



California Building
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September 24, 2014

Jim McGowan, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 120
Sacramento, California 95833

RE: HCD Revised Express Terms, Title 24, Part 11 (HCD 05/13)

Dear Jim,

The California Building Industry Association (CBIA) is a statewide trade association representing over 3,000 member-companies involved in residential and light-commercial construction. CBIA member-companies are responsible for over 90% of the new single-family homes built in California each year. The following comments are submitted on behalf of CBIA with regards to the Department of Housing and Community Development's revised express terms cited above.

As requested by the Building Standards Commission, the Department of Housing and Community Development recently proposed revised express terms for their Title 24, Part 11 regulatory package. Specifically, HCD has amended Item #8 and is now proposing an 8-foot wide aisle immediately adjacent to the Electric Vehicle Charging Station (EVCS) to mirror the requirement for an accessible van space. While CBIA would have preferred this issue to have been dealt with along with other issues during the numerous stakeholder and advisory committee meetings, we will reluctantly support the adoption of this change in the primary interest of bringing this Intervening Adoption Cycle to a close. Doing so will allow the BSC Staff to proceed with the publication of the Intervening Cycle amendments and allow for the entire set of amendments to take effect throughout the state as scheduled on July 1, 2015.

CBIA continues to support adoption and implementation of the EV-Ready provisions being proposed by both HCD (for residential buildings) and the BSC (for commercial buildings). The staff of these two agencies is to be commended for having met the requirements of AB 1092 **a year and a half ahead of schedule.**

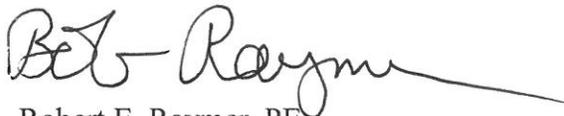
Unfortunately, we have recently become aware of additional changes being proposed by interested parties that, if addressed, will seriously disrupt the desired publication and implementation schedule. Among other things, interested parties are now suggesting HCD consider adopting a requirement for the installation of a separate EVCS for "disabled use only" when such facilities are provided voluntarily for the tenants of an apartment complex. Such a proposal would seek to designate EVCS as a "parking space" rather than a "service" to the tenants as it is presently intended.

With regards to this particular rulemaking, such a proposal is clearly “new” and “substantive” in nature. If HCD were to consider this proposal, it would prompt the need for a third set of “45-Day Language” and would extend this proceeding well into 2015, which may not be administratively possible at this point. More importantly, this proposal raises a host of related issues that would clearly be of interest to other stakeholders who are presently under the impression that this proceeding concluded back in July.

As such, CBIA would respectfully suggest the Commission consider adopting HCD’s revised express terms as issued on August 7, 2014. If further change is desired, we would then respectfully suggest HCD consider withdrawing Item #8 and revisiting the issue during the upcoming Triennial Code Adoption Cycle.

As indicated earlier, CBIA’s overriding concern is the successful implementation of the EV-Ready measures which the Commission has already adopted at their July 22 Business Meeting and to which no objection was raised.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Raymer", with a long horizontal flourish extending to the right.

Robert E. Raymer, PE
Senior Engineer/Technical Director