

**NINE-POINT CRITERIA ANALYSIS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11  
(HCD 08/19)**

Building standards submitted to the California Building Standards Commission (CBSC) for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of CBSC, justify their approval. The approval of these proposed building standards is justified as follows:

**18930(a)(1)**

The proposed building standards do not conflict with, overlap, or duplicate other building standards.

The Department of Housing and Community Development (HCD) has determined that the proposed amendments to the 2019 California Code of Regulations (CCR), title 24, California Green Building Standards Code (CALGreen), part 11, will include some duplication with the 2019 California Plumbing Code, part 5. This duplication is necessary since both codes will recognize submeters.

**18930(a)(2)**

The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.

The proposed amendments are necessary to comply with Health and Safety Code (HSC) sections 17921 and 17922 of the State Housing Law; HSC section 17040 of the Employee Housing Act; HSC section 18300 of the Mobilehome Parks Act; HSC section 18865 of the Special Occupancy Parks Act; HSC section 19990 of the Factory-Built Housing Law; and the California Building Standards Law.

**18930(a)(3)**

The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.

HSC section 17921 directs HCD to propose the adoption, amendment, or repeal of building standards into the CCR, title 24, for the protection of public health, safety, and general welfare of the occupant and the public.

**18930(a)(4)**

The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.

HCD has determined that the proposed building standards are not unreasonable, arbitrary, unfair or capricious, in whole or in part.

**18930(a)(5)**

The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.

HCD finds that the proposed amendments to the 2019 CALGreen result in no additional costs or cost savings to the public because it updates health and safety standards, provides the most recent methods and materials of construction, and promotes affordable costs. HSC section 17950 mandates that the application of published building standards be applied on a statewide basis, which assists in uniformity and cost affordability.

**18930(a)(6)**

The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.

HCD has determined that the proposed amendments to the 2019 CALGreen are neither ambiguous nor vague, either in whole or in part. The language of the CALGreen amendments was developed, reviewed, and edited to avoid ambiguity or vagueness.

**18930(a)(7)**

The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.

Note: Health and Safety Code Section 18930 requires a statement of inadequacy of a national specification, published standard, or model code if it does not adequately address the goals of the state agency, OR a statement informing the Commission that no national specification, published standard, or model code that is relevant to the proposed building standards exists.

CALGreen is not based on a model code. HCD finds that the proposed amendments to the 2019 CALGreen incorporate the most recent changes to state and federal laws, provides consistency and clarity, and ensures that conditions unique to California are adequately addressed.

**18930(a)(8)**

The format of the proposed building standards is consistent with that adopted by CBSC. HCD is using the format consistent with that adopted by the CBSC.

**18930(a)(9)**

The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.

The proposed amendments to the 2019 CCR, title 24, CALGreen, part 11, are subject to review by the State Fire Marshal (SFM) for promotion of fire and panic safety. The SFM has reviewed HCD's proposed amendments and determined that the proposed building standards promote fire and panic safety.