

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT
REGARDING THE 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11
(HCD 01/25)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons (ISOR). If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Department of Housing and Community Development (HCD) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

HCD has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

Government Code Section 11346.9(a)(3) requires a summary of each objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from March 27, 2026, until May 11, 2026. A total of three (3) comments were received during the 45-day comment period. Two (2) comments were not specific to HCD's proposed amendments, but are included within a separate general section. HCD acknowledged all comments and provided responses below.

COMMENTS RECEIVED DURING THE 45-DAY PUBLIC COMMENT PERIOD

Comment 1 ITEMS 1-6

Commenter(s) and Recommendation:

California Building Industry Coalition.

The commenter supports the adoption of HCD's proposed changes to the 2025 California Green Building Standards Code (CALGreen), items 1-6.

Agency Response:

HCD appreciates the commenter's support for the proposed amendments.

Note: The ISOR contains a minor editorial error in Item 1 and HCD would like to provide the correct information here. The ISOR erroneously references section "4.106.4.5" instead of "4.106.5," and cites "Item 4" instead of "Item 2". This updated information provides non-substantive editorial corrections and has no change in regulatory effect. The Final Express Terms was also updated to reflect these corrections.

COMMENTS RECEIVED THAT WERE BEYOND THE SCOPE OF THE 45-DAY EXPRESS TERMS

Comment 2 General.

Commenter(s) and Recommendation:

Vince Patore.

The commenter requests that HCD develop and adopt a rural small efficiency unit (RSEU) pathway and incorporate performance-based compliance options into CALGreen. Additionally, the commenter suggests for HCD to provide model code language for local adoption and to reduce regulatory barriers that make small rural housing economically infeasible.

Agency Response:

HCD appreciates the feedback and recommendations provided by the commenter. After review, HCD determined that no changes will be made, as the suggestions are beyond the scope of the current proposals and were not developed in coordination with all stakeholders. Assembly Bill 130 (Chapter 22, Statutes of 2025) (AB 130), provides limited exceptions for changes to state building standards that occur during intervening code adoption cycles, in perpetuity and for all occupancies. AB 130 also enacted a

pause during triennial code adoption cycles on changes to state building standards impacting residential occupancies, with limited exceptions. The commenter's proposal is substantive and would materially alter the substance/intent of the existing code provisions. HCD may engage in this topic during a future code adoption cycle, pursuant to applicable statutory directives.

Comment 3 General.

Commenter(s) and Recommendation:

Vince Patore.

The commenter requests that HCD evaluate whether CALGreen and Title 24 requirements create unintentional barriers to small efficiency units and to ensure that building standards do not function as a de facto prohibition on housing types already permitted under state law. Additionally, the commenter suggests for HCD to develop a RSEU pathway with scaled, performance-based requirements and to provide guidance to local jurisdictions to support consistent implementation.

Agency Response:

HCD appreciates the feedback and recommendations provided by the commenter. After review, HCD determined that no changes will be made, as the suggestions are beyond the scope of the current proposals and were not developed in coordination with all stakeholders. Assembly Bill 130 (Chapter 22, Statutes of 2025) (AB 130), provides limited exceptions for changes to state building standards that occur during intervening code adoption cycles, in perpetuity and for all occupancies. AB 130 also enacted a pause during triennial code adoption cycles on changes to state building standards impacting residential occupancies, with limited exceptions. The commenter's proposal is substantive and would materially alter the substance/intent of the existing code provisions. HCD may engage in this topic during a future code adoption cycle, pursuant to applicable statutory directives.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCD has determined that there are no reasonable alternatives to be considered or have otherwise been identified and brought to the attention of HCD. Health and Safety Code, Section 17928, mandates HCD to review relevant green building guidelines and to propose green building features that are cost effective and feasible as mandatory building standards. HCD evaluated the available green building guidelines, held multiple focus group meetings, and worked in conjunction with California Air Resources Board, California

Building Standards Commission, Division of the State Architect, California Energy Commission, the building industry, advocates, and other stakeholders to determine the most appropriate building standards.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

No alternatives were identified to lessen the adverse economic impact on small business.