APPROVED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION
FEBRUARY 27, 2025

# AMENDED JUSTIFICATIONFOR PROPOSED BUILDING STANDARDS OF THECALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENTREGARDING THE 2025 CALIFORNIA BUILDING CODE,CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2(HCD 05/24)

Pursuant to Safety Code Section 18930 and California Administrative Code Section
1-417 (a)(4), the Department of Housing and Community Development proposes to further amend the following:

If using assistive technology, please adjust your settings to recognize underline, strikeout, italic and ellipsis.

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

* Model Code language appears upright
* Existing California amendments appear in *italic*
* Amended model code or new California amendments appear *underlined & italic*
* Repealed model code language appears ~~upright and in strikeout~~
* Repealed California amendments appear in *~~italic and strikeout~~*
* Ellipses (…) indicate existing text remains unchanged

## AMENDED JUSTIFICATION

### ITEM 4Chapter 3, Occupancy Classification and Use

The Department of Housing and Community Development (HCD) proposes to adopt Chapter 3, “Occupancy Classification and Use” that was Approved as Amended by the Commission at the February 26-27, 2025, Commission meeting. The Commission identified the need to remove requirements related to “Hotels (nontransient)” and “Motels (nontransient)” from section 310.4, which is necessary to avoid conflict between existing definitions for “Hotel and Motel” and aligns with HCD’s original intent for this section. HCD agrees with the proposed amendment shown below. There is no fiscal impact for modifying this section.

**CHAPTER 3
OCCUPANCY CLASSIFICATION AND USE**

**Section 310.2 Residential Group R-1.** Residential Group R-1 occupancies…

Boarding houses (transient) with more than 10 occupants

Congregate living facilities(transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

***[HCD 1]*** *Efficiency dwelling units (transient)*

~~Lodging houses with more than five guestrooms~~

**Section 310.3 Residential Group R-2.** ResidentialGroup R-2 occupancies… (No change to model code text)

…

Hotels (nontransient) ~~with more than five guest rooms~~

Motels (nontransient) ~~with more than five guest rooms~~

…

**Section 310.4 Residential Group R-3.** ResidentialGroup R-3 occupancies… (No change to model code text)

…

~~Hotels (nontransient) with five or fewer guest rooms~~ [Striking out “with five or fewer guest rooms” which was included in the original final express terms; “Hotels (nontransient)” is added in strikeout. See the justification above.]

~~Motels (nontransient) with five or fewer guest rooms~~ [Striking out the language “with five or fewer guest rooms” which was included in the original final express terms; “Motels (nontransient)” is added in strikeout. See the justification above.]

…

**Section 310.4.2 Lodging houses.** Owner-occupied lodging houses with five or fewer guest rooms shall be constructed in accordance with this code or the *California Residential Code*, provided that facilities constructed using the ~~International Residential Code~~ *California Residential Code* are protected by an automatic sprinkler system installed in accordance with *Section 903.3.1.3* orSection ~~P2904~~ *R309.1.1* of the *California Residential Code*.

**Notation:**

Authority: Health and Safety Code Sections 17040, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18928, 18938.3, 18944.11 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, 18938.6, 18941, 18941.5, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1, 12955.1.1 and 65852.2.