approach may not be straightforward for all existing buildings. The Commenter also pointed out that SHBC Section 1.11.2.4 (Request for Alternate Means of Protection) is a case-by-case analysis unique to each project, which can lead to uncertainty during project planning.

The Commenter recommended amending the CEBC to be consistent with the provisions in the SHBC to allow archaic materials and construction. The Commenter argued that such exceptions would streamline the process and reduce uncertainty during the critical project feasibility stage, where developers assess the viability of commercial to housing adaptive reuse projects.

State Agencies with Regulatory Authority: HCD, OSFM.

HCD Response:

HCD requires further information to clearly identify how this recommendation creates or promotes adaptive reuse residential projects statewide while not reducing minimum health and safety standards. The Commenter is encouraged to participate in future Code Adoption Cycle activities to further clarify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided OSFM with a copy of this comment.

Comment 3: [*Extending the California Residential Code to Triplexes and Quadplexes*](#)

Summary of Comment(s):

The Commenter stated that construction under the California Residential Code (CRC) is significantly less costly than construction under the California Building Code (CBC), asserting that CBC requirements often do not provide any significant improvement in health, safety, or welfare of occupants.

The Commenter proposed that three-unit buildings (triplexes) and four-unit buildings (quadplexes) be designed and constructed under the CRC. The Commenter also proposed that multiunit buildings up to 10 units, subject to a total area limitation (to be determined), could also be safely constructed in compliance with the CRC provisions.

State Agencies with Regulatory Authority: HCD, OSFM, and CBSC.

HCD Response:

HCD requires further information to clarify how this recommendation creates or promotes adaptive reuse residential projects statewide while maintaining minimum health and safety standards. The Commenter is encouraged to participate in future code adoption cycle activities to further identify the proposal's intent, rationale, and economic impact information (see [Economic and Fiscal Impact Statement](#)) required for proposing amendments to building standards.

HCD has provided CBSC and OSFM with a copy of this comment.

Comment: [Maintaining Health and Safety Requirements for Vulnerable Residents](#)

Summary of Comment(s):

The Commenter emphasized caution in relaxing health and safety requirements for housing dedicated for vulnerable residents, including deed-restricted affordable housing, supportive housing, or other specialized housing. The Commenter noted that tenants would have difficulty relocating if the building needs to close for repairs following a fire or natural hazard event.

HCD Response:

HCD will consider this comment into account during the process of proposing amendments to the California Building Standards Code related to adaptive reuse.

Topic: Out of Scope Recommendations

HCD received numerous recommendations that fell outside the department's authority. Below is one comment that was provided:

Comment: Financial Incentives for Adaptive Reuse Projects

[Financial Incentives for Adaptive Reuse Projects – Comment 1](#)

[Financial Incentives for Adaptive Reuse Projects – Comment 2](#)

[Financial Incentives for Adaptive Reuse Projects – Comment 3](#)

[Financial Incentives for Adaptive Reuse Projects – Comment 4](#)

Summary of Comment(s):

Several commenters recommended the state provide financial assistance, fee waivers, and tax incentives to promote and support adaptive reuse projects. Although financial challenges specific to adaptive reuse are undeniable, it was noted that implementing such incentive programs would likely require legislative action.

State Agency with Regulatory Authority: Not applicable.

HCD Response:

HCD acknowledges and appreciates the comment submitted by the interested parties. However, this comment does not address recommendations specifically identified within AB 529.

Comment: Increased State Authority to Review Local Code Amendments and Interpretations

[Local Code Amendment Review – Comment 1](#)

[Local Code Amendment Review – Comment 2](#)

[Local Code Amendment Review – Comment 3](#)

Summary of Comment(s):

California law mandates local jurisdictions adopt the California Building Standards Code but permits them to amend it, provided such local amendments are more stringent. Several commenters expressed frustration with local amendments that create obstacles to adaptive reuse and recommended establishing a mechanism for state government review and potential rejection of such local amendments. HCD has determined that implementing such a provision would likely require legislation.

Similarly, commenters expressed frustration about the inconsistent interpretation of state building standards by local jurisdictions. Commenters asked for stronger avenues for state review of these interpretations and requested specific guidance from the state on how those codes are to be interpreted.

While mechanisms currently exist for state review of local jurisdiction code, state law primarily delegates building code interpretation to local building officials. Any

substantial change to the roles of state agencies relating to local code determination would also require legislative action.

State Agency with Regulatory Authority: Not applicable.

HCD Response:

HCD acknowledges and appreciates the comment submitted by the interested parties. However, this comment does not address recommendations specifically identified within AB 529.

Comment: Multidisciplinary Adaptive Reuse Commission

[Multidisciplinary Adaptive Reuse Commission- Comment](#)

Summary of Comment(s):

The Commenter proposed creating a multidisciplinary commission, similar to the one responsible for developing the California Historical Building Code, to develop a specific adaptive reuse code for converting office buildings into multifamily residential buildings. While this concept may have merit, HCD has determined that enacting such a commission is beyond its capabilities.

State Agency with Regulatory Authority: Not applicable.

HCD Response:

HCD acknowledges and appreciates the comment submitted by the interested parties. However, this comment does not address recommendations specifically identified within AB 529.

Comment: Building Safety

[Building Safety – Comment 1](#)

[Building Safety – Comment 2](#)

[Building Safety – Comment 3](#)

[Building Safety – Comment 4](#)

Summary of Comment(s):

HCD also received several comments cautioning against going too far when easing building code requirements for adaptive reuse projects. Specifically, these comments cautioned against relaxing any health and safety requirements for housing dedicated to vulnerable residents, such as assisted living facilities. Additionally, the commenters cautioned against waiving or easing quality assurance measures in any adaptive reuse codes. They highlighted that existing buildings often present challenges not encountered in new construction, such as undocumented conditions, structural deterioration, and deferred maintenance.

State Agency with Regulatory Authority: Not applicable.

HCD Response:

HCD acknowledges and appreciates the comment submitted by the interested parties. However, this comment does not address recommendations specifically identified within AB 529.

Comment: Statutory Definition for Adaptive Reuse

[Statutory Definition for Adaptive Reuse - Comment](#)

Summary of Comment(s):

The Commenter stated that the term "adaptive reuse" must be clearly and consistently defined in building code terms. The Commenter argued that the definition provided in HSC 53559.1 is inadequate and unenforceable for several reasons: (1) does not specify what "retrofitting and repurposing" entails in building code terms, (2) is focused on conversions to "new residential rental units," and (3) puts no limit on the use being converted from.

State Agency with Regulatory Authority: Not applicable.

HCD Response:

HCD acknowledges and appreciates the comment submitted by the interested parties. However, HCD determined that this suggestion would require coordination amongst multiple state agencies.

Recommendations

HCD will incorporate feedback received in response to the findings of this draft report and develop recommendations that may be included in the final report to the Legislature, as required by AB 529. If the final recommendations identify amendments to building standards, this section will include HCD's and/or state agencies with authority proposed action.

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Appendix A: AB 529 Request for Information

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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AB 529 Adaptive Reuse Working Group Request for Information

Background

The California Department of Housing and Community Development (HCD) is soliciting responses from interested parties regarding [Assembly Bill 529 \(Chapter 743, Statutes of 2023\)](#) (AB 529). This Request for Information (RFI) is issued as a preliminary assessment to gather information from the public relevant to AB 529 and does not constitute changes to the California Building Standards Code. HCD has developed a list of questions for feedback below; respondents are not required to respond to all questions. Relevant responses will be available on HCD's website. Feedback is due by *5:00 pm PST on December 5, 2024*.

AB 529 requires HCD to convene a working group no later than December 31, 2024, and report the group's findings to the Legislature no later than December 31, 2025. HCD held an adaptive reuse working group meeting on August 21, 2024, and announced the RFI and report submission timeline. HCD has been directed to identify challenges to, and opportunities that help support the creation and promotion of adaptive reuse residential projects, while maintaining minimum health and safety standards. The goal of the AB 529 working group and RFI is to garner participation from stakeholders identifying challenges and opportunities for adaptive reuse, within the scope of AB 529. If the report recommends proposing adaptive reuse building standards, HCD or the appropriate state agency, may plan to include them in a future code adoption cycle.

AB 529 Implementation Plan

HCD will incorporate findings and information into a content review document based on the information received in response to this RFI. Following the conclusion of the RFI, HCD will post the feedback from stakeholders on the [Building Code Development & Adoption \(Title 24\)](#) webpage. Additionally, HCD will develop and release the content review document that will be posted for a public comment period. This document will include responses to stakeholder feedback. The final adaptive reuse report will be included as part of HCD's annual report to the Legislature as required by [Health and Safety Code, section 50408](#). The annual report is subject to an extensive review process and will be available on the HCD website when the review process has concluded.

Stakeholder Request for Information

To initiate a collaborative development process, HCD requests feedback on the questions in the challenges to, and opportunities for, Adaptive Reuse Projects section, and other input from the public. Individuals are not required to respond to all questions. To better collect and organize stakeholder input, HCD has developed a [response template](#) that respondents are encouraged to use to respond to the RFI. Respondents are not limited to one template and are encouraged to fill out separate

response templates for each specific recommendation. This will greatly assist HCD in organizing and responding to stakeholder comments.

Adaptive Reuse Project, Challenges, and Opportunities

In addition to building a public record of stakeholder feedback, one of the primary goals of this RFI is to ensure that HCD can involve stakeholders in the development process and that relevant stakeholder feedback is reflected in the final report. To assist with this goal, respondents to this RFI are asked to provide information about themselves and/or the organization/entity/agency they represent (if any), their interest in the adaptive reuse report/development process, and their public email contact information. In addition, respondents are asked to indicate whether they consent to be added to HCD's list of interested stakeholders who may be contacted as this development process progresses. However, providing the requested personal information (name, email contact information) is voluntary and is not required to participate in this development process. If respondents wish to remain anonymous, they may leave the applicable sections on the response template blank. While the name of an organization, entity, or agency may become part of the public record and be included with the published responses to this RFI, please note that the personal information (name, email contact information) of individuals (i.e., natural persons) will not be disclosed or published with the responses and will not become part of the public record, except as authorized or required by law. However, respondents also have the option of consenting to HCD disclosing and/or publishing their name when posting their response to the RFI.

Another primary goal of this RFI is to garner information on challenges and opportunities related to adaptive reuse projects. Please respond to the appropriate question(s) below on the [response template](#).

1. What are the challenges to, and opportunities that help support, adaptive reuse related to energy and insulation upgrades?
 - 1.1. What changes to California's building standards relating to these factors would facilitate adaptive reuse?
 - 1.2. What changes to the model codes (on which the California standards are based) relating to these factors would facilitate adaptive reuse?
 - 1.3. What, if any, economic impact would these proposed changes have?
2. What are the challenges to, and opportunities that help support, adaptive reuse related to fire-rated assemblies?
 - 2.1. What changes to California's building standards relating to these factors would facilitate adaptive reuse?
 - 2.2. What changes to the model codes (on which the California standards are based) relating to these factors would facilitate adaptive reuse?
 - 2.3. What, if any, economic impact would these proposed changes have?
3. What are the challenges to, and opportunities that help support, adaptive reuse related to water and sewer piping?
 - 3.1. What changes to California's building standards relating to these factors would facilitate adaptive reuse?
 - 3.2. What changes to the model codes (on which the California standards are based) relating to these factors would facilitate adaptive reuse?

- 3.3. What, if any, economic impact would these proposed changes have?
4. What are the challenges to, and opportunities that help support, adaptive reuse related to energy infrastructure, including individual utility meter upgrades?
- 4.1. What changes to California's building standards relating to these factors would facilitate adaptive reuse?
- 4.2. What changes to the model codes (on which the California standards are based) relating to these factors would facilitate adaptive reuse?
- 4.3. What, if any, economic impact would these proposed changes have?
5. What are the challenges to, and opportunities that help support, adaptive reuse related to habitability?
- 5.1. What changes to California's building standards relating to these factors would facilitate adaptive reuse?
- 5.2. What changes to the model codes (on which the California standards are based) relating to these factors would facilitate adaptive reuse?
- 5.3. What, if any, economic impact would these proposed changes have?
6. What other local or state building requirements may render the conversion or reuse of an existing building financially infeasible for residential uses and how might they be addressed?
- 6.1. What, if any, economic impact would these proposed changes have?

Comment Submissions

Comments should be submitted to HCD before December 11, 2024. Written comments will become part of the public record. Please do not include any information, such as personal identifying information, in your comments that you do not want to be made public.

HCD strongly recommends that respondents use the provided [response template](#) on HCD's website. HCD encourages users to use separate templates for each recommendation.

Completed response templates, comments, or questions can be submitted by email to AB529WorkGroup@HCD.ca.gov.

Technical Subject and General Inquiries

Questions regarding this RFI can be sent to AB529WorkGroup@HCD.ca.gov. Please include "RFI" in the subject line of your email.

Subscribing to E-mail List Servers

AB 529 interested parties should subscribe to the "Building Standards" email list found at HCD's email signup webpage at <https://www.hcd.ca.gov/contact-us/email-signup>. By subscribing to this list, interested parties consent to receive information, notices, and other communications from HCD, by electronic mail.

Appendix B: AB 529 Request for Information – Public Response Template

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AB 529 ADAPTIVE REUSE WORKING GROUP REQUEST FOR INFORMATION TEMPLATE GUIDELINE

The following guideline is intended to facilitate stakeholder feedback to [HCD's Request for Information \(RFI\)](#) on adaptive reuse. In order to ensure feedback can be organized and accurately reflected in HCD's findings, please fill out a separate form for each individual recommendation that you are proposing. Responses are due by *5:00 pm PST on December 5, 2024*.

Respondent Information

Providing the following personal information is voluntary and you may leave these sections blank if you would like to remain anonymous. While the name of an organization, entity, or agency may become part of the public record and be included with the published responses to this RFI, please note that the personal information (name, email contact information) of individuals (i.e., natural persons) will not be disclosed or published with the responses and will not become part of the public record, except as authorized or required by law. However, you have the option of consenting to HCD disclosing and/or publishing your name when posting your response/comment as indicated below. If you would like to be added to HCD's list of interested stakeholders who may be contacted as this development process pertaining to the identification of challenges and opportunities for adaptive reuse within the scope of AB 529 continues and progresses, please also indicate your preference in the section below.

Name

Organization/Entity/Agency or
Affiliation

Public Email Contact Information

Add to Contact List ☐ Yes or ☐ No

☐ (OPTIONAL) I consent to HCD disclosing and/or publishing my name when posting my response/comment to this RFI.

Please provide Areas of Interest in Adaptive Reuse Report/Development Process:

Response

Assembly Bill 529 includes specific issue areas that the working group may consider. Which of these does this specific response fall into? Please select a response from the following Area of Interest:

1. Energy and Insulation Upgrades
2. Fire-rated Assemblies
3. Water and Sewer Piping
4. Energy infrastructure, including individual utility meter upgrades
5. Habitability
6. Any other local or state building requirement that may render the conversion or reuse of an existing building financially infeasible for residential uses

What are the opportunities that help support adaptive reuse related to the topic selected above?

What are the challenges to adaptive reuse related to the topic selected above?

Proposal

If you are proposing - specific amendments to the building standards, or other related health and safety standards, please fill out the boxes below.

Suggested Amendments or Description

Rationale for Proposal

Economic Impact of Proposal

Describe if and how this proposal will impact any of the following:

Will this proposal impact housing costs?

[Click here to select a response](#)

If yes:

Describe the annual cost for each housing unit:

Will this proposal impact businesses and / or employees?

[Click here to select a response.](#)

If yes:

How many businesses would be impacted?

Describe the types of businesses impacted.

What would be the initial and annual ongoing costs to businesses impacted?

Would this proposal impact small businesses?

If yes:

How many small businesses would be impacted?

What would be the initial and annual ongoing costs to businesses?

Will this proposal have an impact on jobs or occupations?

If yes:

How many jobs will be created?

How many jobs will be eliminated?

Describe the types of jobs or occupations impacted.

Would this proposal affect the ability of California businesses to compete with other states?

[Click here to select a response.](#)

If yes, please explain briefly.

Will this proposal have an impact on individuals?

[Click here to select a response.](#)

If yes, please indicate initial and annual ongoing costs to individuals below.

Economic Benefit of Suggested Amendments

Describe the benefits of the suggested amendments to building standards, including but not limited to, the health and welfare of California residents and the environment, the total annual statewide benefit in dollars, and any expansion of businesses.