

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

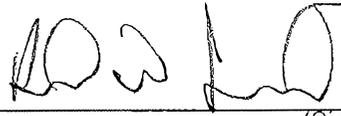
PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 26, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: DECEMBER 10, 2012

Date: 12/10/2012

From:

Richard Shepard
Name (Print or type)


(Signature)

City of Elk Grove

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

6401 Laguna Palms Way, Elk Grove, CA 95758

Street City State Zip

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

The Agency proposed modifications As Submitted on Section No. _____(see below)_____

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:

11B-406.5.9 Clear Space. Beyond the bottom grade break, a clear space 48 inches (1219 mm) minimum by 48 inches (1219 mm) minimum shall be provided within the width of the pedestrian street crossing and wholly outside the parallel vehicle travel lane. At marked crossings, the clear space shall be within the markings.

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.]

(1) May conflict with other standards: In addition to following the 2010 ADA Standards language, the proposed CBC incorporates sections of the draft Public Rights of Way Accessibility Guidelines (PROWAG), which isn't even final or adopted by the US Department of Justice or the US Department of Transportation. Much of the draft PROWAG is controversial and Caltrans is on record of opposing some of these provisions.

(5) Cost is not reasonable: Many existing streets do not have 4 foot marked shoulders.

(6) Too Vague: Nearly all residential streets have no identified edge of a "parallel vehicle travel lane", how is this defined?

Suggested Revisions to the Text of the Regulations:

11B-406.5.8 Counter Slope. *Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 2448 inches (610+219 mm) of the curb ramp shall not be steeper than 1:20. The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level.*

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.]

(5) Cost is not reasonable: This standard will preclude an agency's ability to simply overlay an existing roadway with the standard 5% cross slope in the shoulder. The existing pavement will need to be fully removed and replaced adjacent to the ramp to maintain the 5% slope while the section adjacent to the 5% slope will be more steeply increased to match the overlay height further from the ramp. A 24 inch requirement would more closely match the normal edge of gutter where the overlays typically conform to the gutter.

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.