

**NINE-POINT CRITERIA ANALYSIS  
FOR PROPOSED BUILDING STANDARDS OF THE  
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11  
(HCD 03/21)**

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.

The California Department of Housing and Community Development (HCD) has determined that the proposed adoption of the 2022 California Green Building Standards Code (CALGreen), which includes existing and modified provisions from the 2019 CALGreen and new amendments, contains some duplication with other building standards.

The proposed building standards to the 2022 CALGreen, part 11, will include duplication with other parts of the California Code of Regulations (CCR), title 24, in Chapter 1 Administration, Division I (Article 89 in the California Electrical Code), which is shared between various parts of title 24. Examples of areas of duplication include the 2022 California Plumbing Code (plumbing fixtures) and 2022 California Energy Code (plumbing fixtures).

**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.

The proposed adoption of the 2022 CALGreen, CCR, title 24, part 11, is necessary to comply with Health and Safety Code (HSC) sections 17921, 17922, and 17928 of the State Housing Law; HSC section 17040 of the Employee Housing Act; HSC section 18620 of the Mobilehome Parks Act; HSC section 18873 of the Special Occupancy Parks Act; HSC section 19990 of the Factory-Built Housing Law; and the California Building Standards law.

The proposed building standards, as applicable to residential structures, are not within the exclusive jurisdiction of another agency. However, Assembly Bill 341 (Chapter 585, Statutes of 2013) and CCR, title 24, part 1, California Administrative Code section 1-404, provide authority for other state agencies with expertise in green building subject areas, but without statutory authority to propose green building standards, to provide input on changes to CALGreen. The proposal related to electric vehicle charging infrastructure for multifamily dwellings was proposed by the California Air Resources Board.

**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.

**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, or 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 finds that the adoption of the 2022 CALGreen results in reasonable costs or costs savings to the public because it updates health and safety standards, provides the most recent methods and materials of construction, and promotes affordable costs. HSC section 17950 mandates that the application of published building standards be applied on a statewide basis, which assists in uniformity and cost affordability.

**18930(a)(6)**

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

HCD has determined that the adoption of the 2022 CALGreen, CCR, title 24, part 11, is neither ambiguous nor vague, either in whole or in part. The language of the California amendments was developed, reviewed, and edited to avoid ambiguity or vagueness.

**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.

CALGreen is not based on a model code. HCD finds that the adoption of the 2022 CALGreen incorporates the most recent changes to state and federal laws, provides consistency and clarity and ensures that conditions unique to California are adequately addressed.

**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 CALGreen, CCR, title 24, part 11, is subject to review by the State Fire Marshal (SFM). HCD submitted a copy of the regulations to the SFM and request a written approval was received on July 28, 2021.