

STATE OF CALIFORNIA  
STATE AND CONSUMER SERVICES AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
2525 NATOMAS PARK DR., SUITE 130  
SACRAMENTO, CA 95833  
(916) 263-0916 Phone  
(916) 263-0959 Fax  
Email: cbssc@dgs.ca.gov

Office Use Item No. \_\_\_\_\_

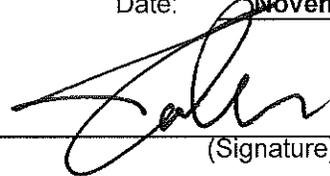
**PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 26, 2012**  
Written comments are to be sent to the above address.

**WRITTEN COMMENT DEADLINE: DECEMBER 10, 2012**

Date: November 28, 2012

From:

John Paul Scott, AIA, CASp  
Name (Print or type)

  
(Signature)

Individual      CREATE Access, Architects / Consultants

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

73 Sumner Street, 105, San Francisco, CA, 94103

Street

City

State

Zip

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

The Agency proposed modifications As Submitted on Section No. **Chapter 11B in its entirety including the related revisions to Chapters 1, 2, 3, 4, 9, 10, 24, 20, 21, 33, 34 and 35**

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:**

**Approve with no revisions.**

**Reason:** [The reason should be concise if the request is for "Disapproval," "Further Study," or "Approve As Amend" and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

## 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.

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# Mayor's Office on Disability

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**Edwin M. Lee**  
Mayor

**Carla Johnson**  
Interim Director

November 28, 2012

State of California  
State and Consumer Services Agency  
California Building Standards Commission  
2525 Natomas Park Drive., Suite 130  
Sacramento CA. 95833

RE: Participation Comments for the Regulatory Notice Dated October 26, 2012; Proposed  
2013 California Building Code Revisions

Dear Commission Members:

The City and County of San Francisco's Mayor's Office on Disability supports the Divisions of State Architect's (DSA) proposed revisions to the 2013 California Building Code. These revisions seek to incorporate the 2010 ADA Standards provisions while integrating 2010 Title 24 California Building Code (CBC) requirements that may exceed the federal standard. We feel it is imperative that the State provide Cities, Counties, Certified Access Specialists (CASp), Architects and builders with a reliable building code that integrates the State and Federal requirements.

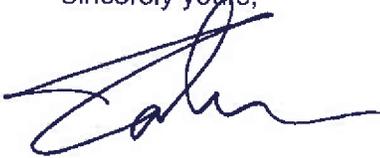
Although the proposed 2013 CBC may not be perfect, it is a very good start. Perfection can be achieved through subsequent Supplements addressing Errata, Emergency Rule Making, Bulletins, and the next code cycle. As we all remember a similar process occurred with conversion of the 1989 code to relocate Chapter 33 accessibility material into Chapter 11B, and the upgrades of 1994 code's Chapter 11B to incorporate the 1991 ADAAG.

I participated in many of the DSA's public forums. Unfortunately the process was very rushed, but DSA and the public was forewarned through public notices. I felt the process was fair, inclusive and well intentioned. DSA staff conducted themselves in a very professional manner. Also many different means of communication and auxiliary aids and services were provided during these forums to ensure effect communication and inclusion of individuals with disabilities.

During the public forums, there was a discussion about the need for an advisory manual, similar to the one produced by the Department of Justice has a companion piece to the 2012 ADA Standard. While advisory, DOJ's document was not adopted for enforcement, it still provides significant clarity in the intent and application of certain aspects of the regulation's scoping and technical standards. I recommend that the CBSC and DSA produce a similar document or a series of bulletins as an aid to understanding and enforcement. Secondly I recommend that CBSC and DSA develop a peer review and training program on the code to benefit CASp, architects and building officials and plan checkers.

I was appointed to the California Building Standards Commissions, Accessibility Code Advisory Committee as a person with a disability representing mobility impairment advocacy. Subsequent to the appointment I was granted authorization to represent the City and County of San Francisco Mayor's Office on Disability. Therefore, as the City's overall ADA Coordinator, we endorse the proposed 2013 California Building Standards Code changes and request that it be approved for adoption at the Commission's December 12, 2012 meeting.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Paul Scott", written over a horizontal line.

John Paul Scott, AIA CASp  
Deputy Director for Physical Access  
Mayor's Office on Disability  
City and County of San Francisco  
[Johnpaul.scott@sfgov.org](mailto:Johnpaul.scott@sfgov.org)  
Tel 415-554-6786  
Fax 415-544-6189  
TTY 415-554-6788

CC. Chester Williams, California Division of the State Architect  
Dennis Corelis, California Division of the State Architect  
Carla Johnson, Interim Director, Mayor's Office on Disability, City and County of San Francisco