

# DIVISION OF THE STATE ARCHITECT

## Access Code Collaborative

### March 13, 2020

**Brad:** I think we're set.

**Ida:** All right. Thanks to all of you. I'm sorry. It's been a little crazy around here. Thanks for all of you for accommodating this meeting on such short notice. We are always subject to BSC's rulemaking schedule and so we needed to move this up because we have our package due to Building Standards Commission on March 23 which is coming up. And our originally scheduled meeting was March 26.

So obviously we couldn't tap into all of your respective concerns and voices and with them prior to our submission. So, thank you for all of you who could make it today. We look forward to addressing some of the amendments and comments that we received at the Code Advisory Committee Meeting which was held on February 11 and 12.

Again, procedures on unintelligible that Brad will monitor. Remember to state your name so that we can capture on the recording and the transcript everyone who has spoken. We're hoping to cover all the information that we need to cover within the next three hours.

I encourage you to work with Derek who will be managing the meeting to only at this time address issues that are on the agenda. If there is time permitting after that you can raise additional questions. But we need - we have limited time to cover what we need to provide and address through our rulemaking. And so, I ask you to please stay on topic as Derek presents each topic, and to maintain the conversation relevant to what we're addressing.

I unfortunately am not able to stay for the entire meeting. As you can imagine, uncertain times call for unconventional measures. And we are addressing concerns with regard to the latest - not latest, the current world health crisis as we need to. So, my attention needs to be directed elsewhere this afternoon. But I will be listening to the teleconferences as time permits, through my office. And seeing how it's happening.

But other than that, thank you all for attending.

**Dara:** Ida?

**Ida:** Yes?

**Dara:** Can I just ask one clarifying question? Do we know when the 45-day comment period will start?

**Ida:** I don't believe we have that scheduled yet. It needs to be filed with the Office of Administrative Law and BSC handles that communication. We do have a 45-day that's coming up which should happen relatively soon because we're also trying to

accommodate a 15-day if needed. So that's why our schedule was moved up. But our communications - you will hear from us but mostly BSC sets that, and we don't have that timeframe right now.

**Dara:** Thank you.

**Ida:** Okay? Beyond this, if I don't have an opportunity to address all of you for the rest of today, please consider attending virtually, if at all possible, our Building Standards meeting which you will be notified by BSC when that is. So, you can see how the combination of your hard work actually gets addressed moving forward.

And I believe that Jessica are we gonna address - is it later that we address moving forward with the ACC for those who need to commit, after we did? Okay. So later on, today if there are some of you who will need to confirm that you will actually be continuing with your second term. If not, we need to know who these individuals are who have chosen to not continue, so that we can find a replacement for you by June.

Thanks all. Bye.

**Brad:** Okay. Ida has just left the room. Okay, so this is Brad here and I'll just keep my comments short. Did somebody join the call after the meeting started? If so, can you just let us know who you are?

**Kaylan:** This is Kaylan and I got disconnected.

**Brad:** Okay Kaylan. That's fine. Sounds good. Thank you.

**Kaylan:** I'm sorry about that.

**Brad:** No worries. Okay. And so, I won't really mention anything today in terms of ground rules other than it would be very helpful if you were just to say your name before you made your comment, just so we can get an idea who is speaking. Right now, there are six of us in the room or - in the room here.

The one ACC member in the room is Lewis. We also have Debbie, Derek, Sue, and Jessica on the call here too. So, if anybody has any questions, please let us know. And just one more reminder to mute your call after you're done speaking. Okay? With that I'm going to turn it over to Sue to start the discussion or Derek, whoever is going first here with the first item. Okay?

**Derek:** Okay, great. Well thank you for joining us today. We sat before the code, the Building Standards Commission Code Advisory Committee and they provided a spirited discussion on a lot of our items in the package. Most of the items were approved as submitted or approved as amended. And what we have on our agenda today is to discuss items that were not approved, disapproved or for which the Division of the State Architect may disagree with the committee's actions.

So, for example, if the committee had an action of approve as amended and provided additional amendment suggestions for our language, the agency, us, the DSA has the

option of accepting those comments or not accepting those comments. There are a few items that we thought we were not able to accept and that we're continuing on with at this point. But we did want to bring it before the collaborative here to get additional feedback. Now we have not yet submitted DSA's responses to the Code Advisory Committee's actions. And the discussion today will help us to finalize on these last two items that we're looking at.

**Dara:** Derek this is - this is Dara. Can I just ask a question? Where would we find the amendments to the ones that we're not talking about today, but were amended?

**Sue:** Are you seeking the amendments Dara, or would you like to see - there's a document that's called the action matrix and if we - I think that's on the Building Standards Commissions Web site. And then we also have a copy of that. So, if you look at their action matrix it will show item by item which ones were approved as submitted.

**Dara:** Okay. And that was for what amendments were made?

**Sue:** Well for some of those it's just approved as submitted. There were no amendments. And then for anything that we are making any amendments to, that's what we're going over in this document today.

**Dara:** Oh, okay. I was confused because I thought Derek said there were some that were amended that we weren't talking about. No. We're talking about all that we're amending, right?

**Derek:** We're talking about all that the committees recommended amending.

**Dara:** Okay.

**Derek:** Today.

**Dara:** Thank you.

**Derek:** Okay, good. So, I think with that I'd like to turn it over to Sue to introduce the first couple of items.

**Sue:** Okay. Well, the first one is Item 2.09. And this is our definition for public housing. And what the commission there - what they said, their action was that we do further study on this definition. So, we accepted what they said as far as requiring further study on the definition. And if you look at page 3 of this document of 62 pages, you can see there what our response is to the action of the committee or the Code Advisory Committee.

And what we're seeing is yeah, we've done some further study on this; we've determined that there are no additional amendments to the definitions that are necessary, and we say, you know, it's been vetted by the Department of General Services Office of Legal Service - Department of General Services Office of Legal Services, supported by members of the Access Code Collaborative, Disability Rights California, the Department of Housing and Community Development, and the California

Building Industry Association.

Now what we did here at the committee, there was one of the committee members and they could not understand why we repeated constructed or altered by, for or on behalf of a public entity. And then we also repeated that and said as part of a public entities program to - that provides housing. So, what we wanted to make clear and what we sort of clarified in this statement of reasons and potentially this is clarification that we can put in our advisory manual and a guidance document that we're putting together for housing.

There is housing that's constructed or altered by, for, on behalf of a public entity that's not part of a public entity's housing program. Excuse me. That would be things like barracks buildings at forest fire stations or other types of employee housing. Sometimes the Department of Water Resources, they have employee housing at some of their fish hatcheries.

So that still is required to be accessible but it's not specifically part of a public entities program that provides housing. So, we just needed to be sure as we were working through that - this definition, that we covered that type of housing as well as housing that's part of the public entities program that provides housing.

So, we're just clarifying that in the statement of reasons. And other than that, there we made absolutely no changes to the definition or to the notes.

**Dara:** This is Dara. That's fabulous. We think this is the appropriate response. I have a couple of one minor comment on the text of your response and then a couple of questions. But I also note that I've got a text, an email from Jihee saying she's having technical difficulties.

**Jessica:** We're taking care of it.

**Brad:** Okay. Jessica's got it. Thanks Dara.

**Dara:** Thanks. In the last line of your response, I think public entities needs an apostrophe. I'm sorry. Just a typo.

**Sue:** Okay.

**Dara:** And then my questions are one, you mentioned a number of people who support this. I wonder if we ever heard from CALBO with a support position and if they could be added if they did agree to support.

**Sue:** I talked to Tim McCormick who is on the CALBO Access Committee and the last time I talked to him they hadn't had a meeting of their Access Committee. And Gary Layman might know a little bit more about that but what Tim McCormick was trying to get was their support - a letter of support from CALBO.

**Dara:** Gary?

**Gary:** Yes. So, this is Gary Layman with CALBO. And we had reached out, got a support - there should have been a support letter sent to DSA from CALBO from the Access Committee in regard to this. And we had discussed it. There was a couple of items that we will look at, at the next phase. But I believe there should be a letter sent over already.

**Bob:** Okay Gary, this is Bob Raymer. I have to chat with Katie either this afternoon or Monday anyway, and so I'll follow up with the CALBO's office and find out. I think they are in support, but I'll confirm that. And if they haven't sent a letter, I'll make sure she gets one over. Okay.

**Gary:** Yes. Tim is now the committee chair, and we did go over this and had it put forward.

**Dara:** Well, I think that would be extremely helpful at the next phase to have the support letter. And if you can get it before the 23rd for DSA to include it in the text here as a supporting organization.

**Gary:** I'll send the email out right now as we speak.

**Sue:** Okay.

**Dara:** Thank you. That would be really, really helpful, I think. So, I really appreciate that Gary and Bob for following up. And hopefully we'll get that in time for DSA to include it. I think - I understood - I have two other questions. I understood, unfortunately I had conflict at the time of the advisory committee, so this is what I understand from some folks who were there, that the members also had some questions about why is HCD doing this, and I wonder if it's helpful just to respond in addition to your response to the question of why there are simultaneous proposals from HCD and DSA.

I know it's obvious, but it seemed that from what I heard, that some people have some questions about it. So, I'm just wondering if you might want to consider adding a couple of sentences of that. And let me just get my other one out and then I'd love your response. And then the second thing is I think they also had some concerns about notes. And I wonder, we support the note, and we are pleased that it's still in.

And we wonder if you could perhaps just provide them some other examples of where there are some effective notes or something about that. I may be wrong. I wasn't at the hearing, but my understanding is those were two concerns that were discussed and I'm just wondering if DSA wants to respond to them as well. Those are my questions.

**Sue:** Well, the first one it's more so the issue for Housing and Community Development when they resubmit their code change proposals for this 45-day comment period. Because the {indiscernible}.

**Brad:** Susan, could you speak up please?

**Sue:** What was happening was this definition. And it was more so why were they even adopting the definition. So, we wouldn't put that in our statement of reasons. That would

actually be something for Housing and Community Development to respond to.

**Bob:** Dara?

**Dara:** And have you - yes?

**Bob:** Yes. This is Bob Raymer. I'm going to go ahead and follow up with Kyle and Emily and Doug over at HCD. And as you said, it's obvious but some of them may have missed that. The chair and the representative from the building officials were sort of wondering why HCD would do that. And I think just to be helpful and to make sure that we've got everything covered, I'll follow up with HCD and just make sure. They obviously will but I don't want to take everything - anything for granted here. So, I'll follow up with...

**Dara:** Yes. I think it would be helpful. Sue, do you know if they're going to move forward without any changes?

**Sue:** Would you repeat that, Dara?

**Dara:** Do you know if they plan to move forward without any changes like you are?

**Sue:** Yes. Because we heard from HCD after the Code Advisory Committee hearing. And that's what they asked if we were making any changes. Because this is actually our definition and our proposed code change, and we let them know that we were not making any changes to the definition or to the note.

**Bob:** Cool.

**Dara:** Okay. Well, I would appreciate, the follow up is helpful and we'll try and follow up as well. Thanks.

**Sue:** Okay.

**Bob:** Okay, I - are you done Dara?

**Dara:** Yes. Thank you.

**Bob:** Okay. This is Bob Raymer. And like Dara, CBI of course is very strongly supportive of DSA moving forward after a short term for the study. I would like to point out one item and obviously we're going to support this going forward and we'll be doing the coalition letter to basically support DSA. But if you could turn to page 3 of 62 and look at the second bullet, particularly the third sentence where it says including privately-owned housing facilities and in quote, as part of a public entity's housing program, I agree with the statement of reasons in whole, but in that particular instance that sentence seems to be referencing the old language that you deleted and modified.

And so, you - yes, you may just want to simply plug in the new language or whatever, but other than that this is great. And we'll be supporting it. Thank you.

**Sue:** Okay.

**Brad:** Okay. Great. Any other questions on 2.09? Okay. Hearing none, we'll move onto 11B.03, the second item on the agenda.

**Sue:** All right. So, this one is in regard to the electrical outlets and it's specific to electrical outlets where you have a corner work surface in residential dwelling units. So, we heard several comments from the commissioners or the committee members. And they were concerned that if we adopted the ADA standards language that that might be going a little bit too far with the location for where electrical outlets would not be required to be accessible.

So, we did come back and take another look at this provision. So, what we're proposing now rather than bringing in, and you can find this on page 6 of the document, we would not adopt or propose that we would adopt the reserved item that's from the 2010 ADA standards. Rather what we would do is add an item 9 and say in residential dwelling units with mobility features where receptacles are provided in a kitchen at a corner work surface, one receptacle shall be located 36 inches from either wall at the inside corner.

And then we thought it would be a good idea to put a figure with this to make it clearer so you can see, you pick which outlets you want to make or to locate at 3 feet from that inside corner. And then the other outlet could be located in such a way that it will comply with the 4-foot spacing that is required by the residential electrical code. So, we really narrowed this down.

And the reason that we put in that 3-foot requirement is that is actually a requirement that you find in the Fair Housing Accessibility Guidelines and in the Fair Housing Design Manual, the Fair Housing Act Design Manual. So, we wanted to be sure that we captured that and then this would also address that situation where you could do this now and you wouldn't have that issue where you weren't conflicting with what's required by the electrical code.

And then we're also repeating this in another section that we'll look at a little bit later on. So, this would be a requirement in both the units with mobility features and the accessible units with adaptable features. So, then you can see there we also, what the action recommended by the Code Advisory Committee was further study. So, we accepted that. And we said we've additionally studied this item. And we confirmed that the proposed revision is appropriate for inclusion in the California Building Code.

And really what we're saying is we're going to narrow it down to that location where there is a conflict with the electrical code. So, with that, any comments?

**Dara:** Susan this is Dara again. And we support this change and we spoke with Bill Heckert who also thinks it's an excellent change.

**Sue:** Okay.

**Arfaraz:** Susan this is Arfaraz. I'm sorry. This is Arfaraz. I just wanted to say I'm in support of this change as well.

**Sue:** Okay.

**Jihee:** This is Jihee. I'm sorry. I called the number earlier in the Blackboard and that wasn't the current number. So, I - so now I can hear you guys from the AT&T number. But are you guys showing any displays?

**Sue:** Yes, we - well we're not showing - if you go to the Blackboard link right now, we just have the agenda up. So, we don't have the actual document that we're going through.

**Jihee:** Oh. Yeah, but I don't even see the agenda. But it's okay if you're not showing any images.

**Gary:** Same here.

**Bob:** I mean I've got the paperwork in front of me, but I don't see anything on the Blackboard. I see Kaylan's picture.

**Jihee:** Yes. Me too.

**Arfaraz:** I don't see anything on the Blackboard either. I just see a couple of folks. No pictures but just some people that are signed in.

[crosstalk]

**Brad:** Oh. Maybe they're in a different room.

**Sue:** Is that the issue with the guest link thing again?

**Debbie:** It might be. Let me try something here.

**Brad:** Hi. There is some discussion about the links in the room here. So, they're checking to see if that's an issue.

**Sue:** Let's do this. Yes.

**Arfaraz:** Also. Other than Dara, the rest of you in the room aren't coming across loud enough. If you wouldn't mind just speaking closer to the microphone or just speaking up?

**Sue:** Okay.

**Brad:** Okay, thanks.

**Sue:** Thank you.

**Debbie:** The document is being shared right?

**Sue:** Yes. We're sharing the files. Yes.

**Debbie:** There's no one in the room.



**Sue:** Yes. Isn't that weird? Yes. Yes. Thank you, Debbie. Debbie's going to check it out and check the link because it's the guest link and for some reason we're - but we'll check this and see if we can get it working.

**Brad:** Meanwhile does anybody have any comments on that 11B.03 issue?

**Gary:** Looks good.

**Brad:** Looks good? Okay.

**Jihee:** It's fine. It looks good.

**Arfaraz:** I would just like to...

[crosstalk]

**Arfaraz:** Susan? Is it clear from the way it's currently written that this includes any outlets, controls, and switches? Or...

**Sue:** Well, if you look at what's required for the unit with mobility features, then if you look at other switches and other outlets it's pretty specific for all those other outlets that are still required to be accessible. So, we're being very specific in this provision where it's addressing one electrical outlet at a corner work surface. Beyond that, everything is required to be accessible.

**Arfaraz:** Right. And I guess - and this has come up in the field and during plan review with code users, is how is receptacle different than outlet? If they're using a quad do - does every single plug point for lack of a better word need to be within that range? Would we measure to the center point? And I know the FHA guidelines measure to the center point when you're measuring in plan horizontally. But that seems to be - those seem to be questions that typically come up. So, I thought I'd bring that to the group's attention.

**Sue:** Okay. All right. And we'll take a look at that and what's required in other portions of the code, because there are other provisions where it requires the accessible outlet and where the measurement is taken to. So, we'll double check that for what's required for the accessible electrical outlets.

And do you know what I'm going to do, Jessica? I'm going to back out of this real quick and go back into Blackboard and see if we can fix this. It'll just take a minute.

**Jessica:** Because from the Blackboard links that we've been - when I joined that room it calls it ACC meeting, so it was the very last one.

**Sue:** All right. We can fix this. Look at that. Absolutely we can fix that too. Okay. So, hold tight guys. We've got - we'll fix this in just one second. And I think then we'll all be on the same page. It's my problem. I think I clicked the incorrect link.

Okay. Let's do this. We'll do this.

**Jihee:** Susan Moe joined the session.

**Sue:** Yes. Look at that. I did join the session. What would you guys - would you like to see the agenda or the actual document that we're going over? Probably the actual document.

**Jihee:** The actual document.

**Sue:** Okay. You've got it.

**Arfaraz:** Actual document please.

**Sue:** Okay. I will bring that up here in just one second.

**Brad:** Meanwhile while she's locating the document, Gene did I hear you come on the line earlier with a question?

**Gene:** I was unmuting myself just to say that I was in support of the changes, and I also agree I think it should be looked at about where you measure the center point of the outlet too. Those relevant specifications.

**Man:** Okay. Thank you, Gene.

**Sue:** Okay. I like that one better. And then I'll also get this one to bring that up too. Okay. All right. We're almost there guys. It's converting the meeting document right now. So as soon as that's done, I'll go into the page that we're on. But that being the case, the next item that we're going to take a look at is 11B.07. Okay, now I can bring this up.

And I think we need to be on page - is this far enough along?

**Gary:** Hey, there you go.

**Sue:** Yes. That's it. Better?

**Gary:** Yes.

**Jihee:** Yes. We can see it.

**Sue:** Good.

**Brad:** Can you make it a little bigger?

**Sue:** Yes. We'll make it bigger too. Look at that. Okay. Let's see. Let me go back and see if I've got the right one up here. Oh, no, I need to go further on. Just bear with me and I'll do a little scrolling here. All right. Next item.

This is item number 11B.07 on page 9 of your document. And there were some comments that came up by the commissioners on this particular note. So, what they asked for that this be approved as amended. So what we took a look at in - rather than

amending this note because, if you take a look at the note it says when assigned parking is provided, Chapter 11A indicates designated accessible parking for the adaptable residential dwelling unit shall be provided on request of residents with disabilities on the same terms and with the full range of choices, that being off-street parking, carport or garage that are available to other residents.

Initially we proposed amending this note to get rid of the reference to Chapter 11A. But in further review of this and in reading some of the requirements in the document from the joint statement from Department of Justice and HUD and looking at the requirements in the Fair Housing Accessibility Design Manual, what you see there is that this provision isn't really triggered until you have units that either have been sold or rented.

So, looking at this note it isn't anything that a building official will actually have the ability to, you know, at the time that a resident asks for this the building official is no longer going to be involved in the project. So, it's still a requirement that if someone asks for an accessible parking space at their unit, that still is a requirement that has to be met, but it isn't something that necessarily can be addressed in the building code.

So rather than amending this note, what we're proposing is that this particular note that we would not carry it - we wouldn't revise it and we wouldn't carry it forward.

**Brad:** Okay. Let's start the discussion.

**Dara:** Sue this is Dara. I'm disappointed. I think it's a very helpful note. We understand your reasoning. It is an accurate statement of law. Is it possible to include it in one of your advisory manuals or some of your other supplemental materials?

**Sue:** I think that would - Dara would be a really good place to put that. And then we could provide the link to the US - the DOJ and the hot document, because that really gives more information as to what happens when somebody makes that request and how there has to be that nexus between the request and their disability. So, I think that would be a really good thing if we put it in - we could put it in both of the guidance document and we could put it in our advisory manual.

**Dara:** I think that would be really helpful. This comes up for us a lot.

**Sue:** Yeah.

**Dara:** When we see an owner who gets a request and they say well we already have the mandatory number of parking spaces, we don't, accessible spaces, we don't need to do anything else. And that actually is not the law under either California law or Federal law. So, it would be helpful, and I can also, if you're going to do that, I can provide you some good sites under California law as well.

**Sue:** Well and I think the other thing - what I found in some of the research that I've done if it's - I'm not saying an apartment complex and it's strictly privately funded, then the cost for that is borne by the resident of the apartment. But if you look at a project that would be considered public housing so it's getting either federal financial assistance

or it's on behalf of a public entity, then the cost for providing that parking space is not the responsibility of the tenant.

**Dara:** Well, you know, that depends. I think you're absolutely right on the second point. I think, you know, certain premises modifications are not the responsibility of private landlords but providing accessible space where all that involves is putting up a sign or some striping is - or just, you know, assigning a space, may very well be the private landlord's responsibility. So, I think it would be good to address in the advisory manual where we can flesh it out a little bit.

**Sue:** Okay.

**Brad:** Thanks Dara. Anybody else have a comment?

**Jihee:** Hey. I have a comment. I didn't realize this even before whether we pick out this note or not. What happens if for example, if they do assign parking spaces and particular tenants want accessible parking and this, you know, the land or the site is already, you know, defined?

So, for example, to add accessible parking you may not have room for access aisle or, you know, actual physical - you may need more footprint where the garage is or where the site is. So, this may become a problem if, you know, having designated parking and if there is a particular person who wants one.

**Dara:** I think that's beyond the scope of this call. But the law - the Federal State law requires the landlord to make the accommodation except where it's an undue financial and administrative hardship. And that is a very high standard.

**Sue:** I guess you have to look at it on a case-by-case basis.

**Dara:** Yes. You would.

**Sue:** Yes.

**Arfaraz:** So, this is Arfaraz. I had a quick question. So, we don't come across this as often in the Bay Area where you have at least one parking space for each dwelling unit. However, in the rare instances where there is one per unit and you're required to provide one for each mobility unit, I've seen projects that are now recipients of TCAC funding and doubling the number of mobility units.

They find themselves in a quandary because they're not able to provide twice the number of accessible spaces in that parking garage. I guess Sue, do you have any advice on how you'd deal with that?

**Sue:** Well also that's really the regulations that the tax credit allocation committee, what they have determined. Now what they did do, and I can - if you don't have a copy of the letter, I can get that to you. What they said is that they did not intend for the number of parking spaces to be doubled only the number of units with mobility features. So, they did put out a letter to that effect.

And when you read through what the California Building Code says and what the ADA standard says, it says the number required. Some people are taking that to mean that if they're required by the tax credit allocation committee in their regulations, that you still have to provide twice as many parking spaces. But the ADA standards and the California Building Code are not tied to those tax credit allocation committee, to their regulations. So, when they say the number of required parking spaces per mobility units it would be the 5% that's required by the 2010 standards in Chapter 11B.

**Arfaraz:** Thank you for that clarification.

**Dara:** Let me just add, I'm not sure - I think this is a more complicated discussion Arfaraz, than we should have because I think it, again it may depend on whether the people in those units need accessible spaces. And so, they should be ensuring that every unit in the property who needs an accessible space and has requested one gets one. So, I think that may mean somewhat fewer spaces for other people. But I'd have to look at this again about how this has been interpreted federally.

**Brad:** Okay. Other comments? Okay. Not hearing anymore comments on this one we'll move to item 11B.13.

**Sue:** I'm going to turn that over to Derek now.

**Brad:** And Derek will take the mic.

**Derek:** I've got the mic. Okay. Good. Okay. So 11B.13, this occurs on page 11 of your document package. On this one the committee comments and discussion were pretty freewheeling. But in general, if I could distill it, they were concerned that the previous language that we had which just simply said that each combination of charging level and EV connector type shall be considered as a facility.

The comments were about the lack of clarity on the issue of charging level. And there were a lot of what ifs and examples that were brought up. But in essence, because the electric vehicle charging manufacturers have a variety of products and sometimes the differences in amperage could be - sometimes because of the differences of amperage in their units, that those could be considered a different charging level.

And that in taking that view that that might actually lead to numerous levels that might be all within an AC level 2 or all within a DC fast charge general charging level. So, what we've done here is we've amended our proposal in response to the committee's action of further study. We have further study that we've amended our proposal and that's where we've introduced the parenthetical language after the phrase, each combination of charging level.

So here then we add the parenthetical information AC level 1, AC level 2 and DC fast charge. So that it would be those three levels, charging levels that could be considered as a distinct facility. Okay? This was also in the comments that we had received, comments were provided by the charging manufacturers as well. Okay? So, with that we can have any discussion.

**Gene:** Gene.

**Derek:** Yes, hi Gene.

**Gene:** Hi. If I recall that most all the charging station vendors all generally use these three levels except that Tesla has their own totally different system. And I was wondering if that would be their, they should stress that at the meeting. I'm just wondering if that's going to become an issue in the 45-day comment period. Do you have any idea? Or have I talked to you since then?

**Derek:** Okay. We hope that it won't become an issue. Just, I think to clarify on that point, Tesla's typical charging unit is provided within the general charging level of DC fast charge. Okay? What distinguishes Tesla is that they have different and unique connector types, proprietary. And so that in itself would introduce an additional combination of charging level and EV connector type to be considered as a facility.

**Gene:** Okay. Thank you for the clarification. I'm in support of it, what you've brought to us in the March 9th document. So, that was just a concern that I just was hoping you could address. And I assume that this will need to be further developed with more meetings after this code cycle with the industry too. So that's it. Thank you.

**Derek:** Thank you Gene.

**Brad:** Okay. Other comments on electrical vehicle charging stations? Not hearing any, we'll move onto the next item, 11B.14, residential facilities.

**Derek:** And I'll turn the mic over to Sue.

**Sue:** Oh, thank you. Back and forth. So, in the comments that we heard during the Code Advisory Committee hearing meeting was on this note and they wanted to be sure that it should - it's something that we should include. And there was one person who said that - well more than one committee member, who said well it shouldn't say senior citizen housing may also be subject to civil code. They said your note should say senior citizen housing shall also be subject to civil code.

And then they said why wouldn't we make it so that was required? Well, the issue is when you take a look at that civil code in the UNRUH Act and you look at those sections 51.2, 51.3 and 51.4, you could have a public housing project and you could even have units that would be considered senior citizen housing.

But then you'd also have to take a look at the civil code and determine do you still have to comply with that because it's based on the number of units. So potentially you could have public housing that is senior citizen housing that does not have to comply with these portions of the civil code.

So, the Code Advisory Committee, their action was approved as amended and we disagreed with that because you really have to look at the scoping when you look at these provisions and determine whether or not if you have a public housing that is provided as a public entities program, if it does have to comply with these portions of

the civil code.

**Dara:** So, I'm sorry, which one are we on?

**Sue:** We're on page let's see, on page...

**Gary:** Twelve.

**Sue:** 15 and this is item number 11B.14.

**Dara:** So, I - this is Dara. I agree. We agree that the note should remain. There is a typo in your response. The citations in the third line from the bottom should be civil code section 51.2, 51.3, not 52.3. Yes.

**Sue:** Okay.

**Dara:** And let me just say I support this going forward as it's written. I understand from what I've heard that part of the concern with it is may language, it's not directive. I think you could write this sentence in a more directive way which says, you know, any housing intended to qualify as senior housing under the civil code must also include the architectural requirements in 5.1.2 - 51.2d. So, there might be a way if that was helpful to reword that note. But I'm also fine with just leaving it in.

**Sue:** Okay.

**Dara:** If you would like to, you know, I could send you some proposed language if you think that's helpful, if you think you want to rewrite it. But I'm also fine with leaving it in.

**Sue:** I think we're inclined to leave it as is.

**Dara:** Okay.

**Sue:** Okay.

**Derek:** Dara, this is Derek. The idea here is that the use of the note in the building code is not regulatory but rather it's for the convenience of the reader. And it simply provides a civil code reference or civil code references that get the designers started on their research of what actually applies to their project or not.

**Sue:** And what we were hearing from building officials that there were projects that were coming in that needed to comply with these portions of the civil code. And there were design professionals who didn't even realize that this portion of the civil code existed. So, this way we're just giving them a pointer and kind of giving a heads up that yes, you should look at the civil code and see if it actually applies to your project.

**Dara:** I'm fine with it. I mean it obviously applies. There are additional requirements. So, thank you.

**Sue:** Okay.

**Brad:** Okay. Other comments on 11B.14? Nope? Okay. Moving on, next item is 11B.15.

**Sue:** And on this item 11B.15 this was another one where, and let's see, this begins on page 17 of your document. And this was another one that the committee said they recommended further study. And we actually said okay we'll - so in our response we're saying DSA has additionally studied this item. And really what we're doing is bringing in what we've already adopted from Chapter 11A and what's required by the Fair Housing Accessibility Guidelines.

And in addition to that we did receive an email from a commenter during the Code Advisory Committee hearing. And what they requested is that for the site analysis test, that we change it to read that it should be prepared by either a licensed engineer, a professional licensed engineer, architect, landscape architect or a surveyor.

And we will not be making that change because both in Chapter 11A and in the federal regulations it says that if you're using the site analysis test, that it is required that it has to be certified by either a professional licensed engineer, architect, landscape architect or surveyor. So, we are not proposing any change at all into or in our code change proposal. We're just adding to our response in the statement of reason.

**Arfaraz:** Susan, what specifically were you asked or was DSA asked to further study? Was there a specific part of it? Was it a specific test or was it just broadly speaking?

**Sue:** It was just broadly speaking. There wasn't any particular item that the commissioner or the committee members cited. It was just sort of a, you know, the comments weren't really specific to any particular item in the site impracticality test.

**Arfaraz:** I see. Okay. I mean I - we have received plenty of comments from code users just in terms of how convoluted this section in 11A is. So, I was wondering if maybe the committee members were encouraging DSA to perhaps simplify it.

**Sue:** Well, I think what's really important is when you take a look at the way that it's written in chapter 11A, and the way that it's also written in the design manual, I mean it is, you know, you have to kind of take this step by step. And it is pretty convoluted even when you read what the requirements are in the design manual.

And I've look at this and gone back and looked at what's in 11A and compared it with what's in the design manual, and it's pretty convoluted. I mean it depends. If it's an individual building with one entrance, does the building have an elevator? I mean it's a whole multistep process to determine which way you're going to go. If you're going to use an individual building test or if you're going to use the site analysis test.

**Arfaraz:** And I guess the other point is that the ADA regulations prevent a public entity from selecting a site that is otherwise inaccessible and while I see why site impracticality makes sense in Chapter 11A where we're talking about private housing that doesn't really have the same requirements for and is not covered under the ADA regulations, when you're talking about public housing a public entity would be hard pressed to justify a site selected that doesn't - or that I guess what would you say, passes one of these tests and then they still proceed with that as a selected site if that



makes sense.

**Sue:** Well, what you have to do because really what this addresses are those units that are accessible units with adaptable features. It doesn't give you any sort of relief for the units with mobility features. And actually, if you look at the 2010 ADA standards, in the CFR they have what's called structural impracticability. And that does have provisions in there for terrain.

Even when you look at the HUD 504 regulations because the structural impracticability that's one of the things if you look in the deeming notice that HUD says if you look - if you find a site that's required to be accessible. But even when you read through the HUD 504 regulations, it identifies that there could be sites where there are issues with terrain. So, I can go...

**Arfaraz:** Right. But those are...

**Sue:** {Indiscernible} regulations recognize that. But in any event, you'd still have to have 5% of the units with mobility features that are on an accessible route.

**Arfaraz:** Right. And just a point of clarification on what you just stated, you're absolutely right, there are provisions in the federal code to talk about those topographical challenges. But those typically apply where you have an existing facility already. And it wouldn't necessarily apply when you're looking at a vacant lot on a steep hillside if that makes sense.

**Dara:** Yes. And this is Dara. I think we had some concerns about this section as well Susan that you agreed to, Bill Heckert raised, that you agreed to raise you know, considering the next cycle. One of the things, you know, just following up on and maybe part of that is, you know, does it apply at all or is it a much narrower exception? And my understanding was that one of the members of the committee actually suggested that we should only keep the third exception so, which we would not be opposed to.

But one of the things we are concerned about as we've looked at it again, is that the sentence on page 17, I think what you just said Susan is that this is not intended to give you a waiver on any of the mobility units. It only applies to the other units. And that was pretty clear before, you know, because it talked about 11A in units. But as it's written right now, the side effect impracticality test in this section may be used to determine the number of required residential units with adaptable features in buildings without an elevator. Blah, blah, blah...

And there are units, and the problem is mobility units sometimes also have adaptable features. So, it might be good just to have a sense that this doesn't apply to mobility units there. To make it absolutely clear we're not talking this - to confirm what you just said, but it is possible to read according to Heckert, Bill Heckert, this section in a way that people might see it as giving them an out on mobility units. And I just wonder if we shouldn't add that short sentence to make that clear.

**Sue:** Okay.

**Dara:** All right. Thank you. And then I do understand it's complicated and probably requires a longer discussion in the next cycle. But if you could add that sentence then I think we could look for now, but we are supportive of what Arfaraz was saying about maybe it doesn't even apply. And other than to rehabilitations as opposed to new construction. So, it's probably worth going back next year and looking at it again.

**Brad:** Okay. Other comments? All right, moving on, next item, 11B.18.

**Derek:** Okay. This is Derek. I'll be presenting this one. And Sue's bringing up the text of the item here. This item was disapproved by the Building Standards Code Advisory Committee. They were very concerned that - about the similarity between the terms flush transition and blended transition and that that might introduce confusion among the code users.

We have gone back, and we have studied this issue additionally. And we've noted that the term flush transition is used only in limited places within chapter 11B. And we have taken efforts in another item of this package that we'll be discussing a little bit later, to remove the term flush transition and replace it with other language that is not similar to blended transitions.

So, we think we're able to address the concerns that the committee had on this item. One of the key issues there was that flush transition is - it describes a relationship between two surfaces. The way it's used in the code right now it's - it describes the relationship of that transition or that connection between a turning space at a parallel curb ramp and the parking area or the access aisle or the street that is on the other side of the transition.

So, it's intended to be descriptive. Now that's very different than the term blended transition which is actually a - in this proposal, it's a defined term. And it has a very specific meaning. And actually, its meaning and the element that it describes, is very, very similar to the hazardous vehicular area's language and the - and the types of connections that are described there in the hazardous vehicular areas language that we currently have in the code.

So, we think that this one with the changes to 11B.705.1.2.2 we think we're able to eliminate the confusing similarity of terms and make this a good usable section of code. Okay? So, with that we're happy to discuss this.

**Gene:** Gene.

**Brad:** Yes, hi Gene. Come on in.

**Gene:** Okay. I support this section; however, I think there should be further discussion after this code cycle about flush and blended because there was some feeling of the committee that there should be a definition for flush in the code, especially since like you said accurately, this is reflected in a few locations all dealing with curb ramps. Though when you go into the PROAG 2011 and I don't have the R number, it's in Chapter 3 that's all I can remember right now, there is an area about blended and within that it does talk about flush altogether.

And I think that clarification ties those two together in that section from the PROAG. I think that should be looked at for a future code cycle to really spell out the differences. Because some of the - I was I admit, but those who were more the officials were a little confused on it and thought it was - basically was saying it meant the same thing. And until you clearly explain the subtle differences.

And so, I'm thinking we may want to look at that a little more and see in about maybe there is maybe a need to still have flush in the code with a definition in relationship to making the distinction between blended transitions with flush transitions as they pertain to curb ramps. When doing a search, I found in looking for some documents on this, I came across one from the city of Albuquerque and their ADA using gate interpretation.

And they're referring to using flush like transitions along rail crossings, the blended transitions from sidewalks to streets that are flush and so forth. So again, I support this, but I think we should really at the next code cycle, have a further discussion about this. Thank you.

**Derek:** Thanks Gene.

**Brad:** Thanks Gene. It looks like we have Jihee and Arfaraz in queue here. Jihee?

**Jihee:** Yes?

**Brad:** Did you have your hand up? We see it - an item on the...

**Jihee:** Oh. That was a long time ago.

**Brad:** Oh, okay. Okay. I'm sorry.

**Arfaraz:** Yes. The same here. I was having trouble with seeing the agenda on Blackboard, so I put my hand up.

**Brad:** Okay.

**Arfaraz:** So that was - but thanks for checking in.

**Brad:** Okay. Ernest? It looks like you're up.

**Ernest:** Yes. Hey, this is Ernest. So, Derek, just to confirm though, the only place, I just did a quick search, the only place that the term flush transition is used in the CBC is related to parallel curb ramps. And the way I'm understanding it, the term flush transition is actually going to be removed from the parallel curb ramp section meaning that flush transition will no longer be used.

Blended transition will be its own thing, it's a different thing. And there shouldn't be any confusion because you won't see flush transition anymore. It'll be removed. Is that right?

**Derek:** Yes. That is our plan. I will point out ahead of time, before we get to the item on the parallel curb ramps, that we overlooked one example of - the example of the term flush transition that is existing in the code. But I've made a note here and I was planning

to discuss that when that item comes up. But yes, we're going to be getting rid of the use of the term flush transition. So, we're hoping that will help to alleviate any confusion.

**Ernest:** Okay, thanks.

**Derek:** Thanks Ernest.

**Gene:** It's Gene again. Derek, are you referring to the grade break which I believe is 11B.406.5?

**Derek:** No. I wasn't but we're aware of the use of the word flush in that section, 11B-406.5.6. That's grade break under the common requirement for curb ramps, blended transitions and islands. That sentence there says surface slopes that meet at grade breaks shall be flush.

**Gene:** Well, I think there's still some connection there even though it doesn't use the word transition. But that's implied.

**Derek:** And we can certainly study definition of flush, but I think we've got to be just really careful about the language of the code. You know, flush just simply means that one plain is connected to another plain and that - and there are not abrupt surface discontinuities between the two plains. No bumps. If we remember for example, the bottom of curb ramps, of perpendicular curb ramps long ago in the building code, and our office had written into chapter 11B a requirement that there was a half-inch lip at the bottom of curb ramps as it transitioned from the sloping portion of the curb ramp to the gutter. Okay?

And that requirement was included so that people who were blind or had visual disabilities could identify where a person was transitioning from a walking - a sidewalk to going into the street. And so that was actually not in compliance with the ADA Standards for Accessible Design. We removed that requirement. And instead, the requirement is that that connection between the plains does have to be flush, meaning without abrupt surface discontinuities. And I'm not suggesting that as a definition. It's only just for discussion here.

But I think, you know, per your previous suggestion that we take another look at potentially defining the term flush. I think that this would be a good part of the discussion to be included in that.

**Gene:** Okay. Thank you.

**Derek:** Thanks Gene.

**Brad:** Okay. Other comments? Okay. Now we'll move onto item 11B.19.

**Derek:** Okay, 11B.19 that starts on page 25 of your document package. This is the scoping for circulation paths, and this was probably the most controversial and thoroughly discussed item at the Code Advisory Committee. There were a lot of concerns about the requirement to mandate at least that's the primary requirement,

raised pedestrian walks, okay, circulation paths.

We feel that it's very important for the safety of people who are blind and visually impaired, to provide this physical separation. And that while it is certainly discussed in the current code requirements, it is presented in a way that's in combination with the option to have detectable warnings where they are not separated by a raised walk. I think they say curb in that section.

And so consequently, many, many, many designs elect to use the detectable warnings really as their primary and go-to design. We'd like to emphasize that the raised circulation paths provide - well is preferable and that it is the primary requirement here. We have amended this item in a few places to also allow in exception 1, the use for that physical separation, the use of permanently installed raise planters, benches, fencing, partitions, or similar protections in lieu of raised circulation paths.

We go on to say that penetrable elements such as bollards or railings should not be permitted. Okay? Now we also, because this was an item that was discussed at the Code Advisory Committee, we wanted to address the minimum height at the raised circulation paths. And in this document that we have today, we've identified four inches minimum above the area where vehicular traffic occurs.

Let's see. We have - we've also eliminated the concept and the language here that talked about specifically prohibiting flush, excuse me, specifically prohibiting the raised circulation paths. I'm sorry, specifically requiring the raised circulation paths at areas that were associated with accessible access aisles or the accessible routes. But we've pulled that part of the language out. Okay.

So, I think with that I'd also want to point out that Gene Lozano had submitted, just before this meeting had submitted some proposed amendments to this language. And Jessica had forwarded these to all of the members, but it did get sent out right before the meeting. So, I'm hoping that we'll be able to pull up these comments on the Blackboard so that we might review those as well.

I - the first - well Gene, would you like me to summarize this, or would you like to present this?

**Gene:** If you don't mind let me - this is Gene, I'm sorry. Let me go ahead and try to explain a little bit. This - and I - it's not what I'd say is the ultimate perfect language in my opinion. But it was just with the time I had. Yes indeed, the question came up during the advisory committee meeting about people felt that it should be defined, the height. And you put the minimum, DSA put the minimum of 4 inches.

And I acknowledge that my research it seems to be the industry when it comes to - or building for walkways, it's anywhere from 4 inches to 8 inches maximum arranged there. However, when I've been going through local California and outside of California, local departments of transportation/public works, and a few state departments of transportation, they tend to specify 6 inches and they write at least in Texas, absolute.

Maybe in the drawings, figures they may give a range, a tolerance. So, what I - in my

document I was proposing that using two options regarding the height of the circulation path. The first one just substituting 4 with a 6. The other one was from a - I think it's ultimately under ANSI. I can't remember the commission's name. I have it somewhere else. This institute that deals with concrete.

And they say that it's 6 inches plus or minus a quarter inch. And a length of every 10, you know, a length of 10 feet. And some traffic engineers - I've spoken to, very few, but a few I've spoken to since then, do seem to agree that 6 inches serves drainage issues and so forth. And also, what that sentence was adding that the raised circulation pathway that's right now it says 4, that it complies with 11B-403 which has to do with walking surfaces.

And that gives you cross slopes, all the other specifications for a circulation pathway that I think should be cited, cross referenced. The recent - the 4 inches can be a tripping hazard depending if you're crossing and there's - I'm not taking away from a blended transition of a spot or a curb ramp, but if there's some reason that you're maybe at a parking facility and you have cars parked up right in the curb, and I've experienced it and talked to other people, that 4 inches can be a tripping hazard when they get out of their vehicle, an accessible parking spot, getting there.

It's also the height that where 6 inches doesn't eliminate it, but it does reduce people - a motorist putting their - parking their - placing the car across or on top of the raised pathway. So, it's a discouragement so it's not used for parking, or some people use it along roads as a travel lane to bypass traffic. That was the first period. The exception one that's being proposed in the March 9th document seems to be a reverse to something we had discussed previously and decided not to include when it came to the first portion of the exception, planters, and benches and so forth.

The first thing with the benches, in theory you would be specifying the full length of circulation path which could be maybe along a road that could be 700 foot long, a continuous line of benches. Okay. If you do that then you have - people are going to utilize those benches sitting, there. So therefore, as a blind person walking along the edge of bench, will run into legs from people sitting there or their possessions along there.

And then you get off track and you can get disoriented. I'm not saying it's in absolute terms. I'm just saying these things do happen at a high frequency, but not for everybody. So, and then of course there's a maintenance issue and replacement of these benches and line of sight so that I guess visible what's by motorists or anyone else that needs a line of sight. So, there are issues with the benches and some of these other things like fences.

Even if they're solid and you can't go through them the same concern about line of sight, the issue of you get into specifications of what kind of fence including elimination of sharp edges, rounded corners so forth and so forth, which are not in the code there. So, anyone could put up anything that appears to be solid.

So, the whole list, planters too, the - it's very effective, a solid line but they do have the shortcomings because depending how effectively they've been set up, these

supposedly effective physical operations, how you approach that circulation path, you could get disoriented and get confused on which side you should be walking on. And if it's a quiet road you may choose to decide that there's little to no traffic.

And that's why a raised circulation path, you know when you're in a raised circulation path there is a curve on one side at least or on both sides. But do you know that is generally a safe area. You're not having to deal with is this a separation or is this just landscaping? You need consistency and predictability. And that's the reason I eliminated that exception, and I was trying to restore which was, has been the concern of the original December 20 document of having the crosswalk in a parking facility that it would knock the outline with detectable warnings.

And that's been the concern and it's my understanding that was what that original exception one was going to do. And then the other issue I had with the elimination of exception 6 from the December 20th document, which basically was saying that if you had an existing flush transition separating and it listed parking facilities, such and such, drives and roads, etc., from the vehicular traffic that they may not be, in other words, they would not be removed or don't have to be removed as long as the detectable warning is there.

And that was, generally we had discussions concerning about putting the financial hardship on somebody who might think they have to pull out the existing detectable warnings and put something else there since they've already incurred it. And that I think should be addressed. And it also makes it clear that where you go oh, sometimes there's medical buildings in the middle of a parking lot and the whole perimeter around the walk circulation path around the building, is flush with the parking way.

And often I have found that it's just where the crosswalk that you find detectable warnings. But the rest of it, there is nothing there. Now other places, like there's a shopping mall here in Sacramento Country Club and it's an over kill. But because the hospital is there and push toward the whole area around a huge studio, like it's almost a square block, they have detectable warnings the whole length around it. And that's what none of us really want to see happen.

But that could have been resolved a lot just using a combination of detectable warnings and raised circulation pathways. So that's just to kind of sum up the concerns and issues. And what I was trying to do in the text I sent you which yes, could be, it's rough, but that was the attempt. Thank you.

**Derek:** Great. Thank you, Gene. I'd like to address a couple of the points if I may. I think first of all, I want to point out to everybody again that this item was actually rejected by or disapproved by the Code Advisory Committee. And so, with that - and at this point DSA is seriously considering disagreeing with their disapproval and carrying this item forward, nonetheless.

However, we do understand that the Code Advisory Committee's action on this item does certainly put it at risk. You know, if we carry it forward let's just say for example, as it was when it was heard by the Code Advisory Committee, it wouldn't be surprising at all to me if the Building Standards Commission when they do ultimately hear this item, if

they don't - it wouldn't be surprising if they were to say well, you know, the CAC disapproved this. You're bringing it back without amendments and you know and you haven't addressed any of the concerns of the Code Advisory Committee.

So, it's a delicate line that we're walking here, trying to keep this item alive and not just having it rejected by the Building Standards Commission. So, what we are doing, what this draft reflects is in some areas they - a compromise from our previous proposal. You know, so just that's a general understanding of what our concerns are for the future of this item.

We did want to address the height of the raised circulation paths. We selected 4 inches quite mindful that 6 inches is a very common height of a sidewalk, above a roadway or above a parking facility drive. But that we also are mindful that managing water flow often involves the surfaces, the vehicle areas, the surfaces of the vehicle areas to be constructed so that they rise and depress in order to direct water towards their drainage system.

Now we recognize that the slopes that are typically used within parking facilities do exceed the more limited slopes that we would typically expect in an accessible route and really, they can exceed half an inch per foot in a lot of places. It's just not surprising. And so, for us to narrowly define any height of a curb to plus or minus 1/4 of an inch would be very difficult as a practical matter. It would be difficult to maintain compliance out in the field. And so, I don't think that we're implying to consider such a narrow variation plus or minus 1/4 of an inch. What we wanted to do was to make sure at a very minimum that the 4 inches of height would be maintained. We don't expect that all of the curbs are going to be reduced down to 4 inches. There are a lot of other considerations that go into the civil design of parking facilities and roadway construction. But we don't really expect that it's going to be much less than 6 inches in practical matters.

**Dara:** This is Dara. Oh, sorry I didn't sense that you were done.

**Derek:** I can take a break for the moment. What would you like Dara?

**Dara:** I like to support James's proposal. I did have - we did have a conversation with Bill Heckert who seems 6 inches makes much more sense in terms of safety because cars can't as easily roll over it as Gene noted and it is consistent with other standards. And we think is a safety reason 6 inches makes much more sense than 4 inches so we would support that. And we are also concerned about, as Gene was, some use of some things like benches and planters that might be intermittent and create problems for people who are blind.

So, I would again, I think that we would support Gene's proposal on this. At a minimum the physical separation should be provided between - by - if we're going to lift anything like planters and fence, it shouldn't include benches unless we're clear that the benches can't face into the path, so people don't get tripped by people sitting there. And if we're going to include planter sensing partitions or whatever we've got to make it clear that they don't have any gaps in them. And so, I think the best way to do that is to adopt the language that Gene has put forward as safety matters for people who have visual disabilities.



**Arfaraz:** This is Arfaraz. I just wanted to share with the group that a lot of times and I think Gene may have pointed alluded to it as well that a lot of times when curbs and gutters are specified and/or are the design be at least 6 inches and no more than 8 inches perhaps. But over the course of resurfacing over the years sometimes that difference might turn out to be less than 6 inches and so that's something to be cognizant about that way while you may start off with a 6 inch curb over the years that 6 inch curb may end up being 5 inches or 4 inches due to the resurfacing of if it's an asphalt street for example then you might see that happen as an example. So just wanted to put that out there for the group's consideration.

**Derek:** Thank you Arfaraz. Kaylan has also posted a comment on the Blackboard. And she says can you please talk a little bit about what happens if DSA goes against the BSCs disapproval? And I think she's referring to the BSC's Code Advisory Committee. Well ultimately our code package will be heard by the Building Standards Commission itself. And it's important to understand that the Building Standards Commission's Code Advisory Committee is a subordinate body to the commission and that the Code Advisory Committee's role in the review of proposed code amendments is to have a group of people that are generally more focused and knowledgeable about the topic of discussion.

So, our package for access is for advisory, Code Advisory Committee on Access. There are other code advisory committees for structural issues, for plumbing, electrical, mechanical, and so on. But to Kaylan's question about what happens if DSA goes against the BSC's, I'll say Code Advisory Committee disapproval, well nothing happens as a matter of rule, okay? In other words, if DSA chooses to go against the Code Advisory Committee's recommendation it's not like we're going to be banned from writing code. We're not going to be penalized for anything. However, the Code Building Standards Commission takes very seriously the comments of the Code Advisory Committee. And we would certainly be questioned as to why we chose to go against the disapproval that was expressed by the Code Advisory Committee. It, the Building Standards Commission does often make reference to the Code Advisory Committee's comments about a particular item and especially on the issue of disapproval. I believe they would take that pretty seriously.

**Gene:** Derek, this is Gene.

**Derek:** Yes, Gene go ahead.

**Gene:** Yourself and others who have spoken so far are bringing up some valid things. It's and I feel very strongly the circulation path needs to be addressed and I'm personally, I'm very appreciative of DSA championing this. I hate to lose it but at the same time since there are still some areas that need to be discussed, perhaps we may want to decide, and I say this reluctantly, but perhaps we work on, go back to study, work on this and introduce the next code cycle. Maybe we can flush out and address some of the concerns I have and others.

You know, during that meeting those who weren't present and on a lot of these items since this was like the second day, I'm a member of the committee, but the committee was rushing through things. DSA didn't have a really an opportunity to explain a lot of

what they were trying to do. And I think just for comments going back and forth there was a misunderstanding on this item and a lot of others that followed that I think just was an opportunity to really clarify, would have changed some of the things.

And then there was an individual or two has in their agenda anything related to detectable warnings they're opposed to, and they have right to that. I'm just saying there was a lot going on and so not to taint this being addressed by the commission perhaps it may be advisable for us to pull it from this code cycle and doing it for the next code cycle so that we can get those stakeholders, including myself, be part of this to work it out and come up with something that might be more acceptable because particularly exception one there's really I have some really difficulties with that one. So that is just what I want to throw out for consideration, not just, I'm trying to stop you from giving your additional input because I'd like to hear it Derek, but I just thought maybe to save some time I'm not going to - I just thought it was some way of maybe might save this and less in opposition. That's it.

**Derek:** No, I would like to, I guess finish up the response...

**Gene:** Please.

**Derek:** to {indiscernible} question. You know, what happens? Now we, I've talked a little bit about what happens at this commission itself, at the commission meeting. In the event that the commission...

[crosstalk]

**Brad:** Somebody needs to mute themselves. Dara, I think it's you. Can you mute your microphone?

**Dara:** I was muted.

**Brad:** Okay. Gene is that you?

**Gene:** No.

**Brad:** Okay. Somebody needs to mute. Okay, thanks Jihee.

**Derek:** Okay, so I discussed a little bit about what might happen when DSA, just before the commission, the Building Standards Commission. But I didn't get an opportunity to discuss what happens in the context of the building code itself if the Building Standards Commission also decides to disapprove our item. Well, if that happens, then of course this item would not be incorporated into the building code in any manner at all and it would leave us relying on the existing code provisions with all of their issues that we've discussed previously.

Now, you know, one of the big issues that would be related to this is the issue of the hazardous vehicular areas versus the blended transition item. You know, if as a secondary consideration if that item were disapproved at the commission, then they state of the code would simply be that a lot of these conditions that are described in this

draft for 11B-250 would be handled by the hazardous vehicular area language that we have in the code and have had in the code for a long time. So, those are some of the things we can look forward to.

**Brad:** Okay got a question from Lewis in the room here.

**Lewis:** I just want to make my comments. I actually agree with the Building Standards Commission Code Advisory Committee that I do not think that this should be part of the building code itself to have raised circulation paths. I think there's several areas I mean I think it's a great idea, but it should not be part of the code because there's - it's in a lot of situations where you cannot have raised circulation paths. I did get one comment from a civil engineer. It's the only comment I've gotten the whole time I've been on the committee, so I have to relay it. And he did say that it would, in several of his site designs, actually cause drainage issues to have to have every circulation path raised.

And this morning I actually encountered an area that because I've never, you know, figured out where a hazardous vehicular area may or may not be. So, I had to go down to Elmwood Correctional Facility and through there, you know, buildings they actually have a driveway. They're about to do \$3 million or \$4 million sidewalk improvement and there's a lot of flush transitions between the drive aisle and the parking, I mean and the walkway.

That drive aisle is used very seldomly. Obviously, it's police vehicles that are driving through there; they're driving slowly. I have not yet talked to the building department yet but there is no proposed detectable warnings between the two. So that's actually the only - the first time I have actually encountered an area that I would say would be considered to be nonhazardous vehicular area even though it's a drive aisle.

**Derek:** Great.

**Brad:** {Indiscernible} we have to address Gene's question about possibly holding off on this one?

**Derek:** I'm not ready to make a decision now. So, I'm not sure that we need to address it. It's received and will be well considered.

**Brad:** Okay, Gene? So, we get your comments and will be considered. Okay. There's been a request to take a short break if we could. We've got about an hour left. We're going to take a ten-minute break right now and then we have about an hour left once we return. Is that okay with everybody on the phone?

**Carol:** Yes, it's okay with me. This is Carol.

**Brad:** Oh, hi Carol. Yes.

**Carol:** Hi.

**Derek:** Okay that's okay? Okay, ...

**Arfaraz:** Yes.

**Brad:** So, let's take the 10-minute break and we'll resume at 3 o'clock and come back to the next item or continue with this one -- whatever. Okay, thank you.

**Brad:** Should we mute or anything?

**Jessica:** Yes.

**Derek:** Okay.

**Jessica:** Just want to let everyone on the line know, we're going to mute this while we're on break.

## **BREAK**

**Brad:** We're coming back online. Not everybody is in the room yet but we're coming back online. A question's come up and we'd like to gauge the amount of support for this past issue this last one we were talking about on the..

**Derek:** Ready to go?

**Brad:** Yes.

**Bob:** On the what?

**Brad:** On the circulation path. We'd like to note - know the support for whether you're against the idea or whether you're neutral on the issue. So, would anybody be in support of DSA's position on this when it comes to the 4-inch standard? Is anybody in support of that?

**Gene:** This is Gene. Does that include Exception 1 and that's being proposed?

**Derek:** {indiscernible}.

**Bob:** I think so.

**Gene:** So as written?

**Brad:** As written Gene yes. The entire item as written.

**Gene:** I'd have to take a - this is Gene. I'd have to take a maybe stand.

**Brad:** Okay.

**Vidal:** This is Vidal.

**Brad:** Yes hey.

**Vidal:** Hi. I like to make a comment on this. I'm kind of with Gene. I am - I really don't like planters and benches and it just seems to be another obstacle in the way of my

path of travel. And I do understand that the raised area being 6 might be a - kind of like a flooding or water retaining wall of some sort. But the benches and the planters in the fence it just seems to be a lot more stuff on path of travels nowadays. And no matter what the use of those things are for they're just in the way. And that's my take on it.

**Brad:** Okay. Okay, thanks Vidal.

**Vidal:** Yes.

**Derek** Take that as a maybe?

**Brad:** I'm thinking two maybe, two maybes neutral condition, there's conditions there. And it's just - let me ask it this way. Is there anybody against this - the DSA's proposal on this issue?

**Bob:** Not really.

**Brad:** Okay so we got one. Lewis is against it. Anybody else?

**Carol:** I still would like to figure out exactly why they're against it. I don't understand it when I was reading it, so I apologize for that. But it doesn't seem like their reasoning was a good reason or to me to refute what we decided.

**Brad:** Okay, who was that that was speaking?

**Carol:** So, do they decide on their own no matter what we say right?

**Brad:** That's a question I don't know.

**Derek:** I'm sorry would you repeat that again please? Carol?

**Carol:** So, because of the, oh, sorry, this is Carol Loeffler. So, if the decision that they were against what the recommendations were and they're not receiving any recommendations that they like, they just decide what they want to say and then that goes in the 45 day? Is that a - that's my question.

**Derek:** Well, the disapproval came from the Building Standards Commission Code Advisory Committee. And DSA is considering how to address their disapproval. Now DSA has the option of accepting it or of disagreeing.

**Carol:** And if DSA disagrees then what happens?

**Derek:** Well then DSA, what can happen is DSA can amend their proposal to make it more supportable. DSA could choose not to amend the proposal and just go up with the same proposal again.

**Carol:** Okay.

**Sue:** You can choose to withdraw it.

**Derek:** We could choose to withdraw it. That's a good point. Yes, a good point, yes that's another option that we have.

**Carol:** And then can you say withdraw do you have to wait another, or another code-cycle before it can be revised, or could it be revised and then re-presented?

**Derek:** No, if we withdrew the item, it would be withdrawn from this code cycle. We have to...

**Carol:** Okay.

**Derek:** ...wait for a subsequent code cycle.

**Carol:** Okay, thanks.

**Derek:** You're welcome.

**Ernest:** This is Ernest. I think I actually support most of what is provided. When I hear the - when I read the 4-inch requirement I think it needs to be pointed out that that's a 4-inch minimum requirement. We could still provide 6 inches and most designers probably will still provide 6 inches. But based on every site, you know, it's going to vary. So, it's not like all the sites are going to provide 4-inch-high sidewalks. It's probably still going to be 6 inches. It is just providing a minimum requirement. Also, I heard, you know, the concern about cars overlapping. If there is a route that has parking up against it would there still be requirement for some kind of barrier such as wheel stops be provided up against the walk regardless?

**Derek:** There is no requirement for wheel stops but the code is permissive in that it allows wheel stops to be provided to prevent a car from overhanging an accessible route.

**Ernest:** Right, so to me that, I think the code reads that a vehicle cannot overhang accessible route, right?

**Derek:** Yes, that's right. A car is not supposed to be allowed to overhang an accessible route.

**Ernest:** So, whether if it was a 4-inch or 6-inch curb it wouldn't have been allowed to begin with?

**Derek:** Either way there would be no change to the other provision that prohibits them from overlapping {indiscernible}.

[crosstalk]

**Ernest:** Yes, exactly okay.

[crosstalk]

**Brad:** Some needs to mute their phone. Thank you. Okay, other comments? We're

looking for a little bit more clarity on this one and to try to decide whether it needs to sit out for this code cycle. So, we're still asking if anybody is clearly in support of the DSA conditions here or if you're against those conditions or whether you're neutral on this one. Can you let us know?

Crosstalk

**Kaylan:** Go ahead. This is Kaylan.

**Jihee:** This is Jihee. Oh, sorry.

**Brad:** Okay so Carol, Carol's first and then will go Jihee next. Carol?

**Jihee:** Kaylan.

**Derek:** Kaylan.

**Brad:** Oh Kaylan, I'm sorry Kaylan. Go ahead Kaylan.

**Kaylan:** I am definitely, I don't know if neutral is the right word, but I don't understand this language enough to fall off the fence either way. I'm still just having trouble wrapping my head around it. What it's actually going to look like in the field and how it's going to be implemented.

**Brad:** Okay, thanks Kaylan.

**Kaylan:** Thanks.

**Jihee:** Hey this is Jihee. So generally, I'm in support of this and 4-inch seems okay because we're just defining the minimum requirement. I probably don't want to go as high as 6-inches just you don't know what the conditions will be with the other, you know, disciplines with civil and so on. So yes, I support but don't want to go any higher than 4-inches.

**Brad:** Okay, thanks Jihee. Anybody else?

**Arfaraz:** This is Arfaraz. I think with regard to Exception 1 the use of planters and benches would be appropriate provided that the planters are contiguous - is contiguous the right word or continuous without a break right, which would - you wouldn't want to have a break such that you could have someone go through them without realizing they're transitioning from a pedestrian area to a vehicle area. So, I'm not sure if there's a way to, I guess I'd be more comfortable if there was an appropriate adjective added to describe the planters and benches. And I'd be supportive of it.

**Brad:** Okay, thanks Arfaraz.

**Hannah:** This is Hannah. I kind of agree with Kaylan, can't really wrap my head around it personally but I guess more of the neutral side.

**Brad:** Okay, thanks Hannah.

**Dara:** This is Dara. While I support Gene's proposal, I would rather see this move ahead with the 4-inches than the 6-inches and I agree with Arfaraz with what he just said about trying to make it clear about benches and about planters. So anyway.

**Brad:** Okay, thanks Dara.

**Gene:** This is Gene.

**Brad:** Okay, Gene.

**Gene:** After everyone else is finished I just want to clarify my position. Not dialogue, but I mean just want to clarify something; want to bring it to support.

**Brad:** Okay, we'll call you back in Gene when - let's hear from the others then.

**Gene:** Sure.

**Sue:** I think Bob, I think he had to leave the call at 2:20.

**Bob:** No, I'm back in.

**Sue:** Oh okay.

**Brad:** Oh, hi Bob. Do you have, you know, an opinion on this one whether you're in support are against the conditions here set by DSA?

**Bob:** Yes, I think 4-inches is better than six.

**Brad:** Okay. So that's support, correct?

**Bob:** Yes. But like so many others you're hearing this does need work. But I'd rather we have four going in there instead of six.

**Brad:** Okay, thanks Bob. There's a few others, does anybody else want to make an opinion on this?

**Sue:** Everyone has.

**Brad:** Everybody has okay.

**Derek:** Carol?

**Brad:** Yes, Carol. Carol, do you have an opinion on this? We got your question, but we didn't get your support or against the item. Whether you're in support or against? Okay, not hearing Carol.

**Debbie:** You have to un-mute yourself Carol.

**Jihee:** She doesn't seem to be connected.

**Brad:** Oh okay. How about Gary? Okay, all right. Gene why don't you come back in with



your comment? It looks like we've tried to pull everybody, but we've gotten some comments but not all - everybody yet so Gene why don't you come back in with your comments on the item.

**Gene:** Okay, the 4-inch minimum as I heard minimum from the very beginning, I can live with that and would hope that perhaps in a future code cycle we revisit the bus stop pad location. It does, you know, imply that it's raised in one option. The newer low floor vehicles need to have a curb that's a minimum height that's 6-inches. When they extend their ramp if it is lower than inches then it becomes greater than 1 to 12 and that's coming from the transit company, so I've been in dialogue with over the years on that.

So, I guess I could live reluctantly with a minimum 4-inches and to go on. It's Exception 1 is the one that I can support because it violates the very fundamental principle of travel for people with dogs and canes. And that is consistency and predictability. So, you have a hodgepodge of the raised sidewalks, or you have benches or planters. Best you don't want - it just makes the built environment more complex and confusing.

You need a single feature standardization. You know, similar to the design of curb ramps, perpendicular curb ramps standardizing it so the university used theirs so that you don't have a variety of different side slopes and not - one might have flush transition where another one it's just something that is for safety. You have to have consistency and standardization. So, if exception one from the March 20 - March 9 document was not part of it, I could go with it then. Thank you.

**Vidal:** This is Vidal.

**Brad:** Okay, thanks Gene. Hi Vidal.

**Vidal:** Hey I will support this proposal as well but with the same caveat that Gene said in regard to number one. I mean for legally or blind folks that number one is just something I, you know, I'll just I - something I wouldn't agree with. But for the entire I will support it.

**Brad:** Okay, thanks Vidal.

**Vidal:** Yes.

**Brad:** Okay so just to be clear it seems like one or the four - most can live with the 4-inch minimum however it's the separation between the barriers or planters that comes up as part of that exception that people have a problem with. So...

**Derek:** Okay. That's excellent info and I'm glad that we could distill it down to the essential concerns with the item. We will be taking all of these comments and considering them over the next week as we are trying to finalize our package for submittal for the 45-day public comment period. So, thank you to everybody for helping out with this. Can we go on to the next item?

**Brad:** Okay, now we'll start 11B.26 diagonal curb ramps. Okay, 11B.26 is on Page 29 of your package. Here the building Standards Commission Code Advisory Committee had

voted to further study this item and so, you know, one of the prime comments that the Code Advisory Committee had was suggesting that this new language that we are proposing to add here would be better presented as a definition or as part of a definition rather than as part of a code requirement. Let me go ahead and discuss this and perhaps in your comments maybe address the issue of whether you think this should be as part of a definition or as part of the code section 11B 406.5.10?

**Brad:** Okay, let's open up the discussion. Does anybody have a comment on that?

**Bob:** So, this is Bob Raymer.

**Kaylan:** This is Kaylan.

**Bob:** So, you would propose putting that the languages underlying simply in Chapter 2?

**Derek:** Well, we're not proposing this at this time. We are noting that the Code Advisory Committee as part of their comment in further studying this had suggested that it would be better placed in a definition. It does seem like it couldn't stand by itself as a definition, it just seems a little like it's not complete but that was their action on this item.

**Gene:** This is Gene. I'm in support of it as you're proposing.

**Derek:** Okay, thanks Gene.

**Brad:** Anybody else?

**Carol:** I agree with the proposal. This is Carol Loeffler.

**Sue:** I think Kaylan has her hand up.

**Brad:** Okay, Kaylan?

**Kaylan:** Hey, this is Kaylan. It is good information to have as long as it's somewhere. And if you put it as a definition to expand on it, that'd be great, but either way in my book.

**Arfaraz:** This is Arfaraz. I am in support of the revised text. I believe it provides the clarification that they're seeking.

**Brad:** Okay, thank you.

**Jihee:** This is Jihee. So, I'm fine with having this or similar language to go into definition.

**Derek:** Jihee are you saying that you think it's better as a definition or that you're fine?

**Jihee:** I think it may need to be edited but it may be better to go into definition because that just underline portion sounds like a definition to me.

**Derek:** Okay, thank you.

**Brad:** Okay, anybody else?

**Vidal:** This is Vidal.

**Brad:** Okay Vidal.

**Vidal:** Yes, I'm in support of the DSA response to accept this.

**Brad:** Okay.

**Dara:** This is Dara.

**Derek:** I'm sorry Dara. I'm sorry to interrupt but I wanted to ask if Vidal, if you could clarify your response, please?

**Vidal:** Yes, I - as it's current, the current language...

**Derek:** So...

**Vidal:** No, I'm sorry, I'm sorry the - yes, I - no, it's a suggested text, a proposed amendment right, that was, well not the definition but the way it's written out.

**Derek:** Oh, okay as written then.

**Vidal:** All right yes.

**Derek:** Thank you very much.

**Vidal:** Sure.

**Derek:** Dara I'm sorry please.

**Dara:** Oh, it's hard to tell, you know if someone is done. Sorry to interrupt. I like it where it is but as long as it's somewhere I can live with it, but I think it's fine to leave in. It seems helpful here. But if it needed to go in the definition that would be, I could understand that too. So, my preference is here but I can live with it either way.

**Derek:** Okay thanks, Dara.

**Brad:** Anybody else? Okay, any other comments on this before we leave the item? Okay, now we'll move on to Item 11B.33.

**Sue:** And this one the Code Advisory Committee recommended further study and we accept that. And what we're proposing is to add where it would say in residential dwelling units the lavatory complying with Section 11B606 shall be permitted on the rear wall 26-inches minimum from the water closet center line to allow for the installation of a grab bar where the clearance at the water closet is 66-inches minimum measured perpendicular from the rear wall. I believe what happened when we took this before the Code Advisory Committee, they didn't understand that what we were trying to accommodate here is the required clearance for the grab bar, because in our

discussions with the Access Board they said they realized that this figure needed to be compared in conjunction with the grab bar requirements.

So went it said 18-inches minimum from center line of the water closet to the edge of the lavatory, that didn't really allow for the installation of a grab bar that it's clear of the lavatory. And in looking at this there's realization that if you install the grab bar at 36-inches you'd have to have an inch and a half for the grab bar, an inch and a half for the clearance below the grab bar, so that would put the top of the lavatory at 33-inches which then makes it a little bit difficult to comply with the 29-inches that's required at the front edge of the lavatory in California. So, what we did for our proposal, we're just including that language that says to allow for the installation of a grab bar. Oh, I'll get one in a second thanks Terry. Okay.

**Brad:** Okay, any questions on this item? Okay, sounds good. We'll move on now to item 11 B.36 and Derek, I think on this one.

**Sue:** Yes.

**Derek:** All right, real good. Okay, so the next item 11B.36 that starts on Page 35 of your document package. And this has to do with detectable warnings, color, and contrast. On this one the Code Advisory Committee voted the DSA should further study this item. And DSA is fine with that. We're happy to accept it. There were however some concerns that were raised as well as some proposed amendments. Some of the proposed amendments I think were rather lengthy and were a little difficult for us to understand completely. I think we did study them well enough to really get a full understanding of them, eventually. But as far as considering the code, the average code user, we thought something a little simpler that might address the concerns could be incorporated and have it be about equally effective.

The concern basically was that some designers or owners might try to distort their assessment and calculation of when it was exactly that - I'm sorry that what conditions were necessary in order for them to be required to replace the full section of detectable warnings at a location. The suggestion was that for example at a street intersection where you probably have at least four curb ramps, sometimes two curb ramps on each quarter so you might have eight of them and so that damage at one of them if you are considering the single location to be the intersection and the related curb ramps would tend to minimize the percentage of detectable warnings that needed to be replaced and might be gained so that, that percentage would fall below 20%. And if it did fall below 20% then the language in Exception 1 would allow them to replace the detectable warnings with product that was in kind in other words the same as what was already in place.

What we've done is we've amended the language in Exception 1 to indicate instead of single location to say at a single contiguous location. Now contiguous just means that together they're touching. So, for example at a typical perpendicular curb ramp you often will find a 4-foot wide by 3-foot depth of detectable warnings that are installed. And so, we would by relying on the language at a single contiguous location we would only be considering the area of detectable warnings at that one single curb ramp and not at the three or seven other curb ramps that might be at an intersection. So, we thought

that helped a lot. And I think with that we're - we'd like to get feedback on this item.

**Brad:** Okay, let's hear your comments.

**Gene:** Gene.

**Brad:** Hi Gene.

**Gene:** I'm going to support this March 9 proposal. In the, I think you call it rationale section where DSA gives a position, I think really it would help adding a paragraph or two of condensed information why this yellow is preferable over red or black or other colors. And I believe you had something like that in your December 20 document. I could be mistaken but I think that would help getting some the people reading this, some understanding why specifying that all detectable warning applications be of that one color and the consistency and predictability just like traffic signals, the lights, the use for the meaning is needed.

So, I think that might be useful to put in there and maybe minimize some of the opposition. I know it's hard to and I don't have an argument for people. Most of the argument is truly aesthetics against it visually rather than being as - an architect told me if you really want to you can develop your color palette on the property of adjacent to in each location so that they all match up there and still meet the code rather than deciding that you're just totally against it without the meaning of it. So, I think expanding that.

And I don't suggest now but I think future code cycle that defining a little more closely a single location. I agree with everything that was said about just wanting to limit you to curb ramp as a single location and that with four or greater number of curb ramps rather than a whole intersection.

But a pedestrian refuge area or a cut through where there is just sometimes needed separation of 24 inches between the detectable warnings on either side of the opening exit maybe that we should look at that whether that is a single location rather than choose separate single locations because one side you could have the yellow and the other side it could be black in the black could be interpreted by people with low vision; this is the purpose for low vision people. I think black as a whole so I think that's part of the roadway. And just because of their depth perception impairment in addition to the lighting and other factors. But I am in support as written. Those are just the additional comments for consideration. Thank you.

**Brad:** Great, thanks Gene.

**Sue:** Gene this is Sue. Could I ask a question?

**Gene:** Sure.

**Sue:** When you were talking about providing some extra information as to why this color is important as opposed to

**Gene:** Yes.

**Sue:** other colors, is that something that potentially we could include in our advisory manual and maybe expand on that information a little bit?

**Gene:** Yes, oh yes. Excellent suggestion. Yes, I totally agree with that. I just thought in here I know you have limited space, but it might just inform people not expanding extensive but at least knowing that there is some research behind it.

**Sue:** Okay.

**Brad:** Thanks, Gene.

**Dara:** This is Dara. Sorry if I missed something but I got distracted for a second. But this doesn't, you have it written but you're the draft does not show your response to the CAC. So, I guess what I'm hearing is that you're going to go ahead with it with these yellow changes on Page 37 and with the new figures on Page 38 and 39. Is that right?

**Derek:** Well Dara actually I think you may be moved out just a little ahead of us. Were still on...

**Dara:** Oh sorry.

**Derek:** Item 36

**Dara:** Oh, okay. You were still on the one before. Sorry I did. Got it, okay. Yes, I'm fine with this on an interim...

**Derek:** Okay.

**Dara:** Yes, yes, I'm fine.

**Brad:** Thanks, Dara.

**Dara:** All right, I did jump ahead. Sorry.

**Brad:** Okay. Thank you. Okay, anybody else?

**Arfaraz:** This is Arfaraz.

**Jihee:** I'm good. This is Jihee.

**Brad:** Okay, thanks Jihee. Go ahead Arfaraz.

**Arfaraz:** I'm good with this too. Thank you.

**Brad:** Okay, thank you. Anybody else?

**Carol:** Carol Loeffler. I'm good with it.

**Brad:** Okay, thank you, Carol.

**Hannah:** This is Hannah, I like it as well.

**Brad:** Okay, thank you, Hannah. Okay, anybody else? All right any other comments...

**Gene:** This is...

**Brad:** Go ahead.

**Gene:** I'm sorry, this is Gene again. Something else to click in your rationale. I know the question's going to come up with how you determined less than 20% for trigger, you know, or I should say if it's greater than 20% replacement needs to be done in the yellow versus having if it's just less than 20% it stays whatever color it is. I'm not opposed to that. I'm just asking, I think that would be helpful and I'll explain where that trigger was because that was some comment, I heard by the access code people so just throwing it out to you. Thank you.

**Brad:** Thanks Gene.

**Derek:** Thanks Gene.

**Brad:** Derek, do you have an answer on that one about the 20% how the determination was made?

**Derek:** The - well we don't have a thoroughly and well considered termination there but the 20% trigger is addressing the issue of whether it's just simply maintenance and repairing a small portion of the patch of detectable warnings or a large portion of the patch of detectable warnings. You know, maybe we might have considered anything up to 50% but really once you start taking out a portion in this case a 1/5 of the section of detectable warnings, you know, the work involved is not that different to take out the whole thing and replace the whole thing.

**Sue:** I would say too, the majority of the impact of that 20% is going to be at those locations where it is that say a program because if you start taking 20% out of that small area you're going to end up taking out the whole thing as opposed to if you have this really long run of detectable warnings yes it's still proportional and 20% is a lot but I can see where this would have the greatest impact is on programs.

**Gene:** This is Gene...

**Sue:** This is probably where you'd want to have that happen.

**Brad:** Okay Gene.

**Gene:** I'm supportive in that percentage I'm okay with it. I just thought and if you feel it's advisable maybe not to comment on it in your rationale that's okay. You know more what might fly and not. I'm just anticipating there will be some commenters on that, and you might have to explain it later on. That's the only reason. But I can go with what you got. I have no issue with it.

**Brad:** Okay great. Thank you, Gene. Okay, we have 20 minutes left in the meeting and we have four items to go through. So, I'm going to put a five-minute limit on these and

just ask you to be on point with your comments just so we can finish out the day having completed the agenda. So, let's start with the next item 11B.37 and have our discussion and I'll call time when that arrives okay?

**Derek:** Okay, this is Derek I'll go ahead and present this one. Just real quickly to Dara's question before no DSA has not yet crafted its response to the CAC. And part of that will be influenced by your comments today. On this item, this item was disapproved by the Building Standard Commission Code Advisory Committee. My understanding of the comments were mostly that they're just approval centered on the new language about parallel curb ramps having one entrance exit point and two entrance exit points. They found that to be confusing or not clear to them. Well to help to clarify that issue DSA has included in this draft two new figures that illustrate the one entrance exit point and two entrance exit points. So that was one of the bigger issues that I think they had. And I would say most of their disapproval was about those two sections. Now the first two sections in this, the amendments we have here the additional amendments in this draft our address in the comment remember that we talked about earlier today where the difference between the flush transition versus the...

**Sue:** Blended.

**Derek:** Blended transition, thank you. And so here what we're in an effort to not use the term flush transition, we pulled that out of our draft language and I'm sorry, but I overlooked one more example of the flush transition. That's existing language in 11B that you'll hear in 11B705.1.2.2.2 parallel curb ramps. So there similarly we would want to use the term demarcation, okay? Because here what we're really in this in the paragraph above we're really just trying to note where the landing or turning space at the bottom of the parallel curb ramp, where that ends and where the street or parking area begins okay? So that's it. We can take...

**Brad:** Okay, so we'll take comments on this item. Any comments?

**Gene:** Gene.

**Ernest:** Yes, this is Ernest.

**Derek:** Hey Ernest.

**Ernest:** So, I do like what's happening. The only issue I have is the wording and for the parallel curb ramp section. And that it gets really tricky to read. I don't have necessarily a suggestion of how to make it a cleaner read but maximum from the demarcation line at the face of the curb between the curb and the gutter it gets a little bit hairy. I think the graphic that comes with it really does help clarify it and so maybe that's all that's required is, you know look at the graphics to - that supports it.

There is one point that was made at the meeting which I thought actually was a good point. The way we see the two entrance exit point applied to the field. Is probably not going to be how it shown there. It's going to be a long run of - that condition is going to happen at a long run of parking spaces probably that we see it like a Target or something like that in which why wouldn't that be viewed as a perpendicular curb rep at



that point in which the detectable warning surface would actually go on the curb ramp itself? I do see that point and I think that's how it probably will be used in the field. I don't see this being limited to two parking spaces on opposite sides like that. So just a consideration. Outside of that I like what's happening.

**Brad:** Okay, Gene?

**Gene:** Yes, this language is a compromise and needed to be done. I am in support of it and the parallel curb ramp the two versus one exit - entrances I think is important. And maybe the drawing and I'm not fully acquainted with the figures, but I know that was a big issue and still the line of detectable warning should have to be on both sides going down the length of the landing and not on the curb ramp. So, I'm pleased what's there.

I would just suggest, you know, I understand why taking on the flush but when - if we have discussions in future code cycle, I think we may need a subsection to the curb ramp area about flush and explaining where the flush is and then where at the bottom and top of the landing of these ramps. So, I think that should be something added to the list of things that you talk about. Thank you.

**Brad:** Thanks Gene. Anybody else? Okay, then will close the discussion on this item.

**Dara:** Hi I'm sorry. I was trying to unmute. This is Dara.

**Brad:** Okay, go ahead.

**Dara:** I think the figures are very helpful. I would like to see us go ahead with this, and I think the figure self-responds to what I understand to be some of the comments of the committee members. We did check in with Bill Heckert who thought this was a good proposal. So just to weigh in.

**Brad:** Okay, thanks Dara. Okay, hearing everything, why don't we move on to the next item which is 11B.38?

**Derek:** Okay, so 11B.38 this is on Page 41, starts on Page 41 of your package. This is the corresponding element to the scoping change from hazardous vehicular areas, blended transitions that we discussed earlier. The committee disapproved this one and mostly centered around the similarity between the term flush transition and blended transition. At this point, DSA is ready to disagree with the committee's action on this and we think that within the other sections where we've tried to eliminate the use of the term flush transition, that that provides a great assistance in understanding this section. Okay.

**Brad:** Okay? Let's take comments.

**Gene:** Gene. I support.

**Brad:** Thanks, Gene.

**Bob:** Raymer. I support.

**Brad:** Thank you.

**Dara:** Dara, this is Dara. I support, we support.

**Brad:** Oh, thanks Dara. Lewis, Thanks.

**Hannah:** Hannah. I support.

**Brad:** Thanks, Hannah.

**Jihee:** Thanks, Jihee. Thanks, support.

**Brad:** Thanks, Jihee.

**Vidal:** This is Vidal. I support.

**Carol:** Carol.

**Brad:** Thanks, Vidal.

**Carol:** Carol, support.

**Arfaraz:** This is Arfaraz in support.

**Brad:** Thanks, Arfaraz. OK, is that it? Great, okay let's...

**Carol:** Can you guys hear me? Can you hear me?

**Brad:** Who's this?

**Carol:** This is Carol.

**Brad:** Yes, Carol, we heard you yes. We heard your support.

**Carol:** OK, I wasn't sure because I heard somebody make a comment, so I wasn't sure. Thanks.

**Brad:** Okay we didn't know it was you right away. We figured it out, but thanks Carol. Okay, appreciate it. Okay, so let's move on to 11B.42.

**Sue:** This a Code Advisory Commission or the - yes, Code Advisory Committee. It's getting late in the day. And their recommendation was further study. One of the committee members said that they had various recommendations on this section, but they were going to submit whatever their comments were during the 45-day comment period, and so obviously we haven't received anything from that member as yet.

So, in looking at this, a couple of items, I did tweak a couple items. What I did in this section 11B8098 on doors, I just added with this section. So, in other words, the primary entry doors, required exit doors, secondary exterior doors and interior doors were used, user passage shall comply with this section and 404.2. Then the other modification I

made was their door maneuvering clearance, because when you look to the door maneuvering clearance in Chapter 11A, when you get inside the dwelling unit, it's different depth or length outdoor maneuvering clearance, but I wanted to make it sure or make it very clear that the width of the maneuvering clearance had to extend 18 inches behind the strike edge of the full side of the door.

So, you can see highlighted there I added those couple of comments. And then the other change came about in the very last portion of this, and that is clarifying the requirements for the receptacle, the outlet locate, outlets and switch location. So, this is just some cleanup work on that to hopefully make it a little bit clearer. And then I also incorporated that same provision in this section for the electrical outlet that's required 3 feet from the wall at a corner work surface. So that's basically what we did with this Sections 809.6 through 809.12. And as I said the Code Advisory Committee, their recommendation was further study.

**Brad:** Okay, does anybody have any comments on this one?

**Carol:** What was the purpose stated? Did they - were they specific?

**Brad:** They were specific. They just said further study, but they were not...

**Carol:** Right.

**Brad:** Specific about what that meant.

**Sue:** No.

**Carol:** Okay, thanks.

**Sue:** So, as I said, it was one of the committee members who wanted to talk about various sections, but I think it got to the point that the time was so tight, and the chair recommended that whatever comments this committee member had, that they submit that during the 45-day public comment period.

**Carol:** Okay.

**Sue:** We were hopeful that we would get those before the 45-day comment period, but so far, we haven't gotten anything.

**Carol:** So, I accept the changes you that you did. Thank you.

**Brad:** Okay, thanks.

**Dara:** This is Dara. I like the changes. I think they're responsive, particularly the electrical outlet one.

**Sue:** Okay.

**Dara:** When we discussed this with Bill Heckert, he suggested that - I mean, we support these changes in moving forward, but we still have some questions about the doors,

and here's the question he posed. You distinguished between the force for primary entry doors and the force for doors into the unit, and in some instances, the primary entry doors are the doors into the unit, so it's not entirely clear what we're talking about here, and I don't know if there's some way to provide some additional clarity or not, but I would go ahead with this even if you can't, because I think we're going to visit - this is the section we talked about maybe revisiting again anyway, but that would be helpful.

**Sue:** Okay.

**Brad:** Okay thanks, Dara. Anybody else? Okay.

**Gene:** This is Gene. I support Dara's comments.

**Sue:** Okay.

**Gene:** And say go ahead with this.

**Brad:** Great. Thank you, Gene.

**Bob:** Same with Raymer.

**Arfaraz:** I, this is Arfaraz. I was reading 11B809.11 and was wondering what that meant?

**Sue:** Oh, that's, basically that's just a portion that came right from 11A, and you know, really, I - you're correct. I mean, looking back at that and so if you put in a washing machine and a clothes dryer, you have to have one of each type has to be provided. Like I said, that was just a portion that came directly from 11A. So, to me it's just stating that if you have a laundry room, you couldn't only provide washing machines and/or, yes washing machines, or you couldn't only provide clothes dryers. You'd have to have one of each in a laundry room. Oh, I'm sorry, in residential dwelling unit, not specifically in a laundry room.

So, in other words, if you have a residential dwelling unit, you can't just put in a washing machine. You'd have to put in a washing machine and a clothes dryer. And like I said, that's just an item that's being carried over from Chapter 11A.

**Brad:** Okay, thanks Sue. Other comments?

**Arfaraz:** But Sue, you agree that even though we're carrying it forward, it makes absolutely no sense?

**Sue:** You know, there's a lot of 11A that doesn't exactly, but could be a read head scratcher. And that was {indiscernible} of the items.

**Derek:** Yes, I suggest that Sue just gave a very sensible interpretation of the language based specifically on the text of the language but seems pretty clear on its face. I mean..

**Brad:** Okay great. Other comments?

**Dara:** Just one more. I think on Page 52, the exceptions apply to all of one through four, so maybe the indentation is off if I understand it correctly. But maybe I'm just reading it wrong.

**Sue:** Yes, it's, you're right, the indentations, so yes, you look at items one through four, and then the exception because of the way they're indented, then that just gives you the electrical receptacles that are not required to be accessible.

**Derek:** So, the exceptions only apply to Item 4.

**Sue:** Exactly.

**Derek:** Yes.

**Sue:** Yes.

**Dara:** No, I - the exceptions apply to one through four. They don't make sense applied to one, to four only.

**Sue:** Well, no, because if you take a look at that, um, let me take another look at that piece. Yes.

**Dara:** I mean four only applies to receptacles on a corner work surface, and the exceptions go to baseboard heaters and...

**Sue:** No, you're right. No, the exceptions apply, and maybe I need to take one last look at that, and that's the way that's laid out. Because the exceptions are specific to all these other locations where you've got these receptacles that they're not required to be accessible. So maybe I need to take a look at this and look at my layout. You're correct Dara. I might need to take another look at this.

**Dara:** Thank you. I mean I like the new language. I just, thank you.

**Sue:** Yes, because when I took a look at this when you, when I read through some of the provisions in 11A it was one long paragraph and it seemed like it was better to split it up. Okay.

**Brad:** Okay thanks Dara. Are there any more comments on this last item? Okay, hearing no comments, I want to move to another section of the agenda. This part that's labeled closing comments to ask a couple of questions about member information. I don't know if anybody is planning on going off of the commission this - or I'm sorry, the ACC this year and just wanted to ask that question before we left the conversation today.

**Bob:** This is Bob Raymer. Off the top of my head, I can't tell if I'm up for reappointment or if my term's up or does anybody remember? Sorry.

**Vidal:** I don't know.

**Jessica:** Well, it looks like Carol, Eugene, Arfaraz, Bob, Dara, Jihee and Ernest, your

term all ends on the end of June of this year. However, you guys have the option of doing another term which would start in July of 2020 and go until June of 2023. So, we just need to know if anybody or anyone wants to go and serve another term or if you plan on stopping at the end of June?

**Bob:** I'm good with serving another term if you guys will still have me.

**Brad:** Okay, thanks Bob.

**Dara:** This is Dara, agree.

**Carol:** Me too.

**Jihee:** Same here, Jihee.

**Brad:** Thanks, Jihee.

**Carol:** And this is Carol.

**Gene:** Excuse me, this is Gene. I want to continue for a second term.

**Brad:** Thank you Gene. Carol?

**Carol:** I'd like to continue for a second term. Do we need to enter this in writing and submit it?

**Brad:** We'll let you know Carol. That - we have to ask that question but thank you. We have your comment for today though.

**Carol:** All right, thanks.

**Brad:** Anybody else on that list that we haven't heard from?

**Jessica:** Arfaraz and Ernest.

**Brad:** Arfaraz and Ernest?

**Ernest:** Yes, this is Ernest. I'll - I'd like to stay on.

**Brad:** Okay, Ernest thank you. Arfaraz?

**Arfaraz:** This is Arfaraz. As of now, I'd like to stay on as well.

**Brad:** Okay great. Thanks, Arfaraz, appreciate it. Okay, thank you everybody. We appreciate that. The other question that came up was around the calendar dates, and just want to let you know that there's been some discussion on that, and we will be coming out with those dates shortly. Okay there hasn't - final decisions haven't been reached, but we will let everybody know the calendar dates very soon. Are there any other comments that anybody has that they'd like to add before the meeting ends?

**Bob:** I'm good.

**Brad:** Okay, anybody?

**Carol:** No.

**Brad:** Okay.

**Carol:** This is Carol. I'm good.

**Brad:** Thanks Carol. Okay, well, okay, hearing no further comments, we'll conclude the meeting for today. We'll go to adjournment. Thank you very much for your participation. We got a lot done today, and we're almost out on time, but very close. Okay, thanks everybody.