

ORDINANCE NUMBER O- 20187 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 31 2012

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 5, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 95.0209; AMENDING CHAPTER 11, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 111.0207; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 BY AMENDING SECTION 113.0103; AMENDING CHAPTER 12, ARTICLE 1, DIVISION 4 BY AMENDING SECTIONS 121.0403, 121.0404, AND 121.0418; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 BY AMENDING SECTIONS 129.0104, 129.0109, 129.0110, 129.0111, 129.0112, 129.0113, 129.0114, 129.0115, AND 129.0119; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0203, 129.0207, 129.0208, 129.0209, 129.0211, 129.0214, 129.0215, 129.0216, 129.0217, 129.0218, 129.0219, AND 129.0220; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 3 BY AMENDING SECTIONS 129.0303, 129.0307, 129.0310, 129.0311, 129.0312, 129.0313, 129.0314, AND 129.0315, AND DELETING SECTIONS 129.0316 AND 129.0317; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 6 BY AMENDING SECTIONS 129.0660 AND 129.0670; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 1 BY AMENDING SECTIONS 142.0130, 142.0133, AND 142.0148; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 4 BY AMENDING SECTION 142.0412; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 BY AMENDING SECTIONS 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, 145.0107, AND 145.0108; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 2 BY AMENDING SECTIONS 145.0201 AND 145.0202; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 3 BY AMENDING SECTION 145.0301; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 4 BY AMENDING SECTION 145.0401 AND ADDING NEW SECTION 145.0419; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 5 BY AMENDING SECTION 145.0501; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 6 BY AMENDING SECTION 145.0601; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 7 BY AMENDING SECTIONS 145.0701, 145.0702, AND 145.0703, DELETING SECTION 145.0704, AMENDING SECTIONS 145.0705 AND 145.0706, AND ADDING NEW SECTIONS 145.0708 AND 145.0711; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 8 BY AMENDING SECTION

145.0801; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 9 BY AMENDING SECTION 145.0901; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 10 BY AMENDING SECTION 145.1001 AND ADDING NEW SECTION 145.1017; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 11 BY AMENDING SECTION 145.1101; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 12 BY AMENDING SECTION 145.1201 AND ADDING NEW SECTION 145.1203; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 13 BY AMENDING SECTION 145.1301; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 14 BY AMENDING SECTION 145.1401; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 15 BY AMENDING SECTIONS 145.1501, 145.1505, 145.1507, AND 145.1510; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 16 BY AMENDING SECTIONS 145.1601 AND 145.1613; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 17 BY AMENDING SECTIONS 145.1701 AND 145.1705; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 18 BY AMENDING SECTION 145.1801, DELETING SECTION 145.1802, ADDING NEW SECTION 145.1803, AND DELETING SECTION 145.1805; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 19 BY AMENDING SECTIONS 145.1901 AND 145.1908; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 20 BY AMENDING SECTION 145.2001; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 21 BY AMENDING SECTION 145.2101; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 22 BY AMENDING SECTION 145.2201; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 23 BY AMENDING SECTION 145.2301; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 24 BY AMENDING SECTION 145.2401; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 25 BY AMENDING SECTION 145.2501; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 26 BY AMENDING SECTION 145.2601; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 27 BY AMENDING SECTION 145.2701; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 28 BY AMENDING SECTION 145.2801; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 29 BY AMENDING SECTION 145.2901; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 30 BY AMENDING SECTION 145.3001; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 31 BY AMENDING SECTIONS 145.3101 AND 145.3109; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 32 BY AMENDING SECTIONS 145.3201 AND 145.3203; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 33 BY AMENDING SECTIONS 145.3301 AND 145.3303; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 34 BY

AMENDING SECTION 145.3401 AND DELETING SECTION 145.3403; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 35 BY AMENDING SECTION 145.3501; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 36 BY AMENDING SECTION 145.3601 AND ADDING NEW SECTIONS 145.3602 AND 145.3603; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 37 BY AMENDING SECTIONS 145.3704, 145.3705, 145.3706, 145.3707, 145.3708, 145.3709, 145.3710, 145.3711, 145.3712, 145.3715, 145.3724, AND 145.3725; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 1 BY AMENDING SECTIONS 146.0103, 146.0104, AND 146.0105 AND DELETING SECTION 146.0106; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 2 BY AMENDING SECTION 146.0202; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, 147.0106, AND 147.0107; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 2 BY DELETING SECTION 147.0204 AND ADDING NEW SECTIONS 147.0206 AND 147.0212; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 3 BY AMENDING SECTION 147.0305; AMENDING CHAPTER 14, ARTICLE 8, DIVISION 1 BY AMENDING SECTIONS 148.0103, 148.0104, 148.0105, AND 148.0106; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 1 AND BY ADDING NEW SECTIONS 149.0101, 149.0102, 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, AND 149.0108; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 2 AND BY ADDING NEW SECTIONS 149.0201, 149.0202, AND 149.0203; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 3, AND BY ADDING NEW SECTIONS 149.0301, 149.0317, 149.0319, 149.0320, 149.0327, 149.0329, 149.0330, 149.0331, 149.0332, AND 149.0333; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 4, AND BY ADDING NEW SECTIONS 149.0401 AND 149.0402; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 6, AND BY ADDING NEW SECTIONS 149.0601 AND 149.0602; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 8, AND BY ADDING NEW SECTIONS 149.0801 AND 149.0806; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 9, AND BY ADDING NEW SECTIONS 149.0901, 149.0902, 149.0905, AND 149.0907; AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 9, DIVISION 45, AND BY ADDING NEW SECTIONS 149.4501, 149.4502, 149.4503, AND 149.4504; AND AMENDING CHAPTER 14 BY ADDING NEW ARTICLE 10, DIVISION 1, AND BY ADDING NEW SECTIONS 1410.0101, 1410.0102, 1410.0103, 1410.0104,

1410.0105, 1410.0106, 1410.0107, AND 1410.0108, ALL
RELATING TO THE ADOPTION AND LOCAL AMENDMENT
OF THE 2010 CALIFORNIA STATE BUILDING,
RESIDENTIAL BUILDING, ELECTRICAL, PLUMBING,
MECHANICAL AND GREEN BUILDING CODES.

WHEREAS, the California Building Standards Code, 2010 Edition, was published by the California Building Standards Commission, and amended by the State Department of Housing and Community Development, the Division of the State Architect/Access Compliance, the State Office of Statewide Health Planning and Development and the State Fire Marshal; and

WHEREAS, California Health and Safety Code section 17958 provides that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code sections 17958.5 and 17958.7 provide that a city or county may make such changes or modifications to the requirements contained in the California Building Standards Code as it determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, certain amendments have been recommended by the City of San Diego Board of Building Appeals and Advisors as changes or modifications in the requirements of the California Building Code which are reasonably necessary because of local climatic, geological or topographical conditions; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego as follows:

Section 1. That it finds and declares, in accordance with California Health and Safety Code section 17958.5, that the recommended amendments, additions, and deletions incorporate changes and modifications that are reasonably necessary because of the following local climatic, geological or topographical conditions:

1. Climatic Conditions

The City of San Diego experiences periods of high temperatures, accompanied by low humidity and high winds, each year. Years of drought in San Diego's semi-arid natural environment have increased the combustibility of vegetation. These conditions create an environment in which the Fire Department commits large numbers of firefighting resources to control and extinguish wildland fires. San Diego has experienced major wildfires in 2003 and 2007. Limited firefighting resources may have great difficulty controlling fires in structures.

2. Geological Conditions

The City of San Diego is situated near three major earthquake faults, each capable of generating quakes with magnitude of 7.0 or greater on the Richter scale. These faults are the Elsinore Fault, northeast of the City; the Rose Canyon Fault which extends from La Jolla Cove through Rose Canyon and into downtown San Diego; and the Coronado Banks Fault, which extends in a Northwest/Southeast direction, space under the Pacific Ocean just off coast. The most severe threat from earthquakes is damage to and the collapse of buildings and other structures due to ground movement. Earthquakes can also cause fires by damaging gas and power lines, and can make firefighting difficult or impossible by breaking water mains. Earthquakes can also exacerbate fire danger by damaging sprinkler systems.

3. Topographical Conditions

The City of San Diego has over 900 linear miles of wildland urban interface, where back yards of homes meet the natural vegetation, including coastal sage scrub and chaparral. Access to this natural vegetation for purposes of firefighting is made difficult by

topographical features of the City that include hills, mountains and canyons. These topographical features create significant difficulties for emergency personnel attempting to extinguish fires in these areas.

Section 2. That Chapter 9, Article 5, Division 2 of the San Diego Municipal Code is amended by amending section 95.0209 to read as follows:

§95.0209 Obtaining and Posting of Number

- (a) Address numbers allotted by the Building Official, Development Services Department shall be placed on buildings on the transom over the principal entrance or on some other place on the front of the building where the number may be visible from the street. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.
 - (1) For buildings used exclusively for residential purposes, such numbers shall be at least four (4) inches in height with a minimum stroke width of 0.5 inch.
 - (2) For buildings used exclusively or in part for commercial, industrial or institutional purposes, such numbers shall be a minimum of six (6) inches in height with a minimum stroke width of 0.5 inch.
- (b) In addition to address numbers required in Section 95.0209(a), address numbers shall be permanently added to the side of the curb or on a public sidewalk located immediately in front of the main building on a site. The address number shall be placed in a manner to the satisfaction of the Building Official.

- (c) It shall be the duty of the lessee, occupant or owner, of any building to obtain the proper house number from the Building Official, Development Services Department and to place such number on the building in question as required by this Division. It shall be a violation of this Division to fail to so obtain and place the proper number.

Section 3. That Chapter 11, Article 1, Division 2 of the San Diego Municipal Code is amended by amending section 111.0207 to read as follows:

§111.0207 Board of Building Appeals and Advisors

- (a) [No change in text.]
- (b) Appointment and Terms
 - (1) and (2) [No change in text.]
 - (3) The Building Official, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board. The Director of Development Services shall be an ex officio member of the Board in matters pertaining to *Historical Buildings*.
- (c) [No change in text.]
- (d) Powers and Duties. The powers and duties of the Board of Building Appeals and Advisors are as follows:
 - (1) [No change in text.]
 - (2) The Board of Building Appeals and Advisors shall recommend reasonable interpretations of the Fire, Building, Residential Building, Electrical, Plumbing, Mechanical, and Green Building Regulations, the provisions of Title 24 of the California Code of

Regulations and other matters that may be referred to the Board by the Building Official. The Board shall have no authority to recommend interpretations of other provisions of the Land Development Code.

(3) The Board of Building Appeals and Advisors may recommend minor deviations from the provisions of the Fire, Building, Residential Building, Electrical, Plumbing, Mechanical, and Green Building Regulations in the following circumstances:

(A) [No change in text.]

(B) When for the purpose intended, the alternate materials or type of construction proposed is at least equivalent to the requirements of the applicable Fire, Building, Residential Building, Electrical, Plumbing, Mechanical, or Green Building Regulations in quality, strength, effectiveness, fire resistance, and durability, and is equivalent in providing for the public health and safety.

(4) [No change in text.]

Section 4. That Chapter 11, Article 3, Division 1 of the San Diego Municipal Code is amended by amending section 113.0103 to read as follows:

§113.0103 Definitions

Abutting property through Condominium conversion [No change in text.]

Construction permit means a permit issued pursuant to Land Development Code Chapter 12, Article 9. Construction permits include the following: Building

Permits, Electrical Permits, Plumbing/Mechanical Permits, Demolition/Removal Permits, Grading Permits, Public Right-of-Way Permits, Fire Permits, and Sign Permits.

Court, interior through Yard [No change in text.]

Section 5. That Chapter 12, Article 1, Division 4 of the San Diego Municipal Code is amended by amending sections 121.0403, 121.0404, and 121.0418 to read as follows:

§121.0403 Criteria for Determining That a Structure Is Unsafe

The City Manager or designated Code Enforcement Official may determine that a *structure* is unsafe if any of the following conditions exists to the extent that it threatens the life, health, safety, or property of its occupants:

- (a) The building contains one or more structural components that cannot withstand 100 percent of the vertical design standards as required by the prevailing edition of the California Building Code; or
- (b) The building contains one or more structural components of the lateral load resisting system that cannot withstand 25 percent of the wind or earthquake forces as required by the prevailing edition of the California Building Code; or
- (c) The building contains parapet walls or other building appendages that are not capable of resisting the wind or earthquake forces as required by the prevailing edition of the California Building Code.

§121.0404 Criteria for Determining That a Structure Is Dangerous

The City Manager or designated Code Enforcement Official may determine that a *structure* is dangerous if any of the following conditions exists to the extent that it threatens the health, safety, or property of its occupants or the public:

(a) through (h) [No change in text.]

(i) The exits of the *structure* or the means to exit do not conform to the applicable provisions of the Building Regulations or Residential Building Regulations of the Municipal Code regarding the number of exits, their width, or any other features that may cause a hazard to the life or safety of the occupants or the general public;

(j) [No change in text.]

(k) The existing use or occupancy violates the California Health and Safety Code or Building, Electrical, Plumbing, Mechanical or Residential Building Regulations of the Municipal Code.

§121.0418 Standards for Repair of Unsafe, Dangerous, or Substandard Structures

When the City Manager orders the repair, vacation, or demolition of any unsafe, substandard, or dangerous *structure*, the *structure* shall be repaired in accordance with the most recent Building, Electrical, Plumbing, Mechanical and Residential Building Regulations of the San Diego Municipal Code.

Section 6. That Chapter 12, Article 9, Division 1 of the San Diego Municipal Code is amended by amending sections 129.0104, 129.0109, 129.0110, 129.0111, 129.0112, 129.0113, 129.0114, 129.0115, and 129.0119 to read as follows:

§129.0104 Construction Permit Authorities

- (a) The powers and duties of the Building Official are as follows:
- (1) To administer and enforce the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code.
 - (2) To review applications for Building Permits, Electrical Permits, Plumbing Permits, Demolition/Removal Permits, Fire Permits and Mechanical Permits including plans, specifications, and other data.
 - (3) To determine if proposed work is in compliance with the Building, Electrical, Plumbing, Mechanical, Residential Building, and Green Building Regulations, and the Fire Protection and Prevention provisions, of the San Diego Municipal Code, and other applicable provisions of the Municipal Code and to make the decision to approve and issue the appropriate *construction permit*.
 - (4) To inspect construction activity not located in *public rights-of-way* to determine if the construction activity is in compliance with the issued *construction permit*, the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations, and all other applicable provisions of the San Diego Municipal Code.
 - (5) To make interpretations of, and develop policies and procedures for, the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego

Municipal Code. The interpretations, rules, and regulations shall be in conformance with the intent and purposes of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code.

- (6) To grant modifications for individual cases when there are practical difficulties involved in carrying out the provisions of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code.

The Building Official shall find the following:

- (A) That a special individual reason makes the strict application of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code impractical,
- (B) That the modification is in conformance with the purpose and intent of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code, and
- (C) That the modification does not lessen any fire protection requirements or any degree of structural integrity.

The details of any action granting modification shall be in writing and entered in the project file.

- (7) To request an interpretation of any provisions of Chapter 12, Article 9 or the Building, Electrical, Plumbing, and Mechanical,

Residential Building and Green Building Regulations of the San Diego Municipal Code, or the suitability of any alternate material, design, or construction method from the Board of Building Appeals and Advisors.

- (8) through (10) [No change in text.]
 - (11) To require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the State of California.
 - (12) To classify the occupancy of a building, or a portion of a building, based on the occupancies and uses in Chapter 3 of the California Building Code.
 - (13) To determine the type, frequency and number of inspections necessary to inspect construction for compliance with the Fire, Building, Electrical, Plumbing, and Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code.
 - (14) To review applications for Grading Permits on residential lots that do not include *public rights of way*, as well as associated plans, specifications, and other data to determine if an application is in compliance with the grading regulations in the California Building Code, other adopted City standards, and engineering standards of practice.
- (b) [No change in text.]

§129.0109 Use of Alternate Materials, Design, or Construction Methods

- (a) The provisions of the Fire, Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code are not intended to prevent the use of any alternate material, design, or construction method not specifically prescribed by the Fire, Building, Electrical, Plumbing, Mechanical, Residential Building or Green Building Regulations, provided the Building Official approves of their use.
- (b) The Building Official may approve the use of any alternate material, design, or construction method if the Building Official determines the following:
 - (1) That the proposed alternate material, design, or construction method would comply with the Fire, Building, Electrical, Plumbing, Mechanical, and Residential Building and Green Building Regulations of the San Diego Municipal Code;
 - (2) and (3) [No change in text.]
- (c) [No change in text.]

§129.0110 Testing of Materials, Designs, or Construction Methods

- (a) Whenever the Building Official determines that the evidence submitted is insufficient to establish compliance with the applicable provisions of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code, the

Building Official may require tests to prove compliance. These tests shall be made at no expense to the City.

- (b) Test methods shall be as specified by the applicable provisions of the Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building Regulations of the San Diego Municipal Code, or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the applicant shall propose test procedures to the satisfaction of the Building Official.
- (c) [No change in text.]
- (d) The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability as established by the Building Official.

§129.0111 General Rules for Construction Permit Inspections

All work for which Building Permits, Electrical Permits, Plumbing Permits, Demolition/Removal Permits, Fire Permits and Mechanical Permits are issued shall be subject to inspection by the Building Official. The Building Official is authorized to inspect, or cause to be inspected, the work prior to and subsequent to the issuance of the applicable permit or permits. Inspections shall be performed in accordance with the inspection procedures established by the City Manager, except as may be exempted by the Land Development Code.

- (a) The *permit holder* shall be informed of the inspections and the sequence of inspections required.
- (b) [No change in text]

- (c) No portion of any work shall be concealed until inspected and approved.
- (d) After making the requested inspections, the Building Official shall either indicate that the inspected portion of the construction is satisfactory as completed or shall notify the *permit holder* or an agent of the *permit holder* that the inspected portion fails to comply with the Building, Electrical, Plumbing, Mechanical, Residential Building or Green Building Regulations of the San Diego Municipal Code, or with other applicable regulations of the Municipal Code.
- (e) through (g) [No change in text.]

§129.0112 Responsibilities of Permit Holder or Authorized Agent Regarding Inspections

- (a) Requesting an Inspection. It shall be the responsibility of the *permit holder* or the person doing the work authorized by a *construction permit* to notify the Building Official when work is ready for inspection. The request shall be in accordance with procedures established by the City Manager. The Building Official may require that every request for inspection be filed at least one *business day* before the inspection is desired.
- (b) Providing Access for Inspections. The person requesting any inspection required by the Building, Electrical, Plumbing, Mechanical, Residential Building or Green Building Regulations of the San Diego Municipal Code or any other provision of the San Diego Municipal Code shall be responsible for providing access to, and means for inspection of, the work to be inspected. Neither the Building Official nor the City shall be liable

for expense entailed in the removal or replacement of any material required to allow inspection.

- (c) [No change in text.]
- (d) Maintaining Inspection Record Card. Before beginning any permitted work the *permit holder* shall post an inspection record card on the site or the card shall be otherwise conveniently accessible to the Building Official or City Engineer. The card shall be kept accessible by the *permit holder* until final inspection approval has been granted by the Building Official or City Engineer.
- (e) [No change in text.]

§129.0113 When a Certificate of Occupancy Is Required

- (a) No *structure* or portion of a *structure* shall be used or occupied, and no change in the existing use or occupancy classification of a *structure* or portion of a *structure* shall be made until the Building Official has issued a Certificate of Occupancy approving that use or occupancy. A Certificate of Occupancy is not required for existing or new detached one and two family dwellings or townhouses as defined in the California Residential Code, and their *accessory structures*.
- (b) Changes in the use or occupancy of a *structure* or portion of a *structure* shall not be made except as specified in the 2010 California Building Code Section 3408.

§129.0114 Issuance of a Certificate of Occupancy

- (a) The Building Official shall inspect the *structure* and if the Building Official finds no violations of the San Diego Municipal Code or other regulations that are enforced by the City's designated Code Enforcement Officials, the Building Official shall issue a Certificate of Occupancy. All work for which a Building Permit was issued must be complete and have had a final inspection before issuance of a Certificate of Occupancy, except in accordance with Section 129.0115. The Certificate of Occupancy must be signed by the Building Official. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of any of the provisions of the San Diego Municipal Code or any other local, state or federal law or regulation.
- (b) A Certificate of Occupancy shall contain the following information:
- (1) The approval number;
 - (2) The address of the *structure*;
 - (3) The name and address of the *permit holder*;
 - (4) A description of that portion of the *structure* for which the certificate is issued;
 - (5) A statement that the described portion of the *structure* has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
 - (6) The signature of the Building Official or designated official;

- (7) The edition of the California Building Code under which the permit was issued;
- (8) The use and occupancy, in accordance with the provisions of the California Building Code;
- (9) The type of construction as defined in the California Building Code;
- (10) The design occupant load in rooms used for public assembly and classified in Occupancy Group A;
- (11) Whether an automatic sprinkler system is provided and, if so, the reason that the automatic sprinkler system is provided; and
- (12) Any special stipulations and conditions of the Building Permit.

§129.0115 Issuance of a Temporary Certificate of Occupancy

If the Building Official finds that a *structure* or a portion of a *structure* can be occupied safely, and that no substantial hazard will result from occupancy of any *structure* or portion of a *structure* before all work is completed, a temporary Certificate of Occupancy may be issued for the use of a *structure*, or portion of a *structure* before the completion of the entire *structure*. A Certificate of Occupancy is required upon completion of the remainder of the work. The Building Official shall set a time period during which the temporary Certificate of Occupancy is valid.

§129.0119 Bond Required for Construction Permit for Grading or Public Improvements

- (a) [No change in text.]

- (b) The *permit holder* may utilize an annual and continuing bond for more than one permit provided the total amount of the bond exceeds the aggregate bond amount of the permits outstanding. Annual and continuing bonds shall contain a clause providing the City Manager with 30 calendar days notice before cancellation.
- (c) In lieu of a bond, the *permit holder* may post a cash deposit or other security acceptable to the City Manager, with the City Treasurer in an amount equal to the required bond. In the event of a default, the notice of the default as provided above shall be given to the principal and if the default is not corrected within the time specified, the City Manager shall proceed without delay and without further notice of proceeding to use the cash deposit or other security or any portion of the deposit or security to complete the required work. The balance, if any, of the cash deposit shall, upon completion of the work, be returned to the *applicant* after deducting the cost of the work.

(d) through (f) [No change in text.]

Section 7. That Chapter 12, Article 9, Division 2 of the San Diego Municipal Code is amended by amending sections 129.0203, 129.0207, 129.0208, 129.0209, 129.0211, 129.0214, 129.0215, 129.0216, 129.0217, 129.0218, 129.0219, and 129.0220 to read as follows:

§129.0203 Exemptions from a Building Permit

- (a) A Building Permit is not required for the following *structures* and activities.

(1) through (16) [No change in text.]

- (17) Renewal of roof coverings on any building permitted by the California Building Code and the California Residential Code, where the existing roof structure, including roof diaphragm, is not altered.
- (18) [No change in text.]
- (19) Structures placed in public streets, alleys and sidewalks, except those regulated by Chapter 32 of the California Building Code.
- (20) Work done by employees of the City on City-owned or leased buildings.
- (21) A temporary shed, office or storage building and other *structure* incidental to and for work authorized by a valid Grading or Building Permit. Such *structures* must be removed upon expiration of the permit or completion of work covered by the Grading or Building Permit.
- (22) Installing replacement windows in existing window openings where all of the following conditions apply:
 - (A) The windows are replaced in detached one and two-family dwellings or townhouses as defined in the California Residential Code.
 - (B) The proposed window replacement shall not require any modifications to the weather resistive exterior wall envelope protecting the structure or the interior of the structure.

(C) The existing windows to be replaced are not required to be fire resistive.

(D) The proposed work shall not require modifications to the existing rough openings.

(23) New permanent parking and vehicular use areas for less than four vehicles, including access to the spaces, but excluding parking for *single dwelling unit* uses on a single lot in Residential-Single Unit Zones.

(24) [No change in text.]

(b) through (d) [No change in text.]

§129.0207 Preparation of Plans, Reports, Calculations and other Documents by Licensed and Registered Design Professionals

(a) When the preparation of plans, reports, calculations and other documents by a registered design professional is required by state law, or the Building Official, they shall be prepared by an architect licensed by the State of California or an engineer registered by the State of California in the relevant discipline of engineering.

(b) The architect or engineer of record shall be designated on the plans in the manner required by state law.

§129.0208 Coordination Responsibilities of Architect or Engineer of Record

(a) The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents, including documents for partial

building permits and deferred submittal items, prepared by others for compatibility with the design of the building.

(b) [No change in text].

§129.0209 Change of Architect or Engineer of Record

If the circumstances require and in accordance with state law, the *applicant* or *permit holder* may designate a substitute architect or engineer of record licensed by the State of California who shall perform all of the duties required of the original architect or engineer of record. The Building Official shall be notified in writing by the *applicant* or *permit holder* if the architect or engineer of record is changed or is unable to continue to perform the duties.

§129.0211 Closing of Building Permit Application

- (a) If one year has elapsed since the date a Building Permit application is deemed complete and the *applicant* has not requested that a Building Permit be issued, the application file shall be closed. Plans and other data submitted for review may be returned to the *applicant* or destroyed by the Building Official. To reapply, the *applicant* shall submit a new Building Permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is filed.
- (b) The application file for City projects shall be closed after two years have elapsed since the date the Building Permit application is deemed complete.
- (c) and (d) [No change in text.]

§129.0214 Requirements for Approved Plans

- (a) [No change in text.]
- (b) Except as required by Sections 19850 and 19851 of the Health and Safety Code, the Building Official shall retain one set of approved plans, specification and computations for the life of the building for which a Building Permit has been issued. Copies shall be retained as a part of the permanent files of the Development Services Department.

§129.0215 Issuance of a Building Permit for a Part of a Structure

The Building Official may issue a permit, and work may begin, for the construction of part of a *structure* before the plans and specifications for the entire *structure* have been submitted or approved, if adequate information and detailed statements have been submitted complying with all applicable requirements of the Building Code. As a condition of issuance, the *permit holder* shall agree that he or she proceeds at his or her own risk without assurance that the Building Permit for the entire *structure* will be issued. The partial construction shall comply with the Building Regulations and any other regulation in effect on the date the complete permit application for the scope of work under the partial permit is submitted to, and is accepted by, the Building Official.

§129.0216 Initial Utilization of a Building Permit

A Building Permit shall become void if substantial work authorized by the permit has not been completed and validated by an inspection within 180 calendar days of the date of permit issuance unless an extension has been granted pursuant to Section 129.0219.

§129.0217 Maintaining Utilization of a Building Permit

A Building Permit shall become void if, after initial utilization of a permit pursuant to Section 129.0216, work authorized by the permit is suspended or the *structure* is abandoned for a period of 180 calendar days, unless an extension has been granted per Section 129.0219.

§129.0218 Expiration of a Building Permit

- (a) A Building Permit for detached one-and two-family dwellings or townhouses, as defined in the California Residential Code, and their *accessory structures*, and for the relocation of *structures* shall expire two years after the date of permit issuance. A Building Permit for all other projects shall expire four years after the date of permit issuance.
- (b) If the building or work authorized by a Building Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued. All Electrical, Plumbing, or Mechanical Permits associated with a Building Permit shall expire concurrently with the Building Permit.

§129.0219 Extension of Time for the Utilization of a Building Permit

- (a) Except for relocation of *structures*, a *permit holder* may submit to the Building Official an application for an extension of time to utilize the Building Permit. The application shall be filed no later than one month in advance of the end of the 180 day utilization period. The Building Official may extend the time in which the *permit holder* may utilize the Building Permit one time, for a period not exceeding 180 calendar days, if the

Building Official determines that circumstances beyond the control of the *permit holder* prevented completion of the work. All Electrical, Plumbing, or Mechanical Permits associated with a Building Permit shall be extended concurrently with the utilization period of the Building Permit.

- (b) If an application for an extension of time has been filed for the utilization of a Building Permit in accordance with Section 129.0219(a), the existing Building Permit shall automatically be extended until the Building Official has made a decision on the application for an extension of the utilization period.
- (c) If the Building Permit has expired before an application is submitted for an extension of time for the utilization of a Building Permit, no extension shall be granted. If the previous *permit holder* or any other *applicant* wants to proceed with the same *development*, a new application is required and the application is treated in all respects as a new application.
- (d) If an extension of time for the utilization of a Building Permit has been previously approved in accordance with Section 129.0219(a), the Building Official may extend the time for the utilization of the Building Permit one additional time, for a period not exceeding 180 calendar days, if the Building Official finds the following:
 - (1) through (3) [No change in text.]
- (e) If no extension is granted, and the Building Permit has become void pursuant to Section 129.0217, the property owner, *permit holder* or *applicant* shall, within 90 calendar days from the date of a written notice

from the City, obtain a new Building Permit to complete the work and diligently pursue the work to completion, or remove or demolish the building or *structure* within 180 calendar days from the date of the written notice. A violation of Section 129.0219 may be prosecuted administratively or judicially pursuant to San Diego Municipal Code Section 121.0311. This Section in no way limits any separate enforcement authority of the City under California Health and Safety Code Section 17980.9 to impose stricter rehabilitation time frames for vacant single family dwellings.

§129.0220 Issuance of a Building Permit for Relocation of a Structure

- (a) [No change in text].
- (b) If the performance of the work is secured by a surety bond, the bond shall be conditioned as follows:
 - (1) through (3) [No change in text]
 - (4) The *permit holder*, owner, and surety shall hold harmless the City, its officers, employees, agents, and contractors from any liability in connection with the proposed work or the abatement of the *structure* and any related work;
 - (5) The bond shall obligate the *permit holder*, owner, and surety to repair damage occurring on the *public right-of-way* as a result of removing, transporting, or relocating a *structure*; and
 - (6) [No change in text]

Section 8. That Chapter 12, Article 9, Division 3 of the San Diego Municipal Code is amended by amending sections 129.0303, 129.0307, 129.0310, 129.0311, 129.0312, 129.0313, 129.0314, and 129.0315, and deleting sections 129.0316 and 129.0317, to read as follows:

§129.0303 Exemptions from an Electrical Permit

An Electrical Permit is not required for the following work:

- (a) through (c) [No change in text].
- (d) Installation of remote-control switching devices on privately owned appliances when the devices are installed by the San Diego Gas and Electric Company or its authorized agents as part of the Peak-Shift energy conservation program, provided that specifications for the installations are approved in writing by the Building Official; or
- (e) [No change in text].
- (f) Repair or replacement of hardwired appliances such as dishwashers, garbage disposals, cooking appliances and similar fixed appliances located within *dwelling units* shall not impose additional electrical load to the existing circuit impacted by the work.

§129.0307 How to Apply for an Electrical Permit

- (a) through (b) [No change in text.]
- (c) Submittal documents including plans, specifications, and schedules are required to determine whether the installation as described will be in compliance with the requirements of this article.
 - (1) Electrical plans are not required for electrical wiring in one and two family dwellings or townhouses, as defined in the California

Residential Code, and their *accessory structures*, unless they are connected to on-site alternative power production.

- (2) Electrical plans are not required when the Building Official determines that the scope of work and compliance with the California Electrical Code can be verified through an inspection.
- (d) The Electrical Permit shall be issued for the work proposed to be installed as described in the permit application and no deviation from the work proposed to be installed shall be made without the written approval of the Building Official.
- (e) All submitted plans shall show a single line diagram of service, feeders, conduit, and wire sizes. Electrical calculations shall accompany all submitted plans. A signed Certification of Compliance with the California Energy Code, Title 24, Part 6, shall appear on the plans.
- (f) All submitted plans shall be signed as required by Chapter 7, Article 3 of the California Business and Professions Code.
- (g) All plans required for hospitals and electrical installations operating in excess of 600 volts shall be signed by a California Licensed Electrical Engineer.

§129.0310 Initial Utilization of an Electrical Permit

An Electrical Permit shall become void if substantial work authorized by the permit has not been completed and validated by an inspection within 180 calendar days of the date of permit issuance unless an extension has been granted pursuant to Section 129.0313.

§129.0311 Maintaining Utilization of an Electrical Permit

An Electrical Permit shall become void if, after initial utilization of a permit pursuant to Section 129.0310, work authorized by the permit is suspended or the *structure* is abandoned for a continuous period of 180 calendar days.

§129.0312 Expiration of an Electrical Permit

An Electrical Permit shall expire 2 years after the date of permit issuance. If the work authorized by the Electrical Permit has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued. Any Electrical Permit associated with a Building Permit shall expire concurrently with the Building Permit.

§129.0313 No Extension of Time for an Electrical Permit

- (a) [No change in text.]
- (b) A new Electrical Permit is required to finish any work that was not finished because of the expiration of the permit; however, unfinished work may be removed without a permit.

§129.0314 Required Inspections for an Electrical Permit

All construction work and equipment authorized by an Electrical Permit shall be inspected by the Building Official in accordance with Section 129.0111.

Inspections that may be required are established by the Building Official.

§129.0315 Electrical Permits for Temporary Installations

- (a) The Building Official may issue a Temporary Electrical Permit for the following types of temporary electrical installations:
 - (1) Temporary power during the time construction is in progress;

- (2) Temporary power for carnivals, conventions, festivals, fairs, and similar events, during the time the event is in progress, not to exceed 90 calendar days; and
 - (3) Temporary power for the testing of any permanent system of wiring prior to the final approval of that system during the time required for testing, not to exceed 30 calendar days.
- (b) A Temporary Electrical Permit shall be issued only if the Building Official determines that the safety of life and property will not be jeopardized by the temporary electrical installation.
 - (c) All temporary installations shall conform as nearly as practicable with the requirements of the Electrical Regulations of the San Diego Municipal Code for permanent installations. Deviations from the Electrical Regulations of the San Diego Municipal Code may be permitted if the Building Official determines that the deviations will not cause hazard to life or property.
 - (d) If the Building Official determines that the electrical installation is a hazard to life or property, the Building Official may immediately disconnect or order disconnection of all energy to the electrical installation and initiate proceedings to rescind or cancel the temporary permit covering the installation.
 - (e) Upon expiration of the time designated in the Temporary Electrical Permit, the Building Official may disconnect or order disconnection of all electrical energy authorized by the temporary permit.

Section 9. That Chapter 12, Article 9, Division 6 of the San Diego Municipal Code is amended by amending sections 129.0660 and 129.0670, to read as follows:

§129.0660 Inspection of Grading

All *grading* operations authorized by a Grading Permit shall be inspected by the City Engineer or the Building Official pursuant to Section 129.0104(a)(15).

Professional inspection of *grading* operations shall be provided by the Engineer of Record as designated by the *permit holder*.

§129.0670 Completion of Grading

The *permit holder* shall notify the City Engineer, or the Building Official pursuant to Section 129.0104(a)(15), when the *grading* operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protection devices, and all erosion control measures have been completed in accordance with the final approved *grading* plan and the *As-Graded Reports* have been submitted and approved by the City Engineer, or the Building Official pursuant to Section 129.0104(a)(15), in accordance with standards established by the City Engineer or Building Official. If the *grading* is for creating building pads, a Building Permit shall not be issued until the *grading* is completed by the *permit holder* and approved by the City.

Section 10. That Chapter 14, Article 2, Division 1 of the San Diego Municipal Code is amended by amending sections 142.0130, 142.0133 and 142.0148, to read as follows:

§142.0130 Development Standards for Grading

- (a) All *grading* shall be designed and performed in conformance with applicable City Council policies and the standards established in the Land Development Manual.

- (b) Grading for projects, including residential buildings subject to the authority of the California Department of Housing and Community Development (HCD), shall be designed to comply with the standards established in Appendix J of the California Building Code as adopted and amended by the City of San Diego.

§142.0133 Slope Gradient

- (a) [No change in text.]
- (b) Cut and *fill* slopes not greater than 8 feet in height shall not exceed a gradient of 66 percent (1-½ horizontal feet to 1 vertical foot).
- (c) Cut and *fill* slopes greater than 8 feet in height shall not exceed a gradient of 50 percent (2 horizontal feet to 1 vertical foot).
- (d) Where extraordinary conditions exist to the extent that compliance with the standards of this Section would be infeasible, the City Engineer, or the Building Official pursuant to Section 129.0104(a)(15), may authorize cut and *fill* slopes on property not owned, controlled or maintained by the City to be steeper than those specified in Section 142.0133(b) and (c). All such slopes within or adjacent to a public right-of-way must be approved by the City Engineer. A determination that such steeper slopes are warranted shall be based upon the required *geotechnical report* that clearly demonstrates that the steeper slope will be stable and not endanger the public health, safety, and welfare. Such slopes shall be revegetated in accordance with a plan prepared by a landscape architect authorized to prepare landscape plans by the California Business and Profession Code.

§142.0148

Protection of Adjacent Properties and Public Rights-of-Way

(a) During *grading*, the property owner and *permit holder* shall take all necessary measures to protect adjacent property and *public rights-of-way* from damage that may result from the work. The property owner shall provide *fences* or barricades needed to eliminate any hazard to the public in their normal use of the property or *public right-of-way* as follows:

(1) Where a temporary *excavation* is adjacent to an existing developed public right-of-way or other public property and the slope gradient is 50 percent (2 horizontal feet to 1 vertical foot) or steeper or the height of the *excavation* is more than 6 feet, temporary *fences* or barricades shall be provided adjacent to the *excavation* satisfactory to the City Engineer. The *fences* or barricades shall be constructed and maintained as long as the hazard resulting from the *excavation* exists.

(2) Where a permanent *excavation* is adjacent to an existing developed *public right-of-way* or other public property and the slope gradient is 50 percent (2 horizontal feet to 1 vertical foot) or steeper, the height of the *excavation* is more than 6 feet, and the top of the slope is within 10 feet of the *public right of-way*, the property owner and permit holder shall construct a permanent, 4-foot-high

fence adjacent to the *public right-of-way*, satisfactory to the City Engineer.

- (3) The City Engineer may modify the requirements of this Section where it is evident that the *grading* work will present no hazard to the adjacent property or *public rights-of-way*.

- (b) Cut and *fill* slopes shall be set back from the property lines in accordance with Section 142.0148(b). Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure J108.1 in Appendix J of the California Building Code, unless substantiating data is submitted to the City Engineer, or the Building Official pursuant to Section 129.0104(a)(15), justifying reduced setbacks.
 - (1) The setback at the top of a cut slope shall not be less than that shown in Figure J108.1 of Appendix J in the California Building Code, or less than is required to accommodate any required interceptor drains, whichever is greater.
 - (2) Where required to protect adjacent properties at the toe of a slope from adverse effects of the *grading*, additional protection approved by the City Engineer, or the Building Official pursuant to Section 129.0104(a)(15), shall be included. Such protection may include but shall not be limited to:

- (A) Setbacks greater than those required by Figure J108.1 in Appendix J of the California Building Code.
- (B) Retaining walls or similar construction.
- (C) Erosion protection measures for the fill slopes.
- (D) Measures for the control of surface waters.

Section 11. That Chapter 14, Article 2, Division 4 of the San Diego Municipal Code is amended by amending section 142.0412, to read as follows:

§142.0412 Brush Management

Brush management is required in all base zones on publicly or privately owned *premises* that are within 100 feet of a *structure* and contain native or naturalized vegetation.

(a) through (h) [No change in text.]

(i) In consideration of the topography, existing and potential fuel load, and other characteristics of the site related to fire protection, the Fire Chief may modify the requirements of Section 142.0412, and where applicable with the approval of the Building Official, may require building features for fire protection in addition to those required in accordance with Chapter 14, Article 5, Division 7 and Chapter 14, Article 9, Division 3 if the following conditions exist:

(1) through (3) [No change in text.]

(j) through (o) [No change in text.]

Section 12. That Chapter 14, Article 2, Division 7 of the San Diego Municipal Code is amended by amending section 142.0740, to read as follows:

§142.0740 Outdoor Lighting Regulations

- (a) Outdoor lighting shall minimize impacts from light pollution including light trespass, glare, and urban sky glow to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. Regulation of outdoor lighting is also intended to conserve electrical energy. Outdoor lighting is regulated by the State of California's Energy Efficiency Standards for Residential and Nonresidential Buildings in Title 24, Part 6 of the California Code of Regulations and the California Green Building Standards Code in Title 24, Part 11 of the California Code of Regulations. No light fixtures shall exceed the light emission requirements of Section 142.0740 unless the light emission requirements of Section 142.0740 do not comply with the Energy Efficiency Standards for Residential and Nonresidential Buildings or the California Green Building Standards Code.

(b) through (g) [No change in text.]

Section 13. That Chapter 14, Article 5, Division 1 of the San Diego Municipal Code is amended by amending Sections 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, 145.0107, and 145.0108, to read as follows:

§145.0101 Purpose of the Building Regulations

- (a) The purpose of the Building Regulations is to establish minimum standards to safeguard health and safety, property and public welfare and

to satisfy the purpose of the 2010 California Building Code as provided in Section 1.1.2 of the 2010 California Building Code.

- (b) [No change in text.]

§145.0103 Adoption of the 2010 California Building Code

- (a) The 2010 California Building Code, published and amended by the California Building Standards Commission [BSC], as amended by the State Department of Housing and Community Development [HCD 1, HCD 1/AC]; the Division of the State Architect/Access and Compliance [DSA/AC]; the State Office of Statewide Health Planning and Development [OSHPD3]; and the State Fire Marshal [SFM] is adopted by reference, except as otherwise provided in Chapter 14, Article 5 of the San Diego Municipal Code, Divisions 2 through 36. A copy of the 2010 California Building Code is on file in the office of the City Clerk as Document No. 00-20187-1.
- (b) When reference is made to the California Building Code, it shall be the 2010 California Building Code, California Code of Regulations Title 24, Part 2, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2010 California Building Code is made a part of Chapter 14, Article 5 as if fully set forth in the article except as otherwise provided in Divisions 2 through 36.
- (d) Numbering of Sections in Divisions 2 through 36 of this Article is cross-referenced to Sections in the 2010 California Building Code.

- (e) The adoption of the 2010 California Building Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.
- (f) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (6) [No change in text.]

§145.0104 Portions of the 2010 California Building Code Not Adopted by the City of San Diego

The following portions of the 2010 California Building Code are not adopted by the City of San Diego:

- (a) Chapter 1, Division II “Scope and Administration.”
- (b) Chapter 15, Roof Assemblies and Roof Structures, Table 1505.1 and Section 1510.4.
- (c) Chapter 29, Plumbing Systems.

§145.0105 Modifications to the 2010 California Building Code Adopted by the City of San Diego

The following Sections or Subsections of the 2010 California Building Code are modified by the City of San Diego:

- (a) Chapter 7A Section 705A.4.
- (b) [No change in text.]
- (c) Chapter 12, Interior environment, Section 1203.2.

- (d) Chapter 18, Soils and Foundations, Section 1803.2, 1803.5 and 1803.6.
- (e) Chapter 19, Concrete, Section 1908.1.9.
- (f) Appendix J, Grading, Section J104.4.

§145.0106 Additions to the 2010 California Building Code Adopted by the City of San Diego

The following Sections and Subsections are added to the 2010 California Building Code by the City of San Diego:

- (a) Chapter 2, Definitions, Section 202 Live/Work Dwelling.
- (b) Chapter 4, Special Detailed Requirements Based on Use and Occupancy, Section 419.9.
- (c) Chapter 7A, Sections 710A.3, 701A.6, 702A, 705A.4, 705A.4.1, 703A.6.1, 703A.6.2, 706A.4, 708A.2.2.1, 711A.1 and 711A.2.
- (d) Chapter 10, Means of Egress, Section 1017.5.
- (e) Chapter 12, Interior Environment, Section 1203.2 exception.
- (f) Chapter 15, Roofing and Roof Structures, Subsections 1505.1.5 and 1505.1.6, Sections 1507.16 and Subsections 1510.1.1 through 1510.1.5.
- (g) Chapter 16, Structural Design, Subsections 16138.1 and 16138.2.
- (h) Chapter 17, Structural Tests and Special Inspections, Section 1705.5.
- (i) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsections 1803.2.1, 1803.2.2, 1803.2.3, 1803.2 exceptions 2 through 4; 1803.5.11.1, 1803.5.11.2, 1803.5.13, 1803.5.13.1, 1803.5.13.2 and Table 145.1803.
- (j) Chapter 19, Concrete, Subsection 1908.1.9.

- (k) Chapter 31, Special Construction, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsections 3109.1.1, 3109.1.2, and 3109.4.1.10.
- (l) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
- (m) Chapter 33, Safeguards During Construction, Section 3303.7, Demolition and Removal Regulations.
- (n) Chapter 37, Archaic Materials and Methods of Construction.

§145.0107 Adoption of Appendices to the 2010 California Building Code

The following Appendix Chapters of the 2010 California Building Code are adopted by the City of San Diego:

- (a) Appendix chapters specifically adopted by a State agency listed in Section 145.0103 and identified in the adoption matrices of the 2010 California Building Code.
- (b) through (c) [No change in text.]
- (d) Appendix Chapter J, Grading.

§145.0108 Adoption of 2010 California Building Code Chapter 1, “Scope and Administration”

Chapter 1, Division I of the 2010 California Building Code “Scope and Administration,” is adopted pursuant to Section 145.0103 of the San Diego Municipal Code without change.

Section 14. That Chapter 14, Article 5, Division 2 of the San Diego Municipal Code is amended by amending sections 145.0201 and 145.0202, to read as follows:

**Division 2: Additions and Modifications to Chapter 2 of the
2010 California Building Code**

**§145.0201 Local Modifications and Additions to Chapter 2 Definitions of the 2010
California Building Code**

Chapter 2 of the 2010 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.

§145.0202 Other Definitions

- (a) Definitions in Chapter 11, Article 3, Division 1 of the San Diego Municipal Code do not apply to Chapter 14 Article 5 Divisions 3 through 36 of the San Diego Municipal Code where they conflict with the definitions contained in the 2010 California Building Code.
- (b) Definitions in Chapter 14, Article 5, Divisions 16 and 19 of the San Diego Municipal Code only apply where referenced in additions or modifications to the 2010 California Building Code and associated referenced standards.
- (c) Section 202 of the California Building Code is adopted with the addition of the definition of Live/work unit. A Live/work unit means a dwelling unit in which a portion is used for other than living purposes subject to the limitations set forth in Section 419 “live/work units” in the California Building Code. Live/work unit shall not mean live/work quarters as defined and regulated in Section §141.0311 of the San Diego Municipal Code.

Section 15. That Chapter 14, Article 5, Division 3 of the San Diego Municipal Code is amended by amending section 145.0301, to read as follows:

**Division 3: Additions and Modifications to Chapter 3 of the
2010 California Building Code**

**§145.0301 Local Modifications and Additions to Chapter 3 “Use and Occupancy
Classification” of the 2010 California Building Code**

Chapter 3 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 16. That Chapter 14, Article 5, Division 4 of the San Diego Municipal Code is amended by amending section 145.0401 and adding new section 145.0419, to read as follows:

**Division 4: Additions and Modifications to Chapter 4 of the
2010 California Building Code**

**§145.0401 Local Modifications and Additions to Chapter 4 “Special Detailed
Requirements Based on Use and Occupancy” of the 2010 California Building
Code**

Chapter 4 of the 2010 California Building Code is adopted by reference-with additions pursuant to Section 145.0106 of the Land Development Code.

**§145.0419 Local Modifications and Additions to Section 419 “Live/Work Units” of the
2010 California Building Code**

Section 419 of the 2010 California Building Code is adopted with the addition of Section 419.9. 419.9 Plumbing. The applicable requirements of the California Plumbing Code shall apply to each portion of the live/work unit based on the use in each portion.

Section 17. That Chapter 14, Article 5, Division 5 of the San Diego Municipal Code is amended by amending section 145.0501, to read as follows:

**Division 5: Additions and Modifications to Chapter 5 of the
2010 California Building Code**

**§145.0501 Local Modifications and Additions to Chapter 5 “General Building Heights
and Areas” of the 2010 California Building Code**

Chapter 5 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 18. That Chapter 14, Article 5, Division 6 of the San Diego Municipal Code is amended by amending section 145.0601, to read as follows:

**Division 6: Additions and Modifications to Chapter 6 of the
2010 California Building Code**

**§145.0601 Local Modifications and Additions to Chapter 6 “Types of Construction” of
the 2010 California Building Code**

Chapter 6 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 19. That Chapter 14, Article 5, Division 7 of the San Diego Municipal Code is amended by amending sections 145.0701, 145.0702, 145.0703, 145.0704, 145.0705, and 145.0706, to read as follows:

**Division 7: Additions and Modifications to Chapter 7 of the
2010 California Building Code**

**§145.0701 Local Modifications and Additions to Chapter 7 “Fire-Resistance Rated
Construction” of the 2010 California Building Code**

- (a) Chapter 7 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (b) Chapter 7A of the 2010 California Building Code is adopted by reference with modifications pursuant to Section 145.0105 and additions pursuant to Section 145.0106 of the Land Development Code.

§145.0702 Local Additions and Modifications to Section 701A “Scope, Purpose, and Application” of the 2010 California Building Code

Exception 5 “Fences” is added to Section 701A.3 as follows pursuant to Section 145.0106 of the Land Development Code.

§145.0703 Local Additions and Modifications to Section 702A “Definitions” and Section 703A “Standards of Quality” of the 2010 California Building Code

- (a) Section 702A is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code as follows:
 - (1) *Accessory building* and structure shall mean *accessory structure* as defined in Section 113.0103 of the San Diego Municipal Code.
 - (2) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas” adopted pursuant to Section 55.5001 of the San Diego Municipal Code.
- (b) Section 703A.6 is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code as follows:

- (1) 703A.6.1. The Building Official may approve the use of alternative materials, designs or methods of construction pursuant to Section 129.0109 of the San Diego Municipal Code.
- (2) 703A.6.2. The Building Official may modify the provisions of Chapter 7A of the California Building Code for site-specific conditions in accordance with Section 129.0104(a)(5) of the San Diego Municipal Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.

§145.0705 Local Additions and Modifications to Section 705A “Roofing” of the 2010 California Building Code

Section 705A.4 is adopted by reference with modifications and Subsection 705A.4.1 has been added pursuant to Sections 145.0105 and 145.0106 of the San Diego Municipal Code.

- (a) 705A.4. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.
- (b) 705A.4.1 When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

§145.0706 Local Additions and Modifications to Section 706A “Vents” of the 2010 California Building Code

Subsection 706A.4 is added as follows pursuant to Section 145.0106 of the Land Development Code.

- (a) 706A.4 Additional exterior wall, roof, and foundation ventilation opening requirements.
- (1) [No change in text].
 - (2) Ventilation openings on structures located immediately adjacent to Brush Management Zone One, as defined in Section 142.0142 of the San Diego Municipal Code, shall not be directed toward Brush Management Zones as defined in Section 142.0142 of the San Diego Municipal Code.
 - (3) Roof vents, dormer vents, gable vents, foundation ventilation openings, ventilation openings in vertical walls, or other similar ventilation openings shall be louvered and covered with metal mesh required by Section 706A.2 , or other approved material that offers equivalent protection.
 - (4) Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.
 - (5) Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with Section 145.0706(b)(1) and (2).

§145.0708 Local Additions and Modifications to Section 708A “Exterior Windows and Doors” of the California Building Code

Subsection 708A.2.2.1 is added pursuant to Section 145.0106 of the San Diego Municipal Code. 708A.2.2.1 Vinyl window reinforcing. Glazing frames made of

vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWDA 101/I.S.2 structural requirements.

§145.0711 Local Additions to Section 711A “Additional Building Standards for Buildings Located in the Local Agency Very High Fire Hazard Severity Zone” of Chapter 7A of the California Building Code

Sections 711A.1 and 711A.2 are added as follows to Chapter 7A pursuant to Section 145.0106 of the San Diego Municipal Code.

- (a) 711A.1 Spark arrester. All structures having any chimney, flue, or stovepipe shall be equipped with an approved spark arrester if the chimney, flue, or stovepipe is attached to any fireplace, stove, barbecue, or other solid or liquid fuel burning equipment or device.
- (b) 711A.2 Skylights. Glazing materials used in skylights, roofs, and sloped walls shall be tempered glass or multilayered glass on buildings located within 300 feet, in any direction, of the boundary between Brush Management Zones One and Two, as defined in Section 142.0412 of the San Diego Municipal Code.

Section 20. That Chapter 14, Article 5, Division 8 of the San Diego Municipal Code is amended by amending section 145.0801, to read as follows:

**Division 8: Additions and Modifications to Chapter 8 of the
2010 California Building Code**

**§145.0801 Local Modifications and Additions to Chapter 8 “Interior Finishes” of the
2010 California Building Code**

Chapter 8 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 21. That Chapter 14, Article 5, Division 9 of the San Diego Municipal Code is amended by amending section 145.0901, to read as follows:

**Division 9: Additions and Modifications to Chapter 9 of the
2010 California Building Code**

**§145.0901 Local Modifications and Additions to Chapter 9 “Fire Protection Systems” of
the 2010 California Building Code**

Chapter 9 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 22. That Chapter 14, Article 5, Division 10 of the San Diego Municipal Code is amended by amending Sections 145.1001 and 145.1017 to read as follows:

**Division 10: Additions and Modifications to Chapter 10 of the
2010 California Building Code**

**§145.1001 Local Modifications and Additions to Chapter 10 “Means of Egress” of the
2010 California Building Code**

Chapter 10 of the 2010 California Building Code is adopted by reference with local additions-pursuant to Section 145.0106 of the Land Development Code.

**§145.1017 Local Modifications and Additions to Section 1017 “Aisles” of the California
Building Code**

Section 1017 of the 2010 California Building Code is adopted with additions pursuant to Section 145.0106 of the Land Development Code. 1017.5 Aisles in other than Groups A, B, M and R occupancies. In other than Group A, B, M and

R occupancies, the minimum clear aisle width shall be determined by California Building Code Section 1005.1 for the occupant load served, but shall not be less than 36 inches (914 mm). However, nonpublic aisles serving less than 50 people and not required to be accessible by Chapter 11B of the California Building Code need not exceed 28 inches (711 mm) in width.

Section 23. That Chapter 14, Article 5, Division 11 of the San Diego Municipal Code is amended by amending Section 145.1101, to read as follows:

**Division 11: Additions and Modifications to Chapter 11 of the
2010 California Building Code**

§145.1101 Local Modifications and Additions to Chapter 11 “Accessibility” of the 2010 California Building Code

Chapters 11A and 11B of the 2010 California Building Code are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 24. That Chapter 14, Article 5, Division 12 of the San Diego Municipal Code is amended by amending sections 145.1201 and 145.1203, to read as follows:

**Division 12: Additions and Modifications to Chapter 12 of the
2010 California Building Code**

§145.1201 Local Modifications and Additions to Chapter 12 “Interior Environment” of the 2010 California Building Code

Chapter 12 of the 2010 California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

§145.1203 Local Modifications and Additions to Section 1203 “Ventilation” of the California Building Code

Section 1203.2 of the 2010 California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section 1203.2 is modified by adding an exception as follows: Attic ventilation shall not be required when determined not necessary by the Building Official due to atmospheric or climatic conditions.

Section 25. That Chapter 14, Article 5, Division 13 of the San Diego Municipal Code is amended by amending section 145.1301, to read as follows:

Division 13: Additions and Modifications to Chapter 13 of the 2010 California Building Code

§145.1301 Local Modifications and Additions to Chapter 13 “Energy Efficiency” of the 2010 California Building Code

Chapter 13 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 26. That Chapter 14, Article 5, Division 14 of the San Diego Municipal Code is amended by amending section 145.1401, to read as follows:

Division 14: Additions and Modifications to Chapter 14 of the 2010 California Building Code

§145.1401 Local Modifications and Additions to Chapter 14 “Exterior Walls” of the 2010 California Building Code

Chapter 14 of the-2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 27. That Chapter 14, Article 5, Division 15 of the San Diego Municipal Code is amended by amending sections 145.1501, 145.1505, 145.1507, and 145.1510, to read as follows:

**Division 15: Additions and Modifications to Chapter 15 of the
2010 California Building Code**

§145.1501 Local Modifications and Additions to Chapter 15 “Roof Assemblies and Roof Top Structures” of the 2010 California Building Code

- (a) Chapter 15 of the 2010 California Building Code is adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Sections 1501 through 1504 and Sections 1505 (except for Table 1505.1), 1506, 1508 and 1509 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (c) Sections 1505.1, 1507.8 and 1507.9 are adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code.
- (d) Table 1505.1 is not adopted by reference by the City of San Diego pursuant to Section 145.0105 of the Land Development Code.

§145.1505 Local Additions and Modifications to Section 1505 “Fire Classification” of the 2010 California Building Code

- (a) Section 1505.1 is adopted by reference and modified as follows pursuant to Section 145.0105 of the Land Development Code.
 - (1) 1505.1 Roof assemblies shall be divided into the classes defined in the California Building Code. Class A, B and C roof assemblies

and roof coverings required to be listed by this Section shall be tested in accordance with ASTM E108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898.

- (2) Skylights and sloped glazing that comply with Chapter 24 or Section 2610 of the 2010 California Building Code are exempt from compliance with Section 145.1505(a)(1).
- (b) Sections 1505.1.5 and 1505.1.6 are added as follows pursuant to Section 145.0106 of the Land Development Code:
- (1) 1505.1.5. All newly constructed roofs shall be a Class “A” roof assembly.
 - (2) 1505.1.6. The entire roof shall be a Class “A” roof assembly where a building addition is more than twenty-five percent of the original floor area of the building.

§145.1507 Local Additions and Modifications to Section 1507 “Requirements for Roof Coverings” of the 2010 California Building Code

- (a) Sections 1507.8 and 1507.9 are modified as follows pursuant to Section 145.0105 of the Land Development Code:
- (1) 1507.8 Wood shingles. Wood shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and San Diego Municipal Code Section 145.1510.

- (2) 1507.9 Wood shakes. Wood shakes are not permitted, except as provided in California Historical Building Code Section 8-408 and San Diego Municipal Code Section 145.1510.
- (b) Section 1507.16 is added as follows pursuant to Section 145.0106 of the Land Development Code: 1507.16. Roof coverings shall be secured or fastened to the supporting roof construction.

§145.1510 Local Additions and Modifications to Section 1510 “Reroofing” of the 2010 California Building Code

- (a) Section 1510.1 is modified pursuant to Section 145.0105 of the Land Development Code: 1510.1 (General). Materials and methods of application used for covering or replacing an existing roof covering shall comply with the requirements of Chapter 15 of the 2010 California Building Code as adopted and amended by the City of San Diego.
- (b) Sections 1510.1.1 through 1510.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) 1510.1.1. All replacements, alterations, or repairs shall be a Class “A” roof assembly.
 - (2) 1510.1.2. The entire roof shall be a Class “A” roof assembly where more than twenty-five percent of the total roof area is replaced, altered or repaired within any twelve month period.
- (c) Sections 1510.1.3 through 1510.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) [No change in text.]

- (2) 1510.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section 145.1510.
- (3) [No change in text.]

Section 28. That Chapter 14, Article 5, Division 16 of the San Diego Municipal Code is amended by amending sections 145.1601 and 145.1613, to read as follows:

**Division 16: Additions and Modifications to Chapter 16 of the
2010 California Building Code**

**§145.1601 Local Modifications and Additions to Chapter 16 “Structural Design” of the
2010 California Building Code**

- (a) Chapter 16 of the 2010 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.
- (b) Sections 1601 through 1613.7, including all figures, are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

**§145.1613 Local Additions and Modifications to Section 1613 “Earthquake Loads” of
the 2010 California Building Code**

Subsections 1613.8.1 and 1613.8.2 are added as follows pursuant to Section 145.0106 of the Land Development Code:

- (a) 1613.8.1 P-delta Effects. Modify equation 12.8-16 in Section 12.8.7 of ASCE 7-05 by adding the importance factor I as follows:

$$\theta = \frac{P_x \Delta I}{V_x h_{sx} C_d} \quad (\text{Equation 12.8-16})$$

- (b) 1613.8.2 Displacements Within Structures. Modify equations 13.3-5, 13.3-6, 13.3-7 and 13.3-8 in Section 13.3.2.1 of ASCE 7-05 by adding the importance factor I as follows:

$$(1) \quad \Delta_p = (\delta_{xA} - \delta_{yA}) I_A \quad (\text{Equation 13.3-5})$$

$$(2) \quad \Delta_p = \frac{(h_x - h_y) \Delta_{aA}}{h_{sx}} I_A \quad (\text{Equation 13.3-6})$$

$$(3) \quad \Delta_p = \left| \delta_{xA} I_A \right| + \left| \delta_{yB} I_B \right| \quad (\text{Equation 13.3-7})$$

$$(4) \quad \Delta_p = \frac{h_x \Delta_{aA}}{h_{sx}} I_A + \frac{h_y \Delta_{aB}}{h_{sx}} I_B \quad (\text{Equation 13.3-8})$$

where

I_A = the importance factor for structure A pursuant to Section 11.5.1 of ASCE 7-05.

I_B = the importance factor for Structure B pursuant to Section 11.5.1 of ASCE 7-05.

Section 29. That Chapter 14, Article 5, Division 17 of the San Diego Municipal Code is amended by amending sections 145.1701 and 145.1705, to read as follows:

**Division 17: Additions and Modifications to Chapter 17 of the
2010 California Building Code**

§145.1701 Local Modifications and Additions to Chapter 17 “Structural Tests and Special Inspections” of the 2010 California Building Code

- (a) Chapter 17 of the 2010 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.
- (b) Sections 1701 through 1704 and 1706 through 1715 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

§145.1705 Local Additions and Modifications to Section 1705 “Statement of Special Inspections” of the 2010 California Building Code

Section 1705.5 is added pursuant to Section 145.0106 of the Land Development Code. 1705.5. Where structural observation is required by Section 1710 of the 2010 edition of the California Building Code, the structural observation shall be included as a part of the statement of special inspections, shall name the individual or firms who are to perform structural observation and shall describe the stages of construction at which structural observation is to occur.

Section 30. That Chapter 14, Article 5, Division 18 of the San Diego Municipal Code is amended by amending sections 145.1801 and 145.1803, to read as follows:

**Division 18: Additions and Modifications to Chapter 18 of the
2010 California Building Code**

**§145.1801 Local Modifications and Additions to Chapter 18 “Soils and Foundations” of
the 2010 California Building Code**

- (a) Chapter 18 of the 2010 California Building Code is adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

- (b) Section 1803 is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (c) Section 1801, Section 1802, and Sections 1804 through 1810 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

§ 145.1803 Local Additions and Modifications to Section 1803 “Geotechnical Investigations” of the 2010 California Building Code

- (a) Section 1803.2 is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
 - (1) 1803.2.1. A geotechnical investigation shall be conducted when required by Section 1803.2 of the California Building Code, Section 145.1803 (d) of the San Diego Municipal Code, or the Building Official for all new structures, additions to existing structures not exempted by San Diego Municipal Code Section 145.1803(b), or whenever the occupancy classification of a building changes to a higher relative hazard category pursuant to Table 1604.5 of the California Building Code as a result of the proposed work.
 - (2) 1803.2.2. When required, a geotechnical report shall be submitted to the Building Official. When geologic hazards are identified, the report shall contain appropriate recommendations for mitigation of the hazards, and these recommendations shall be incorporated into

the design of the project before issuance of a Building Permit. No Building Permit shall be issued for construction where the geotechnical investigation report establishes that construction of buildings or *structures* would be unsafe because of the geologic hazards. Issuance of a Building Permit does not constitute a representation by the City that the site does not contain geological hazards or that construction is safe.

- (3) 1803.2.3. The Building Official may require that a “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” be executed by the property owner as a condition to the issuance of a Building Permit for any structure to be located over a suspected fault or other geologic hazard. A “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” may also be required when a geologic investigation cannot conclusively establish that buildings or *structures* located on the site would either be safe or unsafe. The form of the “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” shall be as provided by the Building Official. When required by the Building Official, the “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” shall be executed by the property owner and recorded with the San Diego County Recorder, and filed with the City of San Diego.
- (b) Section 1803.2 is modified and exceptions are added pursuant to Sections 145.0105 and 145.0106 of the San Diego Municipal Code.

- (1) The Building Official may waive the requirement for a geotechnical investigation where satisfactory data from adjacent areas is available that demonstrates an investigation is not necessary for any of the conditions in California Building Code Sections 1803.5.1 through 1803.5.6 and Sections 1803.5.10 and 1803.5.11.
 - (2) The Building Official may waive the requirement for a geotechnical investigation for additions to detached one and two-family dwellings, except when the site is located within Geologic Hazard Category 11 or 21 in Table 145.1803 of the San Diego Municipal Code, or when required by a discretionary review.
 - (3) The Building Official may waive the requirement for a geotechnical investigation for additions where the total floor area of all additions to the same *structure* is less than 500 square feet of floor area in any 12-month period.
 - (4) The Building Official may waive the requirement for a geotechnical investigation for remodels and non-structural tenant improvements to existing *structures*.
 - (5) The Building Official may waive the requirement for a geotechnical investigation for *structures* assigned to occupancy Group U or any other *structure* of a similar nature.
- (c) Section 1803.5 is modified pursuant to Section 145.0106 of the San Diego Municipal Code. 1803.5 (Investigated conditions) Geotechnical

investigations shall be conducted as indicated in California Building Code Sections 1803.5.1 through 1803.5.13.

- (d) Section 1803.5.11 is modified by adding Subsections 1803.5.11.1 and 1803.5.11.2 pursuant to Section 145.0106 of the San Diego Municipal Code.
 - (1) 1803.5.11.1. A geotechnical investigation report shall be submitted pursuant to San Diego Municipal Code Sections 145.1803(d), 145.1803(f) and Table 145.1803 unless exempted pursuant to San Diego Municipal Code Section 145.1803(b).
 - (2) 1803.5.11.2. For structures regulated by the California Residential Code, Section 145.1803(d) shall apply.
- (e) Section 1803.5.12 is modified pursuant to Section 145.0105 of the San Diego Municipal Code. 1803.5.12. (Seismic Design Categories D through F) For structures assigned to Seismic Design Category D, E or F in accordance with Section 1613, the geotechnical investigation report required by Section 1803.5.11, shall also include the determination of lateral earth pressures on foundation walls, and retaining walls supporting more than 6 ft of backfill height, due to earthquake motions.
- (f) Section 1803.5.13 is added pursuant to Section 145.0105 of the San Diego Municipal Code. 1803.5.13. Local Geologic Hazards. A geotechnical investigation report shall be submitted when required by Municipal Code Section 145.1803 and Table 145.1803. Notwithstanding Table 145.1803, the Building Official may require a geotechnical investigation report for

any site if the Building Official has reason to believe that a geologic hazard may exist at the site based on data not mapped on the City of San Diego Seismic Safety Study maps.

(g) The Geologic Hazard Category and the Building, Structure and Facility Class must be determined as follows when using Table 145.1803 to determine whether a geotechnical investigation report is required due to local geological hazards within the City of San Diego.

(1) The Hazard Category describes the geologic feature or condition suspected at the site. The Hazard Category is determined by reference to the current City of San Diego Seismic Safety Study maps.

(2) City staff shall assign one of four Building, Structure and Facility classes to each building, *structure*, or facility based on their use, type of occupancy, number of occupants, and whether hazardous materials are being used or stored in the building, *structure*, or facility to determine whether a Geotechnical Investigation Report is required.

(A) Class A includes the following:

(i) Buildings or *structures* classified as Essential Facilities in Occupancy Category IV as defined in Table 1604.5 of the 2010 California Building Code.

- (ii) Any building, *structure* or facility where significant generation or storage of toxic, hazardous, or flammable materials will occur.
- (B) Class B includes the following *developments*, occupancy groups, and *structures* provided they are not included in Class A:
- (i) All *developments* consisting of four or more buildings on the same lot.
 - (ii) All new *structures* requiring deep foundations, such as piers or pilings.
 - (iii) All *structures* over three stories in height.
 - (iv) All *structures* containing the following occupancies pursuant to the 2010 California Building Code, Chapter 3:
 - a. Group A, Divisions 1, 2, 3 and 4;
 - b. Group E, buildings and other *structures* containing elementary school, secondary school or day care facilities with an occupant load greater than 250;
 - c. Group H, Divisions 1, 2, and 3; and
 - d. Group I, Divisions 2 and 3.
 - (v) All *structures* with an occupant load of more than 300 occupants as determined by Table 10-A of the

2010 California Building Code and *structures* used for public assembly assigned to Occupancy Category III in Table 1604.5 of the 2010 California Building Code.

- (vi) Tanks, bins, hoppers, silos, and other storage structures with more than 20,000 gallon capacity intended to store toxic, hazardous, or flammable contents that are not associated with a building, *structure*, or facility in Class A.
 - (vii) Tanks, bins, hoppers, silos, and other storage structures over 35 feet high.
 - (viii) Towers over 35 feet high.
 - (ix) Retaining walls over the heights listed in the following Subsections a. and b. with the height measured from the top of the footing to the top of the wall:
 - a. Retaining walls over 12 feet in height; and
 - b. Retaining walls over 8 feet in height supporting a surcharge or retaining toxic, hazardous, or flammable contents.
- (C) Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:

(i) All *structures* containing the following occupancies pursuant to the 2010 California Building Code, Chapter 3:

- a. Group A, Divisions 2, 3 and 5 with rooms having less than 300 occupants;
- b. Group B;
- c. Group E, buildings and other *structures* containing elementary school, secondary school or day care facilities with an occupant load less than 250;
- d. Group F, Divisions 1 and 2;
- e. Group H, Divisions 4 and 5;
- f. Group I, Division 1;
- g. Group M;
- h. Group R, Divisions 1 and 2; and
- i. Group S, Division 1.

(ii) Retaining walls over the heights listed in the following Subsections a. and b. with the height measured from the top of the footing to the top of the wall:

- a. Retaining walls over 6 feet in height; and

- b. Retaining walls of 8 feet or less supporting a surcharge or retaining toxic, hazardous, or flammable contents.
 - (iii) Tanks, bins, hoppers, silos, and other storage structures intended to store toxic, hazardous, or flammable contents;
 - (iv) Tanks, bins, hoppers, silos, and other storage structures over 20 feet high; and
 - (v) Towers over 20 feet high.
- (D) Class D includes the following occupancy groups and *structures* provided they are not included in Classes A, B, or C: All *structures* containing the following occupancies pursuant to the 2010 California Building Code, Chapter 3: Group R, Divisions 3 and 4 and buildings regulated by the 2010 California Residential Code.
- (h) Section 1803.6 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the San Diego Municipal Code.
- 1803.6.1. Geotechnical investigations reports prepared pursuant to Section 1803.6 of the 2010 California Building Code and Section 145.1803 (f) of the San Diego Municipal Code shall be required for sites where geologic hazards may exist as determined by the Building Official prior to obtaining a Building Permit. The report shall include all requirements as established by the Building Official. All reports shall be prepared in

accordance with the most recent edition of the City of San Diego “Guidelines for Geotechnical Reports,” which is available through the City of San Diego Official Website. These minimum requirements shall be augmented by geologic evaluations pertinent to the type of proposed project and anticipated method of construction, which should be described in the report. For buildings located in both a fault zone and a hazard category zone, the most restrictive requirement shall govern.

Table 145.1803 ⁽¹⁾		
Required Geotechnical Investigation		
Type of Hazard	Hazard Category	Building, Structure, and Facility Class
Fault Zones/Ground Rupture	11, 12, 13	A, B, C, D
Landslides/Potential Slope Instability	21 through 27	A, B, C, D
Liquefaction/Potential Ground Failure	31, 32	A, B, C, D
Coastal Bluff Stability	41 through 48	A, B, C, D
Variable Stability/Unfavorable Geologic Structure with Sloping Topography	53, 54 (with slope greater than or equal to 4:1 or 25%)	A, B, C, D

All Other Conditions	53, 54 (with slope less than 4:1 or 25%)	A, B, C
	51, 52, 55	A, B, C

Footnotes:

- (1) See San Diego Municipal Code Section 145.1803 (f) and (g).

Section 31. That Chapter 14, Article 5, Division 19 of the San Diego Municipal Code is amended by amending Sections 145.1901 and 145.1908 to read as follows:

Article 5: Building Regulations

Division 19: Additions and Modifications to Chapter 19 of the

2010 California Building Code

§145.1901 Local Modifications and Additions to Chapter 19 “Concrete” of the 2010 California Building Code

- (a) Chapter 19 of the 2010 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.
- (b) Sections 1901 through 1907 and 1909 through 1915 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

§145.1908 Local Additions to Section 1908 “Modifications to ACI 318” of the 2010 California Building Code

Section 1908.1.9 is modified and exceptions 2 and 3 are added pursuant to Section 145.0106 of the Land Development Code. 1908.1.9 ACI 318, Section D.3.3. Modify ACI 318, Section D3.3.4 by adding exceptions 2 and 3.

(a) Exception 2. Light-Frame Wood Construction. D.3.3.4 does not apply and the design shear strength in accordance with D.6.2.1(c) shall not be computed for anchor bolts attaching wood sill plates of bearing or non-bearing walls of light-frame wood structures to foundations or foundation stem walls provided all of the following are satisfied:

- (1) The allowable in-plane shear strength of the anchor is determined in accordance with AF&PA NDS Table 11E for lateral design values parallel to grain;
- (2) The maximum anchor nominal diameter is 5/8 inches (16 mm);
- (3) Anchor bolts are embedded into concrete a minimum of 7 inches (178 mm);
- (4) Anchor bolts are located a minimum of 1-3/4 inches (45 mm) from the edge of the concrete parallel to the length of the wood sill plate;
- (5) Anchor bolts are located a minimum of fifteen anchor diameters from the edge of the concrete perpendicular to the length of the wood sill plate; and
- (6) The sill plate is 2-inch or 3-inch nominal thickness.

(b) Exception 3. Light-Frame Cold Formed Steel Construction. Section D.3.3.4 does not apply and the design shear strength in accordance with

Section D.6.2.1(c) shall not be computed for anchor bolts attaching cold-formed steel track of bearing or non-bearing walls of light-frame construction to foundations or foundation stem walls provided all of the following are satisfied:

- (1) The maximum anchor nominal diameter is 5/8 inches (16 mm);
 - (2) Anchors are embedded into concrete a minimum of 7 inches (178 mm).
 - (3) Anchors are located a minimum of 1-3/4 inches (45 mm) from the edge of the concrete parallel to the length of the track.
 - (4) Anchors are located a minimum of fifteen anchor diameters from the edge of the concrete perpendicular to the length of the track; and
 - (5) The track is 33 to 68 mil designation thickness.
- (c) Allowable in-plane shear strength of exempt anchors parallel to the edge of concrete shall be permitted in accordance with AISI S100 Section E3.3.1.

Section 32. That Chapter 14, Article 5, Division 20 of the San Diego Municipal Code is amended by amending section 145.2001, to read as follows:

Article 5: Building Regulations

**Division 20: Additions and Modifications to Chapter 20 of the
2010 California Building Code**

**§145.2001 Local Modifications and Additions to Chapter 20 “Aluminum” of the 2010
California Building Code**

Chapter 20 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 33. That Chapter 14, Article 5, Division 21 of the San Diego Municipal Code is amended by amending section 145.2101, to read as follows:

Article 5: Building Regulations

**Division 21: Additions and Modifications to Chapter 21 of the
2010 California Building Code**

**§145.2101 Local Modifications and Additions to Chapter 21 “Masonry” of the 2010
California Building Code**

Chapter 21 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 34. That Chapter 14, Article 5, Division 22 of the San Diego Municipal Code is amended by amending section 145.2201, to read as follows:

Article 5: Building Regulations

**Division 22: Additions and Modifications to Chapter 22 of the
2010 California Building Code**

**§145.2201 Local Modifications and Additions to Chapter 22 “Steel” of the 2010
California Building Code**

Chapter 22 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 35. That Chapter 14, Article 5, Division 23 of the San Diego Municipal Code is amended by amending section 145.2301, to read as follows:

Article 5: Building Regulations

**Division 23: Additions and Modifications to Chapter 23 of the
2010 California Building Code**

**§145.2301 Local Modifications and Additions to Chapter 23 “Wood” of the 2010
California Building Code**

Chapter 23 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 36. That Chapter 14, Article 5, Division 24 of the San Diego Municipal Code is amended by amending section 145.2401, to read as follows:

Article 5: Building Regulations

**Division 24: Additions and Modifications to Chapter 24 of the
California Building Code**

**§145.2401 Local Modifications and Additions to Chapter 24 “Glass and Glazing” of the
2010 California Building Code**

Chapter 24 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 37. That Chapter 14, Article 5, Division 25 of the San Diego Municipal Code is amended by amending section 145.2501, to read as follows:

Article 5: Building Regulations

**Division 25: Additions and Modifications to Chapter 25 of the
2010 California Building Code**

**§145.2501 Local Modifications and Additions to Chapter 25 “Gypsum Board and
Plaster” of the 2010 California Building Code**

Chapter 25 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 38. That Chapter 14, Article 5, Division 26 of the San Diego Municipal Code is amended by amending section 145.2601, to read as follows:

Article 5: Building Regulations

**Division 26: Additions and Modifications to Chapter 26 of the
2010 California Building Code**

**§145.2601 Local Modifications and Additions to Chapter 26 “Plastic” of the 2010
California Building Code**

Chapter 26 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 39. That Chapter 14, Article 5, Division 27 of the San Diego Municipal Code is amended by amending section 145.2701, to read as follows:

Article 5: Building Regulations

**Division 27: Additions and Modifications to Chapter 27 of the
2010 California Building Code**

**§145.2701 Local Modifications and Additions to Chapter 27 “Electrical” of the 2010
California Building Code**

Chapter 27 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 40. That Chapter 14, Article 5, Division 28 of the San Diego Municipal Code is amended by amending section 145.2801, to read as follows:

Article 5: Building Regulations

**Division 28: Additions and Modifications to Chapter 28 of the
2010 California Building Code**

**§145.2801 Local Modifications and Additions to Chapter 28 “Mechanical Systems” of
the 2010 California Building Code**

Chapter 28 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 41. That Chapter 14, Article 5, Division 29 of the San Diego Municipal Code is amended by amending Section 145.2901 to read as follows:

Article 5: Building Regulations

**Division 29: Additions and Modifications to Chapter 29 of the
2010 California Building Code**

**§145.2901 Local Modifications and Additions to Chapter 29 “Plumbing Systems” of the
2010 California Building Code**

- (a) Chapter 29 of the 2010 California Building Code is not adopted by the City of San Diego pursuant to Section 145.0104 of the Land Development Code.
- (b) Chapter 4 of the 2010 California Plumbing Code is adopted by reference pursuant to Section 147.0103 of the Land Development Code and shall be used as the basis for determining the number and location of plumbing fixtures.

Section 42. That Chapter 14, Article 5, Division 30 of the San Diego Municipal Code is amended by amending section 145.3001, to read as follows:

Article 5: Building Regulations

**Division 30: Additions and Modifications to Chapter 30 of the
2010 California Building Code**

**§145.3001 Local Modifications and Additions to Chapter 30 “Elevators and Conveying
Systems” of the 2010 California Building Code**

Chapter 30 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.

Section 43. That Chapter 14, Article 5, Division 31 of the San Diego Municipal Code is amended by amending sections 145.3101 and 145.3109, to read as follows:

Article 5: Building Regulations

**Division 31: Additions and Modifications to Chapter 31 of the
2010 California Building Code**

**§145.3101 Local Modifications and Additions to Chapter 31 “Special Construction” of
the 2010 California Building Code**

(a) Chapter 31 of the California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.

(b) Sections 3101 through 3108 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

**§145.3109 Local Additions and Modifications to Section 3109 “Swimming Pool
Enclosure and Safety Devices” of the 2010 California Building Code**

Sections 3109.1.1, 3109.1.2 and 3109.4.1.10 of the 2010 California Building Code are added as follows pursuant to Section 145.0106 of the Land Development Code.

- (a) 3109.1.1 Purpose of Building Regulations for Swimming Pools, Spas and Hot Tubs. The purpose of this Section is to establish building regulations for private swimming pools and hot tubs or spas that do not have locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM F 1346) located on the premises of Group R, Division 3 (Occupancies) units.
- (b) 3109.1.2 When Swimming Pool, Spa, and Hot Tub Regulations Apply. The building regulations of this division apply to any outdoor private swimming pool. An outdoor swimming pool means any structure intended for swimming or recreational bathing that can contain water over 18 inches in depth and is not totally contained within a residence and surrounded on all four sides by walls of the structure. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.
- (c) 3109.4.1.10 Barrier Heights. When provided as a part of a pool enclosure pursuant to Section 3109.4.4.3 of the 2010 California Building Code, the enclosure barrier shall be designed so that it cannot be readily climbed by small children. The barrier shall comply with the height requirements contained in Section 3109.4.4.3 of the 2010 California Building Code. When located adjacent to a slope, planter or other fixed appendage, the barrier shall comply with Figure 31B-5 of the 2010 California Building Code.

Section 44. That Chapter 14, Article 5, Division 32 of the San Diego Municipal Code is amended by amending section 145.3201, to read as follows:

Article 5: Building Regulations

**Division 32: Additions and Modifications to Chapter 32 of the
2010 California Building Code**

**§145.3201 Local Modifications and Additions to Chapter 32 “Encroachments into the
Public Right-of-Way” of the 2010 California Building Code**

- (a) Chapter 32 of the 2010 California Building Code is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code.
- (b) Sections 3201 and 3202 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

§145.3203 Local Additions to Chapter 32 “Encroachments Into The Public Right-of-Way”

Section 3203 “Entrance Canopies” is added as follows pursuant to Section 145.0106 of the Land Development Code:

- (a) through (b) [No change in text.]
- (c) 3203.3 Construction. Entrance canopy frames and supporting structural members shall be constructed of corrosion-resistant metal designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 of the 2010 California Building Code. Entrance canopies shall also meet all of the following requirements:
 - (1) Canopies shall be covered with an approved covering that complies with Section 3105.4 of the 2010 California Building Code.

(2) through (4) [No change in text.]

(d) through (f) [No change in text.]

Section 45. That Chapter 14, Article 5, Division 33 of the San Diego Municipal Code is amended by amending sections 145.3301 and 145.3303, to read as follows:

Article 5: Building Regulations

Division 33: Additions and Modifications to Chapter 33 of the

2010 California Building Code

§145.3301 Local Modifications and Additions to Chapter 33 “Safeguards During Construction” of the 2010 California Building Code

- (a) Chapter 33 of the 2010 California Building Code is adopted by reference with additions and modifications pursuant to Section 145.0106 of the Land Development Code.
- (b) Sections 3301 through 3302 and 3304 through 3312 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

§145.3303 Local Modifications and Additions to Section 3303 “Demolition” of the 2010 California Building Code

Section 3303.7 is added pursuant to Section 145.0106 of the Land Development Code. 3303.7 Additional Demolition Regulations. The following regulations apply to the demolition of a *structure* or building, in whole or in part, or the removal of a *structure* from a site:

- (a) All debris, including portions of the building or *structure* and contents, shall be removed from the site within 90 days from the date that the

demolition/removal permit or Building Permit was issued, or 150 days if an extension has been granted in accordance with San Diego Municipal Code Section 129.0512.

- (b) Combustible material shall be removed from the site as demolition proceeds.
- (c) Dry or dusty materials or debris shall be wet down to allay the dust.
- (d) All glass shall be removed from the *structure* before beginning demolition.
- (e) Street drainage, drainage structures, natural drainage, or diversion shall not be obstructed.
- (f) Demolition work shall not be performed on public easements without permission of the grantor of the easement.
- (g) Notwithstanding plumbing code requirements for permits, all sewer, gas, and water connections shall be capped and approval obtained from the Building Official prior to covering such connections. Sewer, gas, and water line capping shall be performed in the manner prescribed by the California Plumbing Code. Such capping shall be located within five feet of the property line.
- (h) Debris or other combustibles shall not be burned on the site.
- (i) Electric or gas welding or gas cutting shall require a permit issued by the City Fire Marshall and shall comply with Chapter 26 of the 2010 California Fire Code.

- (j) Stormwater Best Management Practices shall be in place at all times during the demolition as required by San Diego Municipal Code Section 43.0301.

Section 46. That Chapter 14, Article 5, Division 34 of the San Diego Municipal Code is amended by amending section 145.3401, to read as follows:

Article 5: Building Regulations

**Division 34: Additions and Modifications to Chapter 34 of the
2010 California Building Code**

§145.3401 Local Modifications and Additions to Chapter 34 “Existing Structures” of the 2010 California Building Code.

Chapter 34 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 47. That Chapter 14, Article 5, Division 35 of the San Diego Municipal Code is amended by amending section 145.3501, to read as follows:

Article 5: Building Regulations

**Division 35: Additions and Modifications to Chapter 35 of the
2010 California Building Code**

§145.3501 Local Modifications and Additions to Chapter 35 “Referenced Standards” of the 2010 California Building Code

Chapter 35 of the 2010 California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 48. That Chapter 14, Article 5, Division 36 of the San Diego Municipal Code is amended by amending sections 145.3601, 145.3602, and 145.3603, to read as follows:

Article 5: Building Regulations

**Division 36: Additions and Modifications to Chapter 36 of the
2010 California Building Code**

**§145.3601 Local Modifications and Additions to Appendix Chapter J “Grading” of the
California Building Code**

- (a) Appendix J of the California Building Code is adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section J104.4 is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code.
- (c) Section J101 and Sections J105 through J111 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (d) Sections J102, J103, J104.1 through J104.3 are not adopted pursuant to Section 145.0104 of the Land Development Code.

§145.3602 Grading Regulations for Non-residential Projects

The grading regulations in San Diego Municipal Code Section 142.0101 shall apply to projects that do not include uses and occupancies regulated by the California Department of Housing and Community Development.

**§145.3603 Local Modifications to Section J 104.4 “Liquefaction Study “of the California
Building Code**

Section J104.4 is adopted with modifications pursuant to Section 145.0106 of the Land Development Code. J104.4 Liquefaction study. For sites with mapped

maximum considered earthquake spectral response accelerations at short periods (S_s) greater than 0.5g as determined by Section 1613, a study of the liquefaction potential of the site shall be provided to the Building Official or the City Engineer, and the study's recommendations shall be incorporated in the plans. However, a liquefaction study is not required where the Building Official or the City Engineer determines from established local data that the liquefaction potential is low.

Section 49. That Chapter 14, Article 5, Division 37 of the San Diego Municipal Code is amended by amending sections 145.3704, 145.3705, 145.3706, 145.3707, 145.3708, 145.3709, 145.3710, 145.3711, 145.3712, 145.3715, 145.3724 and 145.3725, to read as follows:

Article 5: Building Regulations

Division 37: Additional Building Regulations

for Archaic Materials and Methods of Construction

§145.3704 Definitions for this Division Only

The following definitions apply to this division:

“Building” through “Building Maintenance” [No change in text.]

California Building Code (CBC) shall mean the 2010 California Building Code, California Code of Regulations Title 24, Part 2 as published by the California Building Standards Commission.

California Existing Building Code (CEBC) shall mean the 2010 California Existing Building Code, California Code of Regulations Title 24, Part 10 as published by the California Building Standards Commission.

“Cumulative Value of Remodel or Renovation” through “Date of Service”

[No change in text.]

Essential Facility means any building or structure classified in Occupancy Category IV in accordance with Table 1604.5 of the 2010 California Building Code.

“External Hazards” through “Hazard Category” [No change in text.]

Hazardous Facility means any building or structure containing hazardous materials and classified in Occupancy Category III when assigned to Seismic Design Category C, D, or E in accordance with Table 1604.5 of the 2010 California Building Code.

“Historical Building” through “Value of the Building” [No change in text.]

§145.3705 General Regulations for Archaic Materials and Methods of Construction

- (a) When structural seismic upgrading is required or is being voluntarily provided, the building elements regulated by this division shall be those listed in Table No. A1-A of the 2010 California Existing Building Code.
- (b) In addition to the requirements set forth in this division, the provisions of the 2010 California Building Code, Chapter 34, shall also apply to alterations or additions made to buildings within the scope of this division.
- (c) [No change in text.]
- (d) Except as specifically provided for by 2010 California Building Code, Chapter 34, alterations performed solely to achieve compliance with the requirements of this division, or the value of such alterations, or both,

shall not subject the owner to compliance with other provisions of the San Diego Municipal Code, such as Section 142.0610.

- (e) For archaic material design values, refer to Sections A103 through A114 of the 2010 California Existing Building Code, including all tables and figures.
- (f) The technical provisions established by San Diego Municipal Code Section 145.3705(e) shall not apply to the strengthening of buildings or structures classified as Hazardous Facilities in Occupancy Category III when assigned to Seismic Design Category C, D, or E or buildings or structures classified as Essential Facilities in Occupancy Category IV in accordance with Table 1604.5 of the 2010 California Building Code.
- (g) Methods of analysis and design, the design values themselves, and the materials and methods of construction must be in accordance with the 2010 California Building Code and the 2010 California Existing Building Code, except as modified by this division.
- (h) [No change in text.]

§145.3706 Regulations for Essential or Hazardous Facilities

- (a) The following buildings or *structures* shall be strengthened to meet the requirements of the 2010 California Building Code for new buildings or *structures* in the same occupancy category or other such criteria that have been established by this jurisdiction.
 - (1) Buildings containing hazardous materials in Occupancy Category III when assigned to Seismic Design Category C, D, or E in

accordance with Table 1604.5 of the 2010 California Building Code; or

- (2) Essential facilities in Occupancy Category IV in accordance with Table 1604.5 of the 2010 California Building Code.

(b)through (c) [No change in text.]

- (d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the 2010 California Building Code as adopted by the City for new buildings of the same occupancy category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official
- (e) The owner shall either demolish or strengthen the building to meet the technical provisions of the Retrofit Guideline Document within 5 years from the date of service of the order to comply.

§145.3707 Regulations for Remodels Exceeding 100 Percent of Valuation

(a) through (c) [No change in text.]

- (d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the 2010 California Building Code for new buildings of the same occupancy category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

- (e) The time schedule shall specify completion dates for each phase of the seismic retrofit with the final date for completion of all items listed in the Structural Survey and Engineering Report to be a maximum of 10 years from the date of permit issuance for the portion of remodeling or renovation which cost exceeds 100 percent of the value of the building.

§145.3708 Regulations for Change to a Higher Hazard Category

- (a) through (e) [No change in text.]
- (f) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the 2010 California Building Code for new buildings of the same occupancy category, no further action is required. If the report shows otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.
- (g) The time schedule shall specify completion dates for each phase of the seismic retrofit with the final date for completion of all items listed in the Structural Survey and Engineering Report to be a maximum of 10 years from the date of change of use or occupancy to a higher hazard category.

§145.3709 Regulations for Unsafe Buildings Within the Scope of this Division

- (a) through (c) [No change in text.]
- (d) If the Structural Survey and Engineering Report shows that the building meets the requirements of the California Historical Building Code, if applicable, or the-2010 California Building Code for new buildings of the same occupancy category, no further action is required. If the report shows

otherwise, the owner shall prepare and submit a Retrofit Guideline Document to the Building Official.

§145.3710 Regulations for Wall Anchorage and Parapet Bracing

- (a) [No change in text.]
 - (1) [No change in text.]
 - (2) Relative Height. Where the parapets and other External Hazards or exterior wall or roof appendages that extend above the lower of either the level of the closest adjacent roof-to-wall anchors or the roof sheathing do not meet the requirements of Sections A113.1 and A113.6 of the 2010 California Existing Building Code.
- (b) through (c) [No change in text.]
- (d) The removal, stabilization, and bracing process shall include the provision of roof-to-wall anchors around the perimeter of the entire building. Existing roof-to-wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the 2010 California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.
- (e) If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal may not be used as a method to mitigate External Hazards.
- (f) [No change in text.]

§145.3711 Regulations for Remodels over 50 Percent of Building Value

- (a) [No change in text.]

- (b) The owner of a building regulated by this Section shall, within 5 years after the Date of Service of an order to comply, provide floor-to-wall and roof-to-wall anchors around the perimeter of the entire building. Existing floor-to-wall and roof-to-wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the-2010 California Existing Building Code, or new anchors meeting those requirements shall be installed.
- (c) If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code.
- (d) [No change in text.]

§145.3712 Regulations for Historical Buildings Within the Scope of this Division

- (a) Historical Buildings or structures as defined by San Diego Municipal Code Section 145.3704 shall comply with the minimum structural provisions of the California Historical Building Code, Title 24, Part 8, California Code of Regulations. Provisions found within the California Historical Building Code for the seismic strengthening of Historical Buildings may be used to comply with this division.
- (b) Strength Values for existing materials are given in Table A1-D and for new materials in Table A1-E of the 2010 California Existing Building Code. Strength Values for new materials not specified in the 2010 California Building Code or Table No. A1-E of the 2010 California Existing Building Code may be based on substantiating research data or engineering judgment, subject to the approval of the Building Official.

- (c) Alternative materials, design, or methods of construction may be approved by the Building Official in accordance with the provisions of San Diego Municipal Code Section 129.0109. In addition, when a request for an alternative proposed design, material, or method of construction is being considered, the Building Official may file a written request for review to the State Historical Building Safety Board for its consideration, advice, or findings in accordance with the California Historical Building Code.
- (d) Demolition of Historical Buildings may not be allowed unless the demolition complies with Chapter 14, Article 3, Division 2 (Historical Resources Regulations) of the San Diego Municipal Code, any other provisions of the San Diego Municipal Code relating to historic preservation, and the California Historical Building Code.

§145.3715 Contents of Order to Comply

The order shall reference this division which references Sections A102 through A114 of the-2010 California Existing Building Code, which set forth the owner's alternatives and time limits for compliance. The order shall specify that the Building Official has determined that the building is within the scope of this division and one of the following conditions applies:

- (a) through (d) [No change in text.]

§145.3724 Regulations for Buildings of Archaic Unreinforced Masonry

- (a) [No change in text.]
- (b) A qualified Historical Building may comply with the California Historical Building Code in order to fulfill the requirements of this Section.

(c) Existing or re-erected walls of unburned clay, adobe, or stone masonry construction shall conform to the following:

- (1) Walls of unreinforced unburned clay, adobe, or stone masonry shall not exceed the height or length-to-thickness ratio specified in Table No. A1-G of the 2010 California Existing Building Code. The walls shall be provided with a reinforced concrete bond beam at the top that interconnects all walls. The bond beam shall have a minimum depth of 6 inches. The bond beam may have a width equal to the width of the wall less 8 inches, provided the resulting width is not less than 8 inches. Bond beams of other materials or seismic retrofit designs may be used with the approval of the Building Official.
- (2) [No change in text.]
- (3) New or existing unstabilized brick and adobe brick masonry shall test to 75 percent of the compressive strength required of new materials by the 2010 California Building Code. Unstabilized brick shall only be used where existing brick is unstabilized and where the building is not susceptible to flooding conditions or direct exposure. Adobe may be allowed a maximum value of 9 pounds per square inch for shear unless higher values are justified by test.
- (4) [No change in text.]

- (5) Strength values for existing and new materials as specified in the 2010 California Existing Building Code. Strength values for existing materials are provided in Table A1-D and for new materials in Table A1-E of the 2010 California Existing Building Code. Strength values for new materials not specified in the 2010 California Building Code or Table No. A1-E of the 2010 California Existing Building Code shall be based on substantiating research data or engineering judgment, with the approval of the Building Official.

§145.3725 Alternate Materials, Designs, and Methods of Construction

- (a) Methods of analysis and design, the design values themselves, and the materials and methods of construction must be in accordance with the 2010 California Building Code, except as modified by this division.
- (b) through (d) [No change in text.]

Section 50. That Chapter 14, Article 6, Division 1 of the San Diego Municipal Code is amended by amending Sections 146.0103 through 146.0105 to read as follows:

§146.0103 Interpretation of the Electrical Regulations

- (a) The language used in this article and in the 2010 California Electrical Code which is made a part of this article by reference, is intended to convey the common and accepted meaning familiar to the electrical industry.
- (b) [No change in text.]

§146.0104 Adoption of the 2010 California Electrical Code

- (a) The 2010 California Electrical Code published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development [HCD]; the Division of the State Architect-Access Compliance [DSA/AC]; the State Office of Statewide Planning and Development [OSHPD3]; and the State Fire Marshal [SFM] is adopted by reference and made a part of this article as if fully set forth, except as otherwise provided in this article. The regulations so referenced are the standard for electrical installations regulated by this article. A copy of the 2010 California Electrical Code is on file in the office of the City Clerk as Document No. 0-20187-2
- (b) When reference is made to the 2010 California Electrical Code, it shall be the 2010 California Electrical Code, California Code of Regulations Title 24, Part 3 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
- (1) through (6) [No change in text]

§146.0105 Portions of the 2010 California Electrical Code Not Adopted

The following Sections or Subsections of the 2010 California Electrical Code are not adopted by the City of San Diego.

- (a) through (b) [No change in text]

Section 51. That Chapter 14, Article 6, Division 2 of the San Diego Municipal Code is amended by amending section 146.0202, to read as follows:

§146.0202 Alterations, Additions, Relocations, and Conversions of Existing Wiring

(a) Additions, extensions, alterations, or removal of existing wiring installations shall be made in compliance with the provisions of this article.

(1) and (2) [No change in text]

(3) Where the electrical system is upgraded at the owners initiative and the wall covering is not removed, the receptacle spacing requirements of the 2010 California Electrical Code, Article 210, Section 52, shall not apply.

(b) and (c) [No change in text]

Section 52. That Chapter 14, Article 7, Division 1 of the San Diego Municipal Code is amended by amending sections 147.0103, 147.0104, 147.0105, 147.0106, and 147.0107, to read as follows:

§147.0103 Adoption of the 2010 California Plumbing Code

(a) Except as provided in Sections 147.0104 through 147.107, the 2010 California Plumbing Code, published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development [HCD]; the Division of the State Architect-Access Compliance [DSA/AC]; the State Office of Statewide Health Planning and Development [OSHPD3]; and the State Fire Marshal [SFM], a copy of which is on file in the office of the City Clerk as Document 00-20187-3, is adopted by reference.

- (b) When reference is made to the 2010 California Plumbing Code, it shall be the 2010 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (7) [No change in text]

§147.0104 Modifications to the 2010 California Plumbing Code Adopted by the City of San Diego

The following Sections or Subsections of the 2010 California Plumbing Code are modified by the City of San Diego: Chapter 6, Section 609, Installation, Testing, Unions and Location, Section 609.3.1.

§147.0105 Additions to the 2010 California Plumbing Code Adopted by the City of San Diego

The following Sections or Subsections of the 2010 California Plumbing Code are added by the City of San Diego:

- (a) Chapter 6, 609.3.2 Exception, Underslab Metallic Piping.
- (b) Chapter 12, Section 1209.7.3.1, Gas Pressure Regulators.

10/1/12

§147.0106 Adoption of Appendices to 2010 California Plumbing Code

(a) The following Appendix Chapters of the 2010 California Plumbing Code adopted by a State agency as identified in San Diego Municipal Code Section 147.0103 and the adoption matrices of the 2010 California Plumbing Code are adopted by the City of San Diego:

(1) through (3) [No change in text]

(b) The following Appendix Chapters of the 2010 California Plumbing Code not adopted by a State agency as identified in San Diego Municipal Code Section 147.0103 and in the adoption matrices of the 2010 California Plumbing Code are adopted by the City of San Diego:

(1) through (4) [No change in text]

§147.0107 Portions of the 2010 California Plumbing Code Not Adopted

The following portions of the 2010 California Plumbing Code are not adopted:

(a) Chapter 1 - Division II, Administration.

(b) [No change in text]

Section 53. That Chapter 14, Article 7, Division 2 of the San Diego Municipal Code is amended by amending sections 147.0206 and 147.0212, to read as follows:

§147.0206 Local Modifications to Section 609 “Installation, Testing, Unions and Location” of the California Plumbing Code.

(a) Section 609.3.of the California Plumbing Code is adopted with additions and modifications pursuant to Sections 147.0104 and 147.0105 of the Land Development Code.

- (b) Section 609.3.1 of the California Plumbing Code is modified as follows:
- Metallic piping shall have a protective coating of an approved type, machine applied and conforming to recognized standards. Field wrapping shall provide equivalent protection and shall be restricted to those short sections and fittings necessarily stripped for threading. Zinc coating (galvanizing) shall not be deemed adequate protection for piping or fittings. Approved nonferrous piping shall not be required to be wrapped.
- (c) Section 609.3.2 of the California Plumbing Code is modified as follows:
- (1) Metallic piping providing potable water distribution within dwelling units shall not be permitted to be installed under a concrete floor slab.
 - (2) Exception: Metallic piping serving island fixtures, such as kitchen island sinks and similar plumbing fixtures, and metallic piping serving trap seal primers protecting floor drain traps pursuant to Section 1007.0, shall be installed without joints and the installation shall satisfy the following requirements.
 - (A) The metallic piping shall be installed within a watertight continuous pipe sleeve that prevents direct contact between the metallic piping and underslab soils.
 - (B) During construction the protective pipe sleeve shall be capped at its ends until the metallic piping is installed.
 - (C) Flexible couplings or caulking shall be used to close the gap between the metallic piping and the protective sleeve

and shall prevent water from entering the void created between the metallic piping and the protective sleeve.

- (D) The inner walls of the protective sleeve and the metallic piping shall be free of soil particles and other foreign substances.

§147.0212 Local additions to Section 1209.7 “Gas Pressure Regulators” of the California Plumbing Code.

Section 1209.7.3.1 of the California Plumbing Code is modified as follows:

1209.7.3.1 When used, approved regulators shall be installed in locations approved by the Building Official.

Section 53. That Chapter 14, Article 7, Division 3 of the San Diego Municipal Code is amended by amending section 147.0305, to read as follows:

§147.0305 General Regulations for Low-water Use Plumbing Fixtures

- (a) New non-residential building flow rates for water closets shall not exceed 1.6 gallons of water per flush, urinals and associated flushometer valves if any shall not exceed 1.0 gallons of water per flush, and shower heads shall not exceed a water supply rate of 2.5 gallons per minute measured at 80 psi.
- (b) The use of existing plumbing fixtures with a maximum flush not to exceed 3.5 gallons of water or urinals with a maximum flush exceeding 1.0 gallon of water, may be allowed, when in the opinion of the Building Official, the configuration of the building drainage system requires a greater quantity of water to adequately flush the system.

- (c) Should an existing plumbing fixture be voluntarily replaced with an ultra low-flush water use plumbing fixture, the permit requirements mandated in Section 129.0402 will not apply.

Section 54. That Chapter 14, Article 8, Division 1 of the San Diego Municipal Code is amended by amending sections 147.0103, 147.0104, 147.0105, and 147.0106, to read as follows:

§148.0103 Adoption of the 2010 California Mechanical Code

- (a) Except as provided in San Diego Municipal Code Section 148.0104, the 2010 California Mechanical Code, published and amended by the California Building Standards Commission (BSC) and as amended by the California Department of Housing and Community Development [HCD]; the Division of the State Architect-Access Compliance [DSA/AC]; the State Office of Statewide Health Planning and Development [OSHPD3]; and the State Fire Marshal [SFM], a copy of which is on file in the office of the City Clerk as Document No. 00-20187⁻⁴, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the 2010 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (5) [No change in text]

§ 148.0104 Additions to the 2010 California Mechanical Code Adopted by the City of San Diego

The following Sections or Subsections have been added to the 2010 California Mechanical Code regulations by the City of San Diego: None.

§148.0105 Exemptions from a Mechanical Permit

(a) A mechanical permit is not required for the following structures or activities:

(1) through (3) [No change in text]

(4) A closed system of steam, hot, or chilled water piping within heating or cooling equipment regulated by the 2010 California Mechanical Code.

(5) Replacement of any component part of assembly of an appliance that does not alter its original approval and complies with other applicable requirements of the 2010 California Mechanical Code.

(6) Refrigerating equipment that is a part of the equipment for which a permit has been issued pursuant to the requirements of the 2010 California Mechanical Code.

(7) [No change in text]

(b) Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of the 2010 California Mechanical Code or other laws or ordinances of the City of San Diego.

§ 148.0106 Adoption of Appendices to 2010 California Mechanical Code

- (a) The following Appendix Chapters of the 2010 California Mechanical Code not adopted by a State agency as identified in Section 148.0103 and the adoption matrices of the 2010 California Mechanical Code are adopted by the City of San Diego: Chapter 1, Part II Administration.
- (b) The following Appendix Chapters of the 2010 California Mechanical Code adopted by a State agency as identified in Section 148.0103 and the adoption matrices of the 2010 California Mechanical Code are adopted by the City of San Diego:
 - (1) Appendix A - Uniform Mechanical Code Standard No. 6-2.
 - (2) through (4) [No change in text]

Section 55. That Chapter 14, Article 9, Division 1 of the San Diego Municipal Code is added by adding sections 149.0101, 149.0102, 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, and 149.0108, to read as follows:

Article 9: Residential Building Regulations

Division 1: Adoption and Applicability of the Residential Building Regulations

§149.0101 Purpose of the Residential Building Regulations

- (a) The purpose of the Residential Building Regulations is to establish minimum standards to safeguard life and limb, health, property and public welfare and to satisfy the purpose of the California Residential Code as provided in Section 1.1.2 of the California Residential Code.

- (b) The purpose of this Section is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Section.

§149.0102 When the Residential Building Regulations Apply

- (a) This article shall be known as the Residential Building Regulations of the City of San Diego and regulates the construction, alteration, replacement, repair, maintenance, moving, removal, demolition, occupancy, and use of any privately owned building or *structure* or any appurtenances connected or attached to such building or *structure* within the City of San Diego, except work located primarily in a public right-of-way, public utility towers and poles, mechanical equipment not specifically regulated in the California Residential Code, and hydraulic flood control structures. The Residential Building Regulations shall also apply to City-owned buildings and *structures*.
- (b) Where in any specific case, different Sections of the Residential Building Regulations specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.
- (c) Wherever in the Residential Building Regulations reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted pursuant to San Diego Municipal Code Section 149.0107.

- (d) Administration and enforcement of the Residential Building Regulations of the City of San Diego are regulated by the applicable provisions of Chapters 11 and 12 of the San Diego Municipal Code.

§149.0103 Adoption of the 2010 California Residential Code

- (a) The 2010 California Residential Code, published and amended by the California Building Standards Commission [BSC], as amended by the State Department of Housing and Community Development [HCD 1, HCD 1/AC]; and the State Fire Marshal [SFM] is adopted by reference, except as otherwise provided in this Article of the San Diego Municipal Code, Divisions 2 through 47. A copy of the 2010 California Residential Code is on file in the office of the City Clerk as Document No. ⁰⁰⁻ 20187-5
- (b) When reference is made to the California Residential Code, it shall be the 2010 California Residential Code, California Code of Regulations Title 24, Part 2.5, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2010 California Residential Code is made a part of this Article as if fully set forth in this article except as otherwise provided in Divisions 2 through 47.
- (d) Numbering of Sections and Subsections in Divisions 2 through 47 of this Article is cross referenced to Sections in the 2010 California Residential Code.

- (e) The adoption of the 2010 California Residential Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.
- (f) The Building Official shall only is authorized to enforce only those amendments made by the following state agencies:
 - (1) The Department of Housing and Community Development for accessibility in privately funded housing and all housing (HCD 1 and HCD 1/AC).
 - (2) Office of the State Fire Marshal (SFM).

§149.0104 Portions of the 2010 California Residential Code Not Adopted by the City of San Diego

The following Sections or Subsections of the 2010 California Residential Code have not been adopted by the City of San Diego:

- (a) Chapter 1, Division II;
- (b) Chapter 6, Figure R602.10.6.2 (1) and Figure R602.10.6.2 (3),
Connections to Roof Framing.

§149.0105 Modifications to the 2010 California Residential Code Adopted by the City of San Diego

The following Sections or Subsections of the 2010 California Residential Code are modified by the City of San Diego:

- (a) Chapter 2, Section R202, Definitions

- (b) Chapter 3, Section R317.3.1, Exception Fasteners in preservative-treated wood; Section R327.1.3 Application date and where required; Section R327.2, Definitions; Section R327.5.4, Roof Gutters and Downspouts; Section R327.6.2, Vents, Requirements; Section R327.8, Exterior Windows and Doors.
- (c) Chapter 6; Section R602.10.6.1 item no 3, item no. 4, Connections to Roof Framing.
- (d) Chapter 8, Section R806.1, Exception.
- (e) Chapter 9, Section 902.1.5 Roof covering materials, Section R902.2.1 Wood shingles, Section R902.2.2, Wood shakes; Section R905.1.1, Roof covering attachment; R907.1.1, Replacement roof covering, Class A; R907.1.2 Replacement Roof Covering, Class A, Additions; R907.1.3, Wood shake, shingles reroof; R907.1.4 Wood shake, Shingles, Historical Buildings; R907.1.5, Reroofing over wood roofs.

§149.0106 Additions to the 2010 California Residential Code Adopted by the City of San Diego

The following Sections and Subsections are added to the 2010 California Residential Code by the City of San Diego:

- (a) Chapter 2, Section R202, Definitions, Live Work Unit.
- (b) Chapter 3, Section R320.2 Voluntary Accessibility program; Section R327.1.3 Exception 5; Section R327.1.3.1 Exception 2.3; Section R327.2, Local Very High Fire Hazard Severity Zone; Section R327.3.6.1 Alternative Materials, designs or methods of construction; Section

R327.3.6.2, Modifications; Section R327.5.4 Roof Gutters and Downspouts; Section R327.5.5 Drip Edge flashing; Section R327.6.2 items 4 through 7; Section R327.8.2.2.1, Vinyl windows; Section R327.11, Spark Arrester; Section R327.12, Glazing materials in skylights; Section R329, Structural Tests and Special Inspections; Section R330, Building Regulations for Swimming Pools; Section R331, Encroachments into the Public right of Way; Section R332, Safeguards During Construction; Section R333 Sound Transmission Control.

- (c) Chapter 4, Section R404.4.2.1, Classification of soil; R401.4.2., Soil Classification; Section 401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- (d) Chapter 8, Section R806.1 exception.
- (e) Chapter 45, Residential Grading Regulations.

§149.0107 Adoption of Appendices to the 2010 California Residential Code

The following Appendix Chapters of the 2010 California Residential Code are adopted by the City of San Diego: Appendix Chapter H, Patio Covers

§149.0108 Applicability of the 2010 California Building Code to existing buildings and structures regulated by the California Residential Code.

- (a) The legal occupancy of any *structure* existing on the date of adoption of the 2010 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapter 34 of the 2010 California Building Code, the California Fire Code, or as is deemed

necessary by the Building Official for the general safety and welfare of the occupants and the public.

- (b) Additions, alterations or repairs to any *structure* shall conform to the requirements for a new *structure* without requiring the existing *structure* to comply with all of the requirements of the California Residential Code or, where applicable, the California Building Code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing *structure* to become unsafe or adversely affect the performance of the *structure*.
- (c) Buildings and *structures*, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the 2010 California Building Code shall be maintained in conformance with the code edition under which installed. The owner and the owner's designated agent shall be responsible for the maintenance of buildings and *structures*. To determine compliance with this Subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of the Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*.

Section 56. That Chapter 14, Article 9, Division 2 of the San Diego Municipal Code is added by adding sections 149.0201, 149.0202, 149.0203, to read as follows:

Division 2: Additions and Modifications to Chapter 2 of the California Residential Code

§149.0201 Local Additions to Chapter 2 “Definitions” of the California Residential Code

- (a) Chapter 2 of the California Residential Code is adopted by reference with additions pursuant to Sections 149.0103 and 149.0106 of the San Diego Municipal Code.
- (b) Sections R201 is adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.
- (c) Section R202 has been adopted with additions pursuant to Section 149.0106 of the San Diego Municipal Code.

§149.0202 Local Modifications and Additions to Chapter 2 “Definitions”

The following definition has been added to the California Residential Code as follows pursuant to Section 149.0106 of the San Diego Municipal Code: IVE WORK UNIT. A unit in which a portion of the unit is used for other than living purposes as defined and subject to the limitations set forth in Section 419 “LIVE/WORK UNITS” in the California Building Code, as adopted and amended by the City of San Diego. Live Work Unit shall not mean Live/Work Quarters as defined and regulated in Section 141.0311 of the San Diego Municipal Code.

§149.0203 Other Definitions

- (a) Definitions in Chapter 11, Article 3, Division 1 of the San Diego Municipal Code do not apply to the regulations in Chapter 14 Article 9 Divisions 1 through 45 of the San Diego Municipal Code where they conflict with the definitions contained in the California Residential Code.

- (b) Definitions in Chapter 14, Article 9, Division 2 only apply where used as a part of additions to the California Residential Code and associated referenced standards.

Section 57. That Chapter 14, Article 9, Division 3 of the San Diego Municipal Code is added by adding sections 149.0301, 149.0317, 149.0319, 149.0320, 149.0327, and 149.0329, 149.0330, 149.0331, 149.0332, and 149.0333, to read as follows:

Division 3: Additions and Modifications to Chapter 3 of the California Residential Code

§149.0301 Local Additions to Chapter 3 “Building Planning” of the California Residential Code

- (a) Chapter 3 of the California Residential Code is adopted by reference with additions pursuant to Sections 149.0103 and 149.0106 of the San Diego Municipal Code.
- (b) Sections R301 through R316, R318, R322 through R326, and R328 are adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.

§149.0317 Local Modifications and Additions to Section R317 “Protection of Wood and Wood Based Products Against Decay” of the California Residential Code

- (a) Section R317 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.
- (b) Exception 3 is added to Section R317.3.1 as follows: Plain carbon steel fasteners in SBX/DOT and zinc borate preservative-treated wood in an interior, dry environment shall be permitted.

§149.0319 Local Modifications to Section R319.1 “Address numbers” of the California Residential Code

Section R319.1 of the California Residential Code Building Code is adopted as amended in San Diego Municipal Code Section 95.0209 for building addressing requirements for the City of San Diego.

§149.0320 Local Additions to Section R320 “Accessibility” of the California Residential Code

Section R320 of the California Residential Code is adopted with additions pursuant to Section 149.0106 of the San Diego Municipal Code. Section R320.2 is added as follows: R320.2 Projects seeking incentives under the Voluntary Accessibility Program shall comply with the building standards in Chapter 14 Article 5 Division 40 of the San Diego Municipal Code as applicable.

§149.0327 Local Additions and Modifications to Section R327 “Definitions” of the California Residential Code

- (a) Section R327 of the California Residential Code is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.
- (b) Section R327.1.3 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code. Exception 5 is added as follows: 5. Fences.
- (c) Section R327.2 has been adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code as follows: Local Agency Very High Fire Hazard

Severity Zones shall mean the Very High Fire Hazard Severity Zones as designated on the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.5001 of the San Diego Municipal Code.

(d) Section R327.3.6 has been adopted with additions pursuant to Section 149.0106 of the San Diego Municipal Code. Sections R327.3.6.1 and R327.3.6.2 are added as follows:

(1) R327.3.6.1 Alternative materials, designs or methods of construction. The Building Official may approve the use of alternative materials, designs or methods of construction pursuant to Section 129.0109 of the San Diego Municipal Code.

(2) R327.3.6.2 Modifications. The Building Official may modify the provisions of Section R327 of the California Residential Code for site specific conditions in accordance with Section 129.0104(a)(5) of the San Diego Municipal Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.

(e) Section R327.5 has been adopted with additions pursuant to Section 149.0106 of the San Diego Municipal Code:

(1) Section R327.5.4 is modified as follows: R327.5.4 Roof Gutters and Downspouts. Roof gutters shall be constructed to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of noncombustible materials.

- (2) Section R327.5.5 is added as follows: R327.5.5 Drip edge flashing.
When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.
- (f) Section R327.6 has been adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code. Section R327.6.2 is modified by adding items 4 through 7 as follows:
 - (1) 4. Individual ventilation openings shall not exceed 144 square inches.
 - (2) 5. Ventilation openings on structures located immediately adjacent to Brush Management Zone One, as defined in Section 142.0142 of the San Diego Municipal Code, shall not be directed toward Brush Management Zones as defined in Section 142.0142 of the San Diego Municipal Code.
 - (3) 6. Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.
 - (4) 7. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with Section 149.0327 (g)(1)(A) and (B) of the San Diego Municipal Code.
- (g) Section R327.8 has been adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code. Section R327.8.2.1.1 is added as follows: R327.8.2.1.1 Glazing

frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWDA 101/I.S.2 structural requirements.

- (h) Section R327.11 has been added pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R327.11 Spark arrester. All structures having any chimney, flue, or stovepipe shall be equipped with an approved spark arrester if the chimney, flue, or stovepipe is attached to any fireplace, stove, barbecue, or other solid or liquid fuel burning equipment or device.
- (i) Section R327.12 has been added pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R327.12 Glazing materials used in skylights, roofs, and sloped walls on buildings located within 300 feet, in any direction, of the boundary between Brush Management Zones One and Two as defined in Section 142.0412 of the San Diego Municipal Code, shall be tempered glass or multilayered glass.

§149.0329 Local Addition of Section R329 “Structural Tests and Special Inspections” to the California Residential Code

Section R329 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R329 Structural Tests and Special Inspections. When structural tests and special inspections are required due to the methods of construction, the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

**§149.0330 Local Addition of Section R330 “Building Regulations for Swimming Pools”
to the California Residential Code**

- (a) When Swimming Pool, Spa, and Hot Tub Regulations Apply. The building regulations of this Division apply to any outdoor private swimming pool. An outdoor swimming pool means any structure intended for swimming or recreational bathing that can contain water over 18 inches in depth and is not totally contained within a residence and surrounded on all four sides by walls of the structure. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.
- (b) Section R330 is added to the California Residential Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows:
 - (1) R330.1 The purpose of this Section is to establish building regulations for private swimming pools and hot tubs or spas that do not have locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specifications (ASTM ES 1346-91) located on the premises of dwellings and dwellings units complying with the California Residential Code.
 - (2) R330.2 Private swimming pool shall mean is any constructed pool, permanent or portable, which is intended for noncommercial use as a swimming pool by not more than three owner families and their guests.

- (3) R330.4 Barriers for private swimming pools shall comply with Section 3109 of the California Building Code as adopted and amended by the City of San Diego in Section 145.3109(c) of the San Diego Municipal Code.

§149.0331 Local Addition of Section R331 “Encroachments Into The Public Right-Of-Way” to the California Residential Code

- (a) Section R331 is added to the California Residential Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R331 Encroachments into the Public Right-Of-Way. Encroachments into the Public Right-of-Way shall comply with the standards in Chapter 32 of the California Building Code as adopted and amended by the city of San Diego in San Diego Municipal Code Section 145.3203. The City Engineer may require a Right-Of-Way permit for the construction of an encroachment in accordance with the authority granted in San Diego Municipal Code Section 129.0710.

§149.0332 Local Addition of Section R332 “Safeguards During Construction” to the California Residential Code

- (a) Section R332 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R332 Safeguards During Construction. Provisions for safety during construction and the protection of adjacent public and private properties shall be governed by the requirements of Chapter 33 of the

California Building Code as adopted and amended by the City of San Diego in San Diego Municipal Code Section 145.3303.

§149.0333 Local Addition of Section R333 “Sound Transmission Control” to the California Residential Code

Section R333 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows:

- (a) R333 Sound Transmission Control. Wall and floor-ceiling assemblies separating dwelling units from each other and from public or service areas such as interior corridors, garages and mechanical spaces shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies.

Section 58. That Chapter 14, Article 9, Division 4 of the San Diego Municipal Code is added by adding Sections 149.0401 and 149.0402 to read as follows:

Division 4: Additions and Modifications to Chapter 4 of the California Residential Code

§149.0401 Local Additions to Chapter 4 “Foundations” of the California Residential Code

- (a) Chapter 4 of the California Residential Code is adopted by reference with additions pursuant to Sections 149.0103 and 149.0106 of the San Diego Municipal Code.
- (b) Sections R402 through R408 have been adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.

§149.0402 Local Modifications and Additions to Section R401 “General” of the California Residential Code

- (a) Section R401 has been adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.
- (b) Sections R401.5 through R401.7 are added to the California Residential Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows:
 - (1) R401.5 Geotechnical Reports. A geotechnical report shall be submitted when required by San Diego Municipal Code Section 145.1803 and Table 145.1803, or when required by the Building Official, for all new *structures* and nonexempt additions to existing *structures*.
 - (2) R401.6 Preparation of geotechnical reports. When a Geotechnical Report is required the report shall be prepared in conformance with the City of San Diego “Guidelines for Geotechnical Reports” and shall be submitted to the Building Official. When geologic hazards are identified, the report shall contain appropriate recommendations for mitigation of the hazards, and these recommendations shall be incorporated in the design of the project before issuance of a Building Permit. No Building Permit shall be issued for construction where the geotechnical investigation establishes that construction of buildings or *structures* would be unsafe because of the geologic hazards. Issuance of a Building Permit does not constitute a representation that the site or construction is safe.

- (3) R401.7 The Building Official may require that a “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” be executed by the property owner as a condition to the issuance of a Building Permit for any *structure* to be located over a suspected fault or other geologic hazard. A “NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS” may also be required when a geotechnical investigation cannot conclusively establish that buildings or *structures* located on the site would either be safe or unsafe. The form of notice shall be as provided by the Building Official, executed by the owner of the property, recorded with the San Diego County Recorder, and filed with the City of San Diego as a condition to issuance of the Building Permit.

Section 59. That Chapter 14, Article 9, Division 6 of the San Diego Municipal Code is added by adding sections 149.0601 and 149.0602, to read as follows:

Division 6: Additions and Modifications to Chapter 6 of the California Residential Code

§149.0601 Local Deletions, Modifications and Additions to Chapter 6 “Wall Construction” of the California Residential Code

- (a) Chapter 6 of the California Residential Code is adopted by reference with deletions, modifications and additions pursuant to Sections 149.0103, 149.0104, 149.0105 and 149.0106 of the San Diego Municipal Code.
- (b) Sections R601 and R603 through R613 have been adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.

§149.0602 Local Modifications to Section R602 “Wood Wall Framing” of the California Residential Code

- (a) Section R602 has been adopted by reference with modifications pursuant to Section 149.0105 of the San Diego Municipal Code.
- (b) Section R602.10.6.1 numbers 3 and 4 are modified as follows:
 - (1) 3. For SDC D₀, D₁ and D₂ or wind speeds of 100 miles per hour (45 m/s) or greater, where the distance between the top of rafters or roof trusses and perpendicular top plates is 15 1/4 inches (387 mm) or less, rafters or roof trusses shall be connected to the top plates of braced wall panels with blocking over the full length of the braced wall line and attached in accordance with Table R602.3 (1).
 - (2) 4. For all seismic design categories and wind speeds, where the distance between the top of rafters or roof trusses and perpendicular top plates exceeds 15 1/4 inches (387 mm), perpendicular rafters or roof trusses shall be connected to the top plates over the full length of the braced wall line in accordance with one of the following methods:
 - (i) 4.1. In accordance with Figure R602.10.6.2(2),
 - (ii) 4.2. With full height engineered blocking panels designed for values listed in American Forest and Paper Association (AF&PA) Wood Frame Construction Manual for One- and Two-Family Dwellings (WFCM). Both the roof and floor

sheathing shall be attached to the blocking panels in accordance with Table R602.3 (1).

(iii) 4.3. Designed in accordance with accepted engineering methods.

(c) Figure R602.10.6.2 (1) and Figure R602.10.6.2 (3) are not adopted pursuant to Section 149.0104 of the San Diego Municipal Code.

Section 60. That Chapter 14, Article 9, Division 8 of the San Diego Municipal Code is added by adding sections 149.0801 and 149.0806, to read as follows:

Division 8: Additions and Modifications to Chapter 8 of the California Residential Code

§149.0801 Local Modifications and Additions to Chapter 8 “Roof-Ceiling Construction” of the California Residential Code

(a) Chapter 8 of the California Residential Code is adopted by reference with modifications and additions pursuant to Sections 149.0103, 149.0105 and 149.0106 of the San Diego Municipal Code.

(b) Sections R801 through R805 and Section R807 are adopted by reference without change pursuant to Section 145.0103 of the San Diego Municipal Code.

§149.0806 Local Modifications to Section R806 “Roof Ventilation” of the California Residential Code

(a) Section R806 is adopted by reference with additions and modifications pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.

- (b) Section R806.1 is modified by adding an exception. R806.1 Ventilation required. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Ventilation openings shall have a least dimension of 1/16 inch (1.6 mm) minimum and ¼ inch (6.4 mm) maximum. Ventilation openings having a least dimension larger than ¼ inch (6.4 mm) shall be provided with corrosion-resistant wire cloth screening, hardware cloth, or similar material with openings having a least dimension of 1/16 inch (1.6 mm) minimum and ¼ inch (6.4 mm) maximum. Openings in roof framing members shall conform to the requirements of Section R802.7. Exception: Attic ventilation shall not be required when determined not necessary by the Building Official due to atmospheric or climatic conditions.

Section 61. That Chapter 14, Article 9, Division 9 of the San Diego Municipal Code is added by adding sections 149.0901, 149.0902, 149.0905, and 149.0907, to read as follows:

Division 9: Additions and Modifications to Chapter 9 of the California Residential Code

§149.0901 Local Modifications and Additions to Chapter 9 “Roof Assemblies” of the California Residential Code

- (a) Chapter 9 of the California Residential Code is adopted by reference with additions and modifications pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.

- (b) Sections R901.1, R902.2 through R905.6, and R905.9 through R906 are adopted by reference without change pursuant to Section 149.0103 of the San Diego Municipal Code.
- (c) Sections R902, R905.7, R905.8 and R907 are adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the San Diego Municipal Code.

§149.0902 Local Additions and Modifications to Section R902.1 “Roof Classification” of the California Residential Code

- (a) Section R902.1 is adopted by reference and modified by adding Section R902.1.5 as follows:
 - (1) R902.1.5 Roof covering materials. All newly constructed roofs shall be covered with a fire-retardant roof covering that is at least Class “A” and the roof classification shall be demonstrated based on the requirements in the California Residential Code.
 - (2) R902.1.5.1 The entire roof shall be shall be covered with a fire-retardant roof covering that is at least Class “A” where a building addition is more than twenty-five percent of the original floor area of the building.
- (b) Section R902.2 is adopted by reference and modified by adding Sections R902.2.1 and R902.2.2 as follows:
 - (1) R902.2.1 Wood shingles. Wood shingles are not permitted, except as provided in the California Historical Building Code Section 8-408 and San Diego Municipal Code Section 149.0907.

- (2) R902.2.2. Wood shakes. Wood shakes are not permitted, except as provided in the California Historical Building Code Section 8-408 and San Diego Municipal Code Section 149.0907.

§149.0905 Local Additions and Modifications to Section R905 “Requirements for Roof Coverings” of the California Residential Code

Section R905 is adopted by reference and modified by adding Section R905.1.1 as follows: R905.1.1 Roof coverings shall be secured or fastened to the supporting roof construction and shall provide weather protection for the building at the roof.

§149.0907 Local Additions and Modifications to Section R907 “Reroofing” of the California Residential Code

- (a) Section R907 is modified as follows: R907.1 General. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 9 of the California Residential Code as adopted and amended by the City of San Diego.
- (b) Sections R907.1.1 through R907.1.2 are added as follows:
 - (1) R907.1.1 All replacements, alterations, or repairs shall be with a fire-retardant roof covering that is at least Class “A”.
 - (2) R907.1.2 The entire roof shall be a Class “A” roof assembly where more than twenty-five percent of the total roof area is replaced, altered or repaired within any twelve month period.
- (c) Sections R907.1.3 through R907.1.5 are added as follows:

- (1) R907.1.3. Wood shakes and shingles are prohibited throughout the roof where more than twenty-five percent of the total roof area is replaced, altered or repaired within any twelve month period.
- (2) R907.1.4 Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and San Diego Municipal Code Section 149.0907.
- (3) R907.1.5. No roof covering shall be applied over any existing wood shakes or wood shingles.

Section 62. That Chapter 14, Article 9, Division 45 of the San Diego Municipal Code is added by adding sections 149.4501, 149.4502, 149.4503, and 149.4504, to read as follows:

Division 45: Addition of Chapter 45 to the California Residential Code

§149.4501 Local Addition of Chapter 45 “Residential Grading Regulations” of the California Residential Code

Chapter 45 is added to the California Residential Code pursuant to Section 149.0106 of the San Diego Municipal Code.

§149.4502 Purpose of Residential Grading Regulations

The purpose of these regulations is to address slope stability, protection of property, erosion control, water quality, and landform preservation and to protect the public health, safety, and welfare of persons, property, and the environment.

§149.4503 Regulations for Residential Lot Grading Not Including Public Right-of- Way

When site preparation requires grading operations for projects involving detached one and two-family dwellings or townhouses, and where the grading operation does not include the public right-of-way, the grading regulations in Appendix J of

the 2010 California Building Code, as adopted and amended by the City of San Diego in Sections 145.3601 through 145.3603 of the San Diego Municipal Code, shall apply.

§149.4504 Regulations for Mass Grading Including Public Right-of-Way

When site preparation requires grading operations for projects involving buildings and *structures* other than detached one and two-family dwellings or townhouses, or where the grading operation includes a public right-of-way, the grading regulations in San Diego Municipal Code Section 142.0101 shall apply.

Section 63. That Chapter 14, Article 10, Division 1 of the San Diego Municipal Code is added by adding sections 1410.0101, 1410.0102, 1410.0103, 1410.0104, 1410.0105, 1410.06, 1410.07, 1410.07, and 1410.0108, to read as follows:

Article 10: Green Building Regulations

Division 1: Adoption and Applicability of the Green Building Regulations

§1410.0101 Purpose and Scope of the Green Building Regulations

The purpose of the Green Building Regulations is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts that will reduce negative environmental impacts or create positive environmental impacts and encouraging sustainable construction practices in the following categories:

- (a) Planning and design
- (b) Energy efficiency
- (c) Water efficiency and conservation;
- (d) Material conservation and resource efficiency; and

- (e) Environmental quality.

§1410.0102 When the Green Building Regulations Apply

- (a) This article shall be known as the Green Building Regulations of the City of San Diego and shall regulate the construction of new buildings within this jurisdiction, except work located primarily in a public right-of-way, public utility towers and poles, mechanical equipment not specifically regulated in the California Green Building Standards Code, and hydraulic flood control structures. The Green Building Regulations shall apply to City owned buildings.
- (b) Where in any specific case different Sections of the Green Building Regulations specify different materials, methods of construction, or other requirements, the most restrictive Section shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.
- (c) Wherever in the Green Building Regulations reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted pursuant to San Diego Municipal Code Section 1410.0107.
- (d) The City of San Diego shall administer and enforce the Green Building Regulations of the City of San Diego in accordance with the applicable provisions of Chapters 11 and 12 of the San Diego Municipal Code.

§1410.0103 Adoption of the 2010 California Green Building Standards Code

- (a) The 2010 California Green Building Standards Code, published and amended by the California Building Standards Commission [BSC], and as amended by the State Department of Housing and Community Development [HCD], is adopted by reference except as otherwise provided in this Article of the San Diego Municipal Code. A copy of the 2010 California Green Building Standards Code is on file in the office of the City Clerk as Document No. 00-20187-6.
- (b) When reference is made to the California Green Building Standards Code, it shall be the 2010 California Green Building Standards Code, California Code of Regulations Title 24, Part 11, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2010 California Green Building Standards Code is made a part of this Article as if fully set forth in this Article.
- (d) Numbering of Sections and Subsections in of this Article is cross referenced to Sections in the 2010 California Green Building Standards Code.
- (e) The adoption of the 2010 California Green Building Standards Code shall in no way limit, prohibit, impede, or prevent the City Council from adopting ordinances limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required.

(f) The Building Official is authorized to enforce only those amendments made by the following state agencies:

- (1) California Building Standards Commission (BSC).
- (2) The California Department of Housing and Community Development (HCD).

§1410.0104 Portions of the 2010 California Green Building Standards Code Not Adopted by the City of San Diego

“Reserved.”

§1410.0105 Modifications to the 2010 California Green Building Standards Code Adopted by the City of San Diego

No local modification to the California Green Building Standards Code has been adopted by the City of San Diego.

§1410.0106 Additions to the 2010 California Green Building Standards Code Adopted by the City of San Diego

No local additions to the California Green Building Standards Code are adopted by the City of San Diego.

§1410.0107 Adoption of Appendices to the 2010 California Green Building Standards Code

Appendix Chapters to the California Green Building Standards Code are not been adopted by the City of San Diego.

§1410.0108 Use of Alternate Materials, Design, or Construction Methods

(a) The provisions of the Green Building Regulations are not intended to prevent the use of any alternate material, appliance, installation, device,

arrangement, method, design or method of construction not specifically prescribed by the 2010 California Green Building Standards Code, provided that any such alternative has been approved by the Building Official.

- (b) An alternate material, design or construction method shall be approved on a case-by-case basis where the Building Official finds that the proposed alternate complies with the intent of the provisions of the 2010 California Green Building Standards Code and is at least the equivalent of standards prescribed in the Code for planning and design, energy, water, material conservation and resource efficiency, environmental air quality, performance, safety and the protection of life and health.
- (c) When considering the use of alternate materials, design, or construction methods, the Building Official shall evaluate equivalency based on the compliance provisions the 2010 California Green Building Standards Code for occupancies regulated by adopting state agencies as are found in the Sections listed below.
 - (1) Section 1.2.2 in the California Building Code (CBC) for the California Building Standards Commission.
 - (2) Section 1.8.7, Chapter 1, Administration, Division 1, of the 2010 California Building Code and Section 1.2.6, Chapter 1, Administration, Division 1, of the 2010 California Residential Code for the Department of Housing and Community Development.

Section 64. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 65. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keith Bauerle
Deputy City Attorney

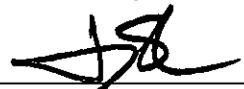
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06/26/2012
Or.Dept:DSD
Document No. 393005

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 24 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7.31.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

THE END