

**NINE-POINT CRITERIA ANALYSIS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT
REGARDING THE 2022 CALIFORNIA PLUMBING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5
(HCD 02/22)**

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.

HCD has determined that these building standards do not conflict with, overlap, or duplicate other building standards.

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.

HCD has determined that the proposed building standards are within the parameters of the Department of Housing and Community Development's (HCD) purview over residential construction.

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 CCR, title 24 for the protection of public health, safety, and general welfare of the occupant and the public. The proposed building standards provide the code user with information on lead content for plumbing fixtures and fittings (health and safety) and allows use of an optional water demand calculator for pipe sizing (resource efficiency). These proposals also serve the public interest.

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, 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 proposes to adopt Appendix M, which offers an alternative to calculate the water supply demand for new single- and multi-family dwellings that will benefit the building, planning, design community, and California residents. Use of Appendix M provides a method that may result in cost savings related to sizing of water supply systems. In addition, formal statewide adoption of Appendix M provides use of the Appendix without specific local agency adoption since it will be adopted as a non-mandatory statewide standard. HCD does not anticipate any increased costs from the proposed regulations.

18930(a)(6)

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

HCD has determined that the proposed regulations are not ambiguous or vague, either in whole or in part. The language of the California amendments was developed, reviewed, and edited to avoid ambiguity or vagueness. In fact, some of the proposed change for signage requirements clarify existing signage requirements.

18930(a)(7)

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

18930(a)(7)(A). If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.

18930(a)(7)(B). If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.

HCD is required to review the 2021 Uniform Plumbing Code (UPC; model code) and, if appropriate, to include California amendments, which are necessary modifications to the model code language to incorporate provisions of state and federal laws. As part of the 2021 Triennial Code Adoption Cycle, HCD adopted the 2021 UPC, with California amendments, as the 2022 California Plumbing Code.

HCD's proposal includes adoption of formerly unadopted 2021 UPC Appendix M from the 2021 UPC and adoption of references to codified Health and Safety Code standards for lead content in plumbing fixtures and fittings.

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 adoption of the 2022 CPC, CCR, title 24, part 5, is subject to review by the State Fire Marshal (SFM). HCD submitted a copy of the CPC regulations to the SFM and requested a written approval that was received on April 6, 2023.