



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

April 30, 2021

MEMORANDUM

TO: Board of Housing and Community Development Members

FROM: Kyle Flanders

SUBJECT: May 10, 2021 Board of Housing and Community Development Meeting

Enclosed is the agenda and information package for the Board of Housing and Community Development meeting to be held on Monday, May 10. The Statewide Fire Prevention Code Development Committee will meet at 10:00 a.m. followed by the Codes and Standards Committee. After the Codes and Standards Committee there will be a joint meeting with the Fire Services Board. This will be followed by a meeting of the Housing and Community Development Committee and last, a regular meeting of the Board.

The Board meeting will be held electronically via Google Meet in accordance with the Appropriations Act. The electronic meeting details are included below. Additional details and guidance regarding Google Meet is included within the email accompanying the Board package.

If you will not be able to attend the Board meeting, please contact me as soon as possible. I can be reached by e-mail at kyle.flanders@dhcd.virginia.gov or by telephone at 804-786-6761. Please let me know if you have any questions or if I can be of assistance.

Meeting Details

Meeting ID

<https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055

PIN: 868 158 566#

Enclosure

Electronic Meeting/Google Meet Information

Meeting Access

Meeting ID

meet.google.com/gkq-mxrr-kvu

Phone Numbers

[\(US\)+1 262-607-9055](tel:+12626079055)

PIN: 868 158 566#

Functions

Google Meet allows for video meeting functionality. The microphone and camera buttons at the bottom center (page 2) allow for muting and camera off/on. There is also a chat bar on the right side of the screen.

We encourage Board members to utilize the online platform but you can also dial in to the meeting.

Tips/Tricks

- Please note, the meeting is being recorded.
- Enter the meeting early to check your connections; if you haven't used the platform it may ask you to enable your mic and camera as you enter the meeting
- Please say your name before speaking
- Mute if not speaking (staff will monitor phones for mute if there is feedback)
- If using dial-in, *6 mutes and unmutes your phone
- You can utilize the chat to ask questions. Please note, the chat is visible to all participants
- All votes will be roll call votes. You will need to unmute before being called on for each vote.

The image shows a Google Meet interface with several callouts explaining features:

- Recording Note (meeting will be recorded)**: Points to the red "REC" button in the top left corner.
- Participant List**: Points to the "Participant List" header in the right-hand sidebar.
- Microphone button – red with line indicates mute**: Points to the microphone icon in the bottom toolbar.
- Camera button – red with line indicates no video**: Points to the camera icon in the bottom toolbar.
- Turn on to use captions**: Points to the "Turn on captions" button in the bottom toolbar.
- Click on chat to speak in the chat bar**: Points to the "Chat" button in the right-hand sidebar.
- More Options – will allow you to adjust mic and camera settings**: Points to the three-dot menu icon in the bottom toolbar.

The interface includes a central video area with a large blue circle containing the letter "K", a top navigation bar with a "Meeting details" dropdown, and a bottom taskbar with various application icons. The system tray in the bottom right shows the time as 7:58 AM on 9/14/2020.

***Some features may appear differently depending on your browser.**

AGENDA

BOARD OF HOUSING and COMMUNITY DEVELOPMENT

Statewide Fire Prevention Code Development Committee

Monday, May 10, 2021

10:00 a.m.

Electronic Meeting

Meeting Access - <https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055 PIN: 868 158 566#

- I. OPENING
 - a. Call to Order Chairman
 - b. Roll Call Kyle Flanders

- II. CONSENT AGENDA Chairman
 - o *Approval of Minutes*: December 14, 2020

- III. REVIEW of FINAL REGULATIONS for the STATEWIDE FIRE PREVENTION CODE (SFPC) - **only Chapters 12 & 20 of the International Fire Code (Energy systems and Aviation facilities)** Committee Members
 - Action Item*
 - o Recommendation to the Codes and Standards Committee

- IV. OTHER BUSINESS Committee Members

- V. ADJOURNMENT Committee Chair

AGENDA

BOARD OF HOUSING and COMMUNITY DEVELOPMENT

Codes and Standards Committee

Monday, May 10, 2021

Electronic Meeting

To begin at the conclusion of the Statewide Fire Prevention Code Development Committee

Meeting Access - <https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055 PIN: 868 158 566#

- I. OPENING
 - a. Call to Order Chairman
 - b. Roll Call Kyle Flanders

- II. CONSENT AGENDA Chairman
Approval of Minutes: December 14, 2020

- III. REVIEW of Statewide Prevention Code Development Committee Committee Members
Recommendation on the FINAL REGULATIONS
for the STATEWIDE FIRE PREVENTION CODE (SFPC) -**only**
Chapters 12 & 20 of the International Fire Code (Energy
systems and Aviation facilities)
Action Item:
 - o Recommendation to the Board regarding Final Regulations
for the SFPC

- IV. OTHER BUSINESS Committee Members

- V. ADJOURNMENT Committee Chair

AGENDA

Joint Meeting

BOARD OF HOUSING and COMMUNITY DEVELOPMENT and VIRGINIA FIRE SERVICES BOARD

Monday, May 10, 2021

Electronic Meeting

To begin directly after the Codes and Standards Committee of the BHCD

Meeting Access - <https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055 PIN: 868 158 566#

- | | | |
|------|--|----------|
| I. | CALL to ORDER | Chairman |
| II. | REVIEW of FINAL REGULATIONS for the STATEWIDE FIRE PREVENTION CODE (SFPC) - only Chapters 12 & 20 of the International Fire Code (Energy systems and Aviation facilities)
<i>Action Item</i>
Recommendation to the Board of Housing and Community Development | Chairman |
| III. | ADJOURNMENT | Chairman |

AGENDA

BOARD OF HOUSING and COMMUNITY DEVELOPMENT Housing and Community Development Committee

Monday, May 10, 2021

To begin at the conclusion of the Joint Meeting of the FSB & BHCD
Electronic Meeting

Meeting Access - <https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055 PIN: 868 158 566#

- | | | |
|------|--|-------------------|
| I. | OPENING | |
| | a. Call to Order | Chairman |
| | b. Roll Call | Kyle Flanders |
| II. | CONSENT AGENDA | Chairman |
| | o <i>Approval of Minutes</i> : January 25, 2021 | |
| III. | REVIEW of ANNUAL ACTION PLAN | Committee Members |
| | <i>Action Item</i> | |
| | Recommendation to the Board of Housing and Community Development | |
| IV. | VIRGINIA HOUSING TRUST FUND | Committee Members |
| | <i>Action Item</i> | |
| | Recommendation to the Board of Housing and Community Development for allocations | |
| V. | OTHER BUSINESS | Committee Members |
| VI. | ADJOURNMENT | Committee Chair |

AGENDA

BOARD OF HOUSING and COMMUNITY DEVELOPMENT

Monday, May 10, 2021

To begin at the conclusion of the Housing and Community Development Committee
Electronic Meeting only

Meeting Access - <https://meet.google.com/gkq-mxrr-kvu>

Phone: (US) +1 262-607-9055 PIN: 868 158 566#

Registration to speak is not required though it is requested that you contact kyle.flanders@dhcd.virginia.gov if you wish to speak during the public comment period.

- I. OPENING
 - a. Call to Order Chairman
 - b. Roll Call Kyle Flanders
 - c. Public Comment Chairman
- II. CONSENT AGENDA Chairman
 - o *Approval of Minutes*: March 15, 2021
- III. REPORT of the CODES and STANDARDS COMMITTEE Committee Chair
 - o *Action Item*
 - o REVIEW and ADOPTION of FINAL REGULATIONS for the STATEWIDE FIRE PREVENTION CODE (SFPC) - **only Chapters 12 & 20 of the International Fire Code (Energy systems and Aviation facilities)**
- IV. REPORT of the HOUSING and COMMUNITY DEVELOPMENT COMMITTEE Committee Chair
 - o *Action Items*
 - o Annual Action Plan
 - o Adopt Housing Trust Fund allocations
- V. CODE CHANGE CYCLE UPDATE DHCD Staff
- VI. RESOLUTIONS Chairman
- VII. REPORTS AND INFORMATION
 - a. Virginia Housing Report Susan Dewey
 - b. Report of the Virginia Fire Services Board Richard Gregory
 - c. Report of the Director Erik Johnston
- VIII. UNFINISHED BUSINESS Board members
- IX. NEW BUSINESS Board members

- | | | |
|------|--------------------------------|---------------|
| X. | BOARD MATTERS | Board members |
| XI. | FUTURE BOARD MEETING DATES | Erik Johnston |
| | ○ July 19, 2021 | |
| | ○ September 27, 2021 | |
| | ○ October 25, 2021 (tentative) | |
| XII. | ADJOURNMENT | Chairman |

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
Statewide Fire Prevention Code Development Committee
MEETING

11:30 A.M., December 14, 2020

Digital Only Meeting

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the Appropriations Act. The meeting was held via Google Meet.

Members Present

Sonny Abbasi (BHCD)
Sean Farrell (BHCD)
Scott Garber (VFSB)
Keith Johnson (VFSB)
Ernie Little (VFSB)
Brett Meringoff (BHCD)

Members Absent

Call to Order

Mr. Brett Meringoff, Chairman of the Statewide Fire Prevention Code Development Committee called the meeting to order.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development's (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Consent Agenda

A motion was made and properly seconded to approve the minutes of the October 19, 2020, meeting of the Committee; the motion passed (Yeas: Abbasi, Farrell, Meringoff, Johnson, Little, Garber; Nays: None; Abstentions: None).

Final Regulations

A motion was made by Mr. Abbasi and seconded by Mr. Johnson to recommend adoption of the final regulations for the Statewide Fire Prevention Code (SFPC) to the Codes and Standards Committee. The motion passed (Yeas: Abbasi, Farrell, Meringoff, Johnson, Little, Garber; Nays: None; Abstentions: None).

Other Business

There was no other business to be discussed.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
Codes and Standards Committee
MEETING**

11:35 A.M., December 14, 2020

Digital Only Meeting

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the Appropriations Act. The meeting was held via Google Meet.

Members Present

Sonny Abbasi
Claudia Cotton
Susan Dewey
Sean Farrell
Andrew Friedman
Richard Gregory
Sylvia Hallock
Mark Jackson
Abby Johnson
Keith Johnson
Monique Johnson
Brett Meringoff
Patricia “Patty” Shields

Members Absent

Call to Order

Mr. Brett Meringoff, Chair of the Board of Housing and Community Development Codes and Standards Committee, called the meeting to order at 11:35 a.m.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development’s (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Approval of Minutes

A motion was made by Mr. Sonny Abbasi and properly seconded by Mr. K. Johnson to approve the minutes of the October 19, 2020, meeting of the Committee; the motion passed. (Yeas: Abbasi, Cotton, Farrell, Friedman, Gregory, Jackson, A. Johnson, K. Johnson, Meringoff, Shields; Nays: None; Abstentions: Dewey, Hallock, M. Johnson).

Final Regulations

Mr. Meringoff presented the recommendation of the Statewide Fire Prevention Code Development Committee to recommend adoption of the final regulation for the Statewide Fire Prevention Code

(SFPC). The recommendation was presented as a standing motion. Mr. K. Johnson seconded the motion. After discussion, the motion to recommend adoption to the joint Virginia Fire Services Board and Board of Housing and Community Development passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Nays: None; Abstentions: None).

A motion was made by the Mr. K. Johnson and seconded by Ms. A. Johnson to recommend adoption of the final regulation for the Uniform Statewide Building Code (USBC) as presented. After discussion, a substitute motion to replace the standing motion was made by Ms. Cotton to consider adoption of the USBC without regulations requiring fire sprinklers in townhomes. The motion was seconded by Ms. Dewey. After further discussion, Ms. Cotton withdrew her motion. Mr. Abbasi offered a substitute motion to replace the main motion recommending approval of the USBC without the requirement for fire sprinklers in townhomes and also directing staff to convene a subworkgroup and act with diligence to resolve the matter. The substitute motion was seconded by Ms. Dewey. The substitute motion passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Gregory, Hallock, M. Johnson, Meringoff; Nays: Friedman, Jackson, A. Johnson, K. Johnson, Shields). The new primary motion to approve the USBC without regulations requiring fire sprinklers in townhomes with the addition of direction to staff to convene a subworkgroup and act with diligence to resolve the matter was seconded by Mr. Farrell. During discussion, Mr. Jackson noted interest in continuing to pursue adoption of the 2018 International Energy Conservation Code without amendments. After discussion, the original motion to recommend adoption to the full Board passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, M. Johnson, Shields, Meringoff; Nays: K. Johnson; Abstentions: None).

A motion was made by Mr. Farrell and seconded by Mr. K. Johnson to recommend adoption of final regulations for the Industrialized Building Safety Regulations (IBSR) as presented. After discussion, the motion to recommend adoption to the full Board passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Nays: None; Abstentions: None).

A motion was made by Mr. Abbasi and seconded by Mr. Farrell to recommend adoption of final regulations for the Virginia Amusement Device Regulations (VADR) as presented. After discussion, the motion to recommend adoption to the full Board passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Nays: None; Abstentions: None).

A motion was made by Mr. K. Johnson and seconded by Mr. Farrell to recommend adoption of final regulations for the Virginia Certification Standards (VCS) as presented. After discussion, the motion to recommend adoption to the full Board passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Nays: None; Abstentions: None).

A motion was made by Mr. Jackson and seconded by Mr. Farrell to recommend adoption of final regulations for the Manufactured Home Safety Regulations (MHSR) as presented. The motion to recommend adoption to the full Board passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Gregory, Hallock, Jackson, A. Johnson, K. Johnson, M. Johnson, Meringoff, Shields; Nays: None; Abstentions: None).

Other Business

There was no other business to be discussed.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
Housing and Community Development Committee
MEETING

10:03 A.M., March 15, 2021

Digital Meeting Only

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the Appropriations Act. The meeting was held via Google Meet.

Members Present

Sonny Abbasi
Claudia Cotton
Susan Dewey
Andrew Friedman
Sylvia Hallock
Mark Jackson
Monique Johnson (arrived at 10:15)
Brett Meringoff (arrived at 10:30)

Members Absent

Richard Gregory
Abigail Johnson
Keith Johnson
Patricia “Patty” Shields

Call to Order

Mr. Kyle Flanders of the Department of Housing and Community Development (DHCD) Policy Office read a brief statement regarding electronic meetings. Mr. Andrew Friedman, Chair of the Housing and Community Development Committee, called the committee meeting to order at 10:03 a.m.

Action Plan Update

Ms. Pamela Kestner, Chief Deputy and acting Deputy Director of Housing for DHCD gave an overview of the Annual Action Plan update process and changes for this year.

Roll Call

The roll was called by Mr. Flanders. Mr. Flanders reported that a quorum was present.

Approval of Minutes

A motion was made by Mr. Abbasi and properly seconded by Ms. Cotton to approve the minutes of the January 25, 2021, meeting of the Committee; the motion passed (Yeas: Abbasi, Cotton, Dewey, Friedman, Hallock, Jackson, M Johnson; Nays: None).

Port Host Community Revitalization Fund Guidelines

Ms. Rebecca Rowe, Associate Director of the Community Revitalization Office at DHCD gave an overview of proposed guideline changes for the Port Host Community Revitalization Fund. The changes are designed to make administration of the program more efficient and effective for both DHCD and the Port Host Community grantees.

A motion was made by Mr. Abbasi and seconded by Ms. Johnson to recommend to the Board to adopt the changes to the Port Host Community Revitalization Fund Guidelines as presented. The motion passed (Yeas: Abbasi, Cotton, Dewey, Friedman, Hallock, Jackson, M Johnson, Meringoff; Nays: None)

New Business

There was no new business to be discussed.

Adjournment

Upon a motion duly made and seconded, the meeting was adjourned.

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
MEETING**

10:52 A.M., March 15, 2021

Digital Meeting Only

Due to the COVID-19 pandemic and public health emergency and the need to provide social distancing and prohibit large gatherings, the meeting was held electronically in accordance with the State of Emergency Declared by the Governor and the 2020 amendments to the Appropriations Act. The meeting was held via Google Meet.

Members Present

Sonny Abbasi
Claudia Cotton
Susan Dewey
Sean Farrell
Andrew Friedman
Sylvia Hallock
Mark Jackson
Monique Johnson
Brett Meringoff

Members Absent

Richard Gregory
Abigail Johnson
Keith Johnson
Patricia “Patty” Shields

Call to Order

Mr. Sonny Abbasi, Chair of the Board of Housing and Community Development, called the meeting of the Board to order at 10:52 a.m.

Roll Call

The roll was called by Mr. Kyle Flanders of the Department of Housing and Community Development’s (DHCD) Policy Office. Mr. Flanders reported that a quorum was present.

Public Comment

Mr. Abbasi opened the floor for public comment.

No member of the public appeared before the Board for public comment. The public comment period was closed.

Consent Agenda

A motion was made by Mr. Meringoff and properly seconded by Mr. Jackson to approve the minutes of the January 25, 2021 Board of Housing and Community Development meeting. The motion passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Hallock, Jackson, M. Johnson, Meringoff; Nays: None).

Report of the Housing and Community Development Committee

Mr. Friedman presented proposed changes to the Port Host Community Revitalization Fund guidelines. The Housing and Community Development committee recommended the changes to provide program efficiency and effectiveness. The

recommendation to approve the changes came as a standing motion from the committee. The standing motion was seconded by Ms. Cotton. The motion passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Friedman, Hallock, Jackson, M. Johnson, Meringoff; Nays: None).

2018 Code Change Cycle Update

Mr. Flanders noted that the regulations are in their final adoption period. During this time, petitions to allow additional comment may be submitted regarding changes between the proposed and final regulations. Staff requested the Board's approval to delegate to staff to review any petitions filed and proceed with suspending the regulations and soliciting additional comment if proper petitions are received.

A motion was made by Mr. Meringoff and properly seconded by Mr. Friedman to delegate to staff the role of reviewing of petitions and suspending the regulations if necessary. The motion passed (Yeas: Abbasi, Cotton, Dewey, Farrell, Freidman, Hallock, Jackson, M Johnson, Meringoff; Nays: None).

Mr. Flanders noted that various individual consensus changes in Chapters 12 and 20 of the Statewide Fire Prevention Code approved in October 2020 were not included in the materials provided to the Board at the December 2020 meeting. Those changes will be brought to the Board for consideration at a future meeting.

Reports and Information

Ms. Susan Dewey, Chief Executive Officer of Virginia Housing, noted that the General Assembly had approved an Opportunity Tax Credit that would parallel the federal Low Income Housing Tax Credit, which Virginia Housing will assist in administering. She also noted that Virginia Housing staff would be holding forums this year to gather input regarding recommended changes to the Qualified Allocation Plan, which directs how federal tax credits are allocated.

Mr. Erik Johnston, Director of DHCD, updated the Board on the recently passed federal stimulus package. The package includes an emergency rental assistance component including longer spending deadlines for new funding and extended deadlines for previously allocated funding. An additional \$9.39 billion in funding for mortgage relief was also included in the package.

Mr. Johnston gave an overview of the proposed state budget, including increases in funding for the Housing Trust Fund, funding for an agency study on accessory dwelling units, increased Industrial Revitalization Fund funding, and increased Enterprise Zone Program funding.

Mr. Johnston noted that the first Regional Greenhouse Gas Initiative (RGGI) auction occurred which created additional funding for DHCD to administer energy efficiency programs such as the Weatherization Assistance Program.

Mr. Johnston gave an update on pending legislation from the 2021 General Assembly session. The pending legislation includes changes to the Enterprise Zone program related to the minimum wage and changes to the Building Code related to energy efficiency.

Unfinished Business	There was no unfinished business.
New Business	There was no new business.
Board Matters	There were no further board matters.
Future Board Meeting Dates	Mr. Johnston noted that the next Board meeting will take place on May 10, at 10:00 a.m. He noted that additional or different meeting dates might be necessary to finalize the Code Update Process.
Adjournment	Upon a motion duly made and seconded, the meeting was adjourned.



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

April 30, 2021

Memorandum

To: Board of Housing and Community Development Members

From: Erik C. Johnston, Director

RE: Statewide Fire Prevention Code (SFPC)

In October 2020, changes were considered for inclusion in the Statewide Fire Prevention Code (SFPC) by the Codes and Standards and Statewide Fire Prevention Code Development Committees. Changes in Chapters 12 and 20 of the International Fire Code (Energy systems and Aviation facilities) considered in October 2020 were mistakenly omitted from the final materials provided to the Boards and committees in December 2020. As such, the noted sections, with all recommend changes, are provided for final consideration. It is currently the intent to maintain the current schedule and for the referenced changes to become effective with the other regulations on July 1, 2021.

Enclosures

Partners for Better Communities



www.dhcd.virginia.gov

Main Street Centre • 600 East Main Street, Suite 300 • Richmond, Virginia 23219 • Phone (804) 371-7000 • Fax (804) 371-7090 • Virginia Relay 7-1-1

Project 5886 - Exempt Final

Department Of Housing And Community Development

Update the Statewide Fire Prevention Code

13VAC5-51-5. 13VAC5-51-138.1 IFC Chapter 12 Energy Systems.A. Make the following changes to Section 1201, General.1. Change Sections 1201.1 and 1201.2 to read:

1201.1 Scope. The provisions of this chapter shall apply to the operation and maintenance of energy systems used for generating or storing energy. [It shall not apply to equipment associated with the generation, control, transformation, transmission, or distribution of energy installations that is under the exclusive control of an electric utility or lawfully designated agency.]

1201.2 Electrical wiring and equipment. Electrical wiring and equipment used in connection with energy systems shall be maintained in accordance with [Chapter 12, NFPA 70 and] the applicable building code.

2. Delete Section 1201.3.B. Make the following changes to Section 1203, Emergency and Standby Power Systems.1. Change Sections 1203.1 and 1203.1.1 to read:

1203.1 General. Emergency power systems and standby power systems shall [be maintained in accordance with the applicable building code comply with Sections 1203.1.1 through 1203.1.9].

1203.1.1 Generators. Emergency and standby power generators shall be listed.

2. [~~Delete~~ Change] Sections 1203.1.2 and 1203.1.3 [- to read:

1203.1.2 Fuel line piping protection. Fuel lines supplying a generator set inside a high-rise building shall be maintained in accordance with the applicable building code. Fire resistance ratings shall be maintained in accordance with Chapter 7.

1203.1.3 Installation. Emergency power systems and standby power systems shall be approved in accordance with the applicable building code.]

3. Change Section 1203.1.4 to read:

1203.1.4 Load transfer. Emergency power systems shall automatically provide secondary power within 10 seconds after primary power is lost unless specified otherwise by the applicable building code. Standby power systems shall automatically provide secondary power within 60 seconds after primary power is lost unless specified otherwise by the applicable building code.

4. Change Section 1203.1.5 to read:

1203.1.5 Load duration. Emergency power systems and standby power systems shall [require power for a minimum duration of hours without being refueled or recharged, unless otherwise specified by the applicable building code be maintained to provide the required power for the minimum duration specified in the applicable building code without being refueled or recharged].

5. Change Section 1203.1.6 to read:

1203.1.6 Uninterruptable power source. An uninterrupted source of power shall be provided for equipment where required by the manufacturer's instructions, the listing, the applicable building code, or the applicable referenced standards.

6. Change Section 1203.1.7 to read:

1203.1.7 Interchangeability. Emergency power systems shall be an acceptable alternative for installations that require standby power systems when permitted by the applicable building code.

7. Delete Section 1203.1.8.8. Change Section 1203.1.9 to read:

1203.1.9 Maintenance. Existing installations shall be maintained in accordance with the original approval and Section 1203.4.

9. Change Section 1203.2 to read:

1203.2 Specific equipment requirements. Emergency and standby power systems shall be maintained in accordance with Sections 1203.2.1 through 1203.2.18.

10. Change Section 1203.2.2 to read:

1203.2.2 Elevators and platform lifts. Standby power shall be maintained [in accordance with NFPA 72] for elevators and platform lifts [as] required [by the applicable building code in Sections 606.2, 1009.4.1, and 1009.5].

11. [~~Delete~~ Change] Section 1203.2.3 [-to read:

1203.2.3 Emergency responder radio coverage systems. Standby power shall be maintained for emergency responder radio coverage systems in accordance with Section 510 and the applicable building code. Where specified in the applicable building code, the standby power supply shall be capable of operating the emergency responder radio coverage system at 100 percent system operation capacity for the duration specified in the applicable building code.]

12. Change Section 1203.2.4 to read:

1203.2.4 Emergency voice or alarm communication systems. Emergency power shall be maintained for emergency voice or alarm communication systems as required by the applicable building code. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

13. Change Section 1203.2.5 to read:

1203.2.5 Exit signs. Emergency power for exit signs shall be capable of powering the required load for a duration of not less than 90 minutes unless otherwise specified by the applicable building code.

14. Change Section 1203.2.6 to read:

1203.2.6 Gas detection systems. Emergency power and standby power shall be maintained for gas detection systems in accordance with the applicable building code.

15. Change Section 1203.2.7 to read:

1203.2.7 Group I-2 occupancies. Essential electrical systems [~~for Group I-2 occupancies shall be maintained in accordance with NFPA 70 when~~] required by the applicable building code [~~for Group I-2 occupancies shall be maintained in accordance with NFPA 70~~].

16. Change Section 1203.2.8 to read:

1203.2.8 Group I-3 occupancies. [~~Power-operated~~ Where power-operated] sliding doors or power-operated locks for swinging doors in Group I-3 occupancies [~~shall be~~ are] operable by a manual release mechanism at the door, and emergency power provided [~~for the doors and locks shall be maintained where or~~] required by the applicable building code [, they shall be maintained].

17. Change Section 1203.2.9 to read:

1203.2.9 Hazardous materials. Emergency and standby power shall be maintained in accordance with NFPA 70 in occupancies with hazardous materials when required by the applicable building code.

18. [~~Delete~~ Change] Section 1203.2.10 [-to read:

1203.2.10 High-rise buildings. Standby power and emergency power shall be maintained for high-rise buildings in accordance with Section 1203 and the applicable building code.]

19. Change Section 1203.2.11 to read:

1203.2.11 Horizontal sliding doors. Standby power shall be maintained in accordance with NFPA 70 for horizontal sliding doors as required by the applicable building code. The standby power supply shall have a capacity to operate not fewer than 50 closing cycles of the door unless otherwise specified by the applicable building code.

20. Change Section 1203.2.12 to read:

1203.2.12 Hydrogen fuel gas rooms. Standby power shall be maintained in accordance with NFPA 70 for hydrogen fuel gas rooms as required by the applicable building code.

21. Change Section 1203.2.13 to read:

1203.2.13 Laboratory suites. Standby or emergency power [~~for laboratory suites~~] shall be maintained [~~for laboratory suites~~] in accordance with [~~Section 1203 and~~] the applicable building code.

22. Change Section 1203.2.14 to read:

1203.2.14 Means of egress illumination. Emergency power shall be maintained for means of egress illumination in accordance with the applicable building code.

23. Change Section 1203.2.15 to read:

1203.2.15 Membrane structures. Standby power shall be maintained for auxiliary inflation systems in permanent membrane structures in accordance with applicable building code. Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated

membrane structures in accordance with Section 3103.10.4.

24. Change Section 1203.2.16 to read:

1203.2.16 Semiconductor fabrication facilities. Emergency power shall be maintained in accordance with NFPA 70 for semiconductor fabrication facilities as required by the applicable building code.

25. Change Section 1203.2.17 to read:

1203.2.17 Smoke control systems. Standby power shall be maintained in accordance with NFPA 70 for smoke control as required by the applicable building code.

26. Change Section 1203.2.18 to read:

1203.2.18 Underground buildings. Emergency and standby power shall be maintained in accordance with NFPA 70 in underground buildings as required by the applicable building code.

27. Change Section 1203.3 to read:

1203.3 Critical circuits. Cables used for survivability of required critical circuits shall be listed. Electrical circuit protective systems shall be maintained in accordance with their listing requirements.

28. Change Section 1203.4 to read:

1203.4 Maintenance. Emergency and standby power systems shall be maintained in accordance with NFPA 70, NFPA 110, and NFPA 111 so that the system is capable of supplying service within the time specified for the type and duration required in accordance with the applicable building code.

29. Change Section 1203.5 to read:

1203.5 Operational inspection and testing. Emergency power systems, including all appurtenant components, shall be inspected and tested under load in accordance with NFPA 110, NFPA 70, and NFPA 111.

Exception: Where the emergency power system is used for standby power or peak load shaving, such use shall be recorded and shall be allowed to be substituted for scheduled testing of the generator set, provided that appropriate records are maintained.

30. Add Section 1203.7 to read:

1203.7 Testing of battery powered emergency lights and exit signs. Required emergency lighting utilizing battery powered emergency lights, exit signs, or both shall be tested annually. The emergency lights and exit signs shall be tested for proper operation for the time period established in the building code in effect when the equipment was installed. Written records of tests shall be retained by the owner of the building for a minimum of two years after the test is conducted and shall be made available to the fire code official upon request.

C. Make the following changes to Section 1204, Solar Photovoltaic Power Systems.

1. Change Section 1204.1 to read:

1204.1 General. Solar photovoltaic power systems shall be maintained in accordance with Sections 1204.2 through 1204.5 and the applicable building code.

2. Change Section 1204.2 to read:

1204.2 Access and pathways. Roof access, pathways, and spacing requirements shall be maintained in accordance with the applicable building code. [Pathways shall remain capable of supporting the loads required by the applicable building code. Pathways shall be maintained unobstructed and free from vent pipes, conduit or mechanical equipment unless otherwise approved in accordance with the applicable building code. Exceptions: 1. Detached, nonhabitable Group U structures including, but not limited to, detached garages serving Group R-3 buildings, parking shade structures, carports, solar trellises and similar structures.

2. Roof access, pathways and spacing requirements need not be provided where the fire code official has determined that rooftop operations will not be employed.]

3. Delete [Sections 1204.2.1 through Section] 1204.3.3 [- and Change Section 1204.2.1 to read:

1204.2.1 Roof access points. Roof access points shall be maintained in areas that do not require placement of ground ladders over openings such as windows or doors and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.]

4. Change Section 1204.4 to read:

1204.4 Ground-mounted photovoltaic arrays. A clear, brush-free area of 10 feet (3048 mm) shall be maintained for ground-mounted photovoltaic arrays.

D. Make the following changes to Section 1205, Stationary Fuel Cell Power Systems.

1. Change Section 1205.1 to read:

1205.1 General. Stationary fuel cell power systems shall be maintained in accordance with [this section and] the applicable building code.

2. Delete Sections 1205.2 and 1205.3.

3. Change Section 1205.4 to read:

1205.4 Maintenance. [~~Stationary~~–Installation of stationary] fuel cell power systems shall be [approved by the building official and shall be] maintained in accordance with the applicable building code, NFPA 70 and NFPA 853, the manufacturer's instructions, and the listing. Stationary fuel cell power systems fueled by hydrogen shall be maintained in accordance with the applicable building code, NFPA 2 and NFPA 70, the manufacturer's installation instructions, and the listing.

4. Delete Sections [~~1205.5 through 1205.6.1,~~] 1205.6.2 and [~~Sections 1205.8 through Section] 1205.13.1 [~~–and Change Sections 1205.5, 1205.6 and 1205.8 through 1205.13 to read:~~~~

1205.5 Residential use. Stationary fuel cell power systems shall not be operated in Group R-3, R-4 and R-5 buildings, or dwelling units associated with Group R-2 buildings unless they are specifically listed for residential use and approved in accordance with the applicable building code.

1205.6 Indoor installations. Stationary fuel cell power systems operated in indoor locations shall be specifically listed and labeled for indoor use and comply with the applicable building code. For purposes of this section, an indoor location includes a roof and 50 percent or greater enclosing walls.

1205.8 Outdoor installation. Separation required by the applicable building code for outdoor stationary fuel cell power systems shall be maintained from the following:

1. Lot lines.

2. Public ways.

3. Buildings.

4. Stored combustible materials.

5. Hazardous materials.

6. High-piled stock.

7. Any portion of a designated means of egress system.

8. Other exposure hazards.

1205.9 Fuel supply. The fuel supply for stationary fuel cell power systems shall be maintained in accordance with Chapter 53, Chapter 58 and the applicable building code, based on the particular fuel being supplied to the system.

1205.10 Manual shutoff. Access to a manual shutoff valves shall not be obstructed. Manual shutoff valves shall be maintained in accordance with the applicable building code.

1205.11 Ventilation and exhaust. Ventilation and exhaust for stationary fuel cell power systems shall be operated and maintained in accordance with NFPA 853 and the applicable building code.

1205.12 Fire suppression. Fire suppression for stationary fuel cell power systems shall be maintained in accordance with Chapter 9 and NFPA 853.

1205.13 Gas detection systems. Gas detection systems for stationary fuel cell power systems shall be maintained in accordance with Chapter 9 and the applicable building code.]

E. Make the following changes to Section 1206, Electric Storage Energy Systems.

1. Change Section 1206.2 to read:

1206.2 Stationary storage battery systems. Stationary storage battery systems [~~shall be maintained~~–having capacities exceeding the values indicated] in [~~accordance with~~] the applicable

building code [or technologies not listed therein shall be approved by the Building Official. Stationary storage battery systems shall be maintained in accordance with the applicable building code].

2. Delete Sections 1206.2.1 through 1206.2.4, including Table 1206.2, and change Section 1206.2.7 to read:

1206.2.7 Testing, maintenance, and repair. Storage batteries and associated equipment and systems shall be tested and maintained in accordance with the manufacturer's instructions and the applicable building code. [Any storage batteries or system components used to replace existing units shall be compatible with the battery charger, energy management systems, other storage batteries and other safety systems. Introducing other types of storage batteries into the stationary storage battery system or other types of electrolytes into flow battery systems shall be treated as a new installation and require approval by the building official before the replacements are introduced into service.]

3. Delete Sections 1206.2.8 through [1206.2.8.5.1. –1206.2.8.4 and Change 1206.2.8.5 and 1206.2.8.5.1 and Sections 1206.2.8.7 through 1206.2.8.7.2 to read:

1206.2.8.5 Occupied work centers. Where stationary storage batteries are located in an occupied work center, they shall remain housed in a noncombustible cabinet or other approved enclosure where required by the applicable building code to prevent access by unauthorized personnel.

1206.2.8.5.1 Cabinets. Unless otherwise required by the applicable building code, where stationary batteries are contained in cabinets in occupied work centers, the cabinet enclosures shall remain located within 10 feet (3048 mm) of the equipment that they support.

1206.2.8.7 Outdoor installations. Stationary storage battery systems located outdoors shall be approved in accordance with the applicable building code and maintained in accordance with this Chapter.

1206.2.8.7.1 Separation. Separation required by the applicable building code for stationary storage battery systems shall be maintained from the following:

1. Lot lines.
2. Public ways.
3. Buildings.
4. Stored combustible materials.
5. Hazardous materials.
6. High-piled stock.
7. Other exposure hazards.

Exception: The fire code official is authorized to approve smaller separation distances if large scale fire and fault condition testing conducted or witnessed and reported by an approved testing laboratory is provided showing that a fire involving the system will not adversely impact occupant egress from adjacent buildings, or adversely impact adjacent stored materials or structures.

1206.2.8.7.2 Means of egress. Separation distances of outdoor stationary storage battery systems to means of egress required by the applicable building code shall be maintained.]

4. Delete Sections [~~1206.2.8.7 through 1206.2.12.6~~ –1206.2.9.1, 1206.2.11.1, 1206.2.11.1.1, 1206.2.11.2, 1206.2.11.3.1, 1206.2.11.3.2, 1206.2.11.4, 1206.2.11.4.1], including Table 1206.2.9 [.- and Change Section 1206.2.9 and 1206.2.10 through 1206.2.11 and Sections 1206.2.11.3, 1206.2.12.1, 1206.2.12.2, 1206.2.12.4, 1206.2.12.5, 1206.2.12.6 to read:

1206.2.9 Maximum allowable quantities. Fire areas within buildings containing stationary storage battery systems exceeding the maximum allowable quantities indicated in the applicable

building code, shall comply with the applicable building code requirements for Group H occupancies. Where a maximum allowable quantity is not listed in the applicable building code, quantities must be approved by the building official.

1206.2.10 Storage batteries and equipment. The maintenance of storage batteries and related equipment shall comply with Sections 1206.2.10.1 through 1206.2.10.8.

1206.2.10.1 Listings. Where required by the applicable building code, storage batteries and battery storage systems shall be listed.

Exception: Lead-acid batteries are not required to be listed.

1206.2.10.2 Prepackaged and pre-engineered systems. Prepackaged and pre-engineered stationary storage battery systems shall be maintained in accordance with their listing and the manufacturer's instructions.

1206.2.10.3 Energy management system. Where provided or required by the applicable building code, approved energy management systems for battery technologies other than lead-acid and nickel cadmium shall be operated and maintained within the manufacturer's specifications for monitoring and balancing cell voltages, currents and temperatures . Systems that transmit an alarm signal to an approved location in accordance with the applicable building code if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected, shall be maintained.

1206.2.10.4 Battery chargers. Unless otherwise required by the applicable building code, battery chargers shall be compatible with the battery chemistry and the manufacturer's electrical ratings and charging specifications. Battery chargers shall be listed and labeled in accordance with UL 1564 or provided as part of a listed pre-engineered or prepackaged stationary storage battery system.

1206.2.10.5 Inverters. Where required by the applicable building code, inverters shall be listed and labeled in accordance with UL 1741. Only inverters listed and labeled for utility interactive system use and identified as interactive shall be allowed to operate in parallel with the electric utility power system to supply power to common loads.

1206.2.10.6 Safety caps. Flame-arresting safety caps for vented batteries, provided or required in accordance with the applicable building code shall be maintained.

1206.2.10.7 Thermal runaway. Storage batteries provided with a listed device or other approved method to prevent, detect and control thermal runaway in accordance with the applicable building code shall be maintained.

1206.2.10.8 Toxic and highly toxic gas. Stationary storage battery systems that have the potential to release toxic and highly toxic gas during charging, discharging and normal use conditions shall comply with Chapter 60 and the applicable building code.

1206.2.11 Fire-extinguishing and detection systems. Fire-extinguishing and detection systems shall be maintained in accordance with Chapter 9 and the applicable building code.

1206.2.11.3 Ventilation. Ventilation of rooms containing stationary storage battery systems shall be operated and maintained in accordance with the applicable building code.

Where cabinets contain storage batteries and are located in occupied spaces are required by the applicable building code to be provided with ventilation, the ventilation shall be operated and maintained. Where supervision of ventilation systems is provided or required by the applicable building code, it shall be maintained.

1206.2.12.1 Lead-acid storage batteries. Stationary storage battery systems utilizing lead-acid storage batteries shall be maintained in accordance with the applicable building code and the following:

Ventilation shall be operated and maintained in accordance with Section 1206.2.11

Spill control and neutralization shall be in accordance with Section 1206.2.

Thermal runaway protection shall be maintained for valve-regulated lead-acid (VRLA) storage batteries in accordance with Section 1206.2.10.7.

The signage in Section 1206.2.8.6 shall indicate the room contains lead-acid batteries.

1206.2.12.2 Nickel-cadmium (Ni-Cd) storage batteries. Stationary storage battery systems utilizing nickel-cadmium (Ni-Cd) storage batteries shall be maintained in accordance with the applicable building code and the following:

Ventilation shall be operated and maintained in accordance with Section 1206.2.11.

Spill control and neutralization shall be in accordance with Section 1206.2.

Thermal runaway protection shall be provided for valve-regulated sealed nickel-cadmium storage batteries in accordance with Section 1206.2.10.7.

The signage in Section 1206.2.8.6 shall indicate the room contains nickel-cadmium batteries. 1206.2.12.4 Sodium-beta storage batteries. Stationary storage battery systems utilizing sodium-beta storage batteries shall be maintained in accordance with the applicable building code and the following:

Ventilation shall be operated and maintained in accordance with Section 1206.2.11.

The signage in Section 1206.2.8.6 shall indicate the type of sodium batteries in the room and include the instructions, "APPLY NO WATER."

1206.2.12.5 Flow storage batteries. Stationary storage battery systems utilizing flow storage batteries shall be maintained in accordance with the applicable building code and the following:

Ventilation shall be operated and maintained in accordance with Section 1206.2.11.

Spill control and neutralization shall be in accordance with Section 1206.2.

The signage required in Section 1206.2.8.6 shall indicate the type of flow batteries in the room.

1206.2.12.6 Other battery technologies. Stationary storage battery systems utilizing battery technologies other than those described in Sections 1206.2.12.1 through 1206.2.12.5 shall be maintained in accordance with the applicable building code and the following:

Gas detection systems shall be provided where required by the applicable building code and maintained in accordance with Chapter 9. Mechanical ventilation shall be operated and maintained in accordance with Section 1206.2.11.

Spill control and neutralization shall be in accordance with Section 1206.2.

In addition to the signage required in Section 1206.2.8.6, the marking shall identify the type of batteries present, describe the potential hazards associated with the battery type, and indicate that the room contains energized electrical circuits.]

5. Change [~~Section-Sections~~] 1206.3 [~~and 1206.3.2.6 through 1206.3.2.6.2~~] to read:

1206.3 Capacitor energy storage systems. Capacitor energy storage systems [shall be maintained in accordance with the applicable building code. having capacities exceeding 3 kWh (10.8 megajoules) shall comply with Sections 1206.3 through 1206.3.2.6.1.

Exception: Capacitors regulated by NFPA 70, Chapter 460, and capacitors included as a component part of other listed electrical equipment are not required to comply with this section.

1206.3.2.6 Outdoor installation. Capacitor energy systems located outdoors shall be approved in accordance with

the applicable building code and maintained in accordance with this Chapter.

1206.3.2.6.1 Separation. Separation required by the applicable building code for capacitor energy systems shall be

maintained from the following:

1. Lot lines.

2. Public ways

3. Buildings.

4. Stored combustible materials.

5. Hazardous materials.

6. High-piled stock.

7. Other exposure hazards.

Exception: The fire code official is authorized to approve lesser separation distances if large-scale fire and fault

condition testing conducted or witnessed and reported by an approved testing laboratory is provided showing that a

fire involving the system will not adversely impact occupant egress from adjacent buildings, or adversely impact

adjacent stored materials or structures.

1206.3.2.6.2 Means of egress. Separation distances of capacitor energy systems to means of egress required by

the applicable building code shall be maintained.]

6. Delete Sections 1206.3.1 through 1206.3.2.3.

7. Delete Sections [~~1206.3.2.6 through 1206.3.5.4~~, 1206.3.5.1, 1206.3.5.1.1, 1206.3.5.2 and 1206.3.5.3.1 and Change Sections 1206.3.3 through 1206.3.4.3 and Sections 1206.3.5 and 1206.3.5.3 to read:

1206.3.3 Maximum allowable quantities. Fire areas within buildings containing capacitor energy storage systems that exceed the maximum energy capacity indicated in the applicable building code, shall comply with the applicable building code requirements for Group H occupancies. Where a maximum energy capacity is not listed in the applicable building code, quantities must be approved by the building official.

1206.3.4 Capacitors and equipment. The operation and maintenance of capacitor energy storage systems and related equipment shall comply with Sections 1206.3.4.1 through 1206.3.4.5.

1206.3.4.1 Listing. Where required by the applicable building code, capacitors and capacitor energy storage systems shall be listed in accordance with the applicable building code.

1206.3.4.2 Prepackaged and pre-engineered systems. In addition to other applicable requirements of this code, prepackaged and pre-engineered capacitor energy storage systems shall be maintained in accordance with their listing and the manufacturer's instructions.

1206.3.4.3 Energy management system. Where provided or required by the applicable building code, approved energy management systems shall be operated and maintained within the manufacturer's specifications for monitoring and balancing cell voltages, currents and temperatures. Systems that transmit an alarm signal to an approved location in accordance with the applicable building code if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected, shall be maintained.

1206.3.5 Fire-extinguishing and detection systems. Fire-extinguishing and smoke detection systems provided or required by the applicable building code in capacitor energy storage system rooms shall be maintained in accordance with Chapter 9.

1206.3.5.3 Ventilation. Ventilation of rooms containing capacitor energy storage systems shall be operated and maintained in accordance with the applicable building code.

Where supervision of ventilation systems is provided or required by the applicable building code, it shall be maintained.]

8. Change Section 1206.3.6 to read:

1206.3.6 Testing, maintenance, and repair. Capacitors and associated equipment and systems shall be tested maintained and repaired in accordance with the manufacturer's instructions and the applicable building code.

13VAC5-51-6. 13VAC5-51-138.4 IFC Chapter 20 Aviation Facilities.

A. The following change shall be made to Section 2001, General:

Change Section 2001.3 to read:

2001.3 Permits. For permits to operate aircraft-refueling vehicles, application of flammable or combustible finishes and hot work, see Section 107.2.

B. The following changes shall be made to Section 2007, Helistops and Heliports:

1. Change Section 2007.1 to read:

~~(N)2007.1~~ 2007.1 General. Helistops and heliports shall be maintained in accordance with the

~~applicable building code~~ Sections 2007.2 through 2007.8.

2. Change Section 2007.4 to read:

2007.4 Exits. Exits and stairways shall be maintained in accordance with Chapter 10 and the applicable building code.

3. Change Section 2007.5 to read:

~~(N)2007.5~~ 2007.5 Standpipe systems. Where provided, A building with a rooftop helistop or heliport provided with a Class I or III standpipe systems system shall be maintained in accordance with Chapter 9 and the applicable code.

4. Change Section 2007.6 to read:

~~(N)2007.6~~ 2007.6 Foam protection. Where provided, foam fire-protection systems shall be maintained in accordance with or required by the applicable building code, foam fire-protection capabilities shall be maintained for rooftop heliports. Such systems shall be maintained in accordance with the applicable provisions of Chapter 9 and the applicable building code.



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

April 30, 2021

Memorandum

To: Board of Housing and Community Development Members

From: Erik C. Johnston, Director

RE: Annual Action Plan

The Board of Housing and Community Development is responsible for the review/approval of the 2021 – 2022 Annual Action Plan (year four of the five-year Consolidated Plan). The plan is a HUD requirement that sets priorities and goals for the use of HUD program funds that include the Community Development Block Grant (CDBG), Emergency Solution Grant (ESG), HOME Investment Partnership, Housing Opportunities for Persons with AIDS (HOPWA), and the National Housing Trust Fund (NHTF). Though not a part of the Annual Action Plan, this year's public engagement process included solicitation of stakeholder input on the Virginia Housing Trust Fund.

The [2021 -2022 Annual Action Plan](#) is available for review online. For more information about the consolidated planning process, please see [DHCD Online](#). A presentation on the draft plan was made at the Board's March 15, 2021 meeting and final review/approval of the Annual Action Plan is included as an action item on the May 10, 2021 Board meeting agenda. A summary presentation regarding the final version of the plan will be sent in a separate email prior to the Board meeting.

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COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

April 30, 2021

Memorandum

To: Board of Housing and Community Development Members

From: Erik C. Johnston, Director

RE: Virginia Housing Trust Fund Allocations

The Virginia Housing Trust Fund (the Fund) is a resource provided by state general funds to support the creation and preservation of affordable housing as well as efforts to reduce and end homelessness. Under the Code of the Virginia and the Appropriations Act, the Board and the Department have certain roles and responsibilities regarding allocation of funding, development of program guidelines, and other items related to the Fund. Specifically, the Board is directed in the Code of Virginia to, “Determine the categories of housing programs, housing sponsors and persons and families of low and moderate income eligible to participate in grant or loan programs of the Virginia Housing Trust Fund and *designate the proportion of such grants or loans to be made available in each category.*”

In the 2020 and 2021 Appropriation Acts, authority was given to utilize the Fund outside the normal proportions prescribed in Code. This change allowed the Fund to be responsive to the needs of the COVID 19 pandemic. The Board approved a temporary realignment of funding proportions to permit additional funds to be used for Homeless Reduction Grants. As additional resources have become available, DHCD recommends returning allocations closer to historic levels. This will include funding for the Vibrant Communities Initiative (VCI), which had been temporarily paused.

DHCD recommends the Board designate the proportion of such grants and loans from the Virginia Housing Trust fund as follows beginning in Fiscal Year 2022:

- A minimum of 80 percent – To be used for the competitive loan pool. This includes the Affordable and Special Needs Housing program and the Vibrant Community Initiative.
- Four percent of the total amount to be used for administrative purposes
- Up to 20 percent – To be used for Homeless Reduction Grants to assist in efforts to end homelessness. This includes Permanent Supportive Housing Predevelopment grants. Any remaining funds will revert to the competitive loan pool.

Please note, as pandemic housing needs evolve and as additional federal resources and guidance becomes available, it may be necessary to revisit these designations to ensure resources are used as effectively as possible.



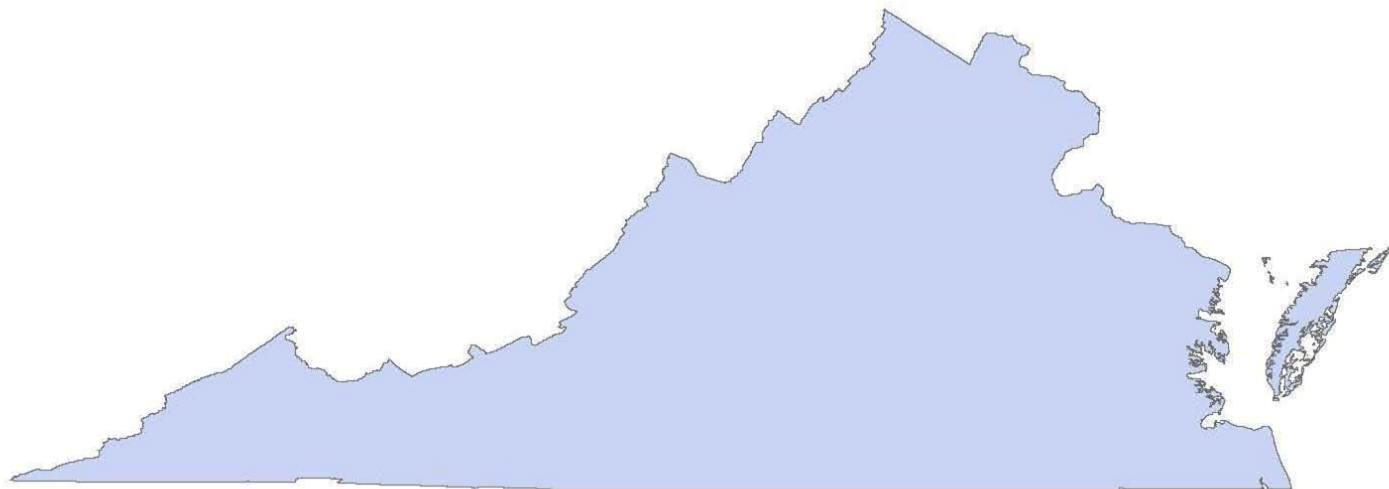
Guiding the Future: Input for Virginia's Action Plan & Virginia Housing Trust Fund Board Meeting

May 2021



Public Hearing

- **Amendment to the 2020-2021 Annual Action Plan**
- **2021- 2022 Annual Action Plan**
- **Virginia's Housing Trust Fund**





- **What is the Annual Action Plan?**
 - Specifies how certain federal resources will be allocated to address state priorities
 - Serves as the annual plan for the HUD-required five-year Consolidated Plan
 - The 2021 – 2022 Annual Action Plan is year four (July 1, 2021 – June 30, 2022) of the five-year Consolidated Plan
- **What federal resources does it cover?**
 - Community Development Block Grant (CDBG): \$19,090,101
 - HOME Investment Partnership (HOME): \$10,712,842
 - National Housing Trust Fund: \$14,340,031
 - Emergency Solution Grant (ESG): \$3,007,657
 - Housing Opportunities for Persons with AIDS (HOPWA): \$1,375,054



- **Public Input**

- **Virtual Input Sessions March 8- 11, 2021**
 - More than 120 attendees
- **Written Comments (due by April 16, 2021)**
 - Submit via email: Kaycee.Ensign@dhcd.virginia.gov
 - Online
- **Public Hearing (Thursday, April 15, 2021 at 10:00 AM)**



Timeline

- **Initial Draft of the 2020/2021 Annual Action posted April 2, 2021**
- **Public Comment Period - October 1, 2020 - April 16, 2021**
- **Public Hearing - April 15, 2021 (announced in public legal notice)**
- **DHCD board review/approval May 2021**
- **Submit to HUD May 2021**



CDBG Program Funding

Revenue	Budget
Allocation	\$19,090,101
Carryover	\$14,842,421
Program Income	\$335,122
Total	\$34,267,644
Program Planning and Administration	
State Administration	\$381,802
State TA	\$190,901
Total	\$572,703
Funding Available for 2021 CDBG Grant Programs	
Competitive Grants	\$17,359,819
**Open Submission Funds	\$16,000,000
Planning Grants	\$700,000
Construction Ready Water and Sewer	\$4,300,000
Economic Development & Entrepreneurship	\$3,000,000
Urgent Need	\$3,000,000
Regional Water/Wastewater	\$5,000,000

**Open Submission funding is approximate per program category and can be interchanged depending on program needs within Open Submission programs



CDBG-CV Funds

- Received \$42,231,705 in CV funds
- Awarded approx. \$10 million to Small Business Relief, Homeless Services, & Food Security
- Remaining \$32 million will be used for
 - Non-congregate shelter (NCS) through existing network of providers (Continua of Cares) – may serve entitlement and non-entitlement communities
 - Any funds not used for NCS are being allocated to non-entitlement units of local government through open submission for COVID response
 - 2020 -21 amendment changes from rent and mortgage assistance funding to NCS funding



Emergency Solutions Grant (ESG)

- **What does ESG fund?**
 - Shelter Operations
 - Rapid Re-Housing
 - Prevention (state resources are used)
 - Outreach
 - Rehab/New Construction
- **How does DHCD use ESG?**
 - ~\$3 million (annual) allocated with other state resources (total ~\$15 million)
 - Community-based (CoC/Planning Group) combined application process
 - Two-year funding cycle
 - One process allocates both state (homeless assistance grants) and federal resources



HOPWA

- **What does HOPWA fund?**
 - Support Services
 - Housing Placement
 - Short-Term Rent, Mortgage, and Utility Assistance
 - Tenant-Based Rental Assistance
- **How does DHCD use HOPWA funding?**
 - ~\$1.3 million (annual)
 - No separate application process
 - Allocated through the Community-Based Process



HOME

- **What can HOME fund?**
 - Homeowner rehabilitation
 - Homebuyer Activities (e.g. DPA)
 - Rental Housing (ASNH)
 - Tenant-Based Rental Assistance
 - Community Housing Development Organizations (CHDO)
- **~\$10 million (annually)**



HOME Appropriation 2020-21 Proposed Uses	2020/2021	2021/2022
DHCD's HOME appropriation	\$10,622,286	\$10,712,842
Program Income	\$724,214	\$769,209
Total	\$11,386,500	\$11,482,051
Proposed Uses		
Affordable and Special Needs Housing Program (ASNH)	\$7,547,851	\$8,845,767
Homeownership (Down Payment Assistance)	\$1,500,000	\$1,500,000
CHDO Operating	\$200,000	\$0
State Administration (ten percent of appropriation and ten percent of program income)	*\$2,138,649	\$1,136,284
Total	\$11,386,500	\$11,482,051

**COVID Waiver allowed for HOME ADM up to 25%. Amount above is 18.8% -any unused ADM will be reprogrammed to ASNH projects.*



National Housing Trust Fund

- **\$14,340,031**
- **Included in the Consolidated Plan**
- **Affordable Housing**
 - Follows HOME program rules
 - Targeted at extremely low (30% or below)
 - Rental housing
 - Works best paired with permanent supportive housing and rent vouchers
 - 30-year affordability period
- **Allocated through the ASNH process**
 - **October and March deadlines**



Virginia State Housing Trust Fund	2021/2022 Proposed
DHCD's appropriation	\$55,000,000
Proposed Uses	
Rent Mortgage Relief Program (COVID Response)	\$0
Affordable and Special Needs Housing Program (ASNH)	\$39,000,000
Homeless Reduction Grants	\$8,300,000
Permanent Support Housing -Predevelopment Grants	\$500,000
Vibrant Community Initiative	\$5,000,000
State Administration (4%)	\$2,200,000
Total	\$55,000,000