

From: Doug Hensel [mailto:dhensel@sjgov.org]

Sent: Tuesday, May 20, 2014 12:49 PM

To: Huff, Shawn@HCD

Subject: Comment on (HCD 02/13)

Hi Shawn

It was nice talking to you this morning. Here is my concern regarding the proposed modification to the definition of "Covered Multi-family Dwelling" in Section 202 of Title 24, Part 2. I believe it makes an already unclear area of application, worse. I realize the proposed language is taken from GC 12955.1.1. However, 12955.1 (c) also requires compliance with federal law, in this case the FHAA.

As you are aware there are forms of attached housing which are not rental apartments or condominiums and are covered under both HCD's current 11A regulations as well as federal access regulations. A couple of examples include congregate dwellings, dormitories, lodging houses, shelters, townhouses and other types of attached dwelling units.

The change HCD has proposed only references condominiums and rental apartments, excluding the examples given above. The current language provides at least some method of including the other covered dwelling units. My initial thought was to modify both CBC, Section 202 and 1102A to include another item in the list for townhouses or just keep it generic and reference other types of attached housing. However, I don't know if you can run another 11A 15 day based on your initial submittal.

Short of withdrawing the proposed amendment to Section 202, I suggest the following.

1. Buildings that consist of at least four condominium dwelling units or at least three rental apartment or other types of attached dwelling units if the buildings...

2. The ground floor dwelling units in buildings that consist of at least four condominium dwelling units or at least three rental apartment dwelling or other types of attached units if the building...

Please do not treat this as a formal comment, however I would like to know your thoughts to determine if it should be submitted as such. Please do not hesitate to call if you would like to discuss. The Yosemite Chapter is putting on some 11B training tomorrow and I will be working the desk so I won't be around until late in the day.

Thanks
Doug

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