

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT (DSA-AC)  
REGARDING THE 2025 CALIFORNIA BUILDING CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(DSA-AC 01/25)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

DSA-AC has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

DSA-AC has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts. The proposed amendments clarify existing accessibility requirements of the California Building Code.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from April 17 until June 1, 2026. Comments were received from 6 participants. As a

result of comments received during the 45-day comment period, DSA-AC made amendments and an additional 15-day comment period from June 12, 2026, to June 27, 2026, was required. At the close of 15-day comment period, comments were received from 19 participants.

**GENERAL COMMENTS:** DSA-AC received general comments which covered certain overarching subject areas. Some commenters provided statements of support, others provided statements of opposition, and some comments did not stipulate support or opposition and only provided DSA-AC with feedback. DSA-AC has aggregated, organized into subtopics, and summarized those comments below for the purpose of providing responses. The subtopics DSA-AC has used to provide responses are as outlined below. If statements of support or opposition were provided, DSA-AC has identified those.

### **Accessible Public Housing**

#### **Comment Received:**

45 Day comment: B. Raymer on behalf of Industry Coalition et al. additionally asserts that “Nothing has changed since DSA engaged its ACC Public Housing Working Group to address these same issues years ago...”.

#### **Agency Response:**

DSA agrees with B. Raymer, et al., that federal law has not changed. What has changed is the interpretation of the requirements at the state and national levels, as reinforced in the state regulations and litigation cited, necessitating the HUD Deeming Notice inclusion in building standards.

#### **Comment Received:**

15-day comments: Bill Hecker on behalf of Hecker Design LLC, Robyn Palumbo, Marianne Dunn, Michelle Uzeta on behalf of Disability Rights Education and Defense Fund, Hunter Herrera-McFarland on behalf of The Kelsey, Andrea McHenry, Anandi Worden, Gia Pham, Victoria Rouse, Cynthia Newton-Nedich, Arnie Lerner, architect and CASp; Sheri Farinha on behalf of NorCal Services for Deaf & Hard of Hearing, and Raquel Ibarra on behalf of California Women's Law Center all provided comments in general support of amending the CBC to include United States Department of Housing and Urban Development (HUD) Section 504 regulations.

#### **Agency Response:**

These comments are in support of the proposed amendments.

#### **Comment Received:**

15-day comments: V. Pruznick supports accessible housing in general but objects to a one-method-for-all solution and asks for flexibility in design choices for their private home.

#### **Agency Response:**

This comment is not applicable to the current rulemaking. DSA-AC does not have the authority to regulate accessibility in housing that is not public housing or a public accommodation.

**Comment Received:**

15-day comments: M. Ferrante supports more affordable and inclusionary housing units, particularly in San Francisco.

**Agency Response:**

This comment is in support of the proposed amendments.

**Building Standards Procedures**

**Comments Received:**

45-day comments: B. Raymer on behalf of Industry Coalition et al., Mike Brinkman on behalf of CALBO, and Dan Miller, an individual, oppose the proposals related to the Federal Department of Housing and Urban Development (HUD) Deeming Notice for public housing on the basis that DSA-AC has not followed building standards code adoption procedures required by Health and Safety Code 17910 et. seq. Commenters identified the California Administrative Code, Chapter 1, Sections 1-403, 1-409. B. Raymer on behalf of Industry Coalition et al. additionally asserts that 25 of the proposals were not heard by the Code Advisory Committee (CAC), nor given opportunity for public comment.

Mike Brinkman on behalf of CALBO requests that DSA defer the proposals to the 2027 triennial code cycle and convene a task force.

15-day comment: B. Raymer, on behalf of Industry Coalition et al, strongly supports CALBO's criticism of DSA-AC's alleged failure to follow required statutory and administrative procedures for rulemaking related to public participation of the proposals that were reorganized after the CAC meeting.

**Agency Response:**

California Administrative Code Title 24, Part 1, Section 1-403(a) requires proposing agencies to develop proposed building standards in a manner to ensure public participation, including notifications of interested groups and persons and solicit suggestions, conduct workshops to solicit where proposals are complex, make draft proposals available to interested groups and establish a procedure to provide interested groups or persons the opportunity to advise the agency. DSA-AC procedures have included each of those requirements. DSA-AC maintains an email listserv on our website for groups and persons to elect and self-identify their interest in specific topics including accessibility. DSA-AC maintains a website dedicated to providing current information on access code development including noticing opportunities to participate in both pre-cycle activities and required public comment periods during the rulemaking calendar. Public meetings and workshops which DSA-AC conducted or participated in for this cycle are listed below.

- On March 18, 2025, DSA-AC conducted an Accessibility Workshop to accept petitions and receive public comments on DSA-AC planned proposals. At that time (prior to the signing of AB 130, 2025) the list of proposals included many substantive items, which were withdrawn after AB 130 (2025) was passed.
- On July 9, 2025, DSA-AC presented proposals to the DSA-AC Access Code Collaborative in a public meeting to receive feedback on the code proposals.

At this time the proposals still included substantive items. Governor Newsom had signed AB 130 (2025) after DSA-AC had posted the agenda. At the meeting attendees were notified that some proposals would need to be withdrawn to comply with AB 130 (2025).

- On September 24, 2025, DSA-AC held a public stakeholder meeting to present and hear comments regarding DSA-AC proposals that were determined to comply with AB 130 (2025) and would proceed through the rulemaking process.
- On March 4, 2026, DSA-AC presented proposals to the BSC Code Advisory Committee (CAC) on Access and received comments from the CAC and the public. DSA-AC undertook further study of the proposals, both as a whole and individually, and made modifications in response. DSA-AC is not mandated to provide the CAC additional review of the modifications.
- On April 17, 2026, the 45-Day public comment period began, with revised proposals posted on the BSC website. An email announcement went out to members of the DSA-AC listserv shortly thereafter, inviting public participation. DSA-AC undertook further study and made additional related changes to some proposals based on feedback received.
- On June 12, 2026, an additional 15-Day public comment period commenced, with revised proposals again posted on the BSC website. DSA-AC sent an email to the listserv members, announcing the additional comment period.

Title 24, Part 1, Section 1-409 describes the requirements relating to CAC review. As indicated above DSA-AC participated in the Access CAC conducted on March 4, 2026. In consideration of comments made by the CAC, amendments were made to the proposals submitted for the 45-day public comment period. While some amendments were relocated to another section necessitating withdrawal of an amendment to the original section, no new amendments to the regulations were proposed. Each proposed item based on the HUD Deeming Notice can be tracked, and while some items have been moved to more appropriate locations in the context of the CBC, they are all substantively required by the Deeming Notice. Moving their location in the code as a result of CAC comments and further study is permitted. To coordinate the changes made from the CAC package to the 45-day submission package, DSA-AC identified the amendments to the original CBC Chapter 11B sections as shown in the CAC Express Terms and acknowledged the revised location in the Express Terms for the 45-day submittal package. The same action was performed for the ISOR submitted for the CAC and the ISOR submitted for the 45-day submittal. Furthermore, in compliance with California Administrative Code Section 1-409(h), in the ISOR for the 45-day submittal, DSA-AC addressed each CAC recommendation and the DSA-AC action. The revisions made to the DSA-AC proposals for the 45-day public comment period are substantially related to items reviewed by the CAC and are in direct response to comments received at the CAC meeting. The Division of the State Architect considered all the comments of the committee and has undertaken further study to support our response to committee recommendations. As it has the authority to do, DSA-AC continued to refine the proposals based on comments received during the 45-day public comment period, resulting in substantially related proposals that were noticed in an additional 15-day public comment period. DSA declines the request to convene a task force as DSA

maintains that the requirements of the HUD Deeming Notice are already required by state and federal law.

### **Health and Safety Code 18942 / AB130 (2025)**

#### **Comment Received:**

45-day comment: B. Raymer on behalf of Industry Coalition et al., Dan Miller, an individual, and Mike Brinkman on behalf of CALBO, oppose the proposals related to the HUD Deeming Notice (public housing) on the basis that the Health and Safety Code (amended per Assembly Bill 130 (AB 130), 2025) do not permit the adoption of substantive amendments during the intervening cycle.

15-day comment: B. Raymer, California Building Industry Association, et al. states the incorporation of CCR Title 2 definitions reiterates their opinion that DSA-AC's proposals violate AB 130 (2025).

#### **Agency Response:**

AB 130 (2025) amended Health and Safety Code Sections 18942(2)(A) and 18942(2)(F). Section 18942(2)(A) limiting updates during the intervening cycles to clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions. Section 18942(2)(F) contains an exception that permits adoption of standards necessary to incorporate updates to accessibility requirements that align with minimum federal accessibility laws, standards and regulations. Under the authority granted in Government Code Section 12955.1 to interpret federal accessibility laws for California public housing, DSA-AC interprets these proposals to align with minimum federal standards as permitted in Health and Safety Code 18942(2)(F). These proposals are based on DSA-AC analysis of federal and state statutes and clarifications provided by the Deeming Notice. The specific provisions of the HUD Deeming Notice were noticed in the Federal Register; Vol. 79, No. 100; Friday, May 23, 2014; Rules and Regulations; 29671; Department of Housing and Urban Development; 24 CFR Part 8; Docket No. FR-5784-N-01. DSA-AC also reviewed other documents issued by the federal authorities having jurisdiction over public housing and places of public accommodation. The laws requiring accessible buildings are written broadly and reaffirm that federal regulations should be interpreted broadly in their application, and the court cases cited in the ISOR are directly applicable to the DSA-AC's rulemaking.

#### **Comment Received:**

15-day comment: B. Raymer, California Building Industry Association, et al. states the incorporation of CCR Title 2 definitions violates AB 130 (2025), which permits only accessibility code changes that align with federal accessibility standards. The proposal package relies on state regulations, specifically the definitions, which fall outside the exceptions allowed during an intervening code cycle. AB 130's six-year pause on residential standards means such a change cannot be considered until after June 30, 2031.

### **Agency Response:**

The inclusion of CCR Title 2 citations is a clarifying and coordinating change necessary for code users to understand and correctly apply the definition of Public Housing and related Chapter 11B scoping requirements as indicated in the amendments to Items 3-1 through 3-4 in the Express Terms. Furthermore, for the commenter to propose that amendments that reference state law and other regulations in the building standards are not permitted by AB 130 (2025) is specious at best, as such laws apply whether or not they are included in the building standards. As a state proposing agency, DSA-AC has the responsibility to reference applicable state law in the building standards to ensure enforcement entities ensure compliance with state law, as is provided by example of water restricting fixtures regulations and the Model Water Efficiency Landscape Ordinance developed by the Department of Water Resources and referenced in CALGreen. Therefore, AB 130 (2025) does not need to specifically state in the exception to its requirements that alignment with state regulations is permitted.

### **U.S. Department of Housing and Urban Development (HUD) Deeming Notice**

#### **Comment Received:**

45-day comment: B. Raymer on behalf of Industry Coalition et al, Dan Miller, and Mike Brinkman on behalf of CALBO, oppose the proposals related to the HUD Deeming Notice (public housing) on the basis that the proposals are broad and include projects which are not held to Section 504 of the Rehabilitation Act and related statutes and therefore should not be required to comply with the items indicated in the HUD Deeming Notice. This comment was repeated in the Coalition's 15-day comment letter.

#### **Agency Response:**

In response to the 45-day comments, DSA-AC made amendments to the proposals which were posted and noticed during the 15-day public comment period. DSA-AC disagrees that its 15-day amendments are sufficiently broad to be misinterpreted to additional project types that are not required to comply. DSA-AC's revised proposal places the federally required Section 504 and HUD Deeming Notice provisions into one section for clarity, Section 11B-233.2, where they can be enforced for public housing facilities only.

### **DSA-AC Authority**

#### **Comment Received:**

45-day comment: B. Raymer on behalf of Industry Coalition et al, Dan Miller, an individual, and Mike Brinkman on behalf of CALBO, oppose the proposals related to the HUD Deeming Notice (public housing) on the basis that the proposals are not within DSA-AC authority.

#### **Agency Response:**

DSA-AC authorities are described in the Authority and Reference sections of the Express Terms, Informative Digest Sections of the Notice of Proposed Actions (NOPA), and the updated Informative Digest. In citation of these laws, DSA-AC authority for regulations related to accessibility to public housing and public accommodations is clear.

## **Applicability of HUD Deeming Notice to Projects with 4 or fewer units**

### **Comment Received:**

45-day Comment: Dara Schur and Kendra Muller, Disability Rights California (DRC), Mike Brinkman, California Building Officials (CALBO). Commenters state that the HUD Deeming Notice does not apply to public housing projects of four or fewer units. 15-day comment: Dara Schur and Kendra Muller, Disability Rights California (DRC) Recommendation to Approve.

### **Agency Response:**

DSA-AC performed further study and agrees that the provisions of the HUD Deeming Notice does not apply to projects of four or fewer units. As a result, DSA-AC amended its proposal to Section 11B-233.2 for the 15-day comment period which stipulates that the HUD Deeming Notice requirements of Section 11B-233.2 are not applicable to public housing projects of four or fewer units. 15-day comment by Dara Schur and Kendra Muller, Disability Rights California (DRC) is in support of the proposal as amended.

## **Clarification on Costs**

### **Comment Received:**

45-day Comment: B. Raymer, California Building Industry Association, et al., states that the costs associated with adoption of the Department of HUD Deeming Notice items into the California Building Code (CBC) have not been addressed in DSA-AC's proposed amendments as required by Government Code Section 11346.2(b)(5)(B)(i).

### **Agency Response:**

DSA-AC states that there is no additional cost impact for the adoption of the proposals because the requirements already apply, whether or not they are included in the CBC, and are mitigated by site selection and design decisions made by public housing entities, developers and design professionals. Furthermore, DSA-AC asserts that incorporating these items into the CBC provides public housing authorities, developers and design professionals with the necessary information to make informed decisions related to the purchase of an existing housing facility, or site selection and design decisions for a new housing facility, as is demonstrated in the following requirements of the HUD Deeming Notice:

Site Impracticability – Under the HUD Deeming Notice requirements, if a site cannot be made accessible to individuals with disabilities, it must not be selected. Selecting a site that is relatively flat can achieve full compliance with the requirements at no additional cost. For areas of the state that have varied terrain, being informed of the requirements aid public housing entities in site selection and project size, as a public housing project can have units and common use amenities provided in a singular building. As site selection is a choice, there can be no presumed increase in costs associated by the elimination of the site impracticability provisions for public housing. In response to limitations regarding the development of the state's housing needs, sites with varied terrain are better suited to private multifamily housing developments that can utilize the site impracticability provisions of the Fair Housing Act (FHA).

Accessible routes - The HUD Deeming Notice requires an accessible route from facilities on the site, to site arrival points. As stated with the site impracticality provisions, a site that has varied terrain can prioritize design decisions to accommodate access from the facility to site arrival points to limit costs.

Common use areas - The CBC states that common use areas that do not serve residential dwelling units with mobility features are not required to be accessible or be on an accessible route. Both the FHA and HUD Deeming Notice require all common use areas to be accessible and on an accessible route, regardless of which units they may be intended to serve. The only exception is for equivalent common use areas when an upper story of a non-elevator building is permitted to not be on an accessible route. The CBC requires public housing buildings to provide an accessible route to all stories; therefore, this exception is not available for use in California. No additional cost is associated with this requirement.

Fire alarm systems – The CBC currently requires visible alarms to be provided in newly constructed multifamily residential facilities in residential dwelling units with communication features and when serving hearing impaired occupants or other special conditions. For alterations to existing facilities, the CBC currently requires visible alarms within residential dwelling units with communication features and does not require them in other units; therefore, the consideration is the expense incurred in installing visible alarms to common use areas if a facility alarm exists and does not have visible alarms. For an existing alarm system, cost considerations are dependent upon the state of the alarm system, the rooms where the alarm system is provided, and the visible alarm appliance that is compatible with the system.

Washing Machines, Clothes Dryers – Washing machine manufacturers already offer front loading machines that utilize the same footprint as top loading machines of the same size, negating any additional building costs. Additionally, front loading machines that both wash and dry are available, and while they may be more expensive, they result in smaller spaces for laundry rooms, conserving real estate development costs or repurposing space in existing facilities. While requiring all washers and clothes dryers to be within allowable reach ranges appear to add cost, making appropriate appliance choices and design choices can mitigate costs.

Additions – Under the CBC, when an addition occurs to an existing public housing facility, accessible units must be provided, and common use areas serving those units must be provided. Under the program access provisions of the ADA, at least one type of each element or space must be made accessible. The HUD Deeming Notice requires both accessible units and accessibility to be provided to one type of each element, space, or common use area, resulting in no additional costs because the provisions are already required. Facilities identified for potential conversion to public housing and necessitating an addition should undergo thorough evaluation to ensure that the expenses associated with any required modifications are consistent with available resources.

Alterations – Public housing entities who have existing facilities necessitating a substantial alteration are required to comply with the HUD Deeming Notice, whether or not the regulations are in the CBC. Existing facilities identified by public entities for

potential conversion to public housing should undergo thorough evaluation to ensure that the expenses associated with any required modifications are consistent with available resources, and having the HUD Deeming Notice requirements in the CBC regulations permits housing entities to make informed choices. It is likely that a public housing facility built prior to the effective date of the 1991 ADAS has undergone alterations after 1991, and thus, has residential dwelling units and common use areas that have already been made accessible to the CBC requirements, thus meeting the HUD Deeming Notice requirements for alterations.

Employee Work Areas – The CBC requires three of the four ADAS requirements for employee work areas that the HUD Deeming Notice states is not equivalent. For the remaining requirement addressing clearances at employee work areas, costs may be mitigated by design and equipment selection.

### **ITEM 1-1 (formerly ITEM 1A)**

#### **Chapter 2 DEFINITIONS, Section 202 EDUCATIONAL ENTITY IN RECEIPT OF FINANCIAL ASSISTANCE**

##### **Comment Received:**

45-Day Comment: Dara Schur and Kendra Muller, Disability Rights California (DRC), Recommendation to Approve, with clarifying modifications. The commenters recommend three clarifications: removing examples of federal aid to avoid implying limits; deleting the word “direct” because federal and state laws apply to both direct and indirect assistance; and adding language that accurately reflects that Section 504 obligations apply to all operations of entities receiving federal support, including subrecipients and participants in federally assisted programs. The commenters also suggest referencing related definitions in Government Code 11135 for clearer guidance that federal minimum standards must be followed. 15-Day Comment: Dara Schur, Kendra Muller, et al, Disability Rights California (DRC), Recommendation to Approve.

##### **Agency Response:**

DSA-AC agreed with the 45-day comments and issued amendments for a 15-day comment period. The 15-day comments are in support of the proposal.

##### **Comment Received:**

45-Day Comment: B. Raymer, California Building Industry Association, et al., objects to the proposed amendment because the phrase “state support” is vague and ambiguous and requests a thorough CAC review and public comment due to this change. B. Raymer et al. asks “Would this require a union-sponsored technical education institution to be accessible if it received non-financial state support?”

##### **Agency Response:**

DSA-AC has referenced CCR Title 2 in the proposal, which defines state support specifically. DSA has complied with the rulemaking process in making this amendment and disagrees that this proposal requires additional consideration by the CAC. The opportunity for public comment has been offered on this item in the 45-day and 15-day public comment period.

If a private educational entity provides housing, it is required to be accessible under the ADAS. The requirements of the HUD Deeming Notice are also applicable if the institution admits students that receive state or federal grants to attend the institution, or if other means of state support are provided, as required by CCR Title 2.

**Comment Received:**

15-day comment: Mike Brinkman, California Building Officials (CALBO), objects that this item is not a minimum federal accessibility law, standard, or regulation.

**Agency Response:**

DSA-AC has substantiated in the ISOR that this change aligns with minimum federal accessibility law, standards, and regulations and has cited the relevant federal resources that support the amendment. DSA-AC proposes no further amendments in response to this comment.

**ITEM 1-2 (formerly ITEM 1B)**

**Chapter 2 DEFINITIONS, Section 202 HOUSING AT A PLACE OF EDUCATION**

**Comment Received:**

45-day comments: Dara Schur and Kendra Muller, DRC, Recommendation to Approve. B. Raymer, California Building Industry Association, et al., Recommendation to Approve.

**Agency Response:**

These comments are in support of the proposal.

**ITEM 2-1 (formerly ITEM 2)**

**Chapter 2 DEFINITIONS, Section 202 PLACE OF PUBLIC ACCOMMODATION**

**Comment Received:**

45-day comments: Dara Schur and Kendra Muller, DRC, Recommendation to Approve. B. Raymer, California Building Industry Association, et al., Recommendation to Approve.

**Agency Response:**

These comments are in support of the proposal.

**ITEM 3-1 (formerly ITEM 3A)**

**Chapter 2 DEFINITIONS, Section 202 PUBLIC HOUSING**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve, with clarifying modifications. The commenters propose adding a citation of Government Code 11135 to enhance clarity.

**Agency Response:**

This comment is in support of the proposal. DSA-AC is proposing no further changes to this section in response to this comment, as additional citation to GC 11135 would be duplicative.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al., Recommendation to Disapprove. Commenter objects to the proposed language “state support” and requests additional review and public comment opportunities.

**Agency Response:**

See Agency Response at HSC 18942/AB 130 above and response to Item 1-1 regarding state support. DSA-AC proposes no further amendments in response to this comment.

**ITEM 3-2 (formerly ITEM 3B)**

**Chapter 2 DEFINITIONS, Section 202 PUBLIC HOUSING**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve, with clarifying modifications to add citation of Government Code 11135.

**Agency Response:**

This comment is in support of the proposal. DSA-AC is proposing no further changes to this section in response to this comment, as additional citation to GC 11135 would be duplicative.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al., Recommendation to Disapprove. Commenter objects to the proposed language “state support” and requests additional review and public comment opportunities.

**Agency Response:**

See Agency Response at HSC 18942/AB 130 above and response to Item 1-1 regarding state support. DSA-AC proposes no further amendments in response to this comment.

**ITEM 3-3 (formerly ITEM 3C)**

**Chapter 2 DEFINITIONS, Section 202, PUBLIC HOUSING**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve.

**Agency Response:**

This comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter questions if worker housing provided by private business due to a public entity requirement is considered public housing, and if single-family homes, duplexes, or ADUs are included. Commenter asserts the proposal is an expansion of the application of the code.

**Agency Response:**

The examples provided in the definition of Public Housing are applicable solely to housing constructed "...by, for, or on behalf of a public entity, or constructed or altered as part of a public entity's program to provide housing...". Public housing is not a specific housing unit type, such as single family or duplex, and may be any type of unit that serves the needs of the housing program. DSA proposes no changes to this section in response to this comment.

**ITEM 3-4 (formerly ITEM 3D)**

**Chapter 2 DEFINITIONS, Section 202 PUBLIC HOUSING**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve, with clarifying modifications. The commenters do not support the proposed edits to the Note, stating that some create confusion or are inaccurate, while others are unnecessary. The commenters recommend leaving the Note unchanged. 15-day comment: Recommendation to Approve.

**Agency Response:**

In response to the 45-day comments DSA-AC withdrew the amendments to the Note. The 15-day comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter objects to the proposed changes to the Note, raised concerns about AB 130 compliance, and requests a reprint of "actual federal code text" be provided for comparison. Commenter also believes the addition of CCR Title 2 reference will expand application of the requirement,

**Agency Response:**

In the 15-day comment period DSA-AC withdrew the amendments to the Note. See Agency Response at Health and Safety Code 18942 / AB 130 above. The citation to CCR Title 2 is a clarifying and coordinating change that is permitted. The federal laws, regulations, and documents cited in the NOPA and ISOR are the basis for these amendments and are publicly available resources. See also Agency Response to Item 3-3 above. DSA-AC proposes no additional changes in response to these comments.

**Comment Received:**

15-day Comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter objects to the proposed amendment

because changes would unintentionally broaden the scope of accessibility standards that most or all newly built single-family homes in California would be required to comply which would further exacerbate the state's ongoing housing crisis. The Industry Coalition supports the withdrawal of changes to the Note following the definition of Public Housing.

**Agency Response:**

DSA-AC notes that public housing is not defined by the housing type, such as single-family or multi-family; instead, the definition states that public housing is housing provided by, for, or on behalf of a public entity, or as part of a public entity's program to provide housing. There are no proposed changes to this core part of the definition, and the reference to CCR Title 2 regulations provides clarity. Furthermore, no reference is made to applicability to housing that is privately funded without federal or state assistance, whether single-family or multi-family, in the amendments to the definition. The commenter supports the withdrawal of changes to the Note. DSA-AC proposes no additional changes in response to these comments.

**Commenter(s) and Recommendation:**

15-day comment: Mike Brinkman, CALBO, Recommendation to Disapprove.

Commenter objects that this amendments to this item is not specific to a minimum federal accessibility law, standard, or regulation.

**Agency Response:**

DSA-AC notes that reference to other state regulations are a clarifying amendment that is permitted under AB 130. DSA-AC is proposing no changes to this section in response to this comment.

**ITEM 4-1 (formerly ITEM 4)**

**Chapter 2 DEFINITIONS, Section 202, SOCIAL SERVICE CENTER ESTABLISHMENT**

Withdrawn.

**ITEM 4.1-1**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section 11B-106.5**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve.

15-day comment: Dara Schur, Kendra Muller, et al, DRC, Recommendation to Approve.

**Agency Response:**

This comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al.

Recommendation to Disapprove because CAC recommended disapproval to a previous iteration of this proposal and raised concerns about AB 130 compliance.

**Agency Response:**

This comment states concurrence with CAC recommendation but does not provide enough substantive feedback to provide a response. See also Health and Safety Code 18942 / AB130 (2025) above.

**ITEM 5-1 (formerly ITEM 5)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section 11B-202.4**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, Recommendation to Approve with suggested clarifications. The commenters recommend including language that limits applicability to public housing facilities of five or more units. 15-Day Comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve with suggested clarifications. The commenters state that the 15-day revisions improve clarity overall but identify a possible typographical error in the first sentence of the exception.

**Agency Response:**

DSA-AC in the submittal for the 15-day comment period, amended the proposals. DRC's 15-day comments concur with the changes made to the 15-day submittal. DSA-AC acknowledges that the double strikethrough and double underline format of the 15-day document is challenging to read, and that the identified singular strikeout of the words "Residential dwelling units shall" is in error, but the double underline is correct. When presented for adoption, the language will restore text to original ADAS text, as was presented in the ISOR. With amendments as intended, DRC supports the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter asks if residential dwelling units that are not public housing fall under the authority of the Department of Housing and Community Development (HCD).

**Agency Response:**

DSA-AC proposed language is applicable only to public housing and places of public accommodation that provide housing that fall under the authorities of DSA-AC. Other privately owned covered multifamily dwellings that are not a public accommodation or public housing, as defined in the CBC, are under the authority of HCD. See also DSA-AC Authority response section above. DSA-AC proposed additional amendments to this section to clarify applicability in the 15-Day comment period.

**ITEM 6-1 (formerly ITEM 6)**

Withdrawn

**ITEM 7-1 (formerly ITEM 7)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section 11B-205.1**

**Comment Received:**

45-day Comment: Dara Schur and Kendra Muller, DRC, Recommendation to Approve.

15-Day Comment: Dara Schur, Kendra Muller, et al, DRC, Recommendation to Approve.

**Agency Response:**

This comment is in support of the proposal.

**ITEM 8-1, 8-2 (formerly ITEM 8)**

Withdrawn

**ITEM 9-1 (formerly ITEM 9)**

**Section 11B-206.2.3 Multistory buildings and facilities Exc. 4**

Withdrawn

**ITEM 10-1 (formerly ITEM 10A)**

**Section 11B-206.2.8 Employee Work Areas**

Withdrawn

**ITEM 10-2 (formerly ITEM 10B)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section 11B-206.2.8**

Withdrawn

**ITEM 11-1, 11-2 (formerly ITEM 11)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-214**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications to correct an incorrect citation of the CBC. 15-day comment: Dara Schur, Kendra Muller, et al, DRC, in support as amended by the 15-day proposal.

**Agency Response:**

DSA-AC made amendments to the proposal for the 15-day comment period to add additional text limiting the exception to only those facilities required to comply with Section 11B-233.2 and corrected a typographical error in the section reference of 11B-233.2.4. The 15-day comment is in support of the proposal as amended.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove because proposal will add cost to projects. Commenter requests a reprint of the actual federal language behind this proposal.

**Agency Response:**

DSA-AC reiterates that the proposed language is already required under federal regulations, as cited previously. See also Clarification on Costs section above. The federal laws, regulations, and documents cited in the NOPA and ISOR are the basis for these amendments and are publicly available resources. DSA proposes no changes in response to these comments.

**ITEM 12-1 (formerly ITEM 12)**

**Section 11B-215.1 Fire Alarm Systems**

Withdrawn

**ITEM 13-1 (formerly ITEM 13)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-223.2.3**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC; B. Raymer, California Building Industry Association, et. al.; Recommendation to approve.

**Agency Response:**

These comments are in support of the proposal.

**ITEM 13.1-1 (Added Post CAC)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section 11B-224**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter objects based on comments provided at Item 1-1 on the reference to CCR Title 2.

**Agency Response:**

See Item 1-1. DSA-AC is proposing no changes to this section in response to this comment.

**ITEM 14-1 (formerly ITEM 14)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-224.7 and 11B-233.4**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications. The commenters note that Section 504 applies only to public housing facilities with five or more dwelling units and makes a recommendation of the applicability of Section 11B-224 for housing at a place of education that is leased on a year-round basis exclusively for graduate students or faculty. 15-Day Comment: Dara Schur, Kendra Muller, et al, DRC, Recommendation to approve.

**Agency Response:**

DSA-AC concurred with comments specific to HUD Deeming Notice applicability to smaller projects and issued amendments for the 15-day comment period that reflect appropriate HUD Deeming Notice applicability. DSA disagrees with the recommended amendment for housing at a place of education that is leased on a year-round basis exclusively for graduate students or faculty, as the DRC recommendation is not in alignment with the requirements of the ADAS. DRC's 15-day comment is in support of the proposal as amended.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove or Further Study. Commenter states that the public has not had opportunity to review and comment on the relocated language in this proposal. Commenter states that they assume CAC comments on Item 1-1 are also applicable to this item.

**Agency Response:**

This comment was received during a public comment period where opportunity is provided for public input. Both this item and the proposed related definition at Item 1-1 were heard by the CAC. DSA conducted further study based on CAC comments and proposed additional revisions substantially related to the original proposal. See also Building Standards Procedures and Item 1-1 sections above. DSA-AC proposes no changes to this section in response to this comment.

**ITEM 15-1 (formerly ITEM 15)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-224.8 and 11B-233.5**

**Comment Received:**

45-Day Comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications. The commenters noted that Section 504 applies only to public housing facilities with five or more dwelling units, while smaller projects fall under

the ADAS. 15-Day Comment: Dara Schur, Kendra Muller, et al, DRC, Recommendation to approve.

**Agency Response:**

DSA-AC concurred with comments specific to HUD Deeming Notice applicability to smaller projects and issued amendments for the 15-day comment period that reflect appropriate HUD Deeming Notice applicability. DRC's 15-day comment is in support of the proposal as amended.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. Commenter states that the public has not had opportunity to review and comment on the relocated language in this proposal.

**Agency Response:**

This comment was received during a public comment period where opportunity is provided for public input. The commenter made no substantive comments regarding this proposal. See also Building Standards Procedures section above. DSA-AC proposes no changes to this section in response to this comment.

**ITEM 16-1.1 through 16-10.5 (formerly ITEMS 16A and B)**  
**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS,**  
**COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-233.1 and 11B-**  
**233.2**

**Comment Received:**

45-day comments: Mike Brinkman, on behalf of CALBO, Recommendation to Disapprove. Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications to proposal Items 16-1.1 through 16-10.5 (formerly Items 16A and 16B). The commenters express the need to align the code with federal accessibility requirements for public housing under Section 504 and the HUD Deeming Notice by clarifying that the HUD Deeming Notice is applicable only to public housing facilities of 5 or more units. The commenters stated that the substantial alteration threshold should be raised from 50% to 75% to align with Section 504's requirement.

15-Day Comment: Dara Schur, Kendra Muller, et al, DRC, Recommendation to approve proposal Items 16-1, and 16-1.2, 16-1.3, 16-6.2 through 16.10.2, 16-10.2, 16-10.3, 16-10.4 and 16-10.5.

**Agency Response:**

DSA-AC concurred with comments specific to HUD Deeming Notice applicability to smaller projects and HUD regulations which use a 75% substantial alteration threshold instead of the UFAS 50% threshold. DSA-AC issued amendments for the 15-day comment period that reflect appropriate HUD Deeming Notice applicability and amendments that raised the threshold to 75%. The 15-day comment by DRC is in support of the proposal as amended.

**Comment Received:**

45-day comment: Mike Brinkman, on behalf of CALBO, Recommendation to Disapprove. Federal language does not use the term “adjusted construction cost”. 15-day comment: Recommendation to Disapprove. The proposal using the CBC’s “adjusted construction cost” definition rather than HUD’s own “replacement cost of the completed facility” creates ambiguity and deviation from federally established terminology.

**Agency Response:**

HUD regulations at Section 8.23(a) Substantial alterations states: “If alterations are undertaken to a project (including a public housing project as required by Section 8.25(a)(2) that has 15 or more units and the cost of the alterations is 75 percent or more of the replacement cost of the completed facility, then the provisions of Section 8.22 shall apply.” DSA-AC’s proposed regulation states: “A facility is substantially altered when the adjusted construction cost, as defined, of alterations to a facility containing 15 or more dwelling units, or 15 or more sleeping rooms in housing at a place of education, exceeds 75% of the replacement cost of the completed facility.” The HUD Section 504 regulations specifically define “project” as “the whole of one or more residential structures and appurtenant structures, equipment, roads, walks, and parking lots ....” Notably, the related HUD Section 504 regulations do not define “the costs of the alterations,” and since it is undefined, is presumed to be equated to “project” cost. Thus, the HUD Section 504 definition of “project” and “cost of alterations” is equitable to the CBC definition for “adjusted construction cost” and aligns with federal minimum requirements. DSA-AC is proposing no further changes in response to this comment.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al. Recommendation to Disapprove. The commenter states that the public has not had opportunity to review and comment on the language in this proposal. Commenter requests a reprint of the actual federal language behind this proposal. The commenter states there have been multiple code cycles since the publication of the Deeming Notice and the timing violates Health and Safety Code 18942 / AB130 (2025). The commenter believes DSA-AC is required to provide cost estimates even for proposals that align with minimum federal regulations, and that the proposals will increase costs.

**Agency Response:**

These comments were received during a public comment period where opportunity is provided for public input. The federal laws, regulations, and documents cited in the NOPA and ISOR are the basis for these amendments and are publicly available resources. See also the sections above titled Building Standards Procedures, Health and Safety Code 18942 / AB130 (2025) and Clarification on Costs. DSA-AC is proposing no further changes in response to this comment.

**Comment Received:**

45-day comment: Eric McSwain, Recommendation to Disapprove. The commenter states “many of the proposed changes are ostensibly intended to incorporate UFAS requirements for public housing into CBC Chapter 11B; however, the proposed changes

do not capture all instances where UFAS is stricter than the (sic) and the 2010 ADA Standards.” The commenter outlines specific sections of UFAS that they believe are more restrictive than what is currently proposed.

**Agency Response:**

DSA-AC is adopting the HUD Deeming Notice that the USDOJ, under its coordination authority with HUD, has stated is permitted to use with the 2010 ADA Standards to achieve compliance with federal requirements. DSA-AC is proposing to adopt the HUD Deeming Notice because it has already adopted the ADAS as its model building code for CBC Chapter 11B; therefore, as the HUD Deeming Notice with the ADAS provides equivalency, DSA does not need to adopt the additional requirements of UFAS. DSA-AC is proposing no further changes in response to this comment.

**Comment Received:**

45-day comment: Janis Kent, Recommendation for Further Study. Commenter notes that there are portions of the ADA that reference residential dwelling units that need to comply with ADA but that do not necessarily have any public funds nor public programs which would then necessitate complying with Section 504 and HUD's Deeming Notice. Commenter points to ADAS Section 233.2 Residential Dwelling Units Provided by Entities Subject to HUD Section 504 and Section 233.3 Residential Dwelling Units Provided by Entities Not Subject to HUD Section 504. There are a number of privately owned group homes, halfway houses, shelters, and even senior citizen housing with services that all have residential units. All of these would need to comply with ADAS Section 233.3 which means that they need to be accessible with mobility and communication feature units but are not required to go to the extreme of HUD 504 requirements. Ms. Kent suggests aligning the sections with the ADAS Sections 233.2 and 233.3.

**Agency Response:**

DSA-AC conducted further study and amended its proposal in the 45-day comment period to restore the ADAS scoping sections for housing subject to HUD Section 504 regulations in CBC Section 11B-233.2 and housing that is subject only to the ADAS in CBC Section 11B-233.3. It appears that Ms. Kent was commenting on the CAC proposals and not on the modified 45-Day package where DSA concurred with her comments and made appropriate revisions.

**ITEM 17-1 (formerly ITEM 17)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-233.3.1.2.6**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications to apply this change only to public housing with 5 or more dwelling units.

### **Agency Response:**

DSA-AC conducted further study and has made no additional changes to this item in response to this comment. Public housing facilities with 5 or more dwelling units are not permitted to use the FHA site impracticality tests because HUD regulations do not permit it. Public housing facilities with 3 or fewer dwelling units are not required to provide residential dwelling with adaptable features, so site impracticality would not apply. Public housing facilities of any number of units, including those with 4 dwelling units, are not permitted to use the FHA site impracticality tests because they are subject to the requirements for Title II entities under the ADA, which requires each facility to be accessible unless it is structurally impracticable to do so (Section 35.151(a)(1) and (2) of 28 CFR Part 35). There is no number of units in public housing where site impracticality is permitted or applicable. Social service center establishments and housing at a place of education are a Place of Public Accommodation and are not permitted to use the FHA site impracticality tests because the ADA Standards do not permit it. DSA proposes to make no further changes to this section.

### **Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al.  
Recommendation to Disapprove or Further Study. Commenter asserts that while this change would be appropriate for public housing that receives “federal financial assistance” from HUD, it is not appropriate to apply to all public housing and requests an exception to clarify this distinction. Commenter asserts that removing the site impracticality tests and expanding DSA-AC’s accessibility requirements will raise costs.

15-Day Comment: B. Raymer, California Building Industry Association, et al.  
Recommendation to Disapprove. The proposed reference to CCR, Title 2, Div 4.1 Section 14020 that references to “covered entity” and “state support” in the definition of PUBLIC HOUSING would dramatically widen the reach of its accessibility rules and intensify the impact of eliminating the Site Impracticality exemption, making many steep-slope home-rebuild projects, such as those in the recent Pacific Palisades fire area, financially or physically infeasible.

### **Agency Response:**

Public housing is not limited solely to projects receiving federal financial assistance from HUD. See Item 3-1. Public housing facilities with 5 or more units are not permitted to use the FHA site impracticality tests because the HUD Deeming Notice does not permit it. The site impracticality tests under the FHA are only permitted to reduce the number of dwelling units with adaptable features in covered multi-family buildings, which are buildings with three or more dwelling units in California. In a building with three or four dwelling units, one unit must provide mobility features and be on an accessible route, and 20% of remaining ground floor units are required to be adaptable before site impracticality is permitted. Realistically, it is unlikely that using site impracticality would be necessary for a public housing building of four units all on the ground floor, where two of the units would be required to have accessibility features provided. Furthermore, if two units are provided on the floor above the accessible and adaptable unit, the FHA requires no accessible route to be provided to them, because accessibility is only required to the ground floor. In alterations to existing facilities, no additional residential

dwelling units with adaptable features are required beyond those that were required at the time of original construction.

Social service center establishments and housing at a place of education as a place of public accommodation are not permitted to use the FHA site impracticality tests because the ADA Standards require an elevator to be provided to serve units in multistory buildings, and the site impracticality tests do not apply to residential buildings with an elevator.

Under the HUD Deeming Notice requirements, if a site cannot be made accessible to individuals with disabilities, it must not be selected. Selecting a site that is relatively flat can achieve full compliance with the requirements at no additional cost. For areas of the state that have varied terrain, being informed of the requirements aid public housing entities in site selection and project size, as a public housing project can have units and common use amenities provided in a singular building. As site selection is a choice, there can be no presumed increase in costs associated by the elimination of the site impracticality provisions for public housing. In response to limitations regarding the development of the state's housing needs, sites with varied terrain are better suited to private multifamily housing developments that can utilize the site impracticality provisions of the FHA. Furthermore, privately-funded housing that is not a public accommodation or receiving state or federal support are not public housing, and are not subject to the requirements of CBC Chapter 11B.

**Comment Received:**

45-day comment: M. Brinkman, CALBO, Recommendation to Disapprove. Commenter states that site impracticality could be used for the ground floor dwelling units in public housing projects with less than 15 dwelling units, and that repealing this section would have a financial impact to those projects.

**Agency Response:**

See Agency Response above, under Dara Schur and Kendra Muller, DRC.

**ITEM 18-1 (formerly ITEM 18)**

Withdrawn.

**ITEM 19-1 (formerly ITEM 19)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-308.1.2**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al.  
Recommendation to Disapprove or Further Study.

**Agency Response:**

This commenter made no remarks or statements for DSA-AC to provide a response.

**ITEM 20-1 (formerly ITEM 20)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-403.5**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve with clarifying modifications. Public housing facilities with five or more dwelling units are covered by HUD's Section 504 regulations, but public housing facilities with less than 5 are not covered and are only subject to the 2010 ADAS and Chapter 11B requirements.

**Agency Response:**

DSA-AC has determined that it is unlikely that public housing facilities with 4 or fewer units will have employee work areas that are subject to this section. DSA-AC is proposing no further changes in response to this comment.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al.  
Recommendation to Disapprove or Further Study.

**Agency Response:**

This commenter made no remarks or statements for DSA-AC to provide a response.

**ITEM 21-1 (formerly ITEM 21)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-805.2**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**ITEM 22-1, 22-2, 22-3, 22-4, 22-5, 22-6 (formerly ITEM 22)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-809.12**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**Comment Received:**

45-day comment: B. Raymer, California Building Industry Association, et al.  
Recommendation to Disapprove or Further Study.

**Agency Response:**

This commenter made no remarks or statements for DSA-AC to provide a response.

**ITEM 23-1 (formerly ITEM 23)**

**Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS,  
COMMERCIAL BUILDINGS AND PUBLIC HOUSING, Section(s) 11B-812.4**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**ITEM 24-1, 24-2, 24-3, 24-4 (formerly ITEM 24)**

**Chapter 35 REFERENCED STANDARDS, ASME A17.1 and ASME A18.1**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**ITEM 25-1, 25-3, 25-2, 25-4 (formerly ITEM 25)**

**Chapter 35 REFERENCED STANDARDS, BHMA A 156.10 and BHMA A 159.19**

**Comment Received:**

45-day comment: Dara Schur and Kendra Muller, DRC, Recommendation to approve.

**Agency Response:**

This comment is in support of the proposal.

**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE  
PERSONS**

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more

cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The Division of the State Architect has not identified any reasonable alternative to the proposed action. No adverse impact to private persons or small businesses due to these changes is expected.

**REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

DSA did not receive any proposed alternatives to these proposals.