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TO Code Development Stakeholders

FROM: Cindy Davis, Deputy Director
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DATE: November 4, 2021

SUBJECT: 2021 Code Development Cycle

The 2021 Code Development Cycle is underway! The Notices of Intended Regulatory Action (NOIRA) were approved by the Board of Housing and Community Development (BHCD) at their meeting on October 25, 2021 and will be published in the Virginia Register of Regulations on November 22, 2021. The BHCD also approved a new policy to ensure that all code change proposals are submitted and vetted during the proposed phase of the regulatory process.

Our online code development system cdpVA was opened on October 1st for submission of code change proposals. The tentative deadline for submission of code change proposals for the 2021 cycle is May 1, 2022. However, we encourage you to submit your code change proposals as early as possible to ensure the greatest amount of time for discussion.

The online code development system, cdpVA, will continue to be utilized to submit and track code change proposals as they come in. It will also be used as the primary source for other important information related to the process, including stakeholder meeting information. We encourage you to check [cdpVA](#) regularly for the most up-to-date information, as the schedule is tentative and may change.

Please see the attachments to this memo (and visit cdpVA) for additional important information and details. As always, do not hesitate to contact our office with any questions or concerns by email: sbco@dhcd.virginia.gov or by phone: 804-371-7150.

CLD

Attachments

C: Erik Johnston
DHCD staff



General Stakeholder Workgroup Meetings

General Stakeholder Workgroup meetings will be convened three times during the proposed regulations phase, for the purpose of discussing all individual code change proposals. The following is the tentative schedule for the 1st General Stakeholder Workgroup meetings:

March 1, 2022: VCC (Virtual)
March 2, 2022: VEBC (Virtual)
March 3, 2022: Energy (Virtual)
March 4, 2022: VMC and SFPC (Virtual)
March 8, 2022: Residential (Virtual)
March 9, 2022: Trades (Virtual)

Meeting agendas will be posted to cdpVA and distributed to our Code Development stakeholders list (via Constant Contact) approximately 3 weeks prior to each set of General Stakeholder Workgroup meetings. The agendas will include a list of proposals that will be discussed at the meeting, as well as the meeting time and virtual meeting links.

Descriptions of General Stakeholder Meetings (Subject Matter Groupings)

VCC: Virginia Construction Code (USBC Part I) including USBC Part I administrative provisions; IBC; VCS; VADR; IBSR; and MHSR.

VEBC: Virginia Existing Building Code (USBC Part II) including USBC Part II administrative provisions; and IEBC.

Energy: All technical energy provisions of the VCC, IECC and IRC; does not include administrative provisions.

VMC: Virginia Maintenance Code (USBC Part III) including USBC Part III administrative provisions.

SFPC: Virginia Statewide Fire Prevention Code including SFPC administrative provisions.

VRC: Residential technical provisions of the VCC and the IRC; does not include administrative or trades provisions

Trades: All technical trade provisions (mechanical, electrical, plumbing and fuel gas), including residential trade provisions, of the VCC, IRC, IPC, IMC, and IFGC; does not include administrative provisions.

Study groups

The following Study Groups are currently being formed for the 2021 Virginia Code Development Cycle:

2021 In-Building Emergency Communications Study Group: During the 2018 Code Development Cycle, the Board of Housing and Community Development (BHCD) considered proposals B916-18, B916.1-18 and B918.1-18, to amend the USBC requirements related to in-building emergency communications. Proposals B916-18 and B918.1-18 were not approved, but the BHCD determined that additional discussions were needed and directed DHCD staff to convene a group of interested stakeholders to continue the discussions during the 2021 Code Development Cycle: **1st Meeting December 1, 2021 (Virtual)**

2021 Active Shooter and Hostile Threats in Public Buildings Study Group: During the 2020 Session of the General Assembly, HB 670 and SB 333 directed the Department of Housing and Community Development to convene stakeholders to develop proposals for changes to the USBC and SFPC that assist in the provision of safety and security measures (door locks, barricade devices, and other door and window measures) for public buildings, for active-shooter or hostile threats: **1st Meeting December 8, 2021 (Virtual)**

2021 Residential Sprinklers Study Group: During the 2018 Code Development Cycle, the Board of Housing and Community Development considered proposals RB313.1-18 and RB310.11-18, to require automatic sprinkler systems to be installed in new one and two-family dwellings and townhouses. The proposals were not approved, but the Board determined that additional discussions were needed and directed DHCD staff to convene a group of interested stakeholders to continue the discussions during the 2021 Code Development Cycle: **1st Meeting December 15, 2021 (Virtual)**

Sub-Workgroups

In addition to the general stakeholder workgroup meetings, three Sub-Workgroups will be convened and meet during the proposed phase as needed. The following is the tentative schedule for the 1st (virtual) meetings of each of the Sub-Workgroups:

February 9, 2022: Energy Sub-Workgroup (Virtual)
February 16, 2022: SFPC Sub-Workgroup (Virtual)
February 23, 2022: Resiliency Sub-Workgroup (Virtual)

Meeting Dates

Please note that all meeting dates are tentative, as meetings may evolve over the course of the process. Tentative meeting dates should only be used as a guide. The latest meeting information for all Study Group, Sub-Workgroup and General Stakeholder Workgroup meetings will be posted on [cdpVA](#) when available. The above includes dates of the first meetings of each group. Information on subsequent meetings will be distributed or posted to cdpVA as it is available.

DHCD Communications and Email Contact Lists Study Group, Sub-Workgroup and General Code Development

Our online Code Development system [cdpVA](#) is utilized as the primary source for code development information. Please log into cdpVA to see additional information and continue to check cdpVA regularly throughout the cycle for the most up to date information.

We also utilize Constant Contact to distribute information and updates regarding the code development process, including General Stakeholder Workgroup meeting information. If you are not already on our "Code Development" Constant Contact email list and would like to be added, please contact sbco@dhcd.virginia.gov.

Note: If you received this memo by email, directly from "Virginia Department of Housing and Community Development" via Constant Contact (look at the bottom of the email for the Constant Contact logo), you are already on our Code Development list. If we verify that you are on the contact list, but you are not receiving the emails, please check your spam folder and firewall settings, as Constant Contact might be blocked.

Information regarding Study Groups and Sub-Workgroups will be distributed by email directly to members of those groups and will also be posted on [cdpVA](#). If you are not a member of a Study Group or Sub-Workgroup, but would like to be added to the email distribution list for a specific group, as an interested party, please contact sbco@dhcd.virginia.gov.

Items for Consideration

The following are some topics for consideration, to get the discussions jump started, as you begin preparing for the 2021 cycle. The list includes some significant changes in the 2021 I-Codes, as well as items that we are aware of in the existing regulations that need some additional attention:

VCC 105.1 & VMC 104.4: The procedures for code official appointment differ between the VCC and VMC. Consider coordinating the requirements in the two codes.

VCC 110.3: The asbestos inspection exception for dwellings is often misinterpreted as an exemption to the permit requirement for asbestos removal. Consider adding a pointer to VCC Section 108.1, item 4.

2021 IBC: Changes to occupancy classification and automatic fire sprinkler requirements related to distilling or brewing of alcohol beverages, as well as the storage of beer, distilled spirits and wine. A new chapter was also added to the IFC that provides clarification and specific requirements for the storage of distilled spirits and wines in barrels and casks.

VCC 308.2 & 313.2: Duplicated requirements for Group I assisted living facilities. Consider amending Section 308.2 to reference Section 313.2.

VCC 310.5 & 313.2: Duplicated requirements for Group R assisted living facilities. Consider amending Section 310.5 to reference Section 313.2.

2021 IBC: Sprinkler requirements for the storage, manufacture and sale of upholstered furniture and mattresses were updated and clarified. Part of this update is a new exception for single-story self-storage facilities accessed directly from the exterior.

VCC 903.2.1.3 & 903.2.1.7: Section 903.2.1.7 (multiple fire areas) is being interpreted by some as conflicting with the VA amendment to Section 903.2.1.3, exception 2 (automatic fire sprinkler threshold for Group A-3 places of religious worship). Consider modifying to clarify the intent of VA amendment.

2021 IBC: An automatic sprinkler system must now be installed in an open parking garage where a specific fire area or height threshold is exceeded.

VCC Table 1020.1: Review I-1 occupancy corridor fire-resistance rating reduction (0 hour).

VCC 1112.1: Accessible parking signage exceptions in this section are in conflict with VA law (see VCC 1106.8).

2021 IBC: The 2021 IBC references the 2017 edition of ICC A117.1.

2021 IBC: Scoping provisions added for accessibility of EV Charging Stations.

2020 NEC 210.8(F): Concerns have been raised related to the new GFCI requirements in the NEC for HVAC equipment.

VCC 3001.3: Section prescribes requirements for "... alteration, repair and maintenance " of elevators and conveying systems. Consider relocating requirements to the VEBC and VMC, as applicable.

VCC 3005.4: Correlate the VA exceptions with the IBC requirements for fire service access elevators and occupant evacuation elevators.

VCC 3005.7: Revisit VA amendment related to Machine-Room-Less Elevators to ensure consistency with current standards and technologies.

VCC 3008.1: Clarify section to maintain VA amendment limiting the applicability of occupant evacuation elevator (OEE) requirements to buildings over 420 ft and correlate with new IBC method for calculating the number of required OEEs. Possible fix would be deleting the word "all" from Section 3008.1.

Accessibility: Letter received from VA Delegate Reid recommending requiring automatic door operators (accessible push pads/buttons) on all egress doors in buildings.

Temporary Tents: Review and clarify/coordinate requirements in VCC, IFC and SFPC related to approval of temporary tents.

Energy Storage Systems (ESS): New provisions in IBC and IFC related to ESS.

2021 IECC Commercial: Elimination of “mandatory” and “prescriptive” language with the addition of new required provisions tables in C407.

VECC C405.4: Coordination needed between the existing VA exterior lighting amendment and the IECC changes.

2021 IECC Commercial: A Commercial Zero Code renewable appendix was added.

2021 IECC Residential: Elimination of “mandatory” and “prescriptive” language with the addition of new required provisions tables in R405 and R406.

VECC R401.2: Given that the "mandatory" provisions concept was removed from the 2021 IECC, along with other extensive changes throughout the compliance paths, the existing VA amendment has been removed in the USBC Base Document.

VECC Tables R402.1.2 and R402.1.3: The 2021 IECC assigns three (3) different Climate Zones (CZ) to Virginia. The Base Document has maintained the current R-values and U-factors for walls and transferred to all new CZ in Virginia.

VECC R402.4.1.3: Leakage rate provisions applicable when complying with Section R401.2.1 - Prescriptive Compliance Option. Coordinate with R401.2 above.

VECC R406.3.2/VRC N1106.3.2 (2018 VRC Table R406.4): Is ERI-based Compliance only available to wood framed buildings (see footnote a)? Should they also apply to steel-framed buildings, or ICF construction?

2021 IECC R408: Addition of new required additional efficiency package options in R408.

2021 IECC Residential: A Zero-Energy Appendix based on ERI was added.

EV Charging: Letter received from VA Delegate Reid recommending minimum requirements for EV Charging Stations at multi-family dwelling units.

VRC R325.6: Coordination needed between VA amended definition of “habitable attic” and the habitable attic provisions of the 2021 IRC.

VRC 905.2.8.5: Existing VA amendment deletes the drip edge requirements. Most (if not all) asphalt shingle manufacturers require installation of drip edge (in the manufacturer’s installation instructions). Consider reinstating the IRC drip edge requirements.

VRC Ch. 16: Letter received from VA Delegate Bulova concerning the installation of (HVAC air) registers/diffusers in bathroom floors. Request to consider the potential consequences of contaminated water entering the duct if/when a toilet overflows (correspondence attached).

2021 IRC (new): An emergency electrical service disconnect is required in a readily accessible outdoor location and a surge-protective device (SPD) is now required at the service panel.

IEBC 303: The 2021 IEBC adds new requirements for Storm Shelters that are constructed within existing buildings. Consider incorporating the new IEBC requirements into the VEBC.

VEBC 304.3.1: The section references the VCC for compliance when grills or bars are installed over existing EEROs. Consider also adding a reference to the VRC for R-5 occupancies.