



Informational Document

RE: Title 25 Limited Density Owner Built Rural Dwellings - differences from Title 24 SFD

DATE: 06.21.18

NOTE: There were amendments to the current ordinance #4110, which is noted in key points 9 and 10 below. These amendments were approved as a 1st reading by the BOS on 06.12.18 and will have a 2nd reading on 06.26.18. Should it be approved by the BOS the ordinance as amended will be effective July 26th, 2018.

The key differences between a Title 25 Limited Density Owner Built Rural Dwelling (LDOBRD) SFD vs a SFD built using Title 24. Below is a list of the main twelve (12) key differences given two (2) different set of regulations (codes) being used. An explanation and/or history for each key point follow this list. T-25 will apply as defined by "Rural" within the ordinance: Applicable in rural zones: Agriculture (AG), Timber Mountain (TM), Timber Production (TPZ), Rural Residential (RR), Rural Country Residential (RCR), Foothill Residential (FR), Foothill Country Residential (FCR), Resource Conservation (RC), and Community Commercial (CC) zones; and Outside the LAFCO adopted Municipal Spheres of Influence.

TITLE 24 DWELLING

1. Permit valid 1 yr. with 2 yrs.' renewable
2. Inspections required 4 plus
3. Deed Restriction typically NOT required
4. Structural Calcs typically required
5. Energy Calcs required
6. Minimum Room dimensions required
7. Temporary occupancy during construction NOT allowed
8. Generators are not allowed as a sole power Source (typically need a backup source like PV)
9. Fire Sprinklers (FS) required in all new SFD's
10. Owner produced materials or milled lumber Would require approval by T-24 code standards and grading stamps on lumber
11. Heating capacity and temperature maintenance required
12. Electrical wiring and circuits are required

TITLE 25 LDOBRD DWELLING

Permit valid 3 yrs. with 2 yrs. renewable
Inspections required 3 plus
Deed Restriction ALWAYS required
Structural Calcs typically NOT required
Energy Calcs typically NOT required
Minimum room dimensions NOT required
Temporary occupancy during construction allowed
Generators are allowed as a sole power source - installation requirements are more restrictive.
FS required in new SFD's that are >1200 sq.ft.
Owner produced materials or milled lumber is allowed with a review and approval by the Building Official – 19% moisture content
Heating Capacity no specified requirement or temperature maintenance required
Electrical wiring SFD/Structures are not required to be wired unless required by the Building Official

Key Point 1: Permit Validity: Title 24 permits with paid renewals are valid for 3 years. Title 25 permits are valid with paid renewals for 5 years. The extension on the permit from 1 year to 3

years at initial submittal is based on owner's using this code may need more time to acquire funds, and obtain building materials as they construct.

Key Point 2: Inspections: A Title 24 SFD/structure requires at a minimum 4 inspections to a full inspection series throughout the construction process that is standard with the existing code. These consist of foundation, slab or underfloor, shear/bracing, 4 way (rough building, electrical, plumbing, and mechanical), insulation, and a final. However, depending upon design we may have additional inspections: drywall nail, shower pan, retaining wall, etc. Whereas, a Title 25 SFD/Structure will have 3-4 Inspections a foundation inspection prior to placement of concrete, a concrete slab or under-floor inspection, a 4 way (rough framing, plumbing, electrical, and mechanical inspection) prior to covering of walls, and a final inspection. *Note: We have added into Countywide Draft version more clarity that additional/supplemental inspections may be required at discretion of Building Official.*

Key Point 3: Deed Restriction: Deed restriction is required for Title 25 SFD/structure. This will notify future owners of the fact that these structures were constructed under an alternative to the standard building permit, Title 24 building code oversight process. Title 24 SFD/structure requires deed restrictions only in some cases.

Key Point 4: Structural Calculations: Structural calcs are not required. The requirement under the ordinance is that a structure shall be considered to be in "sound structural condition" and shown on plans. Should Plan Review staff interpret that it or portions do not meet the definition, we will then require structural calcs. We encourage them to meet conventional bracing when possible. Structural Calcs can be very expensive and become a deal breaker for most applicant when wanting to rebuild.

Key Point 5: Energy Calculations: In a Title 25 SFD/structures energy calculations are not required unless they use nonrenewable fuels. This is one of the huge savings on building a new house. The cost for the calculations as well as the features required per such calcs can be very expensive.

Key Point 6: Room Dimensions: In a Title 25 SFD/structures there are no requirements for room dimensions provided that there is adequate light and ventilation and adequate means of egress.

Key Point 7: Temporary Occupancy: Temporary occupancy during construction for a Title 25 SFD/structure can be provided if requested and approved sanitary facilities are available at the site. Additionally, the work completed should not create any condition that endangers life, health or safety of the public or occupants. Title 24 SFD/structures it is rare that we would allow temporary occupancy during construction.

Key Point 8: Generators: The area(s) where T-25 is typically used is far from public utilities and pose an extreme financial hardship to hook up. Most will install some sort of PV as a backup. The majority use wood stoves for heat and have propane for their water heater heaters and cooking purposes. The Smoke detectors and carbon monoxide alarms should all have battery backups. Hence, the generator not working or running out of gas should not pose a health, or life safety issue until they can get it back up and running. Additionally, the requirements for generators are more restrictive than the residential noise ordinance in that it requires the generator to be enclosed with a requirement of maximum 55 decibels 20 feet from the structure.

Key Point 9: Fire Sprinklers: Fire sprinklers are required in SFD/Structures built in T-25 area(s) when the square footage exceeds 1200 sq. ft making it consistent with the new Accessory Dwelling Units.

Key Point 10: Owner-Produced or Used Materials: Title 25 SFD/structures can make use of owner-produced or used materials and appliances may be utilized unless found not to be of sufficient strength or durability to perform the intended function; owner-produced or used lumber may be utilized unless found to contain dry rot, excessive splitting, or other defects obviously rendering the material unfit in strength or durability for the intended purpose. The lumber if owner produced would require the lumber meet California Green Building Regulations code for the 19% moisture content. Title 24 requires the use of the “Alternate Materials and Methods Request” which would require research and documentation that meets T-24 code and standards.

Key Point 11: Heating Capacity and Temperature Maintenance: Heating capacity and temperature maintenance for a Title 24 SFD to meet California Energy Code (70 degrees heat is to be maintained above 3 feet from the floor). In the Title 25 SFD this is not required though the all the ones built to date have a source that easily provides this requirement.

Key Point 12: Electrical Installation Requirements: Directly form ordinance: “ In structures where electrical usage is confined to one or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the Building Official determines the electrical demands are expected to exceed the confinement and capacity of that room(s)”. They can partial wire structure- completely or not at all. We find they will typically wire the structure. They are required to meet the current adopted California Electrical Code for all installations.

The Ordinance is based on HCD's: Health and Safety Code Sections 17958, 17958.2, 17958.5, 17958.7, and Article 8, Subchapter 1, Chapter 1, Division 1, of Title 25, California Code of Regulations.

The Ordinance establishes provisions to support the use of alternative construction design, materials, and methods that provide enhanced protection of our environment; improve the economic viability of sustainable construction methods; aid affordability when performing construction improvements; increase participation and consumer protection through promoting lawful construction activity; and enhance owner equity in the improvement of property.

The Ordinance removes permit barriers to streamline approving the application of alternative materials and methods for construction, maintenance and improvements to limited density owner built rural dwellings.