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ORDINANCE NUMBER O- 21642 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 08 2023

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 1, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 121.0403; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 BY AMENDING SECTION 129.0113; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0202, 129.0203, AND 129.0219; 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 7 BY AMENDING SECTIONS 145.0703 AND 145.0708; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 12 BY AMENDING SECTION 145.1206, AND AMENDING AND RENUMBERING SECTION 145.1207 TO SECTION 145.1208; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 15 BY AMENDING SECTION 145.1501, AND AMENDING AND RENUMBERING SECTION 145.1511 TO SECTION 145.1512; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 16 BY AMENDING SECTION 145.1607; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 18 BY AMENDING SECTION 145.1803; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 33 BY AMENDING SECTION 145.3303; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 38 BY AMENDING SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806; 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 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, 147.0106, AND 147.0107; 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 3 BY AMENDING SECTIONS 149.0301, 149.0302, 149.0309, AMENDING AND RENUMBERING SECTION 149.0329 TO 149.0331, AND AMENDING SECTION 149.0337; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 9 BY AMENDING SECTION 149.0902 AND ADDING NEW SECTION 149.0907; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY

AMENDING SECTIONS 1410.0103 AND 1410.0107;
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 SECTIONS
1411.0301 AND 1411.0302; AND BY AMENDING CHAPTER
14, ARTICLE 11, DIVISION 4 BY AMENDING SECTIONS
1411.0401 AND 1411.0405, RELATING TO THE ADOPTION
OF THE 2022 CALIFORNIA BUILDING, ELECTRICAL,
PLUMBING, MECHANICAL, RESIDENTIAL, GREEN
BUILDING STANDARDS, AND EXISTING BUILDING
CODES.

WHEREAS, the City of San Diego adopts the latest editions of the California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes on a triennial basis; and

WHEREAS, the adoption of these editions is done in coordination with the State of California's adoption of these codes and provides an opportunity to modify local regulations and maintain local and statewide regulatory consistency; and

WHEREAS, these proposed local amendments were developed by the City's Development Services Department staff after a thorough review of the State mandated codes as well as the model codes that were used as the basis for development of the State codes; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

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

§121.0403 Criteria for Determining That a Structure Is Dangerous

The City Manager or designated official may determine that a *structure* is dangerous if either of the following conditions exists and threatens life, health, safety, or property of its occupants or the public:

- (a) [No change in text.]
- (b) There is a significant risk of collapse, detachment, or dislodgement of any portion, member, appurtenance, or ornamentation of the *structure* under permanent, routine, or frequent loads, under actual loads already in effect, or under wind, rain, flood, earthquake, or other environmental loads when such loads are imminent.

Section 2. That Chapter 12, Article 9, Division 1 of the San Diego Municipal Code is amended by amending section 129.0113, to read as follows:

§129.0113 When a Certificate of Occupancy Is Required

- (a) [No change in text.]
- (b) Changes in the use or occupancy of a *structure* or portion of a *structure* shall not be made except as specified in the California Existing Building Code.

Section 3. That Chapter 12, Article 9, Division 2 of the San Diego Municipal Code is amended by amending sections 129.0202, 129.0203, and 129.0219, to read as follows:

§129.0202 When a Building Permit Is Required

- (a) through (b) [No change in text.]
- (c) The placement of factory-built housing, meaning one or more factory-assembled components comprising a single *structure* suitable for human

occupancy that is brought to the job site for connection to a foundation or a site built *structure*, or *manufactured homes*, requires a Building Permit in accordance with this division.

§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) through (20) [No change in text.]

(21) Installing replacement exterior windows and exterior doors in existing window and door openings where all of the following conditions apply:

(A) The exterior windows and doors are replaced in detached one and two-family dwellings or townhouses as defined in the California Residential Code.

(B) The proposed exterior window and door 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 exterior windows and doors to be replaced are not required to be fire resistive.

(D) [No change in text.]

(22) through (24) [No change in text.]

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

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

(a) Except for the relocation of *structures*, a *permit holder* may submit to the Building Official an application for an extension of time to utilize the Building Permit. The application shall be filed no later than one month in advance of the end of the utilization period in Sections 129.0216 or 129.0217. The Building Official may extend the time in which the *permit holder* may utilize the Building Permit one time, for a period not exceeding 180 calendar days from the end of the utilization period in Sections 129.0216 or 129.0217, if the Building Official determines that circumstances beyond the control of the *permit holder* prevented completion of the work. All Electrical, Plumbing, or Mechanical Permits associated with a Building Permit shall be extended concurrently with the utilization period of the Building Permit.

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

Section 4. 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 2022 California Building Code and Section 705.1 of the 2022 California Fire Code.

(d) [No change in text.]

Section 5. 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 2022 California Building Code as provided in Section 1.1.2 of the 2022 California Building Code.

(b) [No change in text.]

§145.0103 Adoption of the California Building Code

- (a) The 2022 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 California Department of Health Care Access and Information (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 2022 California Building Code is on file in the office of the City Clerk as Document No. OO-21181-1.
- (b) When reference is made to the California Building Code, it shall be the 2022 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 2022 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 2022 California Building Code.
- (e) The adoption of the 2022 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 2022 California Building Code are not adopted by the City of San Diego:

- (a) [No change in text.]
- (b) Chapter 15, Roof Assemblies and Rooftop Structures, Sections 1505.3, Class B Roof Assemblies, and 1505.4, Class C Roof Assemblies.
- (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 2022 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 1208.4, 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 1512.1, General.

(d) Chapter 16, Structural Design, Section 1607.7.2, Fire Truck and
Emergency Vehicles; Section 1612.3, Establishment of Flood Hazard
Areas.

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

(g) Appendix P, Emergency Housing Section P103.2.1 Exception 1, P103.6
Lighting, Ventilation, and Heating, P106.1 General, Section P106.1.1
Tents, and Section P106.1.2 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 2022 California Building
Code by the City of San Diego:

(a) [No change in text.]

(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.2.1.1, Vinyl Window Reinforcing, and Section 711A.1, Spark
Arrestors.

(c) Chapter 12, Sound Transmission, Section 1206.6.

(d) Chapter 15, Roof Assemblies and Rooftop Structures, Subsections
1505.1.5 and 1505.1.6, Section 1507.1.3 and Subsections 1512.1.1
through 1512.1.5.

(e) Chapter 16, Structural Design, Section 1607.8.2, Fire Trucks and
Emergency Vehicle Live Load and 1612.3, Flood Loads.

- (f) [No change in text.]
- (g) Chapter 18, Soils and Foundations, Section 1803 Geotechnical Investigations, Subsection 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) [No change in text.]
- (i) Chapter 33, Safeguards During Construction, Section 3315, Demolition and Removal Regulations.
- (j) Appendix P, Emergency Housing, Subsection P103.2.1 Exception 2, Subsections P106.2 through P106.7, Section P111 Emergency Housing Lighting and Ventilation Requirements, Subsections P111.1 and P111.2, Section P112 Emergency Housing Fire and Life Safety Requirements, Subsections P112.1 through P112.13, and Section P113 Emergency Housing Alternatives and Modifications, Subsection P113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the 2022 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 2022 California Building Code.
- (b) through (e) [No change in text.]
- (f) Appendix P, Emergency Housing.

Section 6. That Chapter 14, Article 5, Division 7 of the San Diego Municipal Code is amended by amending sections 145.0703, and 145.0708, to read as follows:

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

- (a) Section 702A “Definitions” is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code as follows:
- (1) [No change in text.]
 - (2) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas” adopted pursuant to Section 511.0301(a) of the San Diego Municipal Code.
- (b) Section 703A.6 is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code as follows:
- (1) [No change in text.]
 - (2) 703A.6.2. The Building Official may modify the provisions of Chapter 7A of the California Building Code for site-specific conditions in accordance with Section 129.0104(a)(6) of the San Diego Municipal Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.

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

Subsection 708A.2.1.1 is added pursuant to Section 145.0106 of the San Diego Municipal Code. 708A.2.1.1 Vinyl window reinforcing. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWDA 101/I.S.2 structural requirements.

Section 7. That Chapter 14, Article 5, Division 12 of the San Diego Municipal Code is amended by amending section 145.1206 and amending and renumbering section 145.1207 to section 145.1208, 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 1206.5.1.
- (b) Section 1206.5.1. 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.

§145.1208 Local Additions and Modifications to Section 1208 “Interior Space Dimensions” of the California Building Code

- (a) Section 1208.4 of the California Building Code is adopted with modifications pursuant to Section 145.0105 of the Land Development Code.
- (b) Section 1208.4 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.

Section 8. That Chapter 14, Article 5, Division 15 of the San Diego Municipal Code is amended by amending section 145.1501 and amending and renumbering section 145.1511 to section 145.1512, 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, 1509, and 1510 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, 1511, and 1512 are adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

§145.1512 Local Additions and Modifications to Section 1512 “Reroofing” of the California Building Code

- (a) Section 1512.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: 1512.1 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 1512.1 through 1512.1.2 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) 1512.1. All replacements, alterations, or repairs shall be a Class “A” roof assembly.
 - (2) 1512.1.2. 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 1512.1.3 through 1512.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) 1512.1.3. 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) 1512.1.4. Wood shakes and shingles are not permitted, except as provided in California Historical Building Code Section 8-408 and Land Development Code Section 145,1512(c)(1).
 - (3) 1512.1.5. No roof covering shall be applied over any existing wood shakes or wood shingles.

Section 9. That Chapter 14, Article 5, Division 16 of the San Diego Municipal Code is amended by amending section 145.1607, to read as follows:

§145.1607 Local Modifications and Additions to Section 1607 “Live Loads” of the California Building Code

- (a) Section 1607.8.2 is adopted by reference with modifications and additions pursuant to Section 145.0105 and Section 145.0106 of the Land Development Code.
- (b) 1607.8.2. Fire Truck and Emergency Vehicles. Where a *structure* or portions of a *structure* are accessed and loaded by fire department access vehicles and other similar emergency vehicles, the *structure* shall be designed for the greater of the following loads:
 - (1) [No change in text.]
 - (2) The live loading specified in Section 1607.8.1.

Section 10. 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) through (vii) [No change in text.]
 - (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. [No change in text.]
 - b. Retaining walls over 6 feet in height supporting a surcharge or retaining toxic, hazardous, or flammable contents.
- (C) Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:
 - (i) [No change in text.]
 - (ii) Retaining walls over the heights listed in the following Subsections a. and b. with the height measured from the top of the footing to the top of the wall:
 - a. [No change in text.]

- b. Retaining walls of 6 feet or less supporting a surcharge or retaining toxic, hazardous, or flammable contents.

(iii) through (v) [No change in text.]

(D) [No change in text.]

(g) [No change in text.]

Section 11. That Chapter 14, Article 5, Division 33 of the San Diego Municipal Code is amended by amending section 145.3303, to read as follows:

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

Section 3303.8 is added pursuant to Section 145.0106 of the Land Development Code: 3303.8 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 12. That Chapter 14, Article 5, Division 38 of the San Diego Municipal Code is amended by amending sections 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, and 145.3806, to read as follows:

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

- (a) Appendix P 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) The Emergency Housing regulations adopted in this Division are adopted pursuant to the authority in California Government Code Section 8698.4 and shall remain in effect until January 1, 2026, at which time this Division shall be automatically repealed.
- (c) The regulations in this Division and in Appendix P 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 P shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix P, 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 P103 “Emergency Housing” of the California Building Code

- (a) Section P103 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 P103.2.1 is numbered as Exception 1. Exception 2 is added to Section P103.2.1 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 P103.6 Heating is modified as follows:

P103.6 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 P106 “Tents and Membrane Structures” of the California Building Code

- (a) Section P106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

- (b) Section P106.1 General is modified as follows:

- (1) Section P106.1.1 Tents is modified as follows:

P106.1.1 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 P106.1.2 Membrane Structures is added with modification as follows:

P106.1.2 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 P106.2 Membrane Structures In Use for More than 180 Days is added as follows:

P106.2 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) through (2) [No change in text.]

- (d) Section P106.3 Means of Egress is added as follows:

P106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section P103.3.

- (e) Section P106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

P106.4 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 P106.5 Flammable or Combustible Liquids is added as follows:
P106.5 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 P106.6 Fire Department Access is added as follows:
P106.6 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 P106.7 Water Supply is added as follows:
P106.7 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 P111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

- (a) Section P111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section P111.1 Emergency Housing Lighting Requirements is added as follows:

P111.1 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 P111.2 Ventilation is added as follows:

P111.2 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 P112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

- (a) Section P112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section P112.1 Fire Separation Distance is added as follows:

P112.1 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 P112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

P112.2 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 P112.3 Means of Egress is added as follows:

P112.3 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 P112.4 Emergency Escape and Rescue is added as follows:

P112.4 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 P112.5 Smoke Alarms is added as follows:

P112.5 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 P112.6 Carbon Monoxide Alarms is added as follows:

P112.6 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 P112.7 Fire Alarm is added as follows:

P112.7 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 P112.8 Automatic Fire Sprinklers is added as follows:

P112.8 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 P112.9 Fire Extinguishers is added as follows:

P112.9 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 P 112.10 Flammable or Combustible Liquids is added as follows:

P112.10 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 P112.11 Storage is added as follows:

P112.11 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 P112.12 Fire Department Access is added as follows:

P112.12 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 P112.13 Water Supply is added as follows:

P112.13 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.

§145.3806 Local Addition of Section P113 “Emergency Housing Alternatives and Modifications” to the California Building Code

- (a) Section P113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section P113.1 Alternatives and Modifications is added as follows:

P113.1 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 13. 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 2022 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 2022 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 California Department of Health Care Access and Information (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 2022 California Electrical Code is on file in the office of the City Clerk as Document No. OO-21181-2.
- (b) When reference is made to the California Electrical Code, it shall be the 2022 California Electrical Code, California Code of Regulations Title 24, Part 3, as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
- (1) through (3) [No change in text.]
 - (4) California Department of Health Care Access and Information (OSHPD3).
 - (5) [No change in text.]

§146.0105 Portions of the California Electrical Code Not Adopted

The following Sections or Subsections of the 2022 California Electrical Code are not adopted by the City of San Diego:

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

§146.0106 Portions of the California Electrical Code Adopted With Modifications

The following Sections of the 2022 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 2022 California Electrical Code are adopted by the City of San Diego with additions:

The 2022 California Electrical Code is adopted without additions.

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

§147.0103 Adoption of the California Plumbing Code

(a) Except as provided in Sections 147.0104 through 147.0108, the 2022 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 California Department of Health Care Access and Information (OSHPD3); and the State Fire

Marshal (SFM); a copy of which is on file in the office of the City Clerk as Document OO-21181-3, is adopted by reference.

- (b) When reference is made to the California Plumbing Code, it shall be the 2022 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (3) [No change in text.]
 - (4) California Department of Health Care Access and Information (OSHPD3).
 - (5) through (6) [No change in text.]

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

The following Sections of the 2022 California Plumbing Code are modified by the City of San Diego:

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

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

The following Sections or Subsections of the 2022 California Plumbing Code are added by the City of San Diego:

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

§147.0106 Adoption of Appendices to California Plumbing Code

The following Appendix Chapters of the 2022 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 2022 California Plumbing Code are not adopted by the City of San Diego:

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

(5) Appendix G – Sizing of Venting Systems

(6) through (8) [No change in text.]

§147.0107 Portions of the California Plumbing Code Not Adopted

The following portions of the 2022 California Plumbing Code are not adopted:

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

Section 15. 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 2022 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 California Department of Health Care Access and Information (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-21181-4, is adopted by reference.

- (b) When reference is made to the California Mechanical Code, it shall be the 2022 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (3) [No change in text.]
 - (4) California Department of Health Care Access and Information (OSHPD3).
 - (5) [No change in text.]

§148.0104 Portions of the California Mechanical Code Not Adopted

The following portions of the 2022 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 2022 California Mechanical Code is adopted with no modifications.

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

The 2022 California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the 2022 California Mechanical Code are not adopted.

Section 16. That Chapter 14, Article 9, Division 1 of the San Diego Municipal Code is amended by amending sections 149.0103, 149.0104, 149.0105, 149.0106, 149.0107, and 149.0108, to read as follows:

§149.0103 Adoption of the California Residential Code

- (a) The 2022 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 2022 California Residential Code is on file in the office of the City Clerk as Document No. OO-21181-5.
- (b) When reference is made to the California Residential Code, it shall be the 2022 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 2022 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 2022 California Residential Code.
- (e) The adoption of the 2022 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 2022 California Residential Code have not been adopted by the City of San Diego:

(a) [No change in text.]

(b) Table R301.2 “Climatic and Geographical Design Criteria.”

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

The following Sections or Subsections of the 2022 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 R337.2, Definitions; Section R337.5.4, Roof Gutters and Downspouts; Section R337.8, Exterior Windows and Doors.
- (b) Chapter 9, Section R902.1.4, Roof Covering Materials; Section R902.2.1, Wood Shingles; Section R902.2.2, Wood Shakes; Section R902.4, Rooftop-mounted Photovoltaic (PV) Panel Systems; 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 2022 California Residential Code by the City of San Diego:

- (a) Chapter 3, Section R309.4.1 Backup Power for Automatic Garage Door Openers; Section R320.2 Voluntary Accessibility program; Section R331, Structural Tests and Special Inspections; Section R332, Encroachments into the Public Right-of-Way; Section R333, Safeguards During Construction; 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.
- (b) Chapter 4, Section R401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- (c) Chapter 45, Residential Grading Regulations.

§149.0107 Adoption of Appendices to the California Residential Code

The following Appendix Chapters of the 2022 California Residential Code are adopted by the City of San Diego:

- (a) through (c) [No change in text.]
- (d) Appendix X, 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 2022 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters 3, 4, and 5 of the 2022 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 2022 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 buildings or structures.

Section 17. That Chapter 14, Article 9, Division 3 of the San Diego Municipal Code is amended by amending sections 149.0301, 149.0302, 149.0309, amending and renumbering section 149.0329 to section 149.0331, 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, R323, R325 through R336, R338 and 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) through (c) [No change in text.]

Table 149.0302				
Wind Design		Seismic Design Category	Termite	Flood Hazards
Speed (Mph)	Topographic Effects			
95	B	D ₂	Severe per Fig R301.2(3)	Section §143.0145

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

- (a) Section R309.3 Flood Hazard areas is adopted with additions and modifications pursuant to Section 149.0105 and Section 149.0106 of the Land Development Code. Section R309.3 is amended as follows: R309.3 Flood Hazard Areas. Garages and carports located in flood hazard areas established by Table 149.0302 shall be constructed in accordance with Section 143.0145.
- (b) Section R309.4 is adopted with additions and modifications pursuant to Sections 149.0105 and 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.

§149.0331 Local Addition of Section R331 “Structural Tests and Special Inspections” to the California Residential Code

Section R331 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: R331 Structural Tests and Special Inspections. When structural tests and special inspections are required due to the methods of construction, the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

§149.0337 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: 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 511.4904(a) of the Land Development Code.
- (c) through (f) [No change in text.]

Section 18. That Chapter 14, Article 9, Division 9 of the San Diego Municipal Code is amended by amending section 149.0902 and adding new section 149.0907, to read as follows:

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

- (a) Section R902.1 is adopted by reference and modified by adding Section R902.1.4 as follows:
 - (1) R902.1.4 Roof Covering Materials. All newly constructed roofs shall be covered with a fire-retardant roof covering that is at least Class “A” and the roof classification shall be demonstrated based on the requirements in the California Residential Code.
 - (2) R902.1.4.1 The entire roof shall be covered with a fire-retardant roof covering that is at least Class “A” where a building addition is more than twenty-five percent of the original floor area of the building.
- (b) [No change in text.]
- (c) Section R902.3 is adopted by reference and modified as follows: R902.3 Building integrated solar photovoltaic systems, Integrated solar photovoltaic systems that serve as the roof covering shall be listed and labeled for fire classification in accordance with UL 7103 for the fire classification determined in accordance with Section 149.0902(a) of the Land Development Code.
- (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 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 511.0301(a) of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

§149.0907 Local Additions and Modifications to Section R907 “Rooftop-Mounted Photovoltaic Panel Systems” of the California Residential Code

Section R907 is adopted by reference and modified as follows: R907.2 Fire Classification. Rooftop-mounted photovoltaic panel systems shall have the fire classification as required by Section 149.0902(a).

Section 19. 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 2022 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 2022 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO-21181-6.

- (b) When reference is made to the California Green Building Standards Code, it shall be the 2022 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 2022 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 2022 California Green Building Standards Code.
- (e) The adoption of the 2022 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

- (a) Appendix Chapters to the 2022 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 20. 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 2022 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 2022 California Existing Building Code is on file in the office of the City Clerk as Document No. OO-21181-7.
- (b) When reference is made to the California Existing Building Code, it shall be the 2022 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 2022 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 2022 California Existing Building Code.
- (e) The adoption of the 2022 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 2022 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 2022 California Existing Building Code have not been adopted by the City of San Diego:

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

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

The following Sections or Subsections of the 2022 California Existing Building Code are modified by the City of San Diego:

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

§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 2022 California Existing Building Code by the City of San Diego:

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

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the 2022 California Existing Building Code are adopted by the City of San Diego:

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

Section 21. That Chapter 14, Article 11, Division 3 of the San Diego Municipal Code is amended by amending sections 1411.0301 and 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) [No change in text.]
- (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) [No change in text.]
 - (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:
 - (A) Alterations for accessibility required by Chapter 11A of the California Building Code;
 - (B) Alterations that constitute 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;and

- (C) Structural provisions of Chapter 5, Section 304 of
the California Existing Building Code.

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

- (a) [No change in text.]
- (b) Section 302.4 is modified as follows: 302.4, New and Replacement
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 302.6 is added as follows: 302.6, 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 302.6, 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 302.7 is added as follows: 302.7, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section 302.7 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 a City Council resolution, which on January 1, 1994, had at least one unreinforced masonry bearing wall. Section 302.7 shall not apply to the following:

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

- (e) Section 302.7.1 is added as follows: 302.7.1, Applicability. The regulations in Section 302.7.1 shall apply to buildings or *structures* that are within the scope of Section 302.7.1, 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) through (2) [No change in text.]

- (f) Section 302.7.2 is added as follows: 302.7.2, Compliance period. The owner of a building regulated by Section 302.7.2 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 302.7.1.

- (g) Section 302.7.2.1 is added as follows: 302.7.2.1, 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 302.7.2.2, is added as follows: 302.7.2.2, 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 22. That Chapter 14, Article 11, Division 4 of the San Diego Municipal Code is amended by amending sections 1411.0401 and 1411.0405, to read as follows:

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

- (a) [No change in text.]
- (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, repairs that constitute substantial improvement shall comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

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

- (a) [No change in text.]

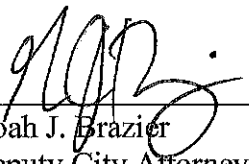
- (b) Section 405.2.6, Repair, is adopted with modifications as follows: 405.2.6, Flood hazard areas. In flood hazard areas, buildings that have sustained substantial damage shall be brought into compliance with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

Section 23. 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 24. 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:nja
11/03/2022
04/27/2023 Cor. Copy
06/01/2023 Cor. Copy 2
Or. Dept: DSD
Doc. No.: 3220264_3

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 25 2023.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is May 8, 2023, which represents the date this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

(See attached memo and signature page.)

**Office of
The City Attorney
City of San Diego**

MEMORANDUM

DATE: June 1, 2023

TO: Constance Patterson, Legislative Recorder

FROM: Noah J. Brazier, Deputy City Attorney

SUBJECT: Typographical Corrections to Clean and Strikeout versions of O-2023-118, Item No. 57 on the April 25, 2023 Consent Agenda

The following typographical corrections have been made to the clean and strikeout versions of O-2023-118, Item 57 on the April 25, 2023 Consent agenda:

- 1) Clean ordinance, section 145.0103(a): Corrected the abbreviation HCAI to OSHPD3.
- 2) Clean ordinance, section 145.0106(g): Corrected a section listed as 183.13.2 to 1803.5.13.2.
- 3) Clean and strikeout ordinance, section 145.1208: Corrected title to reference section 1208 instead of 1207.
- 4) Clean ordinance, section 145.1512: Corrected the omission of the new section number 1512.1 by adding it.
- 5) Clean ordinance, section 145.3805(g) and (n): In (g), removed an inadvertent "Ø". In (n), corrected a section ending comma to a period.
- 6) Clean ordinance, section 146.0104(a) and (c)(4): Corrected the abbreviation HCAI to OSHPD3.
- 7) Clean ordinance, section 147.0103(a) and (c)(4): Corrected the abbreviation HCAI to OSHPD3.
- 8) Clean ordinance, section 148.0103(a) and (c)(4): Corrected the abbreviation HCAI to OSHPD3.
- 9) Clean ordinance, 149.0337(b): The reference to the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas has been corrected from section 511.0301(a) to 511.4904(a).

NJB:nja
Enclosure
Doc. No. 3321682

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 25 2023.

DIANA J.S. FUENTES
City Clerk

By [Signature] for Connie Patterson
Deputy City Clerk

Approved: _____

5/5/23
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

(Note: The date of final passage is May 8, 2023, which represents the date this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

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 1, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 121.0403; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 1 BY AMENDING SECTION 129.0113; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTIONS 129.0202, 129.0203, AND 129.0219; 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 7 BY AMENDING SECTIONS 145.0703 AND 145.0708; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 12 BY AMENDING SECTION 145.1206, AND AMENDING AND RENUMBERING SECTION 145.1207 TO SECTION 145.1208; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 15 BY AMENDING SECTION 145.1501, AND AMENDING AND RENUMBERING SECTION 145.1511 TO SECTION 145.1512; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 16 BY AMENDING SECTION 145.1607; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 18 BY AMENDING SECTION 145.1803; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 33 BY AMENDING SECTION 145.3303; AMENDING CHAPTER 14, ARTICLE 5, DIVISION 38 BY AMENDING SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806; 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 7, DIVISION 1 BY AMENDING SECTIONS 147.0103, 147.0104, 147.0105, 147.0106, AND 147.0107; 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 3 BY AMENDING SECTIONS 149.0301, 149.0302, 149.0309,

AMENDING AND RENUMBERING SECTION 149.0329 TO 149.0331, AND AMENDING SECTION 149.0337; AMENDING CHAPTER 14, ARTICLE 9, DIVISION 9 BY AMENDING SECTION 149.0902 AND ADDING NEW SECTION 149.0907; AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0103 AND 1410.0107; 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 SECTIONS 1411.0301 AND 1411.0302; AND BY AMENDING CHAPTER 14, ARTICLE 11, DIVISION 4 BY AMENDING SECTIONS 1411.0401 AND 1411.0405, RELATING TO THE ADOPTION OF THE 2022 CALIFORNIA BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, RESIDENTIAL, GREEN BUILDING STANDARDS, AND EXISTING BUILDING CODES.

§121.0403 Criteria for Determining That a Structure Is Dangerous

The City Manager or designated official may determine that a *structure* is dangerous if either of the following conditions exists and threatens life, health, safety, or property of its occupants or the public:

- (a) [No change in text.]
- (b) There is a significant risk of collapse, detachment, or dislodgement of any portion, member, appurtenance, or ornamentation of the *structure* under service loads permanent, routine, or frequent loads, under actual loads already in effect, or under wind, rain, flood, earthquake, or other environmental loads when such loads are imminent.

§129.0113 When a Certificate of Occupancy Is Required

- (a) [No change in text.]

- (b) Changes in the use or occupancy of a *structure* or portion of a *structure* shall not be made except as specified in the California Existing Building Code Section 407.

§129.0202 When a Building Permit Is Required

- (a) through (b) [No change in text.]
- (c) The placement of factory-built housing, meaning one or more factory-assembled components comprising a single *structure* suitable for human occupancy that is brought to the job site for connection to a foundation or a site built *structure*, or *manufactured homes*, requires a Building Permit in accordance with this division.

§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) through (20) [No change in text.]
 - (21) Installing replacement exterior windows and exterior doors in existing window and door openings where all of the following conditions apply:

- (A) The exterior windows and doors are replaced in detached one and two-family dwellings or townhouses as defined in the California Residential Code.
- (B) The proposed exterior window and door replacement shall not require any modifications to the weather resistive exterior wall envelope protecting the ~~structure~~ structure or the interior of the ~~structure~~ structure.
- (C) The existing exterior windows and doors to be replaced are not required to be fire resistive.
- (D) [No change in text.]

(22) through (24) [No change in text.]

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

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

- (a) Except for the relocation of *structures*, a *permit holder* may submit to the Building Official an application for an extension of time to utilize the Building Permit. The application shall be filed no later than one month in advance of the end of the ~~180-day~~ utilization period in Sections 129.0216 or 129.0217. The Building Official may extend the time in which the *permit holder* may utilize the Building Permit one time, for a period not exceeding 180 calendar days from the end of the ~~180-day~~ utilization period in Sections 129.0216 or 129.0217, if the Building Official determines that circumstances beyond the control of the *permit holder* prevented completion of the work. All Electrical, Plumbing, or Mechanical Permits

associated with a Building Permit shall be extended concurrently with the utilization period of the Building Permit.

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

§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 ~~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~~ 2022 California Building Code and Section 705.1 of the ~~2019~~ 2022 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 ~~2019~~ 2022 California Building Code as provided in Section 1.1.2 of the ~~2019~~ 2022 California Building Code.

(b) [No change in text.]

§145.0103 Adoption of the California Building Code

- (a) The ~~2019~~ 2022 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)~~ California Department of Health Care Access and Information (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~~ 2022 California Building Code is on file in the office of the City Clerk as Document No. OO-21181-1.
- (b) When reference is made to the California Building Code, it shall be the ~~2019~~ 2022 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~~ 2022 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~~ 2022 California Building Code.
- (e) The adoption of the ~~2019~~ 2022 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~~ 2022 California Building Code are not adopted by the City of San Diego:

(a) [No change in text.]

(b) Chapter 15, Roof Assemblies and Rooftop Structures, Sections ~~1511.4~~ 1505.3, Class B Roof Assemblies, and 1505.4, Class C Roof Assemblies.

(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~~ 2022 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~~ 1208.4, Efficiency Dwelling Units.

(c) Chapter 15, Roof Assemblies and Rooftop Structures, Section 1505.1, General, Section 1505.2, 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~~ 1512.1, General.

- (d) Chapter 16, Structural Design, Section 1607.7.2, Fire Truck and
Emergency Vehicles; ~~Establishment of Flood Hazard Areas~~, Section
1612.3, Establishment of Flood Hazard Areas.

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

- (g) Appendix ~~P~~, Emergency Housing Section ~~P~~103.2.1 Exception 1, ~~P~~
P103.6 Lighting, Ventilation, and Heating, ~~P~~1061 General, Section ~~P~~
P106.1.1 Tents, and Section ~~P~~106.1.2 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~~ 2022 California
Building Code by the City of San Diego:

- (a) [No change in text.]
- (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~~ 708A.2.1.1, Vinyl Window Reinforcing, and Section 711A.1,
Spark Arrestors.
- (c) Chapter 12, Sound Transmission, Section 1206.056.
- (d) Chapter 15, Roof Assemblies and Rooftop Structures, Subsections
1505.1.5 and 1505.1.6, Sections 1507.1.3 and Subsections ~~1511.1~~
1512.1.1 through ~~1511.1.5~~ 1512.1.5.

- (e) Chapter 16, Structural Design, Section ~~1607.2~~ 1607.8.2, Fire Trucks and Emergency Vehicle Live Load and 1612.3, Flood Loads.
- (f) [No change in text.]
- (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) [No change in text.]
- (i) Chapter 33, Safeguards During Construction, Section ~~3303-8~~ 3315, Demolition and Removal Regulations.
- (j) Appendix ~~Θ P~~, Emergency Housing, Subsection ~~Θ P~~ 103.2.1 Exception 2, Subsections ~~Θ P~~ 106.2 through ~~Θ P~~ 106.7, Section ~~Θ P~~ 111 Emergency Housing Lighting and Ventilation Requirements, Subsections ~~Θ P~~ 111.1 and ~~Θ P~~ 111.2, Section ~~Θ P~~ 112 Emergency Housing Fire and Life Safety Requirements, Subsections ~~Θ P~~ 112.1 through ~~Θ P~~ 112.13, and Section ~~Θ P~~ 113 Emergency Housing Alternatives and Modifications, Subsection ~~Θ P~~ 113.1.

§145.0107 Adoption of Appendices to the California Building Code

The following Appendix Chapters of the 2019 2022 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 2022 California Building Code.

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

(f) Appendix ~~Θ~~ P, Emergency Housing.

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

(a) Section 702A “Definitions” is adopted by reference with modifications pursuant to Section 145.0105 of the Land Development Code as follows:

(1) [No change in text.]

(2) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the “Very High Fire Hazard Severity Zone Map – Local Responsibility Areas” adopted pursuant to Section ~~55.9401~~ 511.4904(a) of the San Diego Municipal Code.

(b) Section 703A.6 is adopted by reference with additions pursuant to Section 145.0106 of the Land Development Code as follows:

(1) [No change in text.]

(2) 703A.6.2. The Building Official may modify the provisions of Chapter 7A of the California Building Code for site-specific conditions in accordance with Section ~~129.0104(a)(5)~~ 129.0104(a)(6) of the San Diego Municipal Code. When required by the Building Official, a fire protection plan shall be submitted in accordance with the California Fire Code, Chapter 49.

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

Subsection ~~708A.2.2.1~~ 708A.2.1.1 is added pursuant to Section 145.0106 of the San Diego Municipal Code. ~~708A.2.2.1~~ 708A.2.1.1 Vinyl window reinforcing. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWWDA 101/I.S.2 structural requirements.

§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~~ 1206.5.1.
- (b) Section ~~1206.5~~ 1206.5.1. 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~~ 145.1208 Local Additions and Modifications to Section ~~1207~~ 1208 “Interior Space Dimensions” of the California Building Code

- (a) Section ~~1207.4~~ 1208.4 of the California Building Code is adopted with modifications pursuant to Section 145.0105 of the Land Development Code.

- (b) Section ~~1207.4~~ 1208.4 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 Rooftop Structures” of the California Building Code

- (a) [No change in text.]
- (b) Sections 1501 through 1504 and Sections 1506, 1508, ~~and 1509,~~ and 1510 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,~~ and 1512 are adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

~~§145.1511~~ 145.1512 Local Additions and Modifications to Section ~~1511~~ 1512 “Reroofing” of the California Building Code

- (a) Section ~~1511.1~~ 1512.1 is modified pursuant to Section 145.0105 of the Land Development Code as follows: ~~1511.1~~ 1512.1 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~~ 1512.1 through ~~1511.1.2~~ 1512.1.2 are added pursuant to Section 145.0106 of the Land Development Code:

- (1) ~~1511.1~~ 1512.1. All replacements, alterations, or repairs shall be a Class “A” roof assembly.
 - (2) ~~1511.1.2~~ 1512.1.2. 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~~ 1512.1.3 through ~~1511.1.5~~ 1512.1.5 are added pursuant to Section 145.0106 of the Land Development Code:
- (1) ~~1511.1.3~~ 1512.1.3. 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~~ 1512.1.4. 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~~145.1512(c)(1).
 - (3) ~~1511.1.5~~ 1512.1.5. No roof covering shall be applied over any existing wood shakes or wood shingles.

§145.1607 Local Modifications and Additions to Section 1607 “Live Loads” of the California Building Code

- (a) Section ~~1607.7.2~~ 1607.8.2 is adopted by reference with modifications and additions pursuant to Section 145.0105 and Section 145.0106 of the Land Development Code.
- (b) ~~1607.7.2~~ 1607.8.2. Fire Truck and Emergency Vehicles. Where a *structure* or portions of a *structure* are accessed and loaded by fire department access vehicles and other similar emergency vehicles, the *structure* shall be designed for the greater of the following loads:
 - (1) [No change in text.]
 - (2) The live loading specified in Section ~~1607.7.1~~ 1607.8.1.

§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) through (vii) [No change in text.]
- (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. [No change in text.]
- b. Retaining walls over & 6 feet in height supporting a surcharge or retaining toxic, hazardous, or flammable contents.
- (C) Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:
- (i) [No change in text.]
- (ii) Retaining walls over the heights listed in the following Subsections a. and b. with the height measured from the top of the footing to the top of the wall:
- a. [No change in text.]
- b. Retaining walls of & 6 feet or less supporting a surcharge or retaining toxic, hazardous, or flammable contents.

(iii) through (v) [No change in text.]

(D) [No change in text.]

(g) [No change in text.]

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

Section ~~3307.8~~ 3303.8 is added pursuant to Section 145.0106 of the Land

Development Code: ~~3307.8~~ 3303.8 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.]

§145.3801 Local Modifications and Additions to Appendix ~~Θ~~ P “Emergency Housing” of the California Building Code

(a) Appendix ~~Θ~~ P 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) The Emergency Housing regulations adopted in this Division are adopted pursuant to the authority in California Government Code Section 8698.4 and shall remain in effect until January 1, ~~2021~~ 2026, at which time this Division shall be automatically repealed.

(c) The regulations in this Division and in Appendix ~~Θ~~ P 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 Θ P shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix Θ P, 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 Θ P103 “Emergency Housing” of the California Building Code

- (a) Section Θ P103 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 Θ P103.2.1 is numbered as Exception 1. Exception 2 is added to Section Θ P103.2.1 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 Θ P103.6 Heating is modified as follows:
- Θ P103.6 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 Θ P106 “Tents and Membrane Structures” of the California Building Code

(a) Section Θ P106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

(b) Section Θ P106.1 General is modified as follows:

(1) Section Θ P106.1.1 Tents is modified as follows:

Θ P106.1.1 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 Θ P106.1.2 Membrane Structures is added with modification as follows:

Θ P106.1.2 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 Ø P106.2 Membrane Structures In Use for More than 180 Days is added as follows:
- Ø P106.2 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) through (2) [No change in text.]
- (d) Section Ø P106.3 Means of Egress is added as follows:
- Ø P106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section Ø P103.3.
- (e) Section Ø P106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:
- Ø P106.4 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 Ø P106.5 Flammable or Combustible Liquids is added as follows:
- Ø P106.5 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 Θ P106.6 Fire Department Access is added as follows:

Θ P106.6 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 Θ P106.7 Water Supply is added as follows:

Θ P106.7 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 Θ P111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

- (a) Section Θ P111 Emergency Housing Lighting and Ventilation

Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section Θ P111.1 Emergency Housing Lighting Requirements is added as follows:

Θ P111.1 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 Θ P111.2 Ventilation is added as follows:

Θ P111.2 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 Θ P112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

- (a) Section Θ P112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section Θ P112.1 Fire Separation Distance is added as follows:

Θ P112.1 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 Θ P112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

Ø P112.2 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 Ø P112.3 Means of Egress is added as follows:

Ø P112.3 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 Ø P112.4 Emergency Escape and Rescue is added as follows:

Ø P112.4 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 Ø P112.5 Smoke Alarms is added as follows:

Ø P112.5 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 Ø P112.6 Carbon Monoxide Alarms is added as follows:

Ø P112.6 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 Θ P112.7 Fire Alarm is added as follows:

Θ P112.7 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 Θ P112.8 Automatic Fire Sprinklers is added as follows:

Θ P112.8 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 Θ P112.9 Fire Extinguishers is added as follows:

Ø P112.9 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 Ø P112.10 Flammable or Combustible Liquids is added as follows:

Ø P112.10 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 Ø P112.11 Storage is added as follows:

Ø P112.11 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 Ø P112.12 Fire Department Access is added as follows:

Ø P112.12 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 Ø P112.13 Water Supply is added as follows:

Ø P112.13 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.

§145.3806 Local Addition of Section Ø P113 “Emergency Housing Alternatives and Modifications” to the California Building Code

- (a) Section ØP113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section ØP113.1 Alternatives and Modifications is added as follows:
ØP113.1 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.

§146.0103 Interpretation of the Electrical Regulations

- (a) The language used in this Article and in the ~~2019~~ 2022 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~~ 2022 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)~~ California Department of Health Care Access and Information (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~~ 2022 California Electrical Code is on file in the office of the City Clerk as Document No. OO-21181-2.

- (b) When reference is made to the California Electrical Code, it shall be the ~~2019~~ 2022 California Electrical Code, California Code of Regulations Title 24, Part 3, as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
 - (1) through (3) [No change in text.]
 - (4) ~~Office of Statewide Health, Planning and development~~
(OSHPD3) California Department of Health Care Access and Information (OSHPD3).
 - (5) [No change in text.]

§146.0105 Portions of the California Electrical Code Not Adopted

The following Sections or Subsections of the ~~2019~~ 2022 California Electrical Code are not adopted by the City of San Diego:

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

§146.0106 Portions of the California Electrical Code Adopted With Modifications

The following Sections of the 2019 2022 California Electrical Code are adopted by the City of San Diego with modifications:

The 2019 2022 California Electrical Code is adopted without modifications.

§146.0107 Portions of the California Electrical Code Adopted With Additions

The following Sections of the 2019 2022 California Electrical Code are adopted by the City of San Diego with additions:

The 2019 2022 California Electrical Code is adopted without additions.

§147.0103 Adoption of the California Plumbing Code

- (a) Except as provided in Sections 147.0104 through 147.0108, the 2019 2022 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)~~ California Department of Health Care Access and Information (OSHPD3); and the State Fire Marshal (SFM); a copy of which is on file in the office of the City Clerk as Document OO-21181-3, is adopted by reference.
- (b) When reference is made to the California Plumbing Code, it shall be the 2019 2022 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:

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

(4) ~~State Office of Statewide Health Planning and Development~~
(OSHPD3) California Department of Health Care Access and
Information (OSHPD3).

(5) through (6) [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 2022 California Plumbing Code are modified by the City of San Diego:

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

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

The following Sections or Subsections of the 2019 2022 California Plumbing Code are added by the City of San Diego:

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

§147.0106 Adoption of Appendices to California Plumbing Code

The following Appendix Chapters of the 2019 2022 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 2022 California Plumbing Code are not adopted by the City of San Diego:

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

(5) Appendix G – Sizing of Venting Systems ~~Serving Appliances~~
~~Equipped with Draft Hoods, Category Q Appliances, and~~
~~Appliances Listed for Use with Type B Vents~~

(6) through (8) [No change in text.]

§147.0107 Portions of the California Plumbing Code Not Adopted

The following portions of the ~~2016~~ 2022 California Plumbing Code are not adopted:

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

§148.0103 Adoption of the California Mechanical Code

- (a) Except as provided in Land Development Code Section 148.0104, the ~~2019~~ 2022 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)~~ California Department of Health Care Access and Information (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-21181-4, is adopted by reference.
- (b) When reference is made to the California Mechanical Code, it shall be the ~~2019~~ 2022 California Mechanical Code, California Code of Regulations Title 24, Part 4 as published by the California Building Standards Commission.
- (c) The Building Official is authorized to enforce only those amendments made by the following state agencies:
- (1) through (3) [No change in text.]
- (4) ~~Office of Statewide Health, Planning and Development (OSHPD3)~~ California Department of Health Care Access and Information (OSHPD3).

(5) [No change in text.]

§148.0104 Portions of the California Mechanical Code Not Adopted

The following portions of the 2019 2022 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 2022 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 2022 California Mechanical Code is adopted with no additions.

§148.0107 Adoption of Appendices to California Mechanical Code

Appendix Chapters of the 2019 2022 California Mechanical Code are not adopted.

§149.0103 Adoption of the California Residential Code

(a) The 2019 2022 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 2022 California Residential Code is on file in the office of the City Clerk as Document No. OO-21181-5.

- (b) When reference is made to the California Residential Code, it shall be the ~~2019~~ 2022 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~~ 2022 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~~ 2022 California Residential Code.
- (e) The adoption of the ~~2019~~ 2022 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~~ 2022 California Residential Code have not been adopted by the City of San Diego:

- (a) [No change in text.]
- (b) Table R301.2(4) “Climatic and Geographical Design Criteria.”

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

The following Sections or Subsections of the ~~2019~~ 2022 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~~ R902.1.4, Roof Covering Materials; Section R902.2.1, Wood Shingles; Section R902.2.2, Wood Shakes; Section R902.4, ~~Photovoltaic Panels and Roof Modules~~ Rooftop-mounted Photovoltaic (PV) Panel Systems; 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~~ 2022 California Residential Code by the City of San Diego:

- (a) ~~Chapter 2, Section R202, Definitions, Live-Work Unit.~~

- ~~(b)~~(a) Chapter 3, Section R309.4.1 Backup Power for Automatic Garage Door Openers; Section R320.2 Voluntary Accessibility program; Section ~~R329~~ R331, 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.
- ~~(e)~~(b) Chapter 4, Section R401.5, Geotechnical Investigations; Section R401.6, Geotechnical Reports; Section R401.7, Notice of Geologic Hazards.
- ~~(d)~~(c) Chapter 45, Residential Grading Regulations.

§149.0107 Adoption of Appendices to the California Residential Code

The following Appendix Chapters of the ~~2019~~ 2022 California Residential Code are adopted by the City of San Diego:

- (a) through (c) [No change in text.]
- (d) Appendix ~~V~~ X, 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~~ 2022 California Residential Code shall be permitted to continue without change, except as is specifically regulated by Chapters

3, 4, and 5 of the 2019 2022 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 2022 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 buildings or structures.

§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, R323, R325 through R336, and R338 ~~through~~ and 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) through (c) [No change in text.]

Table 149.0302				
Wind Design		Seismic Design Category	Termite	Flood Hazards
Speed (Mph)	Topographic Effects			
85 <u>95</u>	B	D ₂	Severe per Fig R301.2(3)	Section §143.0145

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

- (a) Section R309.3 Flood Hazard areas is adopted with additions and modifications pursuant to Section 149.0105 and Section 149.0106 of the Land Development Code. Section R309.3 is amended as follows: R309.3 Flood Hazard Areas. Garages and carports located in flood hazard areas established by Table 149.0302 shall be constructed in accordance with Section 143.0145.
- (b) Section R309.4 is adopted with additions and modifications pursuant to Sections 149.0105 and 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.

§~~149.0329~~ 149.0331 Local Addition of Section ~~R329~~ R331 “Structural Tests and Special Inspections” to the California Residential Code

Section ~~R329~~ R331 is added to the California Residential Code Building Code pursuant to Section 149.0106 of the San Diego Municipal Code as follows: ~~R329~~ R331 Structural Tests and Special Inspections. When structural tests and special inspections are required due to the methods of construction, the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

§149.0337 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 ~~55.9404~~ 511.4904(a) of the Land Development Code.

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

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

- (a) Section R902.1 is adopted by reference and modified by adding Section ~~R902.1.5~~ R902.1.4 as follows:
 - (1) ~~R902.1.5~~ R902.1.4 Roof Covering Materials. All newly constructed roofs shall be covered with a fire-retardant roof

covering that is at least Class “A” and the roof classification shall be demonstrated based on the requirements in the California Residential Code.

(2) ~~R902.1.5.1~~ R902.1.4.1 The entire roof shall be covered with a fire-retardant roof covering that is at least Class “A” where a building addition is more than twenty-five percent of the original floor area of the building.

(b) [No change in text.]

(c) Section R902.3 is adopted by reference and modified as follows: R902.3 Building integrated solar photovoltaic systems, Integrated solar photovoltaic systems that serve as the roof covering shall be listed and labeled for fire classification in accordance with UL 7103 for the fire classification determined in accordance with Section 149.0902(a) of the Land Development Code.

(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 ~~55.9404~~ 511.0301(a) of the San Diego Municipal Code, roof-top mounted photovoltaic panels and modules shall have a minimum fire classification rating of Class A.

§149.0907 **Local Additions and Modifications to Section R907 “Rooftop-Mounted Photovoltaic Panel Systems” of the California Residential Code**

Section R907 is adopted by reference and modified as follows: R907.2 Fire Classification. Rooftop-mounted photovoltaic panel systems shall have the fire classification as required by Section 149.0902(a).

§1410.0103 **Adoption of the California Green Building Standards Code**

- (a) The ~~2019~~ 2022 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~~ 2022 California Green Building Standards Code is on file in the office of the City Clerk as Document No. OO-21181-6.
- (b) When reference is made to the California Green Building Standards Code, it shall be the ~~2019~~ 2022 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~~ 2022 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 2022 California Green Building Standards Code.

- (e) The adoption of the 2019 2022 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 2022 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.”

§1411.0103 Adoption of the California Existing Building Code

- (a) The 2019 2022 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 2022 California Existing Building Code is on file in the office of the City Clerk as Document No. OO-21181-7.
- (b) When reference is made to the California Existing Building Code, it shall be the 2019 2022 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~~ 2022 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~~ 2022 California Existing Building Code.
- (e) The adoption of the ~~2019~~ 2022 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~~ 2022 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~~ 2022 California Existing Building Code have not been adopted by the City of San Diego:

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

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

The following Sections or Subsections of the 2019 2022 California Existing Building Code are modified by the City of San Diego:

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

§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 2022 California Existing Building Code by the City of San Diego:

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

§1411.0107 Adoption of Appendices to the California Existing Building Code

The following Appendix Chapters of the 2019 2022 California Existing Building Code are adopted by the City of San Diego:

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

(e) ~~Chapter A6, Referenced Standards.~~

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

(a) [No change in text.]

(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) [No change in text.]

(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.~~

(A) Alterations for accessibility required by Chapter 11A of the California Building Code;

(B) Alterations that constitute 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;
and

(C) Structural provisions of Chapter 5, Section 304 of the California Existing Building Code.

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

- (a) [No change in text.]
- (b) Section 302.4 is modified as follows: 302.4, ~~Existing materials~~ New and Replacement Materials. Materials already in use in a building or ~~structure~~ 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~~ 302.6 is added as follows: ~~302.7~~ 302.6, 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~~ 302.6, 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~~ 302.7 is added as follows: ~~302.8~~ 302.7, Mandatory regulations for wall anchorage and parapet bracing for unreinforced masonry bearing wall buildings. The provisions of Section ~~302.8~~ 302.7 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 a City Council resolution, which on January 1, 1994, had at least one unreinforced masonry bearing wall. Section ~~302.8~~ 302.7 shall not apply to the following:

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

- (e) Section ~~302.8.1~~ 302.7.1 is added as follows: ~~302.8.1~~ 302.7.1, Applicability. The regulations in Section ~~302.8.1~~ 302.7.1 shall apply to buildings or *structures* that are within the scope of Section ~~302.8.1~~ 302.7.1, 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) through (2) [No change in text.]

- (f) Section ~~302.8.2~~ 302.7.2 is added as follows: ~~302.8.2~~ 302.7.2, Compliance period. The owner of a building regulated by Section ~~302.8~~ 302.7.2 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~~ 302.7.1.

- (g) Section ~~302.8.3~~ 302.7.2.1 is added as follows: ~~302.8.3~~ 302.7.2.1, 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~~ 302.7.2.2, is added as follows: ~~302.8.4~~ 302.7.2.2, 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 to Chapter 4 “Repairs” of the California Existing Building Code

- (a) [No change in text.]
- (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~~ repairs that constitute substantial improvement shall comply with Section 145.1612 or Section 149.0322 of the Land Development Code, as applicable.

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

- (a) [No change in text.]
- (b) Section ~~405.2.5~~ 405.2.6, Repair, is adopted with modifications as follows: ~~405.2.5~~ 405.2.6, 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.

NJB:nja
11/03/2022
04/27/2023 Cor. Copy
06/01/2023 Cor. Copy 2
Or .Dept: DSD
Doc. No.: 3220266_3

Passed by the Council of The City of San Diego on APR 25 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 08 2023.

AUTHENTICATED BY: TODD GLORIA
Mayor of The City of San Diego, California.

(Seal) DIANA J.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By [Signature] for Connie Patterson, Deputy

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 APR 11 2023, and on MAY 08 2023.

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) DIANA J.S. FUENTES
Interim City Clerk of The City of San Diego, California.

By [Signature] for Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21642