

From: [Eric McSwain](#)
To: CBSC@DGS
Cc: [Clair, Ida@DGS](mailto:Clair_Ida@DGS)
Subject: RE: PUBLIC COMMENT on PROPOSED BUILDING STANDARDS - Eric McSwain
Date: Monday, April 24, 2023 2:51:13 PM

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To whom it may concern,
I would like to submit the following comments regarding proposed changes to CBC Section 11B-233.3.1.2

Proposed Building Standard
Title 24 Part #: Part 2
Section #: (ET Item 11) 11B-233.3.1.2
Proposing State Agency: DSA-AC
This comment is intended for review during: 45-Day Comment Period

Your recommendation based on the criteria of Health and Safety Code Section 18930(a):
Approve as Amended

9 Point Criteria Info:
18930(A) 2

I have 2 concerns with 11B-233.3.1.2, which is proposed to be changed as follows:

11B-233.3.1.2 Residential dwelling units with adaptable features. *In facilities with buildings with three or more residential dwelling units, adaptable residential dwelling units complying with Sections 11B-809.6 through 11B-809.12 shall be provided as required by Sections 11B-233.3.1.2.1 through 11B-233.3.1.2.6. Adaptable residential dwelling units shall be on an accessible route as required by Section 11B-206.*

Exception: *The number of required adaptable residential dwelling units shall be reduced by the*

*number of units required
by Section 11B-233.3.1.1.*

1. The proposed new language does not appear to adequately encapsulate the qualifiers for all the different types of covered multifamily dwellings (as described in 1102A.1). “Three or more” will correctly pick up many public housing types, but, for example, a condominium building must contain 4 or more units for them to be considered covered multi-family dwellings. I don’t know if public housing is or will be offered in condominium form or in any of the other types of facilities identified in 1102A.1, Items 3-9; however, if it is/might/will be, the proposed language should reflect this.

2. 11B-233.3.1.2, Exception allows for the number of required adaptable units to be reduced by the number of required mobility units. It is not uncommon for facilities to provide more mobility units than what is required by 11B-233.3.1.1. The exception should reflect this possibility. In the Initial Statement of Reasons, regarding this section DSA states:

“... This proposal to clarify that all residential units on an accessible route are to be adaptable **except for those units designed with** mobility features.”

Again, more mobility units may be designed/provided than required. Please consider changing the exception to read as follows:

Exception: *The number
of required adaptable
residential dwelling units
shall be reduced by the
number of units ~~required~~
by provided that comply
with Section 11B-
233.3.1.1.*

Thank you,
Eric

Eric McSwain, RA, CASp
ACCESS COMPLIANCE CONSULTANTS, INC.
811 El Capitan Way, Suite 230, SLO, CA 93401
c: (805) 550-5997 p: (805) 541-2745