

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT
REGARDING THE 2025 CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2
(HCD 05/24)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Department of Housing and Community Development (HCD) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

Government Code Section 11346.9(a)(3) requires a summary of each objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from September 6, 2024, until October 21, 2024. Two (2) comments were received during the 45-day public comment period. Please see below.

ITEM 20

Chapter 16, Structural Design.

HCD proposes to adopt Chapter 16 from the 2024 IBC without modification.

Commenter(s) and Recommendation:

Christopher E. Ochoa, Esq., California Building Industry Association; Matthew Wheeler, California Building Officials; Tracy Rhine, Rural County Representatives of California; Mark Neuburger, California State Association of Counties; Peter Tateishi, Associated General Contractors California; Matt Dias, California Forestry Association; Bob Raymer: California Business Properties Association, California Apartment Association, Building Owners & Managers Association.

The commenter provides three (3) separate recommendations. Recommendation one (1), return section 1608.2 for further study, allowing the existing section from the 2021 IEBC to remain in effect. Recommendation two (2), amend section 1608.2 with a California note indicating the use of site-specific case studies will continue to be allowed to determine ground snow loads in mountainous regions, provided the local building official approves them. Recommendation three (3), if adopted, release an information bulletin indicating that site-specific case studies will continue to be allowed to determine ground snow loads in mountainous regions, provided the local building official approves them.

Agency Response:

HCD acknowledges the commenter's remarks regarding use of the ASCE 7 hazard tool in determining design snow loads, proposed for adoption by reference from the 2024 International Building Code (IBC) into the 2025 California Building Code (CBC). California Health and Safety Code (HSC), section 17922, requires that building standards proposed for adoption by HCD impose substantially the same requirements as are contained in the most recent editions of the international or uniform industry codes. HCD is not authorized to propose any substantive amendment to this section of model code or the associated referenced standard and has not discussed this issue adequately with stakeholders. HCD recommends that the commenter direct related comments to the International Code Council (ICC) to seek clarification or propose changes to model code to address concerns. HCD has not proposed any changes to this section based on the comment.

Commenter(s) and Recommendation:

Reicker, PFAU, Pyle & McRoy LLP.

The commenter requests HCD and the Commission confirm that upon its adoption of Section 1608.02 of the 2024 International Building Code (IBC), local building officials shall maintain their authority to determine Ground Snow Load requirements through "Case Studies" based upon site-specific objective data.

Agency Response:

HCD acknowledges the commenter's remarks regarding the use of site-specific case studies in determining design snow loads proposed for adoption by reference from the 2024 International Building Code (IBC) into the 2025 California Building Code (CBC). HCD recommends that the commenter direct related comments to the International Code Council (ICC) to seek clarification or propose changes to model code to address concerns. HCD has not proposed any changes to this section based on the comment.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCD has determined that there are no reasonable alternatives to be considered or have otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

No alternatives were identified to lessen the adverse economic impact on small business.