

4/7/2020

ORDINANCE NUMBER O- 21181 (NEW SERIES)DATE OF FINAL PASSAGE APR 09 2020

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 129.0104; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0203, 129.0211, 129.0216, AND 129.0218; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 3 BY AMENDING SECTION 129.0307, AMENDING AND RETITLING SECTION 129.0309; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 4 BY AMENDING AND RETITLING SECTION 129.0410; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 9 BY AMENDING AND RETITLING SECTION 129.0907; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 12 BY AMENDING SECTION 142.1210; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 BY AMENDING SECTIONS 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, AND 145.0107; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 145.0201 AND REPEALING SECTION 145.0202; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 4 BY AMENDING SECTION 145.0401 AND ADDING NEW SECTION 145.0406; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 7 BY REPEALING SECTION 145.0702 AND AMENDING SECTION 145.0711; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 12 BY RENUMBERING AND RETITLING SECTION 145.1207 TO SECTION 145.1206 AND ADDING NEW SECTION 145.1207; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 15 BY AMENDING SECTIONS 145.1501, 145.1505 AND 145.1507, ADDING NEW SECTION 145.1510, AND RENUMBERING AND RETITLING CURRENT SECTION 145.1510 TO SECTION 145.1511; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 18 BY AMENDING SECTION 145.1803; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 31 BY AMENDING SECTION 145.3101 AND REPEALING SECTION 145.3109; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 32 BY AMENDING SECTION 145.3203; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 33 BY AMENDING SECTIONS 145.3301 AND 145.3303; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 38 BY RETITLING DIVISION 38 AND BY AMENDING AND RETITLING SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 39 BY AMENDING SECTION 145.3905 AND AMENDING AND RETITLING SECTION 145.3910; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 40 BY

AMENDING SECTION 145.4005; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 1 BY AMENDING SECTIONS 146.0103, 146.0104, 146.0105, 146.0106, AND 146.0107; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 2 BY REPEALING SECTIONS 146.0208 AND 146.0209; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, AND 147.0106; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 2 BY ADDING NEW SECTION 147.0203, RENUMBERING SECTION 147.0213 TO SECTION 147.0211, AND AMENDING AND RETITLING SECTION 147.0212; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 4 BY AMENDING SECTION 147.0405; AMENDING CHAPTER 14, ARTICLE 8, DIVISION 1 BY AMENDING SECTIONS 148.0103, 148.0104, 148.0105, 148.0106, AND 148.0107; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 1 BY AMENDING SECTIONS 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, AND 149.0108; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 2 BY AMENDING SECTION 149.0201 AND REPEALING SECTION 149.0202; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 3 BY AMENDING SECTIONS 149.0301 AND 149.0302, ADDING NEW SECTION 149.0309, AMENDING AND RETITLING SECTION 149.0319, ADDING NEW SECTION 149.0324, REPEALING SECTION 149.0326, AND AMENDING SECTION 149.0337; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 9 BY AMENDING SECTION 149.0902; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0103 AND 1410.0107; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 4 BY AMENDING SECTION 1410.0403; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 1 BY AMENDING SECTIONS 1411.0103, 1411.0104, 1411.0105, 1411.0106, AND 1411.0107; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 3 BY AMENDING SECTION 1411.0301 AND AMENDING AND RETITLING SECTION 1411.0302; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 4 BY AMENDING AND RETITLING SECTION 1411.0401, REPEALING SECTIONS 1411.0402, 1411.0403, AND 1411.0404, AND ADDING NEW SECTION 1411.0405; AMENDING CHAPTER 14, ARTICLE 11, BY ADDING NEW DIVISION 5, SECTIONS 1411.0501, 1411.0502, AND 1411.0503, RELATING TO THE 2019 CALIFORNIA BUILDING STANDARDS CODE.

WHEREAS, the California Building Standards Code, 2019 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, the City of San Diego desires to adopt these requirements, except as modified below, and to make necessary clarifications and remove inconsistencies; and

WHEREAS, California Health and Safety Code sections 17958.5, 17958.7, and 18941.5 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; 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 following additions and deletions incorporate changes and modifications that are reasonably necessary because of the local climatic, geological or topographical conditions set forth below:

1. Climatic Conditions

Each year, the City of San Diego experiences periods of high temperatures, accompanied by low humidity and high winds. Years of drought in the City'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. The City experienced major wildfires in 2003 and 2007. Limited

firefighting resources means that firefighters may have great difficulty controlling fires in structures.

San Diego is exposed to sunny or partially sunny days for more than half of the days in the year and, as a result, is a national leader in the implementation of solar photovoltaic systems. Streamlining the approval process through the adoption of standards for solar systems facilitates broader adoption and will help the City achieve the net zero energy consumption goals of the City's General Plan.

As noted above, the City of San Diego has a semi-arid natural environment, and as such, water conservation is an important goal. The Climate Action Plan for the City of San Diego has water efficient buildings as one of its goals. To achieve that goal, San Diego must adopt water conservation and efficient water use standards. In addition to requiring the use of water efficient plumbing fixtures, the City of San Diego reduces water consumption through various water reuse programs. Reducing the quantity of water supplied to plumbing fixtures can also result in reduced water consumption.

San Diego is subject to flood hazards along the coastal neighborhoods to the west and in its valleys and, therefore, restricts construction in special flood hazard areas.

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: 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 just off the coast under the Pacific Ocean. The most severe threat from earthquakes is damage to and 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 and damaging sprinkler systems.

The City of San Diego is included in the Acquist Priolo Special Fault Study Zone and the Rose Canyon fault area, both with high mapped seismic accelerations that impact construction of high rise buildings.

3. Topographical Conditions

The City of San Diego has over 900 linear miles of wildland urban interface, where backyards 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.

Due to the prevalence of canyons, preserved open space, the Pacific Ocean, and an international border, the City of San Diego has constrained buildable space that requires vertical construction.

San Diego includes neighborhoods that are subject to flooding during periods of high rainfall due to the prevalence of canyons, steep slopes, the ocean to the west, as well as rivers passing through canyons and terminating in the ocean.

Section 2. That Chapter 12, Article 9, Division 1 of the San Diego Municipal Code is amended by amending section 129.0104, to read as follows:

§129.0104 Construction Permit Authorities

(a) The powers and duties of the Building Official are as follows:

(1) through (13) [No change in text.]

- (14) To review applications for Grading Permits for, and to inspect grading on, private 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.
- (15) [No change in text.]
- (16) To review plans and specifications for water and sewer utilities and installations, and to inspect the utilities and installations, when located in private *streets* for compliance with the issued *construction permit*, the San Diego Fire Code, the San Diego Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building, and Existing Building Regulations, and all other applicable provisions of the San Diego Municipal Code.

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

Section 3. That Chapter 12, Article 9, Division 2 of the San Diego Municipal Code is amended by amending sections 129.0203, 129.0211, 129.0216, and 129.0218, to read as follows:

§129.0203 Exemptions from a Building Permit

- (a) A Building Permit is not required for the following *structures* and activities, except when the *development* would involve alterations, repairs, or improvements to a *historical resource* as described in Section 143.0220; when *development* on a *premises* containing *environmentally sensitive lands* requires a *development permit* in accordance with Section 143.0110; or when a building is constructed with unreinforced masonry

bearing walls or exterior wall parapets:

- (1) [No change in text.]
- (2) *Fences* that are 7 feet in height or less.
- (3) through (6) [No change in text.]
- (7) Sidewalks and driveways that are 30 inches or less above adjacent *grade*, are not over any *basement* or *story*, and are not part of an accessible route in accordance with the California Building Code.
- (8) through (9) [No change in text.]
- (10) Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies that do not project more than 54 inches from the exterior wall and do not require additional support.
- (11) through (13) [No change in text.]
- (14) Electrolier standards, flag poles, and antennas that are 30 feet or less in height above finish *grade* when fully extended.
- (15) Decks accessory to buildings within the scope of the California Residential Code that do not exceed 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, that are not attached to a dwelling, and that do not serve the exit door required by Section R311.4 of the California Residential Code.
- (16) 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.

- (17) Repairs that involve only the replacement of components or existing work with similar materials for the purpose of maintenance, that do not have an aggregate valuation of over \$1,000.00, and that do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment. The following repairs are exempt from permit requirements without limit to valuation:

(A) through (D) [No change in text.]

- (18) Structures placed in public streets, alleys and sidewalks, except those regulated by Chapter 32 of the California Building Code.
- (19) Work done by employees of the City on City-owned or leased buildings.
- (20) 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.
- (21) 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.
- (22) 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.
- (23) Specific *structures* as determined by the Building Official for a particular and justifiable reason.
- (24) A sidewalk cafe that is in compliance with Section 141.0621, unless any one of the following applies:
- (A) The sidewalk cafe would alter or modify the existing building, building façade, or any means of building egress;
 - (B) The sidewalk cafe would be located on a raised platform or in a sunken area; or

- (C) A barrier consisting of railings, *fences*, or planter boxes would be installed to delineate the area of the sidewalk cafe.

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

§129.0211 Closing of Building Permit Application

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

- (e) The application for all Electrical, Plumbing, Mechanical or Fire Permits associated with a Building Permit shall expire concurrently with the Building Permit.

§129.0216 Initial Utilization of a Building Permit

A Building Permit shall become void if work authorized by the permit is suspended, the *structure* is abandoned, or substantial work authorized by the permit has not been completed and validated by an inspection within 12 months of the date of permit issuance unless an extension has been granted pursuant to Section 129.0219.

§129.0218 Expiration of a Building Permit

(a) [No change in text.]

- (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, Mechanical, or Fire Permits associated with a Building permit shall expire concurrently with the Building Permit.

Section 4. That Chapter 12, Article 9, Division 3 of the San Diego Municipal Code is amended by amending section 129.0307, amending and retitling section 129.0309, to read as follows:

§129.0307 How to Apply for an Electrical Permit

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

§129.0309 Issuance of an Electrical Permit and Closing of an Electrical Permit Application

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

- (c) If one year has elapsed since the date an Electrical Permit application is deemed complete and the *applicant* has not requested that an Electrical 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 Electrical 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.
- (d) The Electrical Permit application file for City projects shall be closed after two years have elapsed since the date the Electrical Permit application is deemed complete.
- (e) The Building Official may extend an Electrical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the *applicant* prevented issuance of the Electrical Permit.

Section 5. That Chapter 12, Article 9, Division 4 of the San Diego Municipal Code is amended by amending and retitling section 129.0410, to read as follows:

§129.0410 Issuance of a Plumbing/Mechanical Permit and Closing of a Plumbing/Mechanical Permit Application

- (a) A Plumbing/Mechanical Permit may be issued after all approvals have been obtained and the required fees have been paid.
- (b) A Plumbing/Mechanical Permit shall not be issued for a *development* that requires a *development permit* until the *development permit* has been issued.
- (c) If one year has elapsed since the date a Plumbing/Mechanical Permit application is deemed complete and the *applicant* has not requested that a Plumbing/Mechanical 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 Plumbing/Mechanical 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.
- (d) The Plumbing/Mechanical Permit application file for City projects shall be closed after two years have elapsed since the date the Plumbing/Mechanical Permit application is deemed complete.
- (e) The Building Official may extend a Plumbing/Mechanical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Plumbing/Mechanical Permit.

Section 6. That Chapter 12, Article 9, Division 9 of the San Diego Municipal Code is amended by amending and retitling section 129.0907, to read as follows:

§129.0907 Issuance of a Fire Permit and Closing of a Fire Permit Application

- (a) [No change in text.]
- (b) A Fire Permit shall not be issued until associated permits have been issued.
- (c) If one year has elapsed since the date a Fire Permit application is deemed complete and the *applicant* has not requested that a Fire 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 Fire 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.
- (d) The Fire Permit application file for City projects shall be closed after two years have elapsed since the date the Fire Permit application is deemed complete.
- (e) The Building Official may extend a Fire Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the *applicant* prevented issuance of the Fire Permit.

Section 7. That Chapter 14, Article 2, Division 12 of the San Diego Municipal Code is amended by amending section 142.1210, to read as follows:

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and *sign* maintenance regulations.

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

(c) Structural Regulations

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

(4) When installed on the exterior walls of high-rise buildings as defined in Chapter 4 of the California Building Code, exterior wall signs greater than 100 square feet in area or greater than 10 feet in either dimension shall comply with Section 705.12 of the 2019 California Building Code and Section 705.1 of the 2019 California Fire Code.

(d) [No change in text.]

Section 8. 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, and 145.0107, 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 2019 California Building Code as provided in Section 1.1.2 of the 2019 California Building Code.

(b) [No change in text.]

§145.0103 Adoption of the California Building Code

- (a) The 2019 California Building Code, published by the California Building Standards Commission (BSC), and 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 Land Development Code, Divisions 2 through 38. A copy of the 2019 California Building Code is on file in the office of the City Clerk as Document No. OO- 21181.
- (b) When reference is made to the California Building Code, it shall be the 2019 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 2019 California Building Code is made a part of Chapter 14, Article 5 as if fully set forth in this Article, except as otherwise provided in Divisions 2 through 38.
- (d) Numbering of Sections in Divisions 2 through 38 of this Article is cross referenced to Sections in the 2019 California Building Code.
- (e) The adoption of the 2019 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) [No change in text.]

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

The following portions of the 2019 California Building Code are not adopted by the City of San Diego:

- (a) Chapter 1, Division II "Scope and Administration," all portions with the exception of Section 104.11.
- (b) Chapter 15, Roof Assemblies and Rooftop Structures, Section 1511.4.
- (c) [No change in text.]

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

The following Sections or Subsections of the 2019 California Building Code are modified by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 12, Interior Environment, Section 1206, Sound Transmission, Section 1207.4, Efficiency Dwelling Units.
- (c) Chapter 15, Roof Assemblies and Rooftop Structures, Section 1505.1 General, Section 1505 Fire Classification, Section 1505.8 Building-integrated photovoltaic products, Section 1505.9 Rooftop mounted photovoltaic panel systems, Section 1510.7.1 Fire classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section 1511.1 General.
- (d) through (f) [No change in text.]

- (g) Appendix O, Emergency Housing Section O103.2.1 Exception 1, O103.6 Lighting, Ventilation, and Heating, O106 General, Section O106.1.1 Tents, and Section O106.1.2 Membrane Structures.

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

The following Sections and Subsections are added to the 2019 California Building Code by the City of San Diego:

- (a) Chapter 4, Motor Vehicle Occupancies, Section 406.2.1.1.
- (b) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Section 702A, Definitions, Section 703A.6.1, Alternative Materials, Designs or Methods, Section 703A.6.2, Modifications, Section 705A.4, Roof Gutters, Section 705A.4.1, Drip Edge Flashing, Section 708A.2.2.1, Vinyl Window Reinforcing, and Section 711A.1, Spark Arrestors.
- (c) Chapter 12, Sound Transmission, Section 1206.05.
- (d) Chapter 15, Roof Assemblies and Rooftop Structures, Subsections 1505.1.5 and 1505.1.6, Sections 1507.1.3 and Subsections 1511.1 through 1511.1.5.
- (e) Chapter 16, Structural Design, Section 1607.2, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
- (f) Chapter 17, Structural Tests and Special Inspections, Section 1704.3.1 item 6.
- (g) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsections 1803.2 exceptions 2 through 4; Sections

1803.2.1, 1803.2.2, 1803.2.3, 1803.5.11.1, 1803.5.11.2, 1803.5.13, 1803.5.13.1, 1803.5.13.2 and Table 145.1803.

- (h) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
- (i) Chapter 33, Safeguards During Construction, Section 3303.8, Demolition and Removal Regulations.
- (j) Appendix O, Emergency Housing, Subsection O103.2.1 Exception 2, Subsections O106.2 through O106.7, Section O111 Emergency Housing Lighting and Ventilation Requirements, Subsections O111.1 and O111.2, Section O112 Emergency Housing Fire and Life Safety Requirements, Subsections O112.1 through O112.13, and Section O113 Emergency Housing Alternatives and Modifications, Subsection O113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the 2019 California Building Code are adopted by the City of San Diego:

- (a) Appendix chapters specifically amended by a State agency listed in Section 145.0103 and identified in the adoption matrices of the 2019 California Building Code.
- (b) through (e) [No change in text.]
- (f) Appendix O, Emergency Housing.

Section 9. That Chapter 14, Article 5, Division 2 of the San Diego Municipal Code is amended by amending section 145.0201 and repealing section 145.0202, to read as follows:

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

Chapter 2 of the California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.

Section 10. That Chapter 14, Article 5, Division 4 of the San Diego Municipal Code is amended by amending section 145.0401 and adding new section 145.0406, to read as follows:

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

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

§145.0406 Local Modifications and Additions to Section 406 "Motor Vehicle Related Occupancies"

Section 406.2.1, "Automatic garage door openers and vehicular gates," is adopted with additions pursuant to Section 145.0106. Section 406.2.1.1, "Backup Power for Automatic Garage Door Openers," is added as follows: 406.2.1.1 Backup Power for Automatic Garage Door Openers. When private parking garages that serve an individual dwelling are equipped with automatic garage door openers, the automatic garage door openers shall include battery backup functions that are designed to operate in a manner so that the automatic garage door openers are operational without interruption during an electrical outage.

Section 11. That Chapter 14, Article 5, Division 7 of the San Diego Municipal Code is amended by repealing section 145.0702 and amending section 145.0711, to read as follows:

§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

Section 711A.1 is added as follows to Chapter 7A pursuant to Section 145.0106 of the Land Development Code.

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.

Section 12. That Chapter 14, Article 5, Division 12 of the San Diego Municipal Code is amended by renumbering and retitling section 145.1207 to section 145.1206 and adding new section 145.1207, to read as follows:

§145.1206 Local Additions and Modifications to Section 1206 "Sound Transmission" of the California Building Code

- (a) Section 1206 of the California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section 1206 is modified by adding Section 1206.5.
- (b) Section 1206.5. Additional Noise Regulations. For additional noise regulations limiting the intrusion of exterior noise into buildings based on land use standards, see Chapter 13, Article 2, Division 15 of the Land Development Code. For additional noise regulations limiting the intrusion of exterior noise into non-residential buildings, see Section 5.507 of the California Green Building Standards Code.

§145.1207 Local Additions and Modifications to Section 1207 “Interior Space Dimensions” of the California Building Code

- (a) Section 1207.4 of the California Building Code is adopted with modifications pursuant to Section 145.0105 of the Land Development Code.
- (b) Section 1207.4 item 1 is modified as follows: 1. The dwelling unit shall have a living room of not less than 150 square feet (13.93 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of the dwelling unit in excess of two.

Section 13. That Chapter 14, Article 5, Division 15 of the San Diego Municipal Code is amended by amending sections 145.1501, 145.1505, and 145.1507, adding new section 145.1510, and renumbering and retitling current section 145.1510 to section 145.1511, to read as follows:

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

- (a) [No change in text.]
- (b) Sections 1501 through 1504 and Sections 1506, 1508, and 1509 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (c) Sections 1505.1, 1505.8, 1505.9, 1507.1, 1507.8, 1507.9, and 1510.7.1, and 1511 are adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

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

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

(c) Section 1505.8 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.8 Building-integrated photovoltaic products. Building-integrated photovoltaic products installed as the roof covering shall be tested, listed and labeled for fire classification in accordance with Section 145.1505(b).

(d) Section 1505.9 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.9 Rooftop mounted photovoltaic panel systems. Rooftop rack-mounted photovoltaic panel systems shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703 and Section 145.1505(b).

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

(a) [No change in text.]

(b) Section 1507.1.3 is added as follows pursuant to Section 145.0106 of the Land Development Code: 1507.1.3. Roof coverings shall be secured or fastened to the supporting roof construction.

§145.1510 Local Additions and Modifications to Section 1510 "Rooftop Structures" of the California Building Code

Section 1510.7.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1510.7.1 Fire classification. Rooftop-mounted photovoltaic panels and modules shall have a fire classification in accordance with Section 145.1505.

§145.1511 Local Additions and Modifications to Section 1511 "Reroofing" of the California Building Code

- (a) Section 1511.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1511.1 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 California Building Code as adopted and amended by the City of San Diego.
- (b) Sections 1511.1.1 through 1511.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) 1511.1.1. All replacements, alterations, or repairs shall be a Class "A" roof assembly.
 - (2) 1511.1.2. 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 1511.1.3 through 1511.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
 - (1) 1511.1.3. 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) 1511.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section 145.1511(c)(1).
 - (3) 1511.1.5. No roof covering shall be applied over any existing wood shakes or wood shingles.

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

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

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

(f) 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) [No change in text.]

(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) [No change in text.]

(B) Class B includes the following *developments*, occupancy groups, and structures provided they are not included in Class A:

(i) All new structures requiring deep foundations, such as piers or pilings.

(ii) All structures over three stories in height.

- (iii) All structures containing the following occupancies pursuant to the 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.
- (iv) All structures with an occupant load of more than 300 occupants as determined by Table 1004.1.2 of the California Building Code and structures used for public assembly assigned to Risk Category III in Table 1604.5 of the California Building Code.
- (v) 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.
- (vi) Tanks, bins, hoppers, silos, and other storage structures over 35 feet high.
- (vii) Towers over 35 feet high.

(viii) 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) through (D) [No change in text.]

(g) [No change in text.]

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, 22	A, B, C, D
	23, 24, 25, 26, 27	A, B, C
Liquefaction/Potential Ground Failure	31, 32	A, B, C, D
Coastal Bluff Stability	41, 42, 43	A, B, C, D
	44, 45, 46, 47, 48	A, B

All Other Terrain	54.	A, B, C
	52, 53	A, B
	51, 55	A

Footnotes [No change in text.]

Section 15. That Chapter 14, Article 5, Division 31 of the San Diego Municipal Code is amended by amending section 145.3101 and repealing section 145.3109, to read as follows:

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

Chapter 31 of the 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 32 of the San Diego Municipal Code is amended by amending section 145.3203, to read as follows:

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

Section 3203 “Entrance Canopies” is added 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 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 3105.3 of the California Building Code.

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

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

Section 17. 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:

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

(a) [No change in text.]

(b) Sections 3301 through 3302 and 3304 through 3314 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 California Building Code

Section 3307.8 is added pursuant to Section 145.0106 of the Land Development Code: 3307.8 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) through (j) [No change in text.]

Section 18. That Chapter 14, Article 5, Division 38 of the San Diego Municipal Code is amended by retitling Division 38 and amending and retitling sections 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, and 145.3806, to read as follows:

**Division 38: Additions and Modifications to Appendix O of the
California Building Code**

**§145.3801 Local Modifications and Additions to Appendix O “Emergency Housing” of
the California Building Code**

- (a) Appendix O of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) [No change in text.]
- (c) The regulations in this Division and in Appendix O shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under California Government Code Section 8698.4 and located in new or existing buildings or structures owned, operated, or constructed by, for, or on behalf of, the City.
- (d) The regulations in this Division and in Appendix O shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix O, as adopted with modifications and additions by this Division, the emergency housing need not comply with the requirements of the California Building Code for Group R occupancies.

**§145.3802 Local Modifications and Additions to Section O103 “Emergency Housing” of
the California Building Code**

- (a) Section O103 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The existing exception in Section O103.2.1 is numbered as Exception 1. Exception 2 is added to Section O103.2.1 as follows:

2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the California Building Standards Code, provided such change in occupancy meets the minimum fire and life safety requirements set forth in Section 145.3805 of the Land Development Code.

- (c) Section O103.6 Heating is modified as follows:
O103.6 Lighting, Ventilation, and Heating. All sleeping areas shall be provided with adequate lighting, ventilation, and heating as determined by the Building Official. When required, lighting and ventilation shall comply with Section 145.3804.

§145.3803 Local Modifications and Additions to Section O106 "Tents and Membrane Structures" of the California Building Code

- (a) Section O106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section O106.1 General is modified as follows:
- (1) Section O106.1.1 Tents is modified as follows:
O106.1.1 Tents. Tents shall not be used to house occupants for more than 7 consecutive days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade and equipped with curbs on all sides at least 6 inches (152.4 mm) high. A tent shall not be considered a suitable sleeping place when it is found necessary to provide

heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

- (2) Section O106.1.2 Membrane Structures is added with modification as follows:

O106.1.2 Membrane Structures, Membrane structures installed and/or assembled in accordance with Chapter 31 of the California Building Code and the California Fire Code may be permitted to be used as emergency housing and emergency housing facilities.

- (c) Section O106.2 Membrane Structures In Use for More than 180 Days is added as follows:

O106.2 Membrane Structures In Use for More Than 180 Days. Membrane structures in use for a period of more than 180 calendar days shall comply with the California Fire Code and with the following:

- (1) The membrane structure shall be inspected by a California registered design professional at least once every 180 calendar days from the date of final inspection to ensure that the membrane structure continues to perform as designed and initially erected. The registered design professional shall certify in writing that the membrane structure continues to be in compliance with the applicable regulations of the California Fire Code and California Building Code in effect on the date of final inspection. Inspection records shall be kept and shall be made available for verification by the Fire Code Official and the Building Official.

(2) [No change in text.]

(d) Section O106.3 Means of Egress is added as follows:

O106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section O103.3.

(e) Section O106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

O106.4 Storage of Flammable Materials Within Tents or Membrane Structures. Flammable materials, including the possessions of occupants and users stored in tents and membrane structures shall not obstruct required aisle widths between beds or other furnishings. The quantity of stored flammable materials within a membrane structure not protected with an automatic fire sprinkler system, or within tents, shall be subject to the approval of the Fire Code Official.

(f) Section O106.5 Flammable or Combustible Liquids is added as follows:

O106.5 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted inside a tent or membrane structure except for intact cigarette lighters. The use of any type of open flame inside a tent or membrane structure is prohibited unless each separate use is approved by the Fire Code Official.

(g) Section O106.6 Fire Department Access is added as follows:

O106.6 Fire Department Access. Fire Department access to tents or membrane structures used for emergency housing shall be in compliance

with Section 503, Section 504, and Appendix D of the California Fire Code and approved by the Fire Code Official.

(h) Section O106.7 Water Supply is added as follows:

O106.7 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each tent or membrane structure, group of structures, or *premises* used for emergency housing.

§145.3804

Local Addition of Section O111 "Emergency Housing Lighting and Ventilation Requirements" to the California Building Code

(a) Section O111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section O111.1 Emergency Housing Lighting Requirements is added as follows:

O111.1 Emergency Housing Lighting Requirements. Buildings or structures used for emergency housing shall either be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 of the California Building Code or shall be provided with artificial light in accordance with Section 1205.3 of the California Building Code.

(c) Section O111.2 Ventilation is added as follows:

O111.2 Ventilation. Buildings or structures used for emergency housing shall either be provided with natural ventilation in accordance with Section 1203.5 of the California Building Code or mechanical ventilation in accordance with the California Mechanical Code.

§145.3805 Local Addition of Section O112 "Emergency Housing Fire and Life Safety Requirements" to the California Building Code

- (a) Section O112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section O112.1 Fire Separation Distance is added as follows:
O112.1 Fire Separation Distance. Buildings or structures used for emergency housing, including sleeping cabins, shall be constructed and located on a lot in compliance with the regulations in Chapters 6 and 7 of the California Building Code, based on their fire separation distance. During a declared shelter crisis, the fire separation distances are permitted to be measured to the existing buildings on the adjacent parcels rather than to the interior lot lines, provided the open spaces within the fire separation distance remain clear and unobstructed for the duration of the declared shelter crisis.
- (c) Section O112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:
O112.2 Fire Separation Distance, Buildings on the Same Lot. Buildings or structures used for emergency housing, including sleeping cabins, shall be separated from each other and from other buildings on the same lot as set forth in Section 705.3 of the California Building Code.
- (d) Section O112.3 Means of Egress is added as follows:
O112.3 Means of egress. Buildings or structures used for emergency housing shall be provided with means of egress in compliance with Chapter 10 of the California Building Code.

- (e) Section O112.4 Emergency Escape and Rescue is added as follows:
O112.4 Emergency Escape and Rescue. Each area of a building or structure used for sleeping accommodations in emergency housing shall contain an emergency escape and rescue opening in accordance with Section 1030 of the California Building Code.
- (f) Section O112.5 Smoke Alarms is added as follows:
O112.5 Smoke Alarms. Buildings or structures with sleeping accommodations used for emergency housing shall be equipped with single station smoke alarms installed in accordance with the requirements of Section 907.2.11 and Section 1103.8.3 of the California Fire Code.
- (g) Section O112.6 Carbon Monoxide Alarms is added as follows:
O112.6 Carbon Monoxide Alarms. Buildings or structures with sleeping accommodations used for emergency housing and equipped with fuel-burning appliances shall be provided with carbon monoxide detection in accordance with Section 915 of the California Fire Code and the California Building Code.
- (h) Section O112.7 Fire Alarm is added as follows:
O112.7 Fire Alarm. A manual fire alarm system capable of arousing sleeping occupants designed and constructed in compliance with Section 907.2.10.1 of the California Fire Code and the California Building Code shall be installed in buildings, structures, or groups of buildings or structures, used for emergency housing and having a *gross floor area* of more than 2,500 square feet or having the capacity for more than 49 sleeping occupants.

Exception: Individual buildings or structures in a group of buildings or structures with sufficient separation distances to allow each building or structure to function independently in case of a fire shall have their own individual fire alarm systems, as approved by the Fire Code Official.

- (i) Section O112.8 Automatic Fire Sprinklers is added as follows:
O112.8 Automatic Fire Sprinklers. Fire sprinklers shall be provided for new and existing buildings or structures used for emergency housing that provide sleeping accommodations, as required by Section 903.3 of the California Fire Code and the California Building Code.
- (j) Section O112.9 Fire Extinguishers is added as follows:
O112.9 Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with Section 906.1 of the California Fire Code and the California Building Code.
- (k) Section O112.10 Flammable or Combustible Liquids is added as follows:
O112.10 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted except for intact cigarette lighters. The use of any type of open flame indoors is prohibited unless each separate use is approved by the Fire Code Official.
- (l) Section O112.11 Storage is added as follows:
O112.11 Storage. Flammable materials, including the possessions of occupants, users, and staff, shall not obstruct required aisle widths between beds or other furnishings and shall not be stored in attics, under-

floor spaces, or within other concealed spaces of buildings or structures with sleeping accommodations used for emergency housing.

- (m) Section O112.12 Fire Department Access is added as follows:

O112.12 Fire Department Access. Fire Department access to buildings and *premises* used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code, and approved by the Fire Code Official.

- (n) Section O112.13 Water Supply is added as follows:

O112.13 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each building or structure, group of structures or *premises* used for emergency housing.

§145.3806 Local Addition of Section O113 "Emergency Housing Alternatives and Modifications" to the California Building Code

- (a) Section O113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section O113.1 Alternatives and Modifications is added as follows:

O113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix O and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

Section 19. That Chapter 14, Article 5, Division 39 of the San Diego Municipal Code is amended by amending section 145.3905 and amending and retitling section 145.3910, to read as follows:

§145.3905 Definitions

Except as otherwise provided, for the purposes of this Division:

Automated External Defibrillator or AED [No change in text.]

Alteration means a tenant improvement or renovation to an existing building. A change of occupancy shall not be considered an alteration for purposes of this Division.

§145.3910 New Construction and Alterations Requiring AEDs

- (a) [No change in text.]
- (b) Prior to approval of final inspection, *AEDs* shall be placed in all existing buildings undergoing *alteration* when the any of the following apply:
 - (1) The building undergoing *alteration* was constructed prior to January 1, 2017;
 - (2) The accumulated value of the *alterations* within the building within one calendar year is \$100,000 or more; or
 - (3) The *alterations* are within a public assembly occupancy use, including auditoriums and performing arts and movie theaters.
- (c) The requirements in Section 145.3910(b) shall not apply to the following:
 - (1) A general acute care hospital, acute psychiatric hospital, skilled nursing facility or special hospital licensed under Section 1250(a), (b), (c), or (f) of the California Health and Safety Code; and
 - (2) An existing *AED* that is located within a common area of the building described in subdivision (b) such as the main entry lobby or similar location.

- (d) *AEDs* shall be conspicuously placed and readily accessible in the event of an emergency. *AEDs* shall be mounted such that the top of the *AED* is no more than five (5) feet above floor level.

Table 145-3910

Occupancy Group	Occupant Load
Group A "Assembly"	300
Group B "Business"	200
Group E "Educational"	200
Group F "Factory"	200
Group I "Institutional"	200
Group M "Mercantile"	200
Group R "Residential" ¹	200

¹ [No change in text.]

Section 20. That Chapter 14, Article 5, Division 40 of the San Diego Municipal Code is amended by amending section 145.4005, to read as follows:

§145.4005 Tier II-Visitable Unit Design Standards

- (a) through (d) [No change in text.]
- (e) At least one interior accessible route of travel shall be provided in compliance with California Building Code Section 1119A as may be amended. The interior route of travel shall connect an accessible entrance to the following rooms located on the primary entry level:
 - (1) through (3) [No change in text.]
- (f) through (i) [No change in text.]

Section 21. That Chapter 14, Article 6, Division 1 of the San Diego Municipal Code is amended by amending sections 146.0103, 146.0104, 146.0105, 146.0106, and 146.0107, to read as follows:

§146.0103 Interpretation of the Electrical Regulations

- (a) The language used in this Article and in the 2019 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 California Electrical Code

- (a) The 2019 California Electrical Code published by the California Building Standards Commission (BSC), 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 referenced are the standard for electrical installations regulated by this Article. A copy of the 2019 California Electrical Code is on file in the office of the City Clerk as Document No. OO- 21181.
- (b) When reference is made to the California Electrical Code, it shall be the 2019 California Electrical Code, California Code of Regulations Title 24, Part 3, as published by the California Building Standards Commission.
- (c) [No change in text.]

§146.0105 Portions of the California Electrical Code Not Adopted

The following Sections or Subsections of the 2019 California Electrical Code are not adopted by the City of San Diego:

(a) Article 230, Services, Section 230.43, Wiring Methods for 1000 Volts, Nominal or Less, numbers (1) "Open Wiring on Insulators" and (7) "Service-entrance Cables" are not adopted.

(b) [No change in text.]

§146.0106 Portions of the California Electrical Code Adopted With Modifications

The following Sections of the 2019 California Electrical Code are adopted by the City of San Diego with modifications:

The 2019 California Electrical Code is adopted without modifications.

§146.0107 Portions of the California Electrical Code Adopted With Additions

The following Sections of the 2019 California Electrical Code are adopted by the City of San Diego with additions:

The 2019 California Electrical Code is adopted without additions.

Section 22. That Chapter 14, Article 6, Division 2 of the San Diego Municipal Code is amended by repealing sections 146.0208 and 146.0209.

Section 23. That Chapter 14, Article 7, 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:

§147.0103 Adoption of the California Plumbing Code

(a) Except as provided in Sections 147.0104 through 147.0108, the 2019 California Plumbing Code, published 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 OO- 21181, is adopted by reference.

- (b) When reference is made to the California Plumbing Code, it shall be the 2019 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.
- (c) [No change in text.]

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

The following Sections of the 2019 California Plumbing Code are modified by the City of San Diego:

- (a) Chapter 4, Plumbing Fixtures and Fittings, Section 422.2.1 Single User Toilet Facility Identification.
- (b) Chapter 11, Storm Drainage, Section 1101.2. Where Required, Section 1101.6.1 Discharge.

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

The following Sections or Subsections of the 2019 California Plumbing Code are added by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 12, Section 1208.8.2.1 Gas Pressure Regulators, Location.

§147.0106 Adoption of Appendices to California Plumbing Code

The following Appendix Chapters of the 2019 California Plumbing Code not adopted by a State agency as identified in Land Development Code Section 147.0103 and in the adoption matrices of the 2019 California Plumbing Code are not adopted by the City of San Diego:

- (1) through (7) [No change in text.]

(8) Appendix M – Peak Water Demand Calculator

Section 24. That Chapter 14, Article 7, Division 2 of the San Diego Municipal Code is amended by adding new section 147.0203, renumbering section 147.0213 to section 147.0211, and amending and retitling section 147.0212, to read as follows:

§147.0203 Local Modifications to Section 422.2 “Separate Facilities” of the California Plumbing Code

- (a) Section 422.2 of the California Plumbing Code is adopted with modifications pursuant to Section 147.0104 of the Land Development Code.
- (b) Section 422.2.1 of the California Plumbing Code is modified as follows:
422.2.1 Single-user Toilet Facilities Identification. Family or assisted use toilet facilities shall be identified with signage indicating use by either sex. All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Section 11B-703.7.2.6 of the California Building Code and designated for use by no more than one occupant at a time or for family or assisted use. For the purposes of Section 422.2.1, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

§147.0211 Local Modifications and Additions to Section 1101 “General” Storm Drainage Regulations of the California Plumbing Code

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

§147.0212 Local additions to Section 1208.8 "Gas Pressure Regulators" of the California Plumbing Code

Section 1208.8.2.1 of the California Plumbing Code is added as follows:

1208.8.2.1. Approved gas pressure regulators shall be installed and used in locations approved by the Building Official.

Section 25. That Chapter 14, Article 7, Division 4 of the San Diego Municipal Code is amended by retitling and amending section 147.0405, to read as follows:

§147.0405 Retrofit upon Alteration

When a *responsible person* proposes to replace plumbing fixtures, the *responsible person* shall replace plumbing fixtures with water-conserving plumbing fixtures complying with the prevailing edition of the California Plumbing Code and Sections 147.0304 and 147.0305 of the Additional Plumbing Regulations for Water and Energy Conservation.

Section 26. That Chapter 14, Article 8, Division 1 of the San Diego Municipal Code is amended by amending sections 148.0103, 148.0104, 148.0105, 148.0106, and 148.0107, to read as follows:

§148.0103 Adoption of the California Mechanical Code

- (a) Except as provided in Land Development Code Section 148.0104, the 2019 California Mechanical Code, published 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. OO- 21181 , is adopted by reference.

- (b) When reference is made to the California Mechanical Code, it shall be the 2019 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) [No change in text.]

§148.0104 Portions of the California Mechanical Code Not Adopted

The following portions of the 2019 California Mechanical Code are not adopted:
Chapter 1 - Division II, Administration.

§148.0105 Modifications to the California Mechanical Code Adopted by the City of San Diego

The 2019 California Mechanical Code is adopted with no modifications.

§148.0106 Additions to the California Mechanical Code Adopted by the City of San Diego

The 2019 California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the 2019 California Mechanical Code are not adopted.

Section 27. That Chapter 14, Article 9, Division 1 of the San Diego Municipal Code is amended by amending sections 149.0103, 149.0104, 149.0105, 149.0406, 149.0107, and 149.0108, to read as follows:

§149.0103 Adoption of the California Residential Code

- (a) The 2019 California Residential Code, published by the California Building Standards Commission (BSC), and 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 Land Development Code, Divisions 2 through 45. A copy of the 2019 California Residential Code is on file in the office of the City Clerk as Document No. OO- 21181.

- (b) When reference is made to the California Residential Code, it shall be the 2019 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 2019 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 45.
- (d) Numbering of Sections and Subsections in Divisions 2 through 45 of this Article is cross referenced to Sections in the 2019 California Residential Code.
- (e) The adoption of the 2019 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) [No change in text.]

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

The following Sections or Subsections of the 2019 California Residential Code have not been adopted by the City of San Diego:

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

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

The following Sections or Subsections of the 2019 California Residential Code are modified by the City of San Diego:

- (a) Chapter 3, Section R301.2, Climatic and Geographic Design Criteria; Section R319.1, Address Identification; R322, Flood Resistant Construction; Section R324.4.2, Fire Classification; Section R324.5.2, Fire Classification; Section R337.1.3.1, Application Date and Where Required; Section R337.2, Definitions; Section R337.5.4, Roof Gutters and Downspouts; Section R337.8, Exterior Windows and Doors.
- (b) Chapter 9, Section 902.1.5, Roof Covering Materials; Section R902.2.1, Wood Shingles; Section R902.2.2, Wood Shakes; Section R902.4, Photovoltaic Panels and Roof Modules; Section R905.1.3, Roof Covering attachment; Section R908.1.1, Replacement Roof Covering, Class A; Section R908.1.2, Replacement Roof Covering, Class A, Additions; Section R908.1.3, Wood Shake, Shingles Reroof; Section R908.1.4, Wood Shake, Shingles, Historical Buildings; Section R908.1.5, Reroofing Over Wood Roofs.

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

The following Sections and Subsections are added to the 2019 California Residential Code by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section R309.4.1 Backup Power for Automatic Garage Door Openers, Section R320.2 Voluntary Accessibility program; Section R329,

Structural Tests and Special Inspections; Section R332, Encroachments into the Public Right-of-Way; Section R333, Safeguards During Construction; Section R337.1.3.1, Exception 2.3; Section R337.2, Local Very High Fire Hazard Severity Zone; Section R337.3.6.1, Alternative Materials, Designs or Methods of Construction; Section R337.3.6.2, Modifications; Section R337.5.4, Roof Gutters and Downspouts; Section R337.5.5, Drip Edge Flashing; Section R337.8.2.1.1, Vinyl Windows; Section R337.11, Spark Arrester; Section R341, Sound Transmission Control.

- (c) Chapter 4, Section R401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- (d) [No change in text.]

§149.0107 Adoption of Appendices to the California Residential Code

The following Appendix Chapters of the 2019 California Residential Code are adopted by the City of San Diego:

- (a) Appendix Chapter H, Patio Covers.
- (b) Appendix Chapter Q, Tiny Houses.
- (c) Appendix Chapter S, Straw Bale Construction.
- (d) Appendix V, Swimming Pool Safety Act.

§149.0108 Applicability of the California Building Code to Existing Buildings and Structures Regulated by the California Residential Code

- (a) The legal occupancy of any building or structure existing on the date of adoption of the 2019 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters 3, 4, and 5 of the 2019 California Existing 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) [No change in text.]
- (c) Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the 2019 California Building Code shall be maintained in conformance with the code edition under which installed. The owner 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 building or structures.

Section 28. That Chapter 14, Article 9, Division 2 of the San Diego Municipal Code is amended by amending section 149.0201 and repealing section 149.0202, to read as follows:

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

Chapter 2 of the California Residential Code is adopted by reference without change pursuant to Section 149.0103 of the Land Development Code.

Section 29. That Chapter 14, Article 9, Division 3 of the San Diego Municipal Code is amended by amending sections 149.0301 and 149.0302, adding new section 149.0309, amending and retitling section 149.0319, adding new section 149.0324, repealing section 149.0326, and amending section 149.0337, to read as follows:

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

- (a) [No change in text.]
- (b) Sections R302 through R308, R310 through R318, R321, R325 through R336, and R338 through R340 are adopted by reference without change pursuant to Section 149.0103 of the Land Development Code.

§149.0302 Local Modifications and Additions to Section R301.2 "Climatic and Geographic Design Criteria"

- (a) [No change in text.]
- (b) Section R301.2 is adopted with modifications as follows. Buildings shall be constructed in accordance with the provisions of the California Residential Code as limited by the provisions of Section R301. Additional criteria are outlined in Table 149.0302 of the Land Development Code.
- (c) [No change in text.]

Table 149.0302

[No change in text.]

§149.0309 Local Additions to Section R309 "Garages and Carports"

Section R309.4 is adopted with additions pursuant to Section 149.0106 of the Land Development Code. Section R309.4.1 is added as follows: R309.4.1, Backup power for automatic garage door openers. Where residential garages are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate in a manner so that the automatic garage door opener is operational without interruption during an electrical outage.

§149.0319 Local Modifications to Section R319.1 "Address Identification" of the California Residential Code

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

§149.0324 Local Modifications and Additions to Section R324 "Solar Energy Systems" of the California Residential Code

- (a) Section R324.4.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code: R324.4.2, Fire classification. Rooftop-mounted photovoltaic panel systems shall have the same fire classification required in Section 149.0902(a).
- (b) Section R324.5.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code: R324.5.2, Fire classification. Building-integrated photovoltaic systems shall have the same fire classification required in Section 149.0902(a).

§149.0337

Local Additions and Modifications to Section R337 "Materials and Methods for Exterior Wildfire Exposure" of the California Residential Code

- (a) [No change in text.]
- (b) Section R337.2 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development 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 55.9401 of the Land Development Code.
- (c) Section R337.3.6 is adopted with additions pursuant to Section 149.0106 of the Land Development Code. Sections R337.6.1 and R337.3.6.2 are added as follows:
 - (1) R337.3.6.1, 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 Land Development Code.
 - (2) R337.3.6.2, Modifications. The Building Official may modify the provisions of Section R337 of the California Residential Code for site specific conditions in accordance with Section 129.0104(a)(5) of the Land Development Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.
- (d) Section R337.5 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code:

- (1) Section R337.5.4 is modified as follows: R337.5.4, 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 R337.5.5 is added as follows: R337.5.5, Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.
- (e) Section R337.8 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code. Section R337.8.2.1 is added as follows: R337.8.2.1.1, 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.
- (f) Section R337.11 is added pursuant to Section 149.0106 of the Land Development Code as follows: R337.11, 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.

Section 30. That Chapter 14, Article 9, Division 9 of the San Diego Municipal Code is amended by amending section 149.0902, to read as follows:

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

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

- (d) Section R902.4 is adopted by reference and modified as follows: R902.4 Rooftop mounted solar photovoltaic panels and modules. Rooftop mounted photovoltaic panels and modules installed on or above the roof covering shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703. Class A, B or C photovoltaic panel systems and modules shall be installed in areas designated by Section R902 of the California Residential Code, in jurisdictions designated by law as requiring their use or where the edge of the roof is less than 3 feet (914 mm) from a lot line. When located in the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

Section 31. That Chapter 14, Article 10, Division 1 of the San Diego Municipal Code is amended by amending sections 1410.0103 and 1410.0107, to read as follows:

§1410.0103. Adoption of the California Green Building Standards Code

- (a) The 2019 California Green Building Standards Code, published 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. A copy of the 2019 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO- 21181.
- (b) When reference is made to the California Green Building Standards Code, it shall be the 2019 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 2019 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 this Article is cross referenced to Sections in the 2019 California Green Building Standards Code.
- (e) The adoption of the 2019 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) [No change in text.]

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

Appendix Chapters to the 2019 California Green Building Standards Code are adopted as follows: The Residential Voluntary measures of the California Green Building Standards Code, Appendix Chapter A4, Residential Voluntary Measures, Section A4.305.1 "Graywater."

Section 32. That Chapter 14, Article 10, Division 4 of the San Diego Municipal Code is amended by amending section 1410.0403, to read as follows:

§1410.0403 Local Modifications to Section A4.305 "Water Reuse Systems" of the California Green Building Standards Code

- (a) [No change in text.]
- (b) Section A4.305.1 is adopted with the following modifications. All new residential buildings that are within the scope of the California Residential

Code shall be constructed to include waste piping to discharge gray water from clothes washers to a place where it may be used for outdoor irrigation, in compliance with Section 1503 of the California Plumbing Code.

Section 33. That Chapter 14, Article 11, Division 1 of the San Diego Municipal Code is amended by amending sections 1411.0103, 1411.0104, 1411.0105, 1411.0106, and 1411.0107, to read as follows:

§1411.0103 Adoption of the California Existing Building Code

- (a) The 2019 California Existing Building Code, published 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 Land Development Code, Divisions 2 through 5 and Divisions 17 and 18. A copy of the 2019 California Existing Building Code is on file in the office of the City Clerk as Document No. OO- 21181.
- (b) When reference is made to the California Existing Building Code, it shall be the 2019 California Existing Building Code, California Code of Regulations Title 24, Part 10, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the 2019 California Existing Building Code is made a part of this Article as if fully set forth in this Article except as otherwise provided in Divisions 2 through 5 and Divisions 17 and 18.

- (d) The numbering of Sections and Subsections in Divisions 2 through 5 and Divisions 17 and 18 of this Article is cross-referenced to Sections in the 2019 California Existing Building Code.
- (e) The adoption of the 2019 California Existing 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 only authorized to enforce amendments to the 2019 California Existing Building Code made by the following State agencies:
 - (1) through (3) [No change in text.]

§1411.0104 Portions of the California Existing Building Code Not Adopted by the City of San Diego

The following Sections or Subsections of the 2019 California Existing Building Code have not been adopted by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section 301.3.2 Work Area. Compliance Method; Section 301.3.3 Performance Compliance Method.
- (c) Chapters 6 through 13 and Chapter 15.

§1411.0105 Modifications to the California Existing Building Code Adopted by the City of San Diego

The following Sections or Subsections of the 2019 California Existing Building Code are modified by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section 301.1, General; Section 301.3, Alteration, Addition or Change of Occupancy, including the exception; Section 302.4, Existing Materials.
- (c) Chapter 4, Section 401.3, Repairs, Flood Hazard Areas.
- (d) Chapter 5, Section 502.3, Flood Hazard Areas; Section 503.2, Flood Hazard Areas; Section 405.2.5, Flood Hazard Areas.
- (e) Appendix, Chapter A1, Section A102.1, Scope, General.

§1411.0106 Additions to the California Existing Building Code Adopted by the City of San Diego

The following Sections and Subsections are added to the 2019 California Existing Building Code by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section 302.7, Maintenance; Section 302.8, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings; Section 302.8.1, Applicability; Section 302.8.2, Compliance Period; Section 302.8.2.1, Removal, Stabilization and Bracing Process; Section 302.8.2.2, Historical Buildings.

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the 2019 California Existing Building Code are adopted by the City of San Diego:

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

Section 34. That Chapter 14, Article 11, Division 3 of the San Diego Municipal Code is amended by amending sections 1411.0301 and amending and retitling section 1411.0302, to read as follows:

§1411.0301 Local Modifications and Additions to Chapter 3 “Provisions for All Compliance Methods” of the California Existing Building Code

(a) Chapter 3 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.

(b) Section 301.3, including the exception, of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.

(1) Section 301.3 is modified as follows: 301.3, Alteration, addition or change of occupancy. The alteration, addition or change of occupancy of all existing buildings shall comply with Section 301.3.1.

(2) The exception to Section 301.3 is modified as follows: Exception: Subject to the approval of the Building Official, alterations complying with the laws in existence at the time the building or the affected portion of the building was built are in compliance with the provisions of the current California Existing Building Code.

New structural members added as part of the alteration shall

comply with the California Existing Building Code. This exception shall not apply to an alterations that constitutes a substantial improvement to an existing building in a flood hazard areas, which alterations shall comply with Section 1411.0503 of the Land Development Code. This exception shall not apply to the structural provisions of Chapter 5 of the California Existing Building Code.

§1411.0302 Local Modifications and Additions to Section 302 "General Provisions" of the California Existing Building Code

- (a) Section 302 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.
- (b) Section 302.4 is modified as follows: 302.4, Existing materials. Materials already in use in a building or structure in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.
- (c) Section 302.7 is added as follows: 302.7, Maintenance. Buildings and *structures*, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards that are required by the Building, Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which the devices or safeguards were installed. The owner shall be responsible for the maintenance of buildings and *structures*. To determine compliance

with this Section 302.7, the Building Official shall have the authority to reinspect a building or *structure*. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings or *structures*.

- (d) Section 302.8 is added as follows: 302.8, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 302.8 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City-owned buildings designated pursuant to a City Council resolution, which on January 1, 1994, had at least one unreinforced masonry bearing wall. Section 302.8 shall not apply to the following:

- (1) Any detached single or two-family *dwelling unit* and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. This exemption does not apply to buildings or *structures* containing mixed or nonresidential occupancies.
- (2) Buildings that have been completely seismically retrofitted, as determined by the Building Official, to comply with earlier editions of the California Existing Building Code, or equivalent regulations.

- (e) Section 302.8.1 is added as follows: 302.8.1, Applicability. The regulations in Section 302.8.1 shall apply to buildings or *structures* that

are within the scope of Section 302.8, that are not classified as Essential or Hazardous Facilities, and that contain any parapets and other external hazards attached to or located on the roof structure, or forming the exterior facade of a building or *structure* that meet both of the following criteria:

- (1) **Critical Placement:** The parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and
 - (2) **Relative Height.** 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 Section A113 of the California Existing Building Code.
- (f) Section 302.8.2 is added as follows: 302.8.2, Compliance period. The owner of a building regulated by Section 302.8 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 302.8.1.
- (g) Section 302.8.3 is added as follows: 302.8.3, Removal, Stabilization and Bracing Process. The owner shall install roof to wall anchors around the perimeter of the entire building as part of the removal, stabilization, and bracing process. Existing roof to wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the

California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed:

- (h) Section 302.8.4, is added as follows: 302.8.4, Historical Buildings. If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal shall not be used as a method to mitigate external hazards.

Section 35. That Chapter 14, Article 11, Division 4 of the San Diego Municipal Code is amended by amending and retitling section 1411.0401, repealing sections 1411.0402, 1411.0403, and 1411.0404, and adding new section 1411.0405, to read as follows:

§1411.0401 Local Modifications to Chapter 4 “Repairs” of the California Existing Building Code

- (a) Chapter 4 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 401.3 is modified pursuant to Section 1411.0105 of the Land Development Code as follows: 401.3, Flood hazard areas. In flood hazard areas, the owner shall comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, when making repairs that constitute substantial improvement.

§1411.0405 Local Modifications to Section 405 "Structural" of the California Existing Building Code

- (a) Section 405 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 405.2.5, Repair, is adopted with modifications as follows: 405.2.5, Flood hazard areas. In flood hazard areas, buildings that have sustained substantial damage shall be brought into compliance with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

Section 36. That Chapter 14, Article 11 of the San Diego Municipal Code is amended by adding new Division 5, sections 1411.0501, 1411.0502, and 1411.0503, to read as follows:

Chapter 14: General Regulations

Article 11: Existing Building Regulations

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

§1411.0501 Local Modifications and Additions to Chapter 5 "Prescriptive Compliance Method" of the California Existing Building Code

Chapter 5 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.

§1411.0502 Local Modifications to Section 502 "Additions" of the California Existing Building Code

- (a) Section 502 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.

- (b) Section 502.3 is modified as follows: 502.3, Flood Hazard Areas. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing *structure* shall comply with the flood design requirements for new construction, and all aspects of the existing *structure* shall be brought into compliance with the requirements for new construction for flood design. For buildings and *structures* in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any additions that do not constitute substantial improvement of the existing *structure* are not required to comply with the flood design requirements for new construction.

§1411.0503 Local Modifications to Section 503 “Alterations” of the California Existing Building Code


- (a) Section 503 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 503.2 is modified as follows: 503.2 Flood hazard areas. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing *structure* shall comply with the flood design requirements for new construction, and all aspects of the existing *structure* shall be brought into compliance with the requirements for new construction for flood design. For buildings and structures in flood hazard areas established in Section

145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alterations that do not constitute substantial improvement of the existing *structure* are not required to comply with the flood design requirements for new construction.

Section 37. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 38. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Noah J. Brazier
Deputy City Attorney

NJB:als
02/10/2020
Or.Dept:DSD
Doc. No.: 2228015_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 04/07/2020

ELIZABETH S. MALAND
City Clerk

By /s/ Gil Sanchez
Deputy City Clerk


KEVIN L. FAULCONER, Mayor

Approved: 4/9/2020
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 129.0104; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0203, 129.0211, 129.0216, AND 129.0218; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 3 BY AMENDING SECTION 129.0307, AMENDING AND RETITLING SECTION 129.0309; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 4 BY AMENDING AND RETITLING SECTION 129.0410; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 9 BY AMENDING AND RETITLING SECTION 129.0907; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 12 BY AMENDING SECTION 142.1210; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 BY AMENDING SECTIONS 145.0101, 145.0103, 145.0104, 145.0105, 145.0106, AND 145.0107; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 145.0201 AND REPEALING SECTION 145.0202; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 4 BY AMENDING SECTION 145.0401 AND ADDING NEW SECTION 145.0406; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 7 BY REPEALING SECTION 145.0702 AND AMENDING SECTION 145.0711; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 12 BY RENUMBERING AND RETITLING SECTION 145.1207 TO SECTION 145.1206 AND ADDING NEW SECTION 145.1207; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 15 BY AMENDING SECTIONS 145.1501, 145.1505 AND 145.1507, ADDING NEW SECTION 145.1510, AND RENUMBERING AND RETITLING CURRENT SECTION 145.1510 TO SECTION 145.1511; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 18 BY AMENDING SECTION 145.1803; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 31 BY AMENDING SECTION 145.3101 AND REPEALING SECTION 145.3109; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 32 BY AMENDING SECTION 145.3203; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 33 BY AMENDING SECTIONS 145.3301 AND 145.3303; AMENDING CHAPTER 14, ARTICLE 5, DIVISION

38 BY RETITLING DIVISION 38 AND BY AMENDING AND RETITLING SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 39 BY AMENDING SECTION 145.3905 AND AMENDING AND RETITLING SECTION 145.3910; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 40 BY AMENDING SECTION 145.4005; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 1 BY AMENDING SECTIONS 146.0103, 146.0104, 146.0105, 146.0106, AND 146.0107; AMENDING CHAPTER 14, ARTICLE 6, DIVISION 2 BY REPEALING SECTIONS 146.0208 AND 146.0209; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, AND 147.0106; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 2 BY ADDING NEW SECTION 147.0203, RENUMBERING SECTION 147.0213 TO SECTION 147.0211, AND AMENDING AND RETITLING SECTION 147.0212; AMENDING CHAPTER 14, ARTICLE 7, DIVISION 4 BY AMENDING SECTION 147.0405; AMENDING CHAPTER 14, ARTICLE 8, DIVISION 1 BY AMENDING SECTIONS 148.0103, 148.0104, 148.0105, 148.0106, AND 148.0107; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 1 BY AMENDING SECTIONS 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, AND 149.0108; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 2 BY AMENDING SECTION 149.0201 AND REPEALING SECTION 149.0202; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 3 BY AMENDING SECTIONS 149.0301 AND 149.0302, ADDING NEW SECTION 149.0309, AMENDING AND RETITLING SECTION 149.0319, ADDING NEW SECTION 149.0324, REPEALING SECTION 149.0326, AND AMENDING SECTION 149.0337; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 9 BY AMENDING SECTION 149.0902; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0103 AND 1410.0107; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 4 BY AMENDING SECTION 1410.0403; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 1 BY AMENDING SECTIONS 1411.0103, 1411.0104, 1411.0105, 1411.0106, AND 1411.0107; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 3 BY AMENDING SECTION 1411.0301 AND AMENDING AND RETITLING SECTION 1411.0302; AMENDING CHAPTER 14, ARTICLE 11, DIVISION 4 BY AMENDING AND RETITLING SECTION 1411.0401, REPEALING SECTIONS 1411.0402, 1411.0403, AND 1411.0404, AND ADDING NEW SECTION 1411.0405; AMENDING CHAPTER 14, ARTICLE 11, BY ADDING NEW DIVISION 5, SECTIONS 1411.0501, 1411.0502,

AND 1411.0503, RELATING TO THE 2019 CALIFORNIA BUILDING STANDARDS CODE.

§129.0104 Construction Permit Authorities

(a) The powers and duties of the Building Official are as follows:

(1) through (13) [No change in text.]

(14) To review applications for Grading Permits for, and to inspect grading on, residential private 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.

(15) [No change in text.]

(16) To review plans and specifications for water and sewer utilities and installations, and to inspect the utilities and installations, when located in private streets for compliance with the issued construction permit, the San Diego Fire Code, the San Diego Building, Electrical, Plumbing, Mechanical, Residential Building, Green Building, and Existing Building Regulations, and all other applicable provisions of the San Diego Municipal Code.

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

§129.0203 Exemptions from a Building Permit

(a) A Building Permit is not required for the following *structures* and activities, except when the *development* would involve alterations, repairs, or improvements to a *historical resource* as described in Section

143.0220; when *development* on a *premises* containing *environmentally sensitive lands* requires a *development permit* in accordance with Section 143.0110; or when a building is constructed with unreinforced masonry bearing walls or exterior wall parapets:

- (1) [No change in text.]
- (2) *Fences* that are 67 feet in height or less, ~~and not supporting any other super-imposed loads.~~
- (3) through (6) [No change in text.]
- (7) ~~Platforms, walks, Sidewalks~~ and driveways that are 30 inches or less above adjacent grade, and are not over any basement or story, and are not part of an accessible route in accordance with the California Building Code.
- (8) through (9) [No change in text.]
- (10) Window awnings supported by an exterior wall of Group R, Division 3, and ~~Group M~~ Group U Occupancies ~~when they that do not project more than 54 inches from the exterior wall and do not require additional support.~~
- (11) through (13) [No change in text.]
- (14) ~~Awnings projecting horizontally out to 6 feet or less and attached to the exterior walls of buildings of Group R, Division 3 or Group U, Division 1 Occupancies.~~
- (14) Electrolier standards, flag poles, and antennas that are 30 feet or less in height above finish *grade* when fully extended.

~~(16)~~(15) Exterior walking decks that are supported on *grade* and extend 30 inches or less above *grade* and are accessory to buildings of Group R, Division 3 (dwellings) and Group U, Division 1 (residential accessory structures) Occupancies: Decks accessory to buildings within the scope of the California Residential Code that do not exceed 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, that are not attached to a dwelling, and that do not serve the exit door required by Section R311.4 of the California Residential Code.

~~(17)~~(16) 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)~~(17) Repairs that involve only the replacement of components or existing work with similar materials for the purpose of maintenance, that do not have an aggregate valuation of over \$1,000.00, and that do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment. The following repairs are exempt from permit requirements without limit to valuation:

(A) through (D) [No change in text.]

~~(19)~~(18) Structures placed in public streets, alleys and sidewalks, except those regulated by Chapter 32 of the California Building Code.

~~(20)~~(19) Work done by employees of the City on City-owned or leased buildings.

~~(21)~~(20) 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)~~(21) 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)~~(22) 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)~~(23) Specific *structures* as determined by the Building Official for a particular and justifiable reason.

~~(25)~~(24) A sidewalk cafe that is in compliance with Section 141.0621, unless any one of the following applies:

- (A) The sidewalk cafe would alter or modify the existing building, building façade, or any means of building egress;
- (B) The sidewalk cafe would be located on a raised platform or in a sunken area; or
- (C) A barrier consisting of railings, *fences*, or planter boxes would be installed to delineate the area of the sidewalk cafe.

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

§129.0211 Closing of Building Permit Application

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

(e) The application for all Electrical, Plumbing, Mechanical or Fire Permits associated with a Building Permit shall expire concurrently with the Building Permit.

§129.0216 Initial Utilization of a Building Permit

A Building Permit shall become void if work authorized by the permit is suspended, the structure is abandoned, or substantial work authorized by the permit has not been completed and validated by an inspection within ~~180 calendar days~~ 12

months of the date of permit issuance unless an extension has been granted pursuant to Section 129.0219.

§129.0218 Expiration of a Building Permit

- (a) [No change in text.]
- (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, or Fire Permits associated with a Building permit shall expire concurrently with the Building Permit.

§129.0307 How to Apply for an Electrical Permit

- (a) through (f) [No change in text.]
- (g) ~~All plans required for hospitals and electrical installations operating in excess of 600 volts shall be signed by a California Licensed Electrical Engineer.~~

§129.0309 Issuance of an Electrical Permit and Closing of an Electrical Permit Application

- (a) through (b) [No change in text.]
- (c) If one year has elapsed since the date an Electrical Permit application is deemed complete and the applicant has not requested that an Electrical 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 Electrical 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.

- (d) The Electrical Permit application file for City projects shall be closed after two years have elapsed since the date the Electrical Permit application is deemed complete.
- (e) The Building Official may extend an Electrical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Electrical Permit.

§129.0410 Issuance of a Plumbing/Mechanical Permit and Closing of a Plumbing/Mechanical Permit Application

- (a) A Plumbing/Mechanical Permit may be issued after all approvals have been obtained and the required fees have been paid. A Plumbing/Mechanical Permit shall not be issued for a *development* that requires a *development permit* until the *development permit* has been issued.
- (b) A Plumbing/Mechanical Permit shall not be issued for a *development* that requires a *development permit* until the *development permit* has been issued.
- (c) If one year has elapsed since the date a Plumbing/Mechanical Permit application is deemed complete and the *applicant* has not requested that a Plumbing/Mechanical 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 Plumbing/Mechanical 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.

- (d) The Plumbing/Mechanical Permit application file for City projects shall be closed after two years have elapsed since the date the Plumbing/Mechanical Permit application is deemed complete.
- (e) The Building Official may extend a Plumbing/Mechanical Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Plumbing/Mechanical Permit.

§129.0907 Issuance of a Fire Permit and Closing of a Fire Permit Application

- (a) [No change in text.]
- (b) A Fire Permit shall not be issued until a associated Building Permit permits has have been issued.
- (c) If one year has elapsed since the date a Fire Permit application is deemed complete and the applicant has not requested that a Fire 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 Fire 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.

- (d) The Fire Permit application file for City projects shall be closed after two years have elapsed since the date the Fire Permit application is deemed complete.
- (e) The Building Official may extend a Fire Permit application one time, for a period not exceeding 180 calendar days, if the Building Official determines that circumstances beyond the control of the applicant prevented issuance of the Fire Permit.

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and *sign* maintenance regulations.

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

(c) Structural Regulations

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

(4) When installed on the exterior walls of high-rise buildings as defined in Chapter 4 of the California Building Code, exterior wall signs greater than 100 square feet in area or greater than 10 feet in either dimension shall comply with Section 705.12 of the ~~2013~~ 2019 California Building Code and Section 705.1 of the 2019 California Fire Code.

(d) [No change in text.]

§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 ~~2016~~ 2019 California Building Code as provided in Section 1.1.2 of the ~~2016~~ 2019 California Building Code.

(b) [No change in text.]

§145.0103 Adoption of the California Building Code

- (a) The ~~2016~~ 2019 California Building Code, published by the California Building Standards Commission (BSC), and 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 (OSHDP3); and the State Fire Marshal; (SFM), is adopted by reference, except as otherwise provided in Chapter 14, Article 5 of the Land Development Code, Divisions 2 through ~~36~~ 38. A copy of the ~~2016~~ 2019 California Building Code is on file in the office of the City Clerk as Document No. OO-~~20897-4~~ _____.
- (b) When reference is made to the California Building Code, it shall be the ~~2016~~ 2019 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 ~~2016~~ 2019 California Building Code is made a part of Chapter 14, Article 5 as if fully set forth in this Article, except as otherwise provided in Divisions 2 through ~~36~~ 38.
- (d) Numbering of Sections in Divisions 2 through ~~36~~ 38 of this Article is cross referenced to Sections in the ~~2016~~ 2019 California Building Code.

- (e) The adoption of the ~~2016~~ 2019 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) [No change in text.]

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

The following portions of the ~~2016~~ 2019 California Building Code are not adopted by the City of San Diego:

- (a) Chapter 1, Division ~~II~~ II "Scope and Administration," all portions with the exception of Section 104.11.
- (b) Chapter 15, Roof Assemblies and ~~Roof~~ Rooftop Structures, Section ~~1510.4~~ 1511.4.
- (c) [No change in text.]

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

The following Sections or Subsections of the ~~2016~~ 2019 California Building Code are modified by the City of San Diego:

- (a) [No change in text.]
- (b) ~~Chapter 15, Roofing and Roof Structures, Section 1505.1 General, Section 1505 Fire Classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section 1510.1 General.~~ Chapter 12, Interior Environment, Section 1206, Sound Transmission, Section 1207.4, Efficiency Dwelling Units.

- (c) ~~Chapter 12, Interior Environment, Sound Transmission, Section 1207.~~
Chapter 15, Roof Assemblies and Rooftop Structures, Section 1505.1
General, Section 1505 Fire Classification, Section 1505.8 Building-
integrated photovoltaic products, Section 1505.9 Rooftop mounted
photovoltaic panel systems, Section 1510.7.1 Fire classification, Section
1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section 1511.1
General.

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

- (g) Appendix ~~N~~ Q, Emergency Housing Section ~~N~~ Q103.2.1 Exception 1, ~~N~~ Q103.6 Lighting, Ventilation, and Heating, ~~N~~ Q106 General, Section ~~N~~ Q106.1.1 Tents, and Section ~~N~~ Q106.1.2 Membrane Structures.

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

The following Sections and Subsections are added to the ~~2016~~ 2019 California Building Code by the City of San Diego:

- (a) ~~Chapter 2, Definitions, Section 202 Live/Work Dwelling.~~
- (b)(a) ~~Chapter 7, Ducts and Air Transfer Openings, Section 717.5.3 Exception 5~~
Chapter 4, Motor Vehicle Occupancies, Section 406.2.1.1.
- (e)(b) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, Sections ~~710A.3, 701A.6, 702A, Definitions, 705A.4, 705A.4.1, Section 703A.6.1, Alternative Materials, Designs or Methods, Section 703A.6.2, Modifications, Section 706A.4 705A.4, Roof Gutters, Section 705A.4.1, Drip Edge Flashing, Section 708A.2.2.1, Vinyl Window Reinforcing, and Section 711A.1, and 711A.2 Spark Arrestors.~~
- (d)(c) Chapter 12, Sound Transmission, Section ~~1207.5~~ 1206.05.

- (e)(d) Chapter 15, ~~Roofing and Roof~~ Assemblies and Rooftop Structures, Subsections 1505.1.5 and 1505.1.6, Sections ~~1507.1.6~~ 1507.1.3 and Subsections ~~1510.1.4~~ 1511.1 through ~~1510.1.5~~ 1511.5.
- (f)(e) Chapter 16, Structural Design, Section 1607.2, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
- (g)(f) Chapter 17, Structural Tests and Special Inspections, Section ~~1705.5~~ 1704.3.1 item 6.
- (h)(g) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsections 1803.2 exceptions 2 through 4; Sections 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.
- (i) ~~Chapter 31, Special Construction, Section 3109 Swimming Pool Enclosures and Safety Devices, Subsections 3109.1.1, 3109.1.2, and 3109.4.1.10.~~
- (j)(h) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Subsections 3203.1 through 3203.6.
- (k)(i) Chapter 33, Safeguards During Construction, Section ~~3303.7~~ 3303.8, Demolition and Removal Regulations.
- (l)(j) Appendix N Q, Emergency Housing, Subsection N Q103.2.1 Exception 2, Subsections N Q106.2 through N Q106.7, Section N Q111 Emergency Housing Lighting and Ventilation Requirements, Subsections N Q111.1 and N Q111.2, Section N Q112 Emergency Housing Fire and Life Safety Requirements, Subsections N Q112.1 through N Q112.13, and Section N

Q113 Emergency Housing Alternatives and Modifications, Subsection N

Q113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the ~~2016~~ 2019 California Building Code are adopted by the City of San Diego:

- (a) Appendix chapters specifically amended by a State agency listed in Section 145.0103 and identified in the adoption matrices of the ~~2016~~ 2019 California Building Code.
- (b) through (e) [No change in text.]
- (f) Appendix ~~N~~ Q, Emergency Housing.

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

Chapter 2 of the California Building Code is adopted by reference ~~with additions~~ without change pursuant to Section ~~145.0106~~ 145.0103 of the Land Development Code.

§145.0202 Other Definitions

- (a) ~~Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 5, Divisions 3 through 36 of the Land Development Code where they conflict with the definitions contained in the California Building Code.~~
- (b) ~~Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.~~

- (e) ~~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 Land Development Code.~~

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

Chapter 4 of the California Building Code is adopted by reference ~~without change~~ with additions pursuant to Section ~~145.0103~~ 145.0106 of the Land Development Code.

§145.0406 Local Modifications and Additions to Section 406 “Motor Vehicle Related Occupancies”

Section 406.2.1, “Automatic garage door openers and vehicular gates,” is adopted with additions pursuant to Section 145.0106. Section 406.2.1.1, “Backup Power for Automatic Garage Door Openers,” is added as follows: 406.2.1.1 Backup Power for Automatic Garage Door Openers. When private parking garages that serve an individual dwelling are equipped with automatic garage door openers, the automatic garage door openers shall include battery backup functions that are designed to operate in a manner so that the automatic garage door openers are operational without interruption during an electrical outage.

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

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

§145.0711 ~~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 is added as follows to Chapter 7A pursuant to Section 145.0106 of the Land Development 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 comply with the glazing requirements in Section 708A.2.1 on buildings located in the Very High Fire Hazard Severity Zone areas identified within the “Very High Fire Hazard Severity Zone Map—Local Responsibility Areas” adopted pursuant to Section 55.9401 of the San Diego Municipal Code.~~

§145.12076 ~~Local Additions and Modifications to Section ~~1207~~ 1206 “Sound Transmission” of the California Building Code~~

(a) Section ~~1207~~ 1206 of the California Building Code is adopted with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code. Section ~~1207~~ 1206 is modified by adding Section ~~1207.5~~ 1206.5.

- (b) ~~Section 1207.5~~ 1206.5. Additional Noise Regulations. For additional noise regulations limiting the intrusion of exterior noise into buildings based on land use standards, see Chapter 13, Article 2, Division 15 of the Land Development Code. For additional noise regulations limiting the intrusion of exterior noise into non-residential buildings, see Section 5.507 of the California Green Building Standards Code.

§145.1207 **Local Additions and Modifications to Section 1207 “Interior Space Dimensions” of the California Building Code**

- (a) Section 1207.4 of the California Building Code is adopted with modifications pursuant to Sections 145.0105 of the Land Development Code.
- (b) Section 1207.4 item 1 is modified as follows: 1. The dwelling unit shall have a living room of not less than 150 square feet (13.93 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of the dwelling unit in excess of two.

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

- (a) [No change in text.]
- (b) Sections 1501 through 1504 and Sections ~~1505~~, 1506, 1508, and 1509 are adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (c) Sections 1505.1, 1505.8, 1505.9, 1507.1, 1507.8, and 1507.9, 1510.7.1, and 1511 are adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

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

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

(c) Section 1505.8 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.8 Building-integrated photovoltaic products. Building-integrated photovoltaic products installed as the roof covering shall be tested, listed and labeled for fire classification in accordance with Section 145.1505(b).

(d) Section 1505.9 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1505.9 Rooftop mounted photovoltaic panel systems. Rooftop rack-mounted photovoltaic panel systems shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703 and Section 145.1505(b).

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

(a) [No change in text.]

(b) Section 1507.16 1507.1.3 is added as follows pursuant to Section 145.0106 of the Land Development Code: ~~1507.16~~ 1507.1.3. Roof coverings shall be secured or fastened to the supporting roof construction.

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

Section 1510.7.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1510.7.1 Fire classification. Rooftop-mounted photovoltaic panels and modules shall have a fire classification in accordance with Section 145.1505.

§145.151011 Local Additions and Modifications to Section 1510 1511 “Reroofing” of the California Building Code

- (a) Section ~~1510.1~~ 1511.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: ~~1510.1~~ 1511.1 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 ~~2013~~ California Building Code as adopted and amended by the City of San Diego.
- (b) Sections ~~1510.1.1~~ 1511.1.1 through ~~1510.1.2~~ 1511.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) ~~1510.1.1~~ 1511.1.1. All replacements, alterations, or repairs shall be a Class “A” roof assembly.
- (2) ~~1510.1.2~~ 1511.1.2. 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~~ 1511.1.3 through ~~1510.1.5~~ 1511.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) ~~1510.1.3~~ 1511.1.3. 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) ~~1510.1.4~~ 1511.1.4. 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(e)(1)

145.1511(c)(1).

- (3) ~~145.1510.1.5~~ 1511.1.5. No roof covering shall be applied over any existing wood shakes or wood shingles.

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

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

(f) 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) [No change in text.]

(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) [No change in text.]

(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)~~(i) All new structures requiring deep foundations, such as piers or pilings.

~~(iii)~~(ii) All structures over three stories in height.

~~(iv)~~(iii) All structures containing the following occupancies pursuant to the 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)~~(iv) All structures with an occupant load of more than 300 occupants as determined by Table 1004.1.2 of the California Building Code and structures used for public assembly assigned to Risk Category III in Table 1604.5 of the California Building Code.

~~(vi)~~(v) 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)~~(vi) Tanks, bins, hoppers, silos, and other storage structures over 35 feet high.

~~(viii)~~(vii) Towers over 35 feet high.

~~(ix)~~(viii) 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) through (D) [No change in text.]

(g) [No change in text.]

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 , <u>22</u>	A, B, C, D
	<u>23, 24, 25, 26, 27</u>	<u>A, B, C</u>

Liquefaction/Potential Ground Failure	31, 32	A, B, C, D
Coastal Bluff Stability	41 through 48, <u>42, 43</u>	A, B, C, D
	<u>44, 45, 46, 47, 48</u>	<u>A, B</u>
Variable Stability/Unfavorable Geologic Structure with Sloping Topography <u>All Other Terrain</u>	53, 54 (with slope greater than or equal to 4:1 or 25%)	A, B, C, D
	<u>52, 53</u>	<u>A, B</u>
	<u>51, 55</u>	<u>A</u>
All Other Conditions	53, 54 (with slope less than 4:1 or 25%)	A, B, C
	51, 52, 55	A, B, C

Footnotes: [No change in text.]

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

- (a) Chapter 31 of the California Building Code is adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (b) Sections 3101 through 3108, 3110, and 3111 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 California Building Code~~

~~Sections 3109.1.1, 3109.1.2 and 3109.4.1.10 of the 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 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 California Building Code. When located adjacent to a slope, planter or other fixed appendage, the barrier shall comply with Figure 31B-5 of the California Building Code.~~

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

Section 3203 “Entrance Canopies” is added 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 California Building Code. Entrance canopies shall also meet all of the following requirements:

~~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~~ 3105.3 of the California Building Code.

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

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

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

(a) [No change in text.]

(b) Sections 3301 through 3302 and 3304 through ~~3313~~ 3314 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 California Building Code

Section ~~3303.7~~ 3307.8 is added pursuant to Section 145.0106 of the Land

Development Code: ~~3303.7~~ 3307.8 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) through (j) [No change in text.]

Division 38: Additions and Modifications to Appendix N Q of the California Building Code

§145.3801 Local Modifications and Additions to Appendix N Q “Emergency Housing” of the California Building Code

- (a) Appendix N Q of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) [No change in text.]
- (c) The regulations in this Division and in Appendix N Q shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under California Government Code Section 8698.4 and located in new or existing buildings or structures owned, operated, or constructed by, for, or on behalf of, the City.
- (d) The regulations in this Division and in Appendix N Q shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix N Q, as adopted with modifications and additions by this Division, the emergency housing need not comply with the requirements of the California Building Code for Group R occupancies.

§145.3802 Local Modifications and Additions to Section N Q103 “Emergency Housing” of the California Building Code

- (a) Section NQ103 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The existing exception in Section NQ103.2.1 is numbered as Exception 1. Exception 2 is added to Section NQ103.2.1 as follows:
 - 2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the California Building Standards Code, provided such change in occupancy meets the minimum fire and life safety requirements set forth in Section 145.3805 of the Land Development Code.
- (c) Section NQ103.6 Heating is modified as follows:

NQ103.6 Lighting, Ventilation, and Heating. All sleeping areas shall be provided with adequate lighting, ventilation, and heating as determined by the Building Official. When required, lighting and ventilation shall comply with Section 145.3804.

§145.3803 Local Modifications and Additions to Section NQ106 “Tents and Membrane Structures” of the California Building Code

- (a) Section NQ106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section NQ106.1 General is modified as follows:
 - (1) Section NQ106.1.1 Tents is modified as follows:

NQ106.1.1 Tents. Tents shall not be used to house occupants for more than 7 consecutive days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a

height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade and equipped with curbs on all sides at least 6 inches (152.4 mm) high. A tent shall not be considered a suitable sleeping place when it is found necessary to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

- (2) Section NQ106.1.2 Membrane Structures is added with modification as follows:

NQ106.1.2 Membrane Structures. Membrane structures installed and/or assembled in accordance with Chapter 31 of the California Building Code and the California Fire Code may be permitted to be used as emergency housing and emergency housing facilities.

- (c) Section NQ106.2 Membrane Structures In Use for More than 180 Days is added as follows:

NQ106.2 Membrane Structures In Use for More Than 180 Days.

Membrane structures in use for a period of more than 180 calendar days shall comply with the California Fire Code and with the following:

- (1) The membrane structure shall be inspected by a California registered design professional at least once every 180 calendar days from the date of final inspection ~~prior to initial occupancy~~ to ensure that the membrane structure continues to perform as designed and initially erected. The registered design professional

shall certify in writing that the membrane structure continues to be in compliance with the applicable regulations of the California Fire Code and California Building Code in effect on the date of final inspection ~~prior to initial occupancy~~. Inspection records shall be kept and shall be made available for verification by the Fire Code Official and the Building Official.

(2) [No change in text.]

(d) Section NQ106.3 Means of Egress is added as follows:

NQ106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section NQ103.3.

(e) Section NQ106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

NQ106.4 Storage of Flammable Materials Within Tents or Membrane Structures. Flammable materials, including the possessions of occupants and users stored in tents and membrane structures shall not obstruct required aisle widths between beds or other furnishings. The quantity of stored flammable materials within a membrane structure not protected with an automatic fire sprinkler system, or within tents, shall be subject to the approval of the Fire Code Official.

(f) Section NQ106.5 Flammable or Combustible Liquids is added as follows:

NQ106.5 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted inside a tent or membrane structure except for intact cigarette lighters. The

use of any type of open flame inside a tent or membrane structure is prohibited unless each separate use is approved by the Fire Code Official.

- (g) Section NQ106.6 Fire Department Access is added as follows:

NQ106.6 Fire Department Access. Fire Department access to tents or membrane structures used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code and approved by the Fire Code Official.

- (h) Section NQ106.7 Water Supply is added as follows:

NQ106.7 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each tent or membrane structure, group of structures, or *premises* used for emergency housing.

§145.3804 Local Addition of Section NQ111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

- (a) Section NQ111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section NQ111.1 Emergency Housing Lighting Requirements is added as follows:

NQ111.1 Emergency Housing Lighting Requirements. Buildings or structures used for emergency housing shall either be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 of the California Building Code or shall be provided with

artificial light in accordance with Section 1205.3 of the California Building Code.

- (c) Section NQ111.2 Ventilation is added as follows:

NQ111.2 Ventilation. Buildings or structures used for emergency housing shall either be provided with natural ventilation in accordance with Section 1203.5 of the California Building Code or mechanical ventilation in accordance with the California Mechanical Code.

§145.3805 Local Addition of Section NQ112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

- (a) Section NQ112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section NQ112.1 Fire Separation Distance is added as follows:

NQ112.1 Fire Separation Distance. Buildings or structures used for emergency housing, including sleeping cabins, shall be constructed and located on a lot in compliance with the regulations in Chapters 6 and 7 of the California Building Code, based on their fire separation distance.

During a declared shelter crisis, the fire separation distances are permitted to be measured to the existing buildings on the adjacent parcels rather than to the interior lot lines, provided the open spaces within the fire separation distance remain clear and unobstructed for the duration of the declared shelter crisis.

- (c) Section NQ112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

NO112.2 Fire Separation Distance, Buildings on the Same Lot. Buildings or structures used for emergency housing, including sleeping cabins, shall be separated from each other and from other buildings on the same lot as set forth in Section 705.3 of the California Building Code.

- (d) Section NO112.3 Means of Egress is added as follows:

NO112.3 Means of egress. Buildings or structures used for emergency housing shall be provided with means of egress in compliance with Chapter 10 of the California Building Code.

- (e) Section NO112.4 Emergency Escape and Rescue is added as follows:

NO112.4 Emergency Escape and Rescue. Each area of a building or structure used for sleeping accommodations in emergency housing shall contain an emergency escape and rescue opening in accordance with Section 1030 of the California Building Code.

- (f) Section NO112.5 Smoke Alarms is added as follows:

NO112.5 Smoke Alarms. Buildings or structures with sleeping accommodations used for emergency housing shall be equipped with single station smoke alarms installed in accordance with the requirements of Section 907.2.11 and Section 1103.8.3 of the California Fire Code.

- (g) Section NO112.6 Carbon Monoxide Alarms is added as follows:

NO112.6 Carbon Monoxide Alarms. Buildings or structures with sleeping accommodations used for emergency housing and equipped with fuel-burning appliances shall be provided with carbon monoxide detection in accordance with Section 915 of the California Fire Code and the California Building Code.

- (h) Section NQ112.7 Fire Alarm is added as follows:

NQ112.7 Fire Alarm. A manual fire alarm system capable of arousing sleeping occupants designed and constructed in compliance with Section 907.2.10.1 of the California Fire Code and the California Building Code shall be installed in buildings, structures, or groups of buildings or structures, used for emergency housing and having a *gross floor area* of more than 2,500 square feet or having the capacity for more than 49 sleeping occupants.

Exception: Individual buildings or structures in a group of buildings or structures with sufficient separation distances to allow each building or structure to function independently in case of a fire shall have their own individual fire alarm systems, as approved by the Fire Code Official.

- (i) Section NQ112.8 Automatic Fire Sprinklers is added as follows:

NQ112.8 Automatic Fire Sprinklers. Fire sprinklers shall be provided for new and existing buildings or structures used for emergency housing that provide sleeping accommodations, as required by Section 903.3 of the California Fire Code and the California Building Code.

- (j) Section NQ112.9 Fire Extinguishers is added as follows:

NQ112.9 Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with Section 906.1 of the California Fire Code and the California Building Code.

- (k) Section NQ112.10 Flammable or Combustible Liquids is added as follows:

NQ112.10 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted except for intact cigarette lighters. The use of any type of open flame indoors is prohibited unless each separate use is approved by the Fire Code Official.

- (l) Section NQ112.11 Storage is added as follows:

NQ112.11 Storage. Flammable materials, including the possessions of occupants, users, and staff, shall not obstruct required aisle widths between beds or other furnishings and shall not be stored in attics, under-floor spaces, or within other concealed spaces of buildings or structures with sleeping accommodations used for emergency housing.

- (m) Section NQ112.12 Fire Department Access is added as follows:

NQ112.12 Fire Department Access. Fire Department access to buildings and *premises* used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code, and approved by the Fire Code Official.

- (n) Section NQ112.13 Water Supply is added as follows:

NQ112.13 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each building or structure, group of structures or *premises* used for emergency housing.

§145.3806 Local Addition of Section N Q113 “Emergency Housing Alternatives and Modifications” to the California Building Code

- (a) Section NQ113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section NQ113.1 Alternatives and Modifications is added as follows:
NQ113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix NQ and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

§145.3905 Definitions

Except as otherwise provided, for the purposes of this Division:

Automated External Defibrillator or *AED* [No change in text.]

Alteration means a tenant improvement or renovation to an existing building. A change of occupancy shall not be considered an alteration for purposes of this Division.

§145.3910 New Construction and Alterations Requiring AEDs

- (a) [No change in text.]
- (b) Prior to approval of final inspection, AEDs shall be placed in all existing buildings undergoing alteration when the any of the following apply:
 - (1) The building undergoing alteration was constructed prior to January 1, 2017;
 - (2) The accumulated value of the alterations within the building within one calendar year is \$100,000 or more; or

(3) The alterations are within a public assembly occupancy use, including auditoriums and performing arts and movie theaters.

(c) The requirements in Section 145.3910(b) shall not apply to the following:

(1) A general acute care hospital, acute psychiatric hospital, skilled nursing facility or special hospital licensed under Section 1250(a), (b), (c), or (f) of the California Health and Safety Code; and

(2) An existing AED that is located within a common area of the building described in subdivision (b), such as the main entry lobby or similar location.

~~(b)~~(d) AEDs shall be conspicuously placed and readily accessible in the event of an emergency. AEDs shall be mounted such that the top of the AED is no more than five (5) feet above floor level.

Table 145-3910

Occupancy Group	Occupant Load
Group A "Assembly"	300
Group B "Business"	200
Group E "Educational"	200
Group F "Factory"	200
Group H "High Hazard" ²	200
Group I "Institutional"	200
Group M "Mercantile"	200
Group R "Residential" ¹	200
Group S "Storage" ²	200

¹ [No change in text.]

² Excluding parking garages

§145.4005 Tier II-Visitable Unit Design Standards

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

(e) At least one interior accessible route of travel shall be provided in compliance with California Building Code Section 1120.A.1 1119A as

may be amended. The interior route of travel shall connect an accessible entrance to the following rooms located on the primary entry level:

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

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

§146.0103 Interpretation of the Electrical Regulations

(a) The language used in this Article and in the ~~2016~~ 2019 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 California Electrical Code

(a) The ~~2016~~ 2019 California Electrical Code published by the California Building Standards Commission (BSC), 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 ~~2016~~ 2019 California Electrical Code is on file in the office of the City Clerk as Document No.

~~OO-20897-2~~ _____.

(b) When reference is made to the California Electrical Code, it shall be the ~~2016~~ 2019 California Electrical Code, California Code of Regulations

Title 24, Part 3, as published by the California Building Standards Commission.

(c) [No change in text.]

§146.0105 Portions of the California Electrical Code Not Adopted

The following Sections or Subsections of the ~~2016~~ 2019 California Electrical Code are not adopted by the City of San Diego:

(a) Article 230, Services, Section ~~43~~ 230.43, Wiring Methods for ~~600~~ 1000 Volts, Nominal or Less, numbers (1) “Open Wiring on Insulators” and (7) “Service-entrance Cables” are not adopted.

(b) [No change in text.]

~~(c) Article 705, Interconnected Electric Power Production Sources; Section 705.12(D)(6), Wire Harness and Exposed Cable Arc Fault Protection.~~

§146.0106 Portions of the California Electrical Code Adopted With Modifications

The following Sections of the ~~2016~~ 2019 California Electrical Code are adopted by the City of San Diego with modifications:

~~Article 690, Solar Photovoltaic (PV) Systems; Section 690.12(2) Rapid shutdown of PV Systems on Buildings.~~ The 2019 California Electrical Code is adopted without modifications.

§146.0107 Portions of the California Electrical Code Adopted With Additions

The following Sections of the ~~2016~~ 2019 California Electrical Code are adopted by the City of San Diego with additions:

~~Article 705, Interconnected Electric Power Production Sources; Section 705.12(D)(2)(3)(e) Bus or Conductor Ampere Rating.~~ The 2019 California Electrical Code is adopted without additions.

§146.0208 Local Modifications and Additions to Article 690 Solar Photovoltaic (PV) Systems of the California Electrical Code.

(a) ~~Article 690 of the California Electrical Code is adopted by reference with modifications pursuant to Section 146.0106 of the Land Development Code.~~

(b) ~~Section 690.12 Rapid Shut Down of PV Systems on Buildings is adopted with modifications as follows:~~

~~690.12 Rapid Shut Down of PV Systems on Buildings. PV system circuits installed on or in buildings shall include a rapid shut down function that controls specific conductors in accordance with subsections (1) through (5) as follows:~~

(1) ~~Requirements for controlled conductors shall apply only to PV system conductors of more than 1.5m (5 ft.) in length inside a building or more than 3m (10 ft.) from a PV array.~~

(2) ~~Controlled conductors shall be limited to no more than 30 volts and 240VA within 30 seconds of rapid shutdown initiation.~~

(3) ~~Voltage and power shall be measured between any two conductors and between any conductor and ground.~~

(4) ~~The rapid shutdown initiation methods shall be labeled in accordance with 690.56(C) of the California Electrical Code.~~

(5) ~~Equipment that performs rapid shutdown shall meet the requirements in Article 110 of the California Electrical Code and shall be listed and labeled by an approved Nationally Recognized Testing Laboratory.~~

§146.0209 Local Modifications and Additions to Section 705.12 "Point of Connection" of the California Electrical Code

- (a) ~~Section 705.12(D)(3) of the California Electrical Code is adopted with additions and modifications pursuant to Sections 146.0106 and 146.0107 of the Land Development Code.~~
- (b) ~~Section 705.12(D)(3) "Bus or Conductor Ampere Rating" is modified by adding subsection (e) as follows: (e) A connection at either end, but not both ends, of a center-fed panel board in dwellings shall be permitted where the sum of 125 percent of the power source(s) output circuit current and the rating of the overcurrent device protecting the busbar does not exceed 120 percent of the current rating of the busbar. For the purpose of this section, dwelling has the same meaning as in the California Residential Code and the California Building Code.~~

§147.0103 Adoption of the California Plumbing Code

- (a) Except as provided in Sections 147.0104 through 147.0108, the ~~2016~~ 2019 California Plumbing Code, published 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 OO-20897-3 _____, is adopted by reference.
- (b) When reference is made to the California Plumbing Code, it shall be the ~~2016~~ 2019 California Plumbing Code, California Code of Regulations

Title 24, Part 5 as published by the California Building Standards Commission.

- (c) [No change in text.]

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

The following Sections of the ~~2016~~ 2019 California Plumbing Code are modified by the City of San Diego:

- (a) ~~Chapter 6, Section 609, Installation, Testing, Unions and Location, Section 609.3.1. Chapter 4, Plumbing Fixtures and Fittings, Section 422.2.1 Single User Toilet Facility Identification.~~
- (b) ~~Chapter 11, Storm Drainage, Section 1101.1 1101.2. Where Required, Section 1101.3.1 Storm Drainage Material Uses, Section 1101.11.1 Primary Roof Drainage, Section 1101.5.1 1101.6.1 Discharge.~~

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

The following Sections or Subsections of the ~~2016~~ 2019 California Plumbing Code are added by the City of San Diego:

- (a) [No change in text.]
- (b) ~~Chapter 11, Section 1101.1 Applicability, Section 1101.6.1, Discharge.~~
- (e)(b) Chapter 12, Section ~~1208.7.3.1~~ 1208.8.2.1 Gas Pressure Regulators, Location.

§147.0106 Adoption of Appendices to California Plumbing Code

- (a) ~~The following Appendix Chapters of the 2016 California Plumbing Code adopted by a State agency as identified in Land Development Code~~

~~Section 147.0103 and the adoption matrices of the 2016 California Plumbing Code, are adopted by the City of San Diego:~~

- ~~(1) Appendix A—Recommended Rules for Sizing of Water Supply System~~
- ~~(2) Appendix D—Sizing Storm Water Drainage Systems~~
- ~~(3) Appendix H—Private Sewage Disposal Systems~~
- ~~(4) Appendix I—Installation Standards for Pex Tubing systems for Hot and Cold Water Distribution~~
- ~~(5) Appendix J—Combination of Indoor and Outdoor Combustion and Ventilation Opening Design~~

~~(b) The following Appendix Chapters of the 2016 2019 California Plumbing Code not adopted by a State agency as identified in Land Development Code Section 147.0103 and in the adoption matrices of the 2016 2019 California Plumbing Code are not adopted by the City of San Diego:~~

~~(1) through (7) [No change in text.]~~

~~(8) Appendix M – Peak Water Demand Calculator~~

§147.0203 **Local Modifications to Section 422.2 “Separate Facilities” of the California Plumbing Code**

- ~~(a) Section 422.2 of the California Plumbing Code is adopted with modifications pursuant to Section 147.0104 of the Land Development Code.~~
- ~~(b) Section 422.2.1 of the California Plumbing Code is modified as follows:
422.2.1 Single-user Toilet Facilities Identification. Family or assisted use toilet facilities shall be identified with signage indicating use by either sex.~~

All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Section 11B-703.7.2.6 of the California Building Code and designated for use by no more than one occupant at a time or for family or assisted use. For the purposes of Section 422.2.1, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

§147.021311 Local Modifications and Additions to Section 1101 "General" Storm Drainage Regulations of the California Plumbing Code

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

§147.0212 Local additions to Section ~~1208.7~~ 1208.8 "Gas Pressure Regulators" of the California Plumbing Code

Section ~~1208.7.3.1~~ 1208.8.2.1 of the California Plumbing Code is ~~modified~~ added as follows: ~~1208.7.3.1~~ 1208.8.2.1. Approved gas pressure regulators shall be installed and used in locations approved by the Building Official.

§147.0405 Retrofit upon Bathroom Alteration

~~Upon bathroom alteration, the responsible person shall replace any existing plumbing fixture in the bathroom being altered with a water-conserving plumbing fixture.~~

When a responsible person proposes to replace plumbing fixtures, the responsible person shall replace plumbing fixtures with water-conserving plumbing fixtures complying with the prevailing edition of the California Plumbing Code and Sections 147.0304 and 147.0305 of the Additional Plumbing Regulations for Water and Energy Conservation.

§148.0103 Adoption of the California Mechanical Code

- (a) Except as provided in Land Development Code Section 148.0104, the ~~2016~~ 2019 California Mechanical Code, published 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. OO-20897-4 _____, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the ~~2016~~ 2019 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) [No change in text.]

§148.0104 Portions of the California Mechanical Code Not Adopted

The following portions of the ~~2016~~ 2019 California Mechanical Code are not adopted:

Chapter 1 - Division II, Administration.

§148.0105 Modifications to the California Mechanical Code Adopted by the City of San Diego

The ~~2016~~ 2019 California Mechanical Code is adopted with no modifications.

§148.0106 Additions to the California Mechanical Code Adopted by the City of San Diego

The ~~2016~~ 2019 California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the ~~2016~~ 2019 California Mechanical Code are not adopted.

§149.0103 Adoption of the California Residential Code

- (a) The ~~2016~~ 2019 California Residential Code, published by the California Building Standards Commission (BSC), and 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 Land Development Code, Divisions 2 through 45. A copy of the ~~2016~~ 2019 California Residential Code is on file in the office of the City Clerk as Document No. OO-20897-5_____.
- (b) When reference is made to the California Residential Code, it shall be the ~~2016~~ 2019 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 ~~2016~~ 2019 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 45.
- (d) Numbering of Sections and Subsections in Divisions 2 through 45 of this Article is cross referenced to Sections in the ~~2016~~ 2019 California Residential Code.
- (e) The adoption of the ~~2016~~ 2019 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) [No change in text.]

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

The following Sections or Subsections of the ~~2016~~ 2019 California Residential Code have not been adopted by the City of San Diego:

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

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

The following Sections or Subsections of the ~~2016~~ 2019 California Residential Code are modified by the City of San Diego:

~~(a) Chapter 2, Section R202, Definitions~~

~~(b)(a)~~ Chapter 3, Section R301.2, Climatic and Geographic Design Criteria; Section R319.1, Address Numbers Identification; R322, Flood Resistant Construction; ~~Section R326, Swimming Pools, Spas and Hot Tubs;~~ Section R324.4.2 Fire Classification; Section R324.5.2 Fire Classification; Section R337.1.3.1, Application Date and Where ~~required~~ Required; Section R337.2, Definitions; Section R337.5.4, Roof Gutters and Downspouts; Section R337.8, Exterior Windows and Doors.

~~(e)(b)~~ Chapter 9, Section 902.1.5, Roof Covering Materials; Section R902.2.1, Wood Shingles; Section R902.2.2, Wood Shakes, Section R902.4, Photovoltaic Panels and Roof Modules; Section R905.1.3, Roof Covering

attachment; ~~R907.1.1~~ Section R908.1.1, Replacement Roof Covering, Class A; ~~R907.1.2~~ Section R908.1.2, Replacement Roof Covering, Class A, Additions; ~~R907.1.3~~ Section R908.1.3, Wood Shake, Shingles Reroof; ~~R907.1.4~~ Section R908.1.4, Wood Shake, Shingles, Historical Buildings; ~~R907.1.5~~ Section R908.1.5, Reroofing Over Wood Roofs.

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

The following Sections and Subsections are added to the ~~2016~~ 2019 California Residential Code by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section R309.4.1 Backup Power for Automatic Garage Door Openers, Section R320.2 Voluntary Accessibility program; Section R326.2, When Swimming Pool, Spa, and Hot Tub Regulations Apply; R326.2.1, Purpose; R326.2.2, Private Swimming Pools; R326.2.3, Private Swimming Pool Barrier; Section R329, Structural Tests and Special Inspections; Section R332, Encroachments into the Public Right-of-Way; Section R333, Safeguards During Construction; ~~Section R337.1.3, Exception 5~~; Section R337.1.3.1, Exception 2.3; Section R337.2, Local Very High Fire Hazard Severity Zone; Section R337.3.6.1, Alternative Materials, Designs or Methods of Construction; Section R337.3.6.2, Modifications; Section R337.5.4, Roof Gutters and Downspouts; Section R337.5.5, Drip Edge Flashing; ~~Section R337.8.2.2.1~~ R337.8.2.1.1, Vinyl Windows; Section R337.11, Spark Arrester; ~~Section 337.12, Glazing Materials in Skylights~~; R341, Sound Transmission Control.

- (c) Chapter 4, Section ~~401.5~~ R401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- (d) [No change in text.]

§149.0107 Adoption of Appendices to the California Residential Code

The following Appendix Chapters of the ~~2016~~ 2019 California Residential Code are adopted by the City of San Diego:

- (a) Appendix Chapter H, Patio Covers.
- (b) Appendix Chapter O, Tiny Houses.
- ~~(b)~~(c) Appendix Chapter S, Straw Bale Construction.
- (d) Appendix V, Swimming Pool Safety Act.

§149.0108 Applicability of the California Building Code to Existing Buildings and Structures Regulated by the California Residential Code

- (a) The legal occupancy of any building or structure existing on the date of adoption of the ~~2016~~ 2019 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters ~~3, 4,~~ and ~~4-5~~ of the ~~2016~~ 2019 California Existing 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) [No change in text.]
- (c) Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the ~~2016~~ 2019 California Building Code shall be maintained in conformance with the code edition under which installed. The owner 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 building or structures.

§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 without change pursuant to Section 149.0103 ~~and 149.0106~~ of the Land Development 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” of the California Residential Code

- (a) ~~Definitions in Chapter 11, Article 3, Division 1 of the Land Development Code do not apply to Chapter 14, Article 9, Divisions 3 through 45 of the Land Development Code where they conflict with the definitions contained in the California Residential Code.~~
- (b) ~~Italicized text shall have the definitions set forth in Section 113.0103 of the Land Development Code, and all other text shall have the definitions set forth in the California Building Code.~~
- (c) ~~The following definition has been added to the Section R202 California~~

~~Residential Code pursuant to Section 149.0106 of the Land Development Code: LIVE 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 Land Development Code.~~

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

- (a) [No change in text.]
- (b) Sections ~~R301~~ R302 through R308, R310 through R318, R321, ~~R324~~ through ~~R325~~, ~~R334~~ R325 through R336, and R338 through R340 are adopted by reference without change pursuant to Section ~~145.0103~~ 149.0103 of the Land Development Code.

§149.0302 Local Modifications and Additions to Section R301.2 "Climatic and Geographic Design Criteria"

- (a) [No change in text.]
- (b) Section R301.2 is adopted with modifications as follows. Buildings shall be constructed in accordance with the provisions of the California Residential Code as limited by the provisions of Section R301. Additional criteria are outlined in Table 149.0302 of the Land Development Code.
- (c) [No change in text.]

Table 149.0302

[No change in text.]

§149.0309 **Local Additions to Section R309 “Garages and Carports”**

Section R309.4 is adopted with additions pursuant to Section 149.0106 of the Land Development Code. Section R309.4.1 is added as follows: R309.4.1. Backup power for automatic garage door openers. Where residential garages are equipped with automatic garage door openers, the residential automatic garage door opener shall include a battery backup function that is designed to operate in a manner so that the automatic garage door opener is operational without interruption during an electrical outage.

§149.0319 **Local Modifications to Section R319.1 “Address numbers Identification” 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.

§149.0324 **Local Modifications and Additions to Section R324 “Solar Energy Systems” of the California Residential Code**

- (a) Section R324.4.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code: R324.4.2, Fire classification. Rooftop-mounted photovoltaic panel systems shall have the same fire classification required in Section 149.0902(a).
- (b) Section R324.5.2 is modified as follows pursuant to Section 149.0105 of the Land Development Code: R324.5.2, Fire classification. Building-integrated photovoltaic systems shall have the same fire classification required in Section 149.0902(a).

§149.0326 Local Addition and Modifications to Section R326 "Swimming Pools, Spas and Hot Tubs" to the California Residential Code

- (a) ~~Section R326 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code.~~
- (b) ~~Section R326.1 is adopted with modifications as follows: R326.1, General. The design and construction of pools and spas shall comply with the swimming pool, spa, and hot tub safety regulations in Section 149.0326 of the Land Development Code.~~
- (c) ~~Section R326.2 is added as follows: R326.2, 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.~~
- (d) ~~Section R326.2.1 is added as follows: R326.2.1, Purpose. 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.~~
- (e) ~~Section R326.2.2 is added as follows: R326.2.2, Private Swimming Pool. Private swimming pool means any constructed pool, permanent or~~

~~portable, which is intended for non-commercial use as a swimming pool by not more than three owner families and their guests.~~

- (f) ~~Section R326.2.3 is added as follows: R326.2.3, Private Swimming Pool Barrier. Barriers for private swimming pools shall comply with Section 3109 of the California Building Code, as adopted and amended in Section 145.3109(e) of the Land Development Code.~~

§149.0337 Local Additions and Modifications to Section R337 “Materials and Methods for Exterior Wildfire Exposure” of the California Residential Code

- (a) [No change in text.]
- (b) ~~Section R337.1.3 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code. Exception 5 is added as follows: 5. Fences.~~
- (e)(b) Section R337.2 is adopted by reference with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development 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 55.9401 of the Land Development Code.
- (d)(c) Section R337.3.6 is adopted with additions pursuant to Section 149.0106 of the Land Development Code. Sections R337.6.1 and R337.3.6.2 are added as follows:
- (1) R337.3.6.1, 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 Land Development Code.

- (2) R337.3.6.2, Modifications. The Building Official may modify the provisions of Section R337 of the California Residential Code for site specific conditions in accordance with Section 129.0104(a)(5) of the Land Development Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, ~~chapter~~ Chapter 49.

~~(e)~~(d) Section R337.5 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code:

- (1) Section R337.5.4 is modified as follows: R337.5.4, ~~roof~~ 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 R337.5.5 is added as follows: R337.5.5, Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

~~(f)~~(e) Section R337.8 is adopted with modifications and additions pursuant to Sections 149.0105 and 149.0106 of the Land Development Code. Section R337.8.2.1 is added as follows: R337.8.2.1.1, 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.

- ~~(g)(1)~~ Section R337.11 is added pursuant to Section 149.0106 of the Land Development Code as follows: R337.11, 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.
- ~~(h)~~ Section R337.12 is added pursuant to Section 149.0106 of the Land Development Code as follows: R337.12, Glazing materials used in skylights, roofs, and sloped walls on buildings located in the Very High Fire Hazard Severity Zone Map Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, shall comply with the glazing requirements in Section R337.8.2.1.

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

- (a) through (c) [No change in text.]
- (d) Section R902.4 is adopted by reference and modified as follows: R902.4 ~~Roof top~~ Rooftop mounted solar photovoltaic panels and modules. Roof-top mounted photovoltaic panels and modules installed on or above the roof covering shall be tested, listed and identified with a fire classification in accordance with UL 1703 and UL 2703. Class A, B or C photovoltaic panels systems and modules shall be installed in areas designated by Section R902 of the California Residential Code, in jurisdictions designated by law as requiring their use or where the edge of the roof is less than 3 feet (914 mm) from a lot line. When located in the Very High

Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.9401 of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

§1410.0103 Adoption of the California Green Building Standards Code

- (a) The ~~2016~~ 2019 California Green Building Standards Code, published 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. A copy of the ~~2016~~ 2019 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO-~~20897-6~~ _____.
- (b) When reference is made to the California Green Building Standards Code, it shall be the ~~2016~~ 2019 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 ~~2016~~ 2019 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 this Article is cross referenced to Sections in the ~~2016~~ 2019 California Green Building Standards Code.
- (e) The adoption of the ~~2016~~ 2019 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) [No change in text.]

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

Appendix Chapters to the ~~2016~~ 2019 California Green Building Standards Code are adopted as follows: The Residential Voluntary measures of the California Green Building Standards Code, Appendix Chapter A4, Residential Voluntary Measures, Section A4.305.1 “Graywater.”

§1410.0403 Local Modifications to Section A4.305 “Water Reuse Systems” of the California Green Building Standards Code

(a) [No change in text.]

(b) Section A4.305.1 is adopted with the following modifications. All new residential buildings that are within the scope of the California Residential Code shall be constructed to include waste piping to discharge gray water from clothes washers to a place where it may be used for outdoor irrigation, in compliance with Section ~~1502~~ 1503 of the California Plumbing Code.

§1411.0103 Adoption of the California Existing Building Code

(a) The ~~2016~~ 2019 California Existing Building Code, published 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 Land Development Code, Divisions 2 through ~~4-5~~ and Divisions 17 and 18. A copy of the

~~2016~~ 2019 California Existing Building Code is on file in the office of the City Clerk as Document No. OO-20897-7 _____.

- (b) When reference is made to the California Existing Building Code, it shall be the ~~2016~~ 2019 California Existing Building Code, California Code of Regulations Title 24, Part 10, as published by the California Building Standards Commission.
- (c) Each of the regulations, provisions, conditions, and terms of the ~~2016~~ 2019 California Existing Building Code is made a part of this Article as if fully set forth in this Article except as otherwise provided in Divisions 2 through ~~4-5~~ and Divisions 17 and 18.
- (d) The numbering of Sections and Subsections in Divisions 2 through ~~4-5~~ and Divisions 17 and 18 of this Article is cross-referenced to Sections in the ~~2016~~ 2019 California Existing Building Code.
- (e) The adoption of the ~~2016~~ 2019 California Existing 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 only authorized to enforce amendments to the ~~2016~~ 2019 California Existing Building Code made by the following State agencies:
 - (1) through (3) [No change in text.]

§1411.0104 Portions of the California Existing Building Code Not Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Existing Building Code have not been adopted by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, ~~Section 301.1, Exception 1~~; Section ~~301.1.2~~ 301.3.2 Work Area. Compliance Method; Section ~~301.1.3~~ 301.3.3 Performance Compliance Method.
- (c) Chapters ~~5~~ 6 through ~~13~~ and Chapter 15.

§1411.0105 Modifications to the California Existing Building Code Adopted by the City of San Diego

The following Sections or Subsections of the ~~2016~~ 2019 California Existing Building Code are modified by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section 301.1, General; Section 301.3, Alteration, Addition or Change of Occupancy, including the exception; Section ~~302.3~~ 302.4, Existing Materials.
- (c) Chapter 4, ~~Section 404.1, Repairs, General~~; Section 401.3, Repairs, Flood Hazard Areas.
- (d) Chapter 5, Section ~~402.2~~ 502.3, Flood Hazard Areas; Section ~~403.2~~ 503.2, Flood Hazard Areas; Section ~~404.5~~ 405.2.5, Flood Hazard Areas.
- (~~d~~)(e) Appendix, Chapter A1, Section A102.1, Scope, General.

§1411.0106 Additions to the California Existing Building Code Adopted by the City of San Diego

The following Sections and Subsections are added to the 2016 2019 California Existing Building Code by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 3, Section 302.7, Maintenance; Section 302.8, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings; Section 302.8.1, Applicability; Section 302.8.2, Compliance Period; Section 302.8.2.1, Removal, Stabilization and Bracing Process; Section 302.8.2.2, Historical Buildings.
- (b) ~~Chapter 4, Section 401.6, Maintenance; 401.7 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings.~~

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the 2016 2019 California Existing Building Code are adopted by the City of San Diego:

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

§1411.0301 Local Modifications and Additions to Chapter 3 “Provisions for All Compliance Methods” of the California Existing Building Code

- (a) Chapter 3 of the 2016 California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.
- (b) Section 301.4~~3~~, including the exception, 4 of the California Existing Building Code, is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.

(1) Section 301.4.3 is modified as follows: 301.4.3, General. The ~~repair, a~~Alteration, addition or change of occupancy; The alteration, addition or change of occupancy relocation of all existing buildings shall comply with Section 301.4.3.1. ~~Where the California Existing Building Code requires consideration of the seismic force resisting system of an existing building subject to repair, alteration, change of occupancy, addition or relocation of existing buildings, the seismic evaluation and design shall be based on Section 301.1.4.~~

(2) The exception to Section 301.3 is modified as follows: Exception: Subject to the approval of the Building Official, alterations complying with the laws in existence at the time the building or the affected portion of the building was built are in compliance with the provisions of the current California Existing Building Code. New structural members added as part of the alteration shall comply with the California Existing Building Code. This exception shall not apply to an alteration that constitutes a substantial improvement to an existing building in a flood hazard area, which alterations shall comply with Section 1411.0503 of the Land Development Code. This exception shall not apply to the structural provisions of Chapter 5 of the California Existing Building Code.

§1411.0302 Local Modifications and ~~Deletions~~ Additions to Section 302 “General Provisions” of the California Existing Building Code

- (a) Section ~~302.3~~ 302 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.
- (b) Section ~~302.3~~ 302.4 is modified as follows: ~~302.3~~ 302.4, Existing materials. Materials already in use in a building or structure in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code.
- (c) Section 302.7 is added as follows: 302.7, Maintenance, Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards that are required by the Building, Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which the devices or safeguards were installed. The owner shall be responsible for the maintenance of buildings and structures. To determine compliance with this Section 302.7, the Building Official shall have the authority to reinspect a building or structure. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation

of fire protection and safety systems and devices in existing buildings or structures.

(d) Section 302.8 is added as follows: 302.8, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 302.8 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City-owned buildings designated pursuant to a City Council resolution, which on January 1, 1994, had at least one unreinforced masonry bearing wall. Section 302.8 shall not apply to the following:

(1) Any detached single or two-family dwelling unit and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. This exemption does not apply to buildings or structures containing mixed or nonresidential occupancies.

(2) Buildings that have been completely seismically retrofitted, as determined by the Building Official, to comply with earlier editions of the California Existing Building Code, or equivalent regulations.

(e) Section 302.8.1 is added as follows: 302.8.1, Applicability. The regulations in Section 302.8.1 shall apply to buildings or structures that are within the scope of Section 302.8, that are not classified as Essential or Hazardous Facilities, and that contain any parapets and other external

hazards attached to or located on the roof structure, or forming the exterior facade of a building or structure that meet both of the following criteria:

- (1) Critical Placement: The parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and
- (2) Relative Height. 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 Section A113 of the California Existing Building Code.

(f) Section 302.8.2 is added as follows: 302.8.2, Compliance period. The owner of a building regulated by Section 302.8 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 302.8.1.

(g) Section 302.8.3 is added as follows: 302.8.3, Removal, Stabilization and Bracing Process. The owner shall install roof to wall anchors around the perimeter of the entire building as part of the removal, stabilization, and bracing process. Existing roof to wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A113.1 of the California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.

- (h) Section 302.8.4 is added as follows: 302.8.4, Historical Buildings. If the building is a Historical Building, the installation shall comply with the requirements of the California Historical Building Code and parapet removal shall not be used as a method to mitigate external hazards.

§1411.0401 Local Modifications and Additions to Chapter 4 “Prescriptive Compliance Method Repairs” of the California Existing Building Code

- (a) Chapter 4 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Sections 1411.0105 and 1411.0106 of the Land Development Code.
- (b) ~~Section 401.2.1 Existing Materials is modified pursuant to Section 1411.0105 of the Land Development Code as follows: 401.2.1 Existing materials. Materials already in use in a building in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe pursuant to Section 121.0404 of the Land Development Code. Section 401.3 is modified pursuant to Section 1411.0105 of the Land Development Code as follows: 401.3, Flood hazard areas. In flood hazard areas, the owner shall comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, when making repairs that constitute substantial improvement.~~
- (c) ~~Section 401 of the California Existing Building Code is adopted by reference with additions pursuant to Section 1411.0106 of the Land Development Code.~~

- (1) ~~Section 401.6 is added as follows: 401.6 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the Building, Electrical, Plumbing, Mechanical, Residential, Green Building and Existing Building Regulations of the Land Development Code shall be maintained in conformance with the edition of the California Building Standards Code (California Code of Regulations Title 24) under which installed. The owner 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 reinspected. The requirements of the Existing Building Regulations shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings or structures.~~
- (2) ~~Section 401.7 is added as follows: 401.7 Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 401.7 shall apply to buildings that were constructed or that were under construction before March 24, 1939, or for which a Building Permit was issued before March 24, 1939, and to City owned buildings designated pursuant to Council resolution, which on January 1, 1994, had at least one "unreinforced masonry bearing wall." Section 401.7 shall not apply to the following:~~

- ~~(A) Any detached single or two-family dwelling unit and detached apartment houses containing five or fewer units used solely for residential purposes and the accessory buildings for these occupancies. The exemption does not apply to buildings or structures containing mixed or nonresidential occupancies.~~
- ~~(B) Buildings that have been completely seismically retrofitted to comply with earlier editions of these regulations as provided in San Diego Municipal Code Chapter 9, Division 88 (Archaic Materials and Method of Construction), or equivalent, Chapter 14, Article 5, Division 4 (Additions and Modifications to Chapter 4 of the California Building Code) before January 1, 2008, or Chapter 14, Article 5, Division 37 (Additional Building Regulations for Archaic Materials and Methods of Construction) before February 17, 2018. Complete seismic retrofit shall be as determined by the Building Official.~~
- (3) Section 401.7.1 is added as follows. Applicability. The regulations in this Section shall apply to buildings that are within the scope of Section 401.7 and that are not classified as Essential or Hazardous Facilities and that contain any parapets and other external hazards attached to or located on the roof structure or forming the exterior facade of a building that meet both of the following criteria:

- (A) ~~Critical Placement. Where the parapets, exterior wall, roof appendages, or any other external hazards have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of 6 feet) or property, or onto an adjacent exit or public way; and~~
- (B) ~~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 of the California Existing Building Code.~~
- (4) ~~Section 401.7.2 is added as follows. The owner of a building regulated by Section 401.7 shall, within 5 years after the date of service of an order to comply, provide partial seismic mitigation in the form of the removal, stabilization, or bracing of all the building elements that meet both of the criteria in Section 401.7.1.~~
- (5) ~~Section 401.7.2.1 is added as follows. 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 California Existing Building Code, or new anchors meeting the minimum requirements of Section A113.1 shall be installed.~~

- (6) ~~Section 401.7.2.2 is added as follows. 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.~~

§1411.0402 Local Modifications to Section 402 "Additions" of the California Existing Building Code

- (a) ~~Section 402.2 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~
- (b) ~~Section 402.2 is adopted with modifications as follows: 402.2 Flood hazard areas. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.~~

§1411.0403 Local Modifications and Additions to Section 403 “Alterations” of the California Existing Building Code

- (a) ~~Section 403 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~
- (b) ~~Section 403.2 is adopted with modifications as follows: 403.2 Special flood hazard areas. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.~~

§1411.0404 Local Modifications and Additions to Section 404 “Repairs” of the California Existing Building Code

- (a) ~~Section 404 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.~~
- (b) ~~Section 404.1 is adopted with modifications as follows: General. Structures, and parts thereof, shall be repaired in compliance with Sections 401.2 and 404. Work on non-damaged components that is necessary for~~

~~the required repair of damaged components shall be considered part of the repair and shall not be subject to the requirements for alterations in Chapter 4 of the California Existing Building Code. Routine maintenance required by Section 401.2, ordinary repairs exempt from permit requirements in accordance with Section 129.0203 of the Land Development Code, and abatement of wear due to normal service conditions, shall not be subject to the requirements for repairs in this Section.~~

- (c) ~~Section 404.5 is adopted with modifications as follows: 404.5 Flood hazard areas. For structures in special flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any repair that constitutes substantial improvement or repair of substantial damage of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For structures in special flood hazard areas established in Section 145.1612, or Section 149.0322 of the Land Development Code, as applicable, any repairs that do not constitute substantial improvement or repair of substantial damage of the existing structure are not required to comply with the flood design requirements for new construction.~~

§1411.0405 **Local Modifications to Section 405 “Structural” of the California Existing Building Code**

- (a) Section 405 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 405.2.5, Repair, is adopted with modifications as follows: 405.2.5, Flood hazard areas. In flood hazard areas, buildings that have sustained substantial damage shall be brought into compliance with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

Chapter 14: General Regulations

Article 11: Existing Building Regulations

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

§1411.0501 **Local Modifications and Additions to Chapter 5 “Prescriptive Compliance Method” of the California Existing Building Code**

Chapter 5 of the California Existing Building Code is adopted by reference with modifications and additions pursuant to Section 1411.0105 and 1411.0106 of the Land Development Code.

§1411.0502 **Local Modifications to Section 502 “Additions” of the California Existing Building Code**

- (a) Section 502 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 502.3 is modified as follows: 502.3, Flood hazard areas. For buildings and structures in flood hazard areas established in Section

145.1612 or Section 149.0322 of the Land Development Code, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

§1411.0503 Local Modifications to Section 503 “Alterations” of the California Existing Building Code

- (a) Section 503 of the California Existing Building Code is adopted by reference with modifications pursuant to Section 1411.0105 of the Land Development Code.
- (b) Section 503.2 is modified as follows: 503.2, Flood hazard areas. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design. For buildings and structures in flood hazard areas established in Section 145.1612 or Section 149.0322 of the Land Development Code, as

applicable, any alterations that do not constitute substantial improvement of the existing *structure* are not required to comply with the flood design requirements for new construction.

NJB:als
02/10/2020
Or.Dept:DSD
Doc. No.: 2215938_5

Passed by the Council of The City of San Diego on APR 07 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 09 2020

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy
for Stacy Ready

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 10 2020, and on APR 09 2020.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy
for Stacy Ready

Office of the City Clerk, San Diego, California

Ordinance Number O- 21181