

PUBLIC COMMENT on PROPOSED BUILDING STANDARDS
For Publication in Title 24, California Code of Regulations

See instructions for completing this form on Page 2.

Commenter Contact Information

Name: Diane Gould Date: 10/29/2018
Representing: Division of the State Architect
Mailing Address: Number & Street: 1102 Q Street, Suite 5100
City: Sacramento State: CA 95811
Telephone #: 916 324-6959 Email: diane.gould@dgs.ca.gov

Proposed Building Standard

Title 24 Part #: (select one) Part 2 Section # 202 Definitions

Proposing State Agency Division of the State Architect - SS and SS/CC

This comment is intended for review during:
(select one)
☐ Code Advisory Committee
☒ 45-Day Comment Period
☐ 15-Day Comment Period
☐ Commission Meeting

Your recommendation based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form is: (select one)

☐ Approve ☐ Disapprove
☒ Further Study Required ☐ Approve as Amended

In support of your recommendation above, provide the rationale based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form. If you recommend anything other than approve, cite the criteria in your comment. If you oppose a proposed building standard, offer a solution or alternative for the state agency to consider. Please use separate pages if your comment does not fit in this space.

DSA shows relocation of definition of High Rise Building from 1615A.2 to section 202. This definition already exists in model code. Similarly, DSA shows relocation of definition of periodic special inspection from 1702A.1 with some modifications to align with model code. These might result in unnecessary duplication of text (#1 of Nine Point criteria).

Attachments?

☐ Check if you have attached additional pages. The number of pages attached is:

For CBSC Office Use Only Date Received: _____ Rulemaking Item #: _____

Instructions for completing this form

1. Use of this form is optional. It helps CBSC and other state proposing agencies to correctly administer your comments.
2. For matters to be considered at a public CBSC Code Advisory Committee (CAC) meeting, written comments should be received at least seven days before the scheduled meeting.
3. For matters subject to a 45-Day or 15-Day public comment period announced by a Notice of Proposed Action (NOPA), written comments **must be received** on or before the close of the comment period identified in the NOPA.
4. Separate comment forms are necessary for CAC and public comment periods.
5. Separate comment forms are necessary for each state agency proposal.
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7. Submit comments to CBSC, 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833-2936, or by email to cbsc@dgs.ca.gov. Please do not fax comments.
8. Written and oral comments may also be provided at CBSC public meetings to consider the proposed building standards.

For assistance, call CBSC at (916) 263-0916 or email cbsc@dgs.ca.gov.

Building Standards Nine-Point Criteria. Health and Safety Code Section 18930(a) reads:

(a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:

- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
- (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
- (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.
- (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
- (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
- (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
- (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (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.
 - (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.
- (8) The format of the proposed building standards is consistent with that adopted by the commission.
- (9) The proposed building standard, if it promotes fire and panic safety, as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.

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Proposed Building Standard

Title 24 Part #: (select one) Part 2 Section #: 1616.5.1.2

Proposing State Agency Building Standards Commission

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DSA omitted a proposal to repeal an existing 2016 CBC California amendment, in Section 1616.5.1.2. Carrying forward the existing amendment into the 2019 CBC would result in duplication of text (#1 of Nine Point criteria) since the adopted 2018 model code text already includes the 2016 California amendment text in Table 1607.1, Item 5. This also relates to similar actions by other agencies.

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Proposed Building Standard

Title 24 Part #: (select one) Part 2 Section #: Table 1607A.1

Proposing State Agency Building Standards Commission

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DSA omitted a proposal to repeal an existing 2016 CBC California amendment, in Table 1607.1 (Item 5 Balconies and Decks). Carrying forward the existing amendment into the 2019 CBC would result in duplication of text (#1 of Nine Point criteria) since the adopted 2018 model code text already includes the 2016 California amendment text. This also relates to similar actions by other agencies.

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