# INITIAL STATEMENT OF REASONS FOR PROPOSED BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT (DSA-SS, DSA-SS/CC) REGARDING THE 2025 CALIFORNIA EXISTING BUILDING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10 ([RULEMAKING FILE #])

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

## STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

### ITEM 1 Chapter 3 - PROVISIONS FOR ALL COMPLIANCE METHODS

**Sections 317.3 and 317.3.1** – In accordance with Section 1.9.2.1, state-owned and state-leased essential services buildings come under the jurisdiction of DSA. During the 2015 Triennial Rulemaking Cycle, Existing Building provisions were relocated from Part 2 to Part 10. Thus, the structural provisions for existing buildings previously located in Sections 3417-3423 of Part 2 were relocated to Sections 317-323 of Part 10. The intent was for the language to remain intact, with no change in regulatory effect as the primary purpose for the relocation was to improve organizational alignment with the content of the I-codes that are the base model codes for California’s Title 24. Although the 2013 CBC contained no ***[DSA-SS]***, ***[DSA-SS/CC]***, nor ***[BSC]*** specific banners in Sections 3417-3423, the 2016 CEBC and forward now includes those banners in Sections 317-323.

The language in the second paragraph of 2013 CBC 3417.1.2 states: *“The provisions of Section 3417 through 3423 also establish minimum standards for earthquake evaluation and design for rehabilitation of existing public buildings currently under the jurisdiction of DSA-SS.”* That language has remained unchanged in the 2016 CEBC 317.1.2 to 2022 CEBC 317.1.2 except the reference to *“Section 3417-3423*” in the 2013 CBC language has been replaced with *“Section 317-323”* in the CEBC from 2016 to present*.*

Section 3417.3 addressed the applicability of when the requirements in Section 3417 apply. Section 3417.1 addressed state-owned buildings, Section 3417.3.2 addressed public school buildings, and Section 3417.3 addressed community college buildings. Once again, the language in these sections is identical except for numbering changes (replace 34xx with 3xx) from the 2013 CBC to the 2016 CEBC and forward. In the 2016 CEBC, the ***[DSA-SS]*** banner was assigned to Section 317.3.2 for public school buildings and the ***[DSA-SS/CC]*** banner was assigned to Section 317.3.3 for community college buildings. Both the ***[BSC]*** *and* ***[DSA-SS]*** banner should have been assigned to Section 317.3.1 for state-owned buildings but the [DSA-SS] banner was unintentionally omitted. DSA proposes to add the ***[DSA-SS]*** banner to the title of Section 317.3.1 to correct this error. This correction is beneficial to agencies responsible for existing state-owned and state-leased essential services buildings by providing clear regulatory direction on when the provisions of Section 317 through 323 apply to their projects.

**Table 317.5** – In accordance with Section 1.9.2.1, state-owned and state-leased essential services buildings come under the jurisdiction of DSA. Essential services buildings are designated Risk Category IV in accordance with California Building Code Table 1604A.5. The structural seismic performance criteria given in Table 317.5 for Risk Category IV buildings is the same as that for Risk Category II buildings and less than that required by the model code (IEBC) in Table 304.3.2 for Risk Category IV buildings and the Basic Performance Objective of ASCE 41. This appears to be an error as it is not the intent of the amendment to reduce the criteria of the model code and adopted consensus standard, and it is widely accepted that the expected structural performance of an essential services building in the design basis seismic event is Immediate Occupancy (S-1).

DSA proposes to change the required seismic performance criteria of Risk Category IV buildings for the purpose of aligning amendment requirements with the model code and adopted consensus standard. This change broadly benefits communities or portions thereof serviced by state-owned and state-leased essential services building by requiring seismic performance objectives consistent with their functional needs and public expectation.

DSA proposes to add Footnote #4 for the purpose of further clarifying the applicability of ***[DSA-SS]*** provisions to state-owned and state-leased essential services buildings (see above). This is beneficial to agencies responsible for existing state-owned and state-leased essential services buildings by clarifying when the provisions of Section 317 through 323 apply to their projects.

**Section 318.1** – DSA proposes to repeal the definition of REPAIR in this section for the purpose of eliminating definitions from this section. In the previous code cycle, DSA attempted to eliminate all definitions in this section; however, in that cycle the Code Advisory Committee (CAC) took exception to the proposal to relocate this definition of REPAIR to Section 202, recommending instead adoption of the existing definition of the same term by the model code (IEBC). Though schedule and deadline limitations prevented a comprehensive evaluation of the CAC proposal at that time, this proposal is consistent with the recommendation of the previous code cycle’s CAC.

**Section 319.1** – DSA proposes to change the benchmark code cited in the Exception for the purpose of referencing the code two cycles in arrears. This change is made with each code, consistent with the original intent of permitting the use of the two most recent code editions when the stated context conditions are met.