

**INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY  
DEVELOPMENT  
REGARDING THE 2025 CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, CHAPTER 11A  
(HCD 1-AC 01/24)**

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.

**INITIAL STATEMENT OF REASONS**

**HCD proposes to continue to adopt Chapter 11A from the 2022 California Building Code into the 2025 California Building Code with the following modifications:**

**ITEM 1**

**Chapter 11A Housing Accessibility, Section 1101A.1 Scope, and Section 1102A.1 Where required.**

**Rationale:** The California Department of Housing and Community Development (HCD) proposes to amend the above-referenced section. Section 1101A.1 currently requires that newly constructed covered multifamily dwellings, which can also be defined as public housing, are subject to the requirements of both Chapter 11A and Chapter 11B.

Government Code Section 12955.1 provides direction for HCD to propose adoption of building standards necessary to prohibit discrimination in the design and construction of all housing other than publicly funded housing and grants the Division of the State Architect the authority to promulgate regulations for public housing. Over the past code cycles, Chapter 11B amendments included the scoping provisions consistent with Chapter 11A for covered multifamily dwellings.

The Division of the State Architect (DSA) adopted the site impracticality test and technical requirements for accessible dwelling units with adaptable features in Chapter 11B. Adoption of the 2019 Intervening Code Cycle Supplement, effective on July 1, 2021, separated Chapters 11A and 11B, and provided the provisions for public housing entirely within Chapter 11B.

A revised definition of public housing in Chapter 2, in conjunction with the scoping and technical sections in Chapter 11B, meets the requirements of the Fair Housing Amendments Act (FHAA) and the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design. The modification is for clarity only. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

**ITEM 2**

**Chapter 11A Housing Accessibility, Section 1101A.1 Scope**

**Rationale:** HCD proposes to modify the above-referenced existing California amendment. HCD proposes to add a new item as item number four to clarify that additions to covered multifamily dwellings must comply with Chapter 11A. Item three requires additions to existing buildings, where the addition alone meets the definition of a covered multifamily dwelling, to comply with Chapter 11A.

Stakeholders have expressed that there is confusion as to whether an addition of only two units to a building that already contains covered multifamily dwellings must comply with Chapter 11A, as applicable. The newly proposed item four clarifies that an addition of one or two dwelling units to an existing building that is a covered multifamily dwelling building (a building built after March 13, 1991) would need to comply with Chapter 11A. The modification is for clarity only. There is no intended change in regulatory effect. Existing items four and five have been renumbered to accommodate the new item.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

**ITEM 3**

**Chapter 11A Housing Accessibility, Section 1115A.6 Exterior stairway handrails.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1012 was renumbered to align with the changes made to section numbers in the International Building Code (IBC). However, the reference in Chapter 11A, Section 1115A.6 to Section 1012.9 was inadvertently not renumbered and is now being proposed to be renumbered to Section 1014.9.

This change is considered a change without regulatory effect per California Code of Regulations (CCR), title 1, division 1, chapter 1, article 2, section 100. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

#### **ITEM 4**

##### **Chapter 11A Housing Accessibility, Section 1116A.1 Warning curbs.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1010.10.1 was renumbered to align with the changes made to section numbers in the IBC. However, the reference in Chapter 11A, Section 1116A.1 to Section 1010.10.1 was inadvertently not renumbered and is now being proposed to be renumbered to Section 1012.10.1.

This change is considered a change without regulatory effect per CCR, title 1, division 1, chapter 1, article 2, section 100. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

#### **ITEM 5**

##### **Chapter 11A Housing Accessibility, Section 1122A.6 Edge protection.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, sections in Chapter 10 were renumbered to align with the changes made to section numbers in the IBC. However, the references in Chapter 11A, Section 1122A.6 to Section 1010.10, Section 1010.10.1, and Section 1010.10.2 were inadvertently not renumbered and are now being proposed to be renumbered to Section 1012.10, Section 1012.10.1, and Section 1012.10.2 respectively.

This change is considered a change without regulatory effect per CCR, title 1, division 1, chapter 1, article 2, section 100. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

#### **ITEM 6**

##### **Chapter 11A Housing Accessibility, Section 1123A.6 Interior stairway handrails.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1012 was renumbered to align with the changes made to section numbers in the IBC. However, the reference in Chapter 11A, Section 1123A.6.1 to Section 1012.9 was inadvertently not renumbered and is now being proposed to be renumbered to Section 1014.9.

This change is considered a change without regulatory effect per CCR, title 1, division 1, chapter 1, article 2, section 100. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

---

**Agency Response:**

TBD

---

**ITEM 7**

**Chapter 11A Housing Accessibility, Section 1125A.1 Warning curbs.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1010 was renumbered to align with the changes made to section numbers in the IBC. However, the reference in Chapter 11A, Section 1125A.1 to Section 1010.10.1 was inadvertently not renumbered and is now being proposed to be renumbered to Section 1012.10.1.

This change is considered a change without regulatory effect per CCR, title 1, division 1, chapter 1, article 2, section 100. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

**ITEM 8**

**Chapter 11A Housing Accessibility, Section 1126A.5 Type of latch and lock.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1008 was renumbered to align with the changes made to section numbers in the IBC. However, the reference in Chapter 11A, Section 1126A.5 to Section 1008 was inadvertently left in and is now being proposed for removal.

Due to continuous changes to section numbering throughout the code, HCD proposes to remove the reference to a specific section and only reference Chapter 10.

The proposed amendment provides further clarity to the code user. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

**ITEM 9**

**Chapter 11A Housing Accessibility, Section 1143A.5 Visual characters.**

HCD proposes to continue the adoption of the above-referenced California amendment with modification. During the 2015 Triennial Code Adoption Cycle, section 1011 was renumbered to align with the changes made to section numbers in the IBC. However, the reference in Chapter 11A, Section 1143A.5 to Section 1011.6 was inadvertently left in and is now being proposed for removal.

Due to continuous changes to section numbering throughout the code, HCD proposes to remove the reference to a specific section and only reference Chapter 10.

---

The proposed amendment provides further clarity to the code user. There is no intended change in regulatory effect.

**CAC Recommendation:**

TBD

**Agency Response:**

TBD

---

**TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

[Fair Housing Act Design Manual \(huduser.gov\)](http://huduser.gov)

**STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment, or prescriptive standards are required.

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety, and welfare standards for owners, occupants, and guests.

Government Code Section 12955.1 requires HCD to propose the adoption, amendment, or repeal of building standards by the CBSC. Health and Safety Code (HSC) Section 17922 requires HCD to adopt specified model codes, e.g., Uniform Plumbing Code, by reference, with any additions or deletions made by the Department. Section 17922 requires that the building standards and rules and regulations impose substantially the same requirements as are contained in the most recent editions of the international or uniform industry codes as adopted by the code writing organizations. HCD's amendments to the model code are necessary to eliminate conflict with state laws, include requirements of state laws, or to eliminate conflicts with other adopted model codes or California codes.

Although Chapter 11A is not based on a model code, prescriptive standards are necessary as they provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety, and welfare standards for owners, occupants, and guests. Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment

---

or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

There were no feasible alternatives available to HCD. The proposed adoption of existing Chapter 11A regulations with editorial and clarification changes are necessary for a complete 2025 California Building Code.

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

HCD has determined that this regulatory action would have no adverse impact on small businesses.

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

None. There are no changes from the existing regulations in Chapter 11A other than those proposed changes for editorial and clarification purposes. These changes help with guidance and construction practices and avoid costs associated with strict compliance with regulatory text.

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

The Department of Housing and Community Development has assessed whether and to what extent this proposal will affect the following:

**A. The creation or elimination of jobs within the State of California.**

These regulations will not affect the creation, nor cause the elimination, of jobs within the State of California.

**B. The creation of new businesses or the elimination of existing businesses within the State of California.**

These regulations will not affect the creation, nor cause the elimination, of new or existing businesses within the State of California.

**C. The expansion of businesses currently doing business within the State of California.**

These regulations will not affect the expansion of businesses currently doing business within the State of California.

**D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

These regulations benefit California residents by ensuring the building standards

HCD proposes provide advancement to the accessibility needs of Californians, protection of public health and safety, worker safety, and the environment.

### **ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

There is no anticipated increased cost of compliance for the proposed California amendments as these are for editorial and clarification purposes to reflect current construction practices.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

These regulations do not conflict with federal regulations; however, federal regulations are referenced for clarification purposes. There is some duplication in the California Chapters 11A and 11B with federal statutes since the model code Chapter 11, Accessibility, is not adopted, and features of FHA and Americans with Disabilities (ADA) statutes, respectively, are adopted for California.