# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALE FOR PROPOSED BUILDING STANDARDS OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2022 CALIFORNIA RESIDENTIAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5

# (HCD 06/21)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. If a sufficiently related change is made, the full text of the resulting adoption, amendment, or repeal, with the change clearly indicated, shall be made available to the public for at least 15 or 45 days before the agency adopts, amends, or repeals the resulting regulation.

Any written comments received regarding the change must be responded to in the final statement of reasons required by Section 11346.9 (Government Code Section 11346.8(c)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, double strikeout, italics and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright.
* Unmodified California 45-day amendments appear in *underline and italic* and *~~strikeout and italic~~.*
* California additional 15-day amendments appear in *double underline and italic* and *double strikeout and italic*.
* Ellipsis ( ...) indicate existing text remains unchanged.
* **Rationale**: The justification for the change is shown after each section or series of related changes.

# 15-DAY EXPRESS TERMS

# Item 4 Chapter 2, Section R202, Climate Zones and Live/Work Unit

(begin double strikeout) ***CLIMATE ZONES****. CLIMATE ZONES are the 16 geographic areas of California for which the California Energy Commission has established typical weather data, prescriptive packages and energy budgets. Climate zones are defined by ZIP code and listed in Reference Joint Appendix JA2.*

***LIVE/WORK UNIT.*** *A dwelling unit or sleeping unit in which a significant portion of the space includes a nonresidential use that is operated by the tenant or building owner.* (end double strikeout)

**Rationale:** HCD proposes to repeal the above California amendment from Chapter 2 of the 2019 CRC. Although Item 4 was described as repealing identified text from the 2019 CRC, the text to be repealed was not shown in the strikeout format as noted in the legend. This version correctly displays the text in strikeout format. There is no regulatory change from the previous text in the 45-day Express Terms document.

**Notation:**

Authority: Health and Safety Code Sections 17040, 17920.9, 17921, 17921.6, 17922, 17922.6, 17922.15, 17926, 17927, 17958.12, 18552, 18620, 18691, 18865, 18871.3, 18873, 18873.5, 18938.3, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3, 19890, 19891, 19892 and 19960 through 19997; Business and Professions Code Sections 5537 and 6737.1; and Government Code Sections 8698.4, 12955.1, and 65852.2.

# Item 9 Chapter 4 Foundations, Section R408.3 Unvented crawl space.

**R408.3 Unvented crawl space.** For unvented under-floor spaces, the following items shall be provided:

1. Exposed earth shall be covered with a continuous Class I vapor retarder. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend not less than 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall or insulation.
2. One of the following shall be provided for the under-floor space:
   1. Continuously operated mechanical exhaust ventilation at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m2) of crawl space floor area, including an air pathway to the common area (such as a duct or transfer grille) (begin double underline)~~, and perimeter walls insulated in accordance with Section N1102.2.10.1 of this code~~. (end double underline)
   2. Conditioned air supply sized to deliver at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m2) of under-floor area, including a return air pathway to the common area (such as a duct or transfer grille) (begin double underline)~~, and perimeter walls insulated in accordance with Section N1102.2.10.1 of this code~~. (end double underline) (begin double strikeout)*Crawl space perimeter walls shall be insulated in accordance with the minimum insulation requirements established in the California Energy Code. Crawl space insulation shall be permanently fastened to the wall and extend downward from the floor to the finished grade level and then vertically and/or horizontally for at least an additional 24 inches (610 mm).* (end double strikeout)
   3. Plenum in existing structures complying with ~~Section M1601.5~~ *the California Mechanical Code*, if under-floor space is used as a plenum.
   4. Dehumidification sized accordance with manufacturer’s specifications. (No change to existing Californiaamendment to 2.3).

**Rationale:** HCD proposes to repeal the above California amendments from Chapter 4 of the 2019 CRC. Although Item 9 was described as repealing identified text from the 2019 CRC, the text to be repealed was not shown in the strikeout format as noted in the legend. This version correctly displays the text in strikeout format. There is no regulatory change from the previous text in the 45-day Express Terms document.

**Notation:**

Authority: Health and Safety Code Sections 17040, 17920.9, 17921, 17921.6, 17922, 17922.6, 17922.15, 17926, 17927, 17958.12, 18552, 18620, 18691, 18865, 18871.3, 18873, 18873.5, 18938.3, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3, 19890, 19891, 19892 and 19960 through 19997; Business and Professions Code Sections 5537 and 6737.1; and Government Code Sections 8698.4, 12955.1, and 65852.2.

# Item 12 Chapter 7 Wall Covering, Section R702.7 Vapor retarders.

**Section R702.7.1 Spray foam plastic insulation for moisture control with Class II and III vapor retarders (former Class III vapor retarders).**

**Table R702.7(3) Class III Vapor Retarders**

**R702.7 Vapor retarders.** (2019 CRC) Class I or II vapor retarders are required on the interior side of frame walls in Climate Zones (begin double strikeout)*14 and 16. See the California Energy Code, Figure 100.1-A —California Climate Zones.* (end double strikeout)

**Exceptions:**

1. Basement walls.
2. Below-grade portion of any wall.
3. Construction where moisture or its freezing will not damage the materials.

**R702.7.1** (2019 CRC) **Class III vapor retarders.** Class III vapor retarders shall be permitted where any one of (begin double strikeout) *the following materials are used. The material options include vented cladding over fiberboard, vented cladding over gypsum, or insulated sheathing with an R-value equal to or greater than R-4. If insulated sheathing is used the R-value shall be included as part of the compliance toward the California Energy Code.*

*Spray foam with a minimum density of 2 lb/ft3 applied to the interior cavity side of OSB, plywood, fiberboard, insulated sheathing or gypsum is deemed to meet the insulated sheathing requirement where the spray foam R-value meets or exceeds the specified insulated sheathing R-value.* (end double strikeout)

**Rationale:** HCD proposes to repeal the above California amendments from Chapter 7 of the 2019 CRC. Although Item 12 was described as repealing identified text from the 2019 CRC, the text to be repealed was not shown in the strikeout format as noted in the legend. This version correctly displays the text in strikeout format. There is no regulatory change from the previous text in the 45-day Express Terms document.

HCD continues to propose adoption of 2021 IRC sections R702.7 and R702.7.1 (as retitled) into the 2022 CRC. These sections also reference 2021 IRC Table 702.7(3) also proposed to be adopted into the 2022 CRC. The California Energy Commission is proposing a cross reference table for California Energy Code Climate Zones as used in California and the International Climate Zones as referenced in the 2021 IRC. Table R702.7.4 IECC vs California Energy Code Climate Zone Comparison will provide code users with the comparable California Climate zones to be used when interpreting the CRC.

(begin double underline) **~~TABLE 702.7(3) (formerly TABLE 702.7.1) Class III vapor retarders.~~** (end double underline)

**Rationale:** HCD proposes to adopt Table 702.7(3) and it will be printed in the 2022 CRC.

**Notation:**

Authority: Health and Safety Code Sections 17040, 17920.9, 17921, 17921.6, 17922, 17922.6, 17922.15, 17926, 17927, 17958.12, 18552, 18620, 18691, 18865, 18871.3, 18873, 18873.5, 18938.3, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3, 19890, 19891, 19892 and 19960 through 19997; Business and Professions Code Sections 5537 and 6737.1; and Government Code Sections 8698.4, 12955.1, and 65852.2.