

STATE OF CALIFORNIA
 STATE AND CONSUMER SERVICES AGENCY
 CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

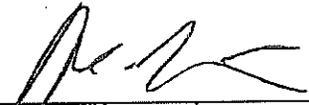
PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 13, 2009
 Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: NOVEMBER 2, 2009

Date: 10/8/2009

From: Ali M. Fattah

 Name (Print or type)



 (Signature)

City of San Diego, Development Services Department

 Agency, jurisdiction, chapter, company, association, individual, etc.

1222 First Avenue, MS # 401 San Diego California 92101

 Street City State Zip

I/We (do)(do not) agree with:

The Agency proposed modifications As Submitted on Section No. 403.8.2.1

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

Suggested Revisions to the Text of the Regulations:

403.8.2.1 Minimum Exhaust Rate. The ventilation system shall be designed to exhaust a minimum of 14,000 cfm (6608 L/s) for each operating vehicle. Such system shall be based on the anticipated instantaneous movement rate of vehicles, but not less than 2.5 percent (or one vehicle) of the garage capacity.

Reason: This requirement was extracted from the 2001 CBC in Section 1202.2.7 but not in it's entirety as there is no indication what to do if the percentage results in less than one vehicle in for example a 25 vehicle parking garage that results in .65 of a vehicle.

HEALTH & SAFETY CODE SECTION 18930**SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS**

- (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.
 - (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.