

Division of the State Architect

Access Code Collaborative Meeting

November 4, 2022

Brad Morrison: First of all, I'd like to welcome you all to the ACC meeting and hopefully we'll have great participation today. We have a secondary meeting scheduled for Monday, as you all know, in case we don't get through the agenda items today.

So, we'll be looking towards that if we have to. But if we can complete today, that would be great. We'll probably be looking at lunch break, a 45-minute lunch break around 12:30. That's roughly the midpoint and it's gonna go by the conversation. So, if we're still talking at 12:30, we may extend that a little bit later just to finish up a topic and start clean when we come back.

So, let's just see how it goes for that and we'll aim it for around 12:30. And we'll take, two breaks, one this morning and one this afternoon at the midpoints. So, it's probably somewhere like 11:15, 11:30, and then in the afternoon, something around the same into the meeting.

So, with that, what I'd like to do here, we don't have it in the agenda, but what I'd like to do is open it up to Ida or Eric to offer some initial comments and then we'll have any comments from the members today regarding the agenda. And then we'll go ahead and get into our content with code change proposals.

Okay. Ida, Eric, would either of you like to start us off and say hello?

Eric Driever: Sure Brad. Thank you. Definitely would like to thank everybody for your participation today in the ACC meeting. We really look forward to your input. As was reported in our last meeting, there was a deadline to submit the proposals to Department of Finance and Legal, that has occurred.

However, that of course does not cease to be the point at which changes, or slight modifications can be made. We do not submit the code proposal packages, excuse me, until December. And so, we look forward to great insight from this group and during this meeting, potentially tomorrow or Monday's meeting.

And then of course during all of the public meetings that are required through Building Standards code adoption process. So, I don't want to spend too much time on just the introduction but, greatly appreciate everybody's attendance today. Thank you.

Brad Morrison: Great. Thank you, Eric. Ida, would you? Anything to offer here?

Ida Clair: Yeah, just good morning, everyone. I always look forward to the ACC meetings. They're always lively, informative and an integral part of the process. So, I will be listening in today, commenting when, like all of you when I feel is necessary. But I will pass it on to Derek and Eric and Michelle to run the meeting. Thanks.

Brad Morrison: Great. Thanks Ida. Appreciate it. Okay. Let's see. And do any of the members have any comments on today's agenda or any items that they don't see on the agenda that they are concerned about?

Nubyaan Scott: Hi, this is Nubyaan at Disability Rights California. I just wanted to ask if there would be an opportunity toward the end to address items that are not on the agenda or is that something that we would have to do at the outset?

Brad Morrison: Well, yes, I think there is. I don't see it on the agenda, but why don't we just make a mental note to put it in there before the closing comments where you see that, and we'll allow a little time as the custom to bring up items that aren't on the agenda and new information of any kind.

So, if that's okay with you, we will look forward to your comments at that time. Okay?

Nubyaan Scott: That's great. Thank you, Bradley.

Brad Morrison: Okay, great. Thanks. Okay. Richard, I see a hand up.

Richard Skaff: Thank you. There are a couple of things. One, for many years during the years that DSA had an Access Advisory Committee and code changes were being proposed by DSA, we, a number of us asked and were finally provided the analysis that had side by side analysis, that described what the change, what effect the changes would have, whether there would be an increase or decrease in accessibility.

Since that time that has disappeared and apparently is no longer provided which is really not acceptable. We need to be able to reach those individuals that these code changes are going to affect. Both businesses, building owners and people with disabilities, and allow them the information those people who are not code experts, the information about what the effect of the code change, proposed code change is going to have, whether it will increase or decrease, and it should be a side by side.

So, I'm making a formal request that happen in all future proposals. So, with that, I think I'll say thank you.

Brad Morrison: Richard, can I ask you a question? You said that was a past practice and was that part of the code proposal itself, or was it a separate item that that the staff delivered?

Richard Skaff: I'm less concerned about how it's done as long as it's done during the discussion of a proposal, whether it needs to be a side-by-side analysis. So, we have one column showing what existing code requires as far as access and in the next column, what the proposed code change effect has on that, either an increase or decrease or stays the same because it's just a clarification. Okay.

Brad Morrison: Okay. Great. Thanks Richard. Appreciate that. Bob,

Bob Raymer: Thank you. I guess in response to Richard's comment, DSA for the past couple of years has been doing something I wished a lot of other agencies did, and that is they provide us with this sort of interesting series of the proposal. The current code language followed by the suggested text of the proposed language and

then followed by like a clean copy if it got adopted. That's what it would look like. Isn't that sort of what you're asking for? Or are you asking for an additional determination that, just a statement from DSA that it's going to be more stringent or equivalent or whatever? Is that what you're seeking?

Richard Skaff: Yes. I, it's not something that's unusual. It's something that we ask the Building Standards Commission for and finally through that process, we're finally able to get that provided. It is a columned proposal that shows existing code. Again, we're not, Bob, I understand what that does. That doesn't describe what the effect of the change's gonna be.

Bob Raymer: Oh, okay. Okay, gotcha.

Richard Skaff: We're not talking about code experts that sit on an advisory committee. We're talking about the general public who are not necessarily code experts who need to understand what is happening and may not by that, by the way, it's described in the document you're showing. There's no information as to the actual increase or decrease or stay the same effect of access.

So, it's like one today that we may be talking about. The shower stall, the reduction in size, if you look at it, it doesn't tell the general public that there's a proposal to reduce the size of the shower stall.

Brad Morrison: Got it. Okay. Thank you, Richard. Thanks Bob. Let me go to Nubyaan.

Nubyaan Scott: Hi. Thank you. I can't speak to what it used to look like before, since I'm a newer member. But I do wanna uplift the comment that Richard made particularly related to trying to increase understanding and basically access to folks like the public that wouldn't normally be aware of kind of the wonkiness of all the code language.

Cause I think even as an attorney that has some level of experience in this area, it's something it's, I often have to do additional research and cross-referencing et cetera. And so, I think it could be helpful so that there's greater possible public involvement and feedback and understanding.

Because I think that's the first level, right? Is folks have to be able to really understand and engage with the, like what the changes are, what impact they're likely to have on accessibility. And I think a simple way of framing that is if it's expected to have greater or less accessibility in its impact.

So, if something like that could be provided when these things are posted, I think it would be really useful in both the stakeholder forums and also even in this setting, since it's recorded and posted, et cetera, and public has access to it, it also could help when we are engaging in conversation around it.

Brad Morrison: Great. Thanks. Thanks, Nubyaan. Richard?

Richard Skaff: Sorry to jump back in. I did have another and that is in all of this, I have no idea, I don't think anybody except DSA has an idea who has made these proposals. We need to have more information about who's making the proposals,

where the proposals are coming from, what the reasoning is behind the proposal. I don't get a lot of that, so maybe I'm missing something. And please correct me if I'm wrong.

Brad Morrison: Okay. Thank you, Richard. Other comments on this issue? Oh, Gene? Yes, Gene, come on in.

Gene Lozano: Oh, I was going to echo what Richard has stated. We've previously had that, and it is helpful for those of us that are not as astute in the codes as some of the rest of you on the committee. And I think the public most importantly should understand the formatting that is being done currently that shows, like we've received what shows current and what's being proposed and if adopted, I find personally very helpful. But I understand Richard saying that he wants more, who submitted the proposal and how it will impact access. So, thank you.

Brad Morrison: Thank you Gene. Derek?

Derek Shaw: Yes. Thank you, Brad. I would like to just as a matter of referring to the historical practice of DSA over the past approximately 20 years. During that time, I recall one code cycle where we had a side-by-side analysis that was provided, and it was in response to Mr. Skaff's requests at that time. That was in preparation for the rewrite of Chapter 11B when we were incorporating the 2010 ADA standards as our model code. Outside of that set of documents for that particular code cycle, I do not recall DSA providing a side-by-side formatted analysis and presentation of the code change proposals.

I certainly don't want to minimize Mr. Skaff's request for the additional information. But I, do recall also that Mr. Skaff was quite satisfied with the three-part, primarily three-part, format that we present in our code development documents presently, and that we will at this meeting, which indicate the code language as it exists currently in the code.

It also indicates the code change proposal in strikeout and underlying format so that everybody can see what language would be proposed to be deleted and what language would be proposed to be added. And then third, that we show what the code language would look like if the code change is adopted.

That was for many years satisfactory to Mr. Skaff as an alternative to a three-part side by side format. Just wanted to give us a little bit of background on this issue.

Brad Morrison: Great. Thank you. Thank you, Derek. Richard?

Richard Skaff: I don't know what to say except I feel that it's necessary for the general public, for those participating, to have the side by side that shows the. It doesn't make any difference how many times, Derek, it was done.

The point is the need to have a document that describes what the effect of the change is. The present document does not do that. There's no argument. I'm not, I don't want to, I'm not sitting here intending to argue with you, Derek. I'm just saying that the intent, the present document doesn't do what that document did.

That document showed the present side by side and showed a column showing what the effect of the proposed code change would have. The present document that you produced doesn't do that. And I've heard that from numerous people.

Brad Morrison: Okay. Thanks Richard. Eric?

Eric Driever: Yeah, I'd like to thank everybody in an effort to maybe wrap this up so that we can get back to the agenda.

Thank you, Richard. Thank you, Gene. And thank you Nubyaan, everybody for your input. I would like the opportunity to review that document and see if we have some needed changes that we, or another similar document that we might produce in the future. Certainly, we have a statutory requirement not to reduce access.

To a certain extent I think there would be few moments where you would see us, indicating a reduction in access, is certainly not our intent. But having a side-by-side comparison might be helpful and would be perhaps incorporated in the future. So, appreciate your comments. Thank you.

Brad Morrison: Thanks, Eric.

Derek Shaw: Well, it occurs to me that it may be that a side-by-side comparison document that was prepared by a consultant to DSA in preparation for our rewriting of Chapter 11B, that may be the document that Mr. Skaff is referring to. However, within the past 20 years, other than that document that I've described, I don't recall any side-by-side documents prepared by DSA.

Now, Mr. Skaff has a much longer history of involvement with DSA's code writing and amendment process. And so, it may be that the document Mr. Skaff is referring to predates my tenure at DSA. But nonetheless Richard, I certainly do not want you to have the impression that I'm minimizing your request, especially for the additional information about impact to accessibility.

Brad Morrison: Great. Thanks, Derek. Eric, do you have a question or a comment?

Eric Driever: Yeah. Understanding that there's probably a need to baseline on understanding of what's being presented. Richard, if you'd like to send me an example of what you're talking about I'd happily look at it.

Richard Skaff: I don't have an example. I have a memory of it, and this was a long-fought battle. DSA did not want to provide this. This was during the previous administration and just prior to that also. Those of us that had been attending the Building Standards Commission hearings requested it on multiple occasions and finally building standards said to DSA please do it.

And I don't remember whether it was one time or multiple times, but I know it was done. I've since removed a lot of the library I've had for years. I'm now almost 79. I'm not doing this formally anymore.

Eric Driever: Understood.

Richard Skaff: So, I apologize for that. But you know I don't wanna argue this point.

I am asking DSA to provide a document that will allow the public, not just this advisory committee or this collaborative, to understand what's being proposed. I'm asking because I'm hearing from the public. Are we gonna argue about this or will DSA, do it? That's all. Thank you.

Brad Morrison: Yeah. Richard, I don't think anybody's arguing here. I think we're just walking around the topic here, trying to get a feel for it. So don't worry about that right now. And we're not done with it. So, Ida do you want to chime in?

Ida Clair: Yeah, sure. So, I just, I want to, and Richard, I appreciate your comments. I just wanted to add a little bit of clarity.

DSA has a statutory requirement to not decrease standards from what was in 2001 and prior and also not to technically increase standards. And so, our goal in our regulatory process has always been to clarify when we need to, a requirement that perhaps is not essentially clarified. I just wanna bring it up, is that DSA's intent is never to decrease access.

It's through a clarification process if we've created some kind of error to clarify what the requirement is. I think part of this engagement it is to be advised by all of you if what we've done decreases access from what our statutory requirement is. And I guess my concern is, Richard, is that in our opinion, in writing what would decrease access, I understand that from what we've done in the past, as Derek had mentioned, when it was the change from DSA authorship to the 2013 code, which had the basis of the 2010 ADAS, that was likely necessary to demonstrate the equivalency in that transition. But our code changes now, it's never to decrease an access requirement.

Statutorily, we can't. So, we can, it's our intent that all our codes, all our proposals either provide for clarification where we have fallen short. So that's a matter of intent. Or to essentially, it's always to provide clarification or to advance a new proposal like electric vehicle charging or adult changing facilities that are not covered by the federal standards where clarity is needed.

It really is through a clarity requirement. And so, from our perspective we don't necessarily see that it is, however, we're not the ones that are affected by, we're not code beneficiaries, we're code users and code writers. And so, I guess my question is in that clarity to say this will reduce access is not something our intent.

So that we, I don't see how we would provide that. We need that feedback from you. And I guess that's where I lack clarity.

Derek Shaw: Okay. Thanks, Ida. Richard.

Richard Skaff: You know I apologize. This is going on much longer than I had intended. I was making a comment. But I will finally say, I'm sorry, Ida DSA has reduced code.

We argued that point. Although the Building Standards Commission didn't agree with us and voted against us, which has happened in many cases. That doesn't mean we weren't correct in our statement that DSA was removing or reducing access. When

you take away a code item that had been in Title 24 for many years, like excess 5% dining banquet and bar tables, and a roll in shower sized to allow somebody to get into a shower in their wheelchair, to a smaller shower, that is a reduction in access for people.

And yes, we are users and we said that it was reducing access and DSA didn't care and neither did the Building Standards Commission. I'm not gonna argue. I am making a statement you can either do or not do. I have asked for that and if you really don't believe you're making a reduction in code, access codes, you'll do what you want. But I've made that a formal request, so thank you.

Brad Morrison: Okay, great. Thanks, Richard. Appreciate it. And I think one of the things we can do here in the, under the purview of the collaborative itself is just to, how about if we revisit this item at our next ACC meeting? I'm meaning the one that's probably gonna happen in the spring.

So that you can, DSA has time to look at documents that have been produced in the past or maybe something that could be considered, and we could bring it back for another discussion at a future meeting, at the next meeting. It doesn't really have to be out of memory.

So, keep it in mind Richard and then we'll pick it up. I'll make a note that we pick it up on the next agenda, and we'll take it from there and see what the collaborative can do to address this. There's maybe something we can do within the collaborative to address your points. Okay?

Richard Skaff: Thank you very much.

Brad Morrison: Okay. Thank you.

Eric Driever: Great suggestion. Thank you, Brad.

Brad Morrison: Okay. All right. So why don't we get started with our package of proposals here. I'm gonna turn it over to Derek as the lead up and he'll introduce the items that he has and the other presenters as well. Okay. Go ahead Derek.

Derek Shaw: Okay. Very good. Just one moment please. So, thank you very much, Brad. Appreciate the introduction. For our presentation today we'll be going through the items that are indicated within the packet that was distributed to the ACC members along with the agenda for this meeting. The packet, I'll make a few notes about it before we get started here, the packet has quite a number of the same items that the ACC.

Brad Morrison: Derek, I just see Ida has a question here and I don't know if it pertains to your presentation, but I just thought I'd recognize Ida for a second if you don't mind.

Ida Clair: Sorry for interrupting, Derek. The documents I'm seeing on the screen are, I see three that are piled on top of each other. So, I just wanted to make a note in this remote format to ensure that we're presenting our documentation correctly. Is everyone, is anyone else seeing it that way?

Brad Morrison: Yes, I'm seeing the same thing. And let me just point out that the one on the far left is just a review of the items that we're gonna address today in order so we can, it's sort of our checklist that we can go through and click off. And then it seems like the one on the right is underneath, is the proposal so that you could probably expand that window.

Derek, there you go. And then that takes care of that and then maybe enlarge it just a little bit. That's well, actually we're back to the agenda.

Ida Clair: That's the wrong window. Yeah.

Brad Morrison: Yeah. Gotcha. Okay.

Derek Shaw: This is not intended to be the focus of our conversation and with the orientation to the screen display as I was proceeding to and as we had used in our last ACC meeting, I'm sorry at the last public meeting. We got good feedback on having a static display to the left that is in essence an index of the items that we'll be, that we'll be discussing today and presenting as well as it reflects the order in which we will be addressing them.

I have this window in the background and I don't think that there was any, except for maybe the state of California logo, I think that might have been the only element of that document that was being displayed previously. But just so that everybody knows, I have code language that is ready in case we need to refer to the code language.

The agenda was from earlier in this presentation. Are there any objections to using this display format? Here I will be primarily focusing on the document in the middle of the screen and we'll hopefully in my presentation provide adequate orientation to each item. But certainly, if there are comments about that or ways that I can do it better I'm open to suggestions.

Bob Raymer: Looks fine, Derek.

Ida Clair: So, Derek, my only concern was depending on the screen that attendees may have, the document that we're reviewing may be too small for them to read so maybe that's the question we need to address to the group to ensure that everyone can participate and read what's being provided adequately. That was it.

Derek Shaw: Okay. Thank you very much. That's very hopeful. Okay, so with that, is there anyone that has any concern about the document in the middle of the screen which will be the primary document? I can certainly zoom that document so that it is a little larger if anybody prefers.

Okay. Hearing none I'll go ahead and proceed then. So, continuing with the orientation, we have a list of the items over here on the left that are going to be static on screen as we go through today's presentations. That'll allow all of our viewers and participants today to be able to refer to it as we go along.

Now we're gonna be presenting these items in two primary groupings. We have four items that are related to all-gender toilet facilities. So, that'll be our first group that we'll discuss. These items were in part discussed at the previous meeting. However,

we do have one new item here and one of the items was revised between the last ACC meeting and this meeting as well as, just as a reminder, referring to the last meeting, the first item here 11B-213.2.4 was one of the two last minute items that we brought into the discussion immediately prior to the meeting. So just wanted to give the orientation there.

The second group of items are going to be related to parking and charging sign items. Michelle's gonna be doing those presentations of those items. And then the last group of items are miscellaneous items we might say, but not easily grouped or effectively grouped with others. So, with that let's go ahead and start with the first item.

The first item is going to begin on page three of the code package. And so, what we have, this is regarding Chapter 11, CBC Chapter 11B section 11B-213.2.4. And the topic of this is for multi-user all-gender toilet rooms. This item is, addresses scoping issues, and recall that scoping is telling us basically how many of a particular element need to be accessible and where they need to be located. It also serves as a starting point in the code to refer us to other technical requirements in other sections of Chapter 11B.

So, the first two items are gonna be scoping related items. The second two items are the technical requirements that we are proposing. Okay. So, with this, what DSA is proposing is to add a new section 11B-213.2.4 to specifically identify multi-user all-gender toilet rooms and to invoke the scoping for that item. The scoping here makes reference to compliance with section 11B-213.3.1. As I scroll down further in the same section, we see section 11B-213.3.1 here which is a new section, new language, and it's specific to where the toilet compartments are provided. Then we call for compliance with section 11B-213.3.1.1.

And then where both toilet compartments and urinal compartments are provided, then we require compliance with section 11B-213.3.1.2. And additionally, we have the requirement here for all toilet and urinal privacy compartments shall be identified by a sign complying with section 11B-216.2. That's a reference to an existing sign scoping requirement. Okay.

Next, we are retaining the existing language for toilet compartments. However, we are proposing to change the section number. It was previously 11B-213.3.1. We're proposing to change it to section 11B-213.3.1.1. So that'll be now a sub item under 11B-213.3.1. We're also proposing a new sub item under 11B-213.3.1, and that's 11B-213.3.1.2. This addresses toilet compartments and urinal compartments. So, here following along with the same level of scoping that is required currently for toilet compartments, we are proposing that where both toilet compartments and urinal compartments are provided at least 5% of the toilet compartments, but no fewer than one shall comply with section 11B-604.8.1.

That portion of the language is consistent with the language that we see here, the existing language in what's proposed to be renumbered 11B-213.3.1.1. We go on to say and 5% of urinal compartments, but no fewer than one shall comply with section 11B-605.1. And section 11B-605.1 is a new proposed section.

We'll be getting to the technical requirements of that in a few minutes as we proceed down to item four on our list today. In addition to the toilet compartments required to comply with 11B-604.8.1 and urinal compartments required to comply with section 11B-605.1, then we have the trigger for the ambulatory compartment.

In that case where the combination of urinals and water closets total six or more fixtures, toilet compartments complying with section 11B-604.8.2 shall be provided in the same quantity as the toilet compartments required to comply with section 11B-604.8.1. Now, I wanna note that the level of scoping here and that being triggering the ambulatory compartment when the number of fixtures total six or more fixtures, is it corresponds directly to the existing language that we have for toilet compartments.

The main issue that we needed to address here is that with the multi-user all-gender toilet rooms, there is a strong interest in assuring privacy compartments not only for people who are using the water closet or toilet fixture, but also for those people who are using the urinals. And, with these proposals we're going to see that the proposed urinal compartments are intended to provide the same level of privacy as we have for current toilet compartments.

And then where additional privacy is necessary, then the design can go full floor to ceiling and all of the connection points between the panels. If the compartment is constructed with prefabricated panels, then those can be provided with connectors that provide additional privacy. In the alternative, we'll be talking about framed wall partitions. In other words, studs and drywall that create the enclosure around the toilet compartments and the urinal compartments.

Okay, so I think with that Brad, we can entertain questions and comments.

Brad Morrison: Great. Thank you, Derek. Okay. First up, Ernest.

Ernest Wuethrich: Thanks for going through that, Derek. So, I don't want to get ahead of myself but I'm reading the two urinal sections that are introduced. This one and 213.3.3, but what is the difference between those two scoping sections? They both seem to introduce the idea of the urinal privacy compartment? But then they address the scoping for it differently. One indicates 10%, one indicates 5%. What's the intent of the two separate sections then?

Derek Shaw: Well, 11B-213.3, this addresses the toilet facilities and bathing facilities. Okay. So, we might consider that as being the toilet rooms and bathing rooms. Okay. As we get down to the next item, and we'll go into this in greater detail, I'll not provide a great deal of detail here. Here, what we are doing is, under this section 11B-213.3, this actually addresses the number of plumbing fixtures that are required. And so that's a different scoping.

It corresponds to the current format of scoping in Chapter 11B, where 11B-213 addresses the requirements in the room and 11B-213.3 addresses the fixture requirements. Now I can display the current code language in context if you'd like, Ernest?

Ernest Wuethrich: Yeah, I think I'm just getting hung up on it because now we're introducing the term for the privacy compartments. So, there's a different scoping for the privacy compartments versus the urinals on their own. Is that correct then?

Brad Morrison: Derek?

Derek Shaw: I'm taking a look and preparing to respond.

Brad Morrison: Okay. Sorry.

Derek Shaw: Okay. So, in 11B-213.3 we use some similar terminologies we use toilet compartments and compartments. And in here what we're seeing is that when or where toilet compartments and urinal compartments are provided.

Now that's gonna be different than say for example in a toilet room where you have a number of urinals that are not within compartments. Okay. Openly visible. A lot of times those are provided with small wing panels right on either side to provide a small level of privacy but in general they're not terribly private.

So, when they are provided within compartments, then 11B-213.3 takes effect. But when they are just generally provided and this, or excuse me, when they're generally provided, and not within privacy compartments. In other words, in open space, we still have a fixture count requirement that are illustrated under 11B-213.3.

Let's go ahead and take a look at that in the current language of the code so we can get a better idea of how that appears. Okay. So here on the left side of the page and I'm gonna zoom in a little more.

Okay. So currently in the code, 11B-213 address as scoping for toilet facilities and bathing facilities. And then we get to 11B-213.2 toilet rooms and bathing rooms. And then we get down with their several.

Eric Driever: I'd like to maybe take a moment. Just, Brad, if you would, sorry for the interruption, Derek. The appropriate key stroke for Gene to raise his hand in this meeting is-

Brad Morrison: #2.

Gene Lozano: I found it. Thank you, Eric.

Eric Driever: You're welcome. I suspected, I remember we had an issue with that before, but I'm glad you found it. Thank you, Gene.

Gene Lozano: Thank you.

Brad Morrison: Yeah, thanks Eric. Okay. Sorry, Derek. Go ahead.

Derek Shaw: All right, great. So, let's see, left off just describing 11B-213.2. This addresses toilet rooms and bathing rooms, and then 11B-213.3 addresses the actual number of plumbing fixtures that would be required. Both requirements would need to be met. However, just my general understanding of the two sections is that one addresses the room primarily and 11B-213.3 addresses the fixtures themselves.

Ernest, did you have any other questions or follow up questions on this?

Ernest Wuethrich: I'm gonna try to wrap my head around it really quick. And I could come back to it if someone else isn't {indiscernible}.

Brad Morrison: Sounds good. We got a line up here so why don't you come back and let us know. Okay. Arfaraz.

Arfaraz Khambatta: Forgot where, how to unmute myself here. Good morning, everyone. Derek, for the most part I guess my question is about the differentiation between 11B-213, the two subsections 213.3.1.1 and 3.1.2. The distinction we are making between the two is one has urinal compartments and then the other would have urinals, but not necessarily have them in compartments. Is that the only distinction between these two, subsections?

Derek Shaw: That's certainly the primary distinction here. We finesse the language a little bit in our proposal for 11B-213.3.1.2, so that we can acknowledge and properly scope those toilet rooms where we have toilets within compartments and urinals within compartments. But if you don't have urinals within compartments then the code user would use the toilet compartment section under 11B-213.3.1.1.

Arfaraz Khambatta: Okay. I had an interesting project that I was reviewing recently where each compartment had both a toilet and a urinal. So, in essence that both the toilet fixture and the urinal fixture were in quote unquote compartments, but they were in each compartment had both fixtures. How would that project or how would that scenario be looked at under this section?

Derek Shaw: I'm not sure, that scenario is not addressed in the language of this section. I think under the code that could possibly be considered as a single user unisex toilet room.

Arfaraz Khambatta: Well, it didn't have any lavatory unit. It was-

Derek Shaw: A lavatory is not required by Chapter 11B within a single user toilet room. It may be provided. But it's not required by Chapter 11B.

Ida Clair: Derek, may I address that? So Arfaraz, I'm curious under the plumbing code, the plumbing code requires a certain number of fixtures to be provided which means access to those fixtures needs to be independent in order to satisfy the plumbing code. So, if in an arrangement like that where both a toilet and a urinal will be provided in the same compartment, you would actually need to add more, in my opinion, you would need to add more fixtures in order to meet the actual requirement of the plumbing code.

Arfaraz Khambatta: That's correct.

Ida Clair: So, I think part of it is trying to determine if it's the, actually if you're adding more fixtures to meet the requirement of the plumbing code, then the access code, as long as access is provided to those fixtures in an accessible compartment, wouldn't be a problem. So, I, sorry, I just wanted to throw that.

Arfaraz Khambatta: Yeah. I understood your comment there. And the plumbing code fixture count requirement was being met independently. So, in this particular scenario on this particular project they were providing additional fixtures then was required by the plumbing code.

But in essence, the design was that of an all-gender multi accommodation restroom, that was the proposed design. But the compartments happened to include urinals. Each toilet compartment happened to also include a urinal. And that may have been a client driven request. I'm not sure.

But they were treated as toilet compartments, and not as single user restrooms clustered together. Now what I'm hearing in Derek's response is that they should have been treated as single user restrooms because you don't, even though there were lavatories provided outside in a common area off that multi accommodation restroom, each compartment should have been treated as a single accommodation restroom. Is that correct, Derek? Is that your analysis here?

Derek Shaw: No, not at all. You had asked how they should be treated under the or how the code proposal may have addressed those. I indicated that they could be assessed as single user toilet rooms, but not that they should be. Very different.

Arfaraz Khambatta: I see. Ok.

Derek Shaw: So, I think we need to recall with the building code that the building code is generally composed to address general conditions. Okay. And quite often where we find unique designs, it does require a jurisdictional assessment and interpretation in applying the requirements that are in the code. We certainly as code writers, DSA, nor any of the other code writing agencies, we don't seek to address every condition that we might run into.

We wanna address the ones that are most frequently encountered certainly to provide clarity and to reduce the need for building official and designer interpretations. But at this point as I did respond to your question, our code proposal doesn't really address the condition that you described.

Arfaraz Khambatta: And as we're seeing more and more off these multi-accommodation all-gender configurations that are being proposed by architects. They do come in various forms if you will, and it becomes all the more important for the code enforcers to be clear on when a certain configuration is construed as a toilet room versus when it would be considered a toilet compartment. And any kind of language to that effect that DSA can propose would also be very useful. But in this, given the current proposal that's on the table here, in a toilet compartment that comprises of both or a compartment that comprises of two fixtures, is that to be treated, would that be, would we look at it under 213.3.1.1 or 3.1.2?

Or are you saying it should not?

Derek Shaw: I'm saying the building official is going to have to analyze the proposal and they're gonna have to determine how to apply the language of the code. To the proposal which deviates from a more frequently encountered type of design.

Arfaraz Khambatta: And, I mean, I don't think we should assume that this is not something that we'll frequently see because at the end of the day with one of the things is that obviously it takes less water to flush a urinal than it does a toilet.

And you have waterless urinals too that are, that are used frequently in an effort to save water in California jurisdictions where that is an issue. So, this is becoming a more common theme. And as someone representing code enforcement officials, I'm just bringing to the table here, to the forum, that this could potentially be a section that won't be interpreted very uniformly across jurisdictions because of the confusion that this type of scenario might raise.

So, what I'm suggesting here is that DSA include language that can provide code enforcers and code users some kind of guidance on the appropriate code sections to use in that scenario

Derek Shaw: Arfaraz, do you have any suggestions on that? It would be helpful for DSA in order to follow up on your comment to maybe receive your suggestions on how that might take form?

Arfaraz Khambatta: Yeah. So, my primary suggestion today is that we provide not necessarily in this particular section, but somewhere within the code, clarify what constitutes a single user toilet room and what constitutes a toilet compartment or what constitutes a compartment with plumbing fixtures. And make that distinction so we know whether to follow the code path through to 213.3.1 or not.

Derek Shaw: And in your experience, Arfaraz, do you have any suggested criteria that might illuminate that distinction? In your jurisdiction, how do you make that determination?

Arfaraz Khambatta: So, in our jurisdiction we typically see a toilet room as having a lavatory included in the toilet room. So that's what makes the distinction between what's a compartment and what's not a compartment.

Derek Shaw: Okay. All right. Are there any other criteria that you consider? Because as I pointed out a little bit earlier, under Chapter 11B a lavatory is not required within a single user or a unisex toilet room. The language of the code says not more than one lavatory.

Arfaraz Khambatta: And could you take us to that code section that you're referring to right now?

Derek Shaw: Sure. I have it on the screen, Section 11B-213.2 0.1. And so that says unisex single-user or family toilet rooms shall contain not more than one lavatory and not more than two water closets. Sorry, I'm wrestling with, sorry.

Nubyaan Scott: Could someone just clarify the definition, how lavatory is defined in the code?

Derek Shaw: Yes, just a moment.

Arfaraz Khambatta: That's where you wash your hands. A sink. But a hand wash basin that occurs in a toilet room or bathing room is referred to as a lavatory in the building code.

Nubyaan Scott: Thank you, Arfaraz.

Arfaraz Khambatta: No problem. So, as I read this, I still don't get why a lavatory is, how do you infer that a room without a lavatory could still be a single user restroom? Am I missing it? Or maybe the coffee hasn't kicked in this morning. Help me out here, Derek.

Derek Shaw: No, that's okay. That's just fine. It's rather strange language but it's federal language. But unisex toilet rooms shall contain not more than one lavatory. So certainly, we can consider one lavatory that would comply with that phrase. We could also consider zero lavatories would comply with that phrase, not more than one.

Of course, negative numbers could be considered too but that's not terribly applicable to actual constructed elements. So, I would say that's the language that supports that perspective completely.

Arfaraz Khambatta: Okay. I see what you're saying. I just haven't interpreted a single accommodation restroom as not having a lavatory because, I mean, then I wouldn't know how to construe what's a multi-accommodation restroom. So, as you said, this language isn't very straightforward. And perhaps we can clarify that if that's the intent. But if the intent is that a single accommodation restroom can be a room with just a toilet facility, excuse me, what does it say here? Not more than two water closets. Does that mean it can have zero water closets and also be called a toilet room?

Derek Shaw: I suppose if that's the way the jurisdiction wanted to interpret it, they could. It seems that in a toilet room, one of the inherent provisions that would be provided is a toilet. In other words, water closet. But this is federal language, so I think the nation has been applying the ADA standards reasonably well. Would it be we could certainly consider that.

Arfaraz Khambatta: Yeah. I would like to propose that we, DSA, take a stab at being the first in the nation to clarify this language, maybe setting up precedent for others to follow. And with that I'm gonna go back on mute. Thank you, Derek.

Derek Shaw: Thank you Arfaraz. Greatly appreciate your comments.

Brad Morrison: Yeah, thanks. Thanks, Arfaraz. We won't lose that one. I'm gonna, Tim, if you don't mind, I'm gonna have Gene come in. I saw he had his microphone on earlier, and I don't have a way to identify his hand being up. So let me just ask Gene if you have a comment at this point.

Gene Lozano: Yes. Can you hear me?

Brad Morrison: Yes, we can.

Gene Lozano: Okay. Thank you. And a real basic question, and I apologize. The configuration of potentially of an all-gender restroom that we're talking about. Could you have, if the architect decides, could they have then in one of these restrooms, urinals that are not in a private, in any compartment, just the wing walls, those that are, that are in a compartment, those that could be in a quote room that are truly private and the, in a similar thing of, you could have the toilet in a compartment again at not a private one.

And those are there in a quote, a room, in other words, private. Can that possibly, for whatever reason, somebody could come up with some configuration of some of those all in one?

Derek Shaw: I can imagine such a scenario certainly where you would have toilets provided within toilet compartments and urinals provided openly as is commonly encountered in current and recent design.

But then additionally, to provide urinals within compartments and those compartments if they're fabricated, if instead of using prefabricated partition panels like we often encounter, there's certainly a discussion about providing framed walls. So, typically metal studs with drywall facing so that might seem to be a room, but it could also be considered as a compartment. The requirements would differ somewhat. I don't think that a room with a urinal only would meet the language that I was discussing with Arfaraz regarding the unisex toilet rooms since the criteria there is in part not more than two water closets without urinals or one water closet and one urinal.

So, in both cases we're not seeing a solo urinal with no associated water closet. Either there wouldn't be any urinals and having one or two water closets or having one water closet and one urinal precisely. So that's the only part I think of the scenario that you described, Gene that I'm not sure could be covered by the current language of the code or the proposed language.

Gene Lozano: I guess then, and again, I support what that, defining these terms and I guess when it comes to, rather than using the word compartment, private compartment, I think it, for the lay person, it would really help a lot more if it was stated as, a room, if it is, that is the entity that will be floor to ceiling totally enclosure, where compartment, does not provide that privacy.

And this is something my constituent, the people I represent have brought up since October 24th and at the end, but part of this thing, there's some other things that I have heard about these all-gender restrooms that things like signage that they have asked me to bring up. But if just for a layperson, and I'm talking about myself, why don't we just call in these, restrooms, any restrooms, whether it's unisex or multi stall ones, lavatory. Why don't just call it a sink? We, it's the same function in the kitchen. It's called a sink. Can you explain, even if it's the feds, what's the justification? Why don't we just call it a sink?

Derek Shaw: Yeah.

Gene Lozano: I know that sounds silly, but could you clarify, please?

Derek Shaw: No, I don't think it sounds silly at all Gene.

I think that the two terms are describing elements that both have basins. They both have running water in them. I think the basic difference that we get to when we look at the definitions in Chapter 2 is that a lavatory is typically for hand washing, and it's frequently provided within a toilet room, whereas the sink is of a more general nature.

I don't recall the definition specifically. I could look it up, but we would encounter sinks within kitchens maybe within workshop areas where a worker may have to wash their hands, yes even. But not provided within a toilet room or toileting environment.

Gene Lozano: That helped a great deal. Thank you very much.

Derek Shaw: You're welcome.

Gene Lozano: Thank you. And then after, before we move on to the next category, if I can just give a few comments that the people I represent ask, need to bring up regarding all-gender restrooms. Thank you.

Derek Shaw: Okay.

Brad Morrison: Okay, Gene. That might go best in our last part of the agenda where we take new information in and if that's okay.

So let me check in with you after, make sure we get through the line, the list here, and then we'll check in with you before we leave the item. Okay. But it may be better to include that at the end.

Gene Lozano: Okay. Thank you. That's what I meant either at the end of this whole category that we're going through, which is what I was assuming, or if you mean the end of the whole day when we finish everything. Either way, whatever you want, I'll follow.

Brad Morrison: Okay, great. Thanks Gene. I appreciate that. Okay. I'm gonna cue up Tim. Come on in.

Eric Driever: Brad, can I maybe step in and I, I'll apologize to Tim.

Brad Morrison: Sure. Yeah, sure. Eric, go ahead.

Eric Driever: All right. So, I just wanted to address some of Gene's comments. The distinction is in food preparation and the health code would not want workers to be washing their hands in food preparation areas that might contaminate the food. And it's rooted in that use case for a sink in a kitchen as opposed to a hand washing sink or lavatory that is in a restroom.

The second item I wanted to address is, well this isn't a collaborative for the plumbing code changes, but some of your concerns Gene are rooted in what is included in the proposal for part Five of the Plumbing Code. And I'll just quickly in lieu of sharing a screen, I'll read the definition that is included in the express terms of

the part five Plumbing Code that are being advanced currently. So as defined, a privacy compartment is a compartment to enclose a water closet or urinal that provides complete visual privacy with no gaps between partitions or wall panels around doors or at joints between partitions or wall panels and the floor or ceiling. Privacy compartments may be constructed with site-built walls or pre-manufactured panel systems with continuous brackets or hinges.

That's the current definition that's being proposed. Again, like these Chapter 11B requirements those are proposals that will not be officially submitted to Building Standards Commission until December. And certainly, will be open to public comment. In regard to the urinals and those being in either in a privacy compartment as just defined or a separate room. There is under, let's see, it's section 422.2, which currently requires separate facilities. There is an exception to separate facilities for men and women that is being proposed and I'll read that for you. And it's exception number four under 422.2 of the Plumbing Code part Five. And it reads, separate facilities shall not be required where rooms have fixtures designed for use by all-genders, and the water closets are installed in privacy compartments when installed, urinals shall be located in privacy compartments or separate private areas.

And by that last portion of the exception, it means a separate room.

Brad Morrison: Great. Thank you, Eric. Appreciate the clarification there. Okay, Tim, wanna come in?

Tim McCormick: Will do. Thank you. And well thanks Eric for adding that context. I think that helps a lot with some of the concerns that the building officials have expressed on how privacy's maintained. And it sounds like it's being handled adequately in the plumbing code. In that last section you read about having either urinal compartments or private areas matches what we see on the all-gender rooms that are being done now.

So, concerns I have and wanna express here have something to do mostly with structure. And I think the structure of where the code changes take place will not only improve enforcement, but clarity and understanding.

So, I'm suggesting that the urinal compartment should not be mixed together in a section with the toilet compartments, that it should have its own section. Similar to that section when viewed in context. we have toilet compartments as one subsection. We have water closets is one subsection. We have urinals as one subsection.

I think we should have urinal compartments as a separate subsection. I think there was great advantage into doing that. I think it brings clarity to some of the questions that Ernest was asking right now. I think the language can be confusing about how many urinals are required to be in a 10% or 5% category and why. I think if we have separate subsections in here, those questions will be answered.

But it will also raise the question on, for instance, toilet compartments have a 5% complying with accessible features and water closets by themselves, have a similar feature. I think that the 10% and 5% appears to be a discrepancy that needs to be better explained. And if we have urinals meant to be something that are out in an

open area, which is a frequent occurrence, that we need to define them as urinals not in a urinal compartment.

Because if we say 10% of all urinals have to meet a certain standard, there are urinals in the urinal compartment, obviously. We need to make sure that our language makes a clear distinction between the two. I think if we have separate subsections for that it will help a lot. So that's just a structure thing that I think it will help to answer some of these questions.

We also think that it is important to have identification signs that are required so people know what's behind the door number one and door number two. So, we think those are key things but we think that although it's helpful to have it in this section and to reference it to meet the sign standards in 216.2, we think it would be more important and should be the primary reference should be actually in the sign scoping section for bathrooms so that it would be included with the same requirements for the geometric sign and everything else so that when someone looks for sign requirements in bathrooms it's all there.

I think it's helpful to have it here, but I think it's more helpful to have it in the actual sign section of the scoping which I think is 216.8. So those are our initial comments on this at this point.

Derek Shaw: Great. Thank you, Tim.

Brad Morrison: Thanks Tim. Okay, Richard. Richard, do you still have a question? I see your hands up. Okay. How about, why don't we take Mike and come back. Michal, I'll come back to Richard.

Michal Healy: It's Michal (Michelle).

Brad Morrison: Michal (Michelle). I'm sorry I didn't. You told me that last time. I'm sorry. I'll get right this time.

Michal Healy: It happens all the time. Thanks. So, I represent school districts, K-12 school districts and we definitely have some concerns over the use of the word privacy compartments in this proposed code language.

We just don't have the money to put in something with walls that go all the way down to the ground. And that also makes us nervous for supervision for students, when they are in a multi stall, all-gender restroom. We, as I mentioned last time, we have opened up multi stall restrooms and we, the students are using, we just have the regular compartments that were in those restrooms, the female restrooms, for all-gender and they're just using the compartments that are in there now. So, we strongly suggest that the word privacy is removed from this code section. It will just create more expense in creating these bathrooms as well as a supervision issue with the partitions going all the way down to the ground.

It makes them harder to clean and it makes them harder to monitor. And I also agree with Arfaraz that some of the wording should be clarified. I think people are going to ask the question, can we put the accessible urinal in the same compartment as the accessible toilets and have one compartment with both of them in it?

And so, I think if we can clarify that would be helpful just to avoid any confusion in different jurisdictions reading the code different ways. My third comment is on the signage that's gonna be required on these Accessible or the compartments. I think the code should really define, and maybe it does later on, and I just didn't get there yet, but where those signs should be located and what they should say. So, whether they should be on the door of the compartment or whether they should be located someplace else. And then what if they are gonna require the pictograph, what the pictograph should be. And those are my comments.

Derek Shaw: Great. Thank you, Michal.

Brad Morrison: Yeah, thank you Michal. Let's, let's go to Ida.

Ida Clair: Thank you. Michal, I just wanted to reply that we can only write regulations for Accessibility. So, when we state a privacy compartment and requires a privacy compartment, it only applies to the accessible compartments. The other compartments we don't have the authority to address so I just wanted to clarify that.

Michal Healy: Yeah, so I guess our concern is that our existing accessible compartments aren't privacy compartments. And so, if the code kicks that in as another regulation, that if the accessible compartments are going to have to be in a multi stall if the accessible compartments have to be privacy compartments, that's just gonna create a lot of complications in existing school restrooms and ongoing construction and supervision of those bathrooms.

Brad Morrison: Okay. Thanks. Thanks, Michal. Thanks, Ida. Eric?

Eric Driever: Yeah, I had raised my hand. Just to echo what Ida said, the definition of privacy compartment is being advanced under the plumbing code, not here. And what Chapter 11 is doing is when privacy compartments are provided, in the context of an accessible privacy compartment, these are the requirements whether that's urinal or otherwise.

And, and so some of your comments really relate to all non-residential requirements that are being advanced by Building Standards Commission. Of course, DSA is adopting those, co-adopting those in part five, but it would be more appropriate for those types of comments to be forwarded to Building Standards Commission so that the appropriate context could be applied.

Brad Morrison: Great. Thanks. Thanks, Eric. Michal, did you have another comment? Okay, sounds good. Yeah, thanks Michal. Okay. Let me check in with, oh, go ahead. I'm sorry, Michal. I didn't mean to talk over you.

Richard, do you have a comment?

Richard Skaff: Yes. Throughout all of the proposed code changes, where there are numbers involved, the numbers of stalls involved in this particular case, are we at all looking at the census or some document that supports increasing numbers?

We have an aging and an increase in the population of vulnerable seniors, which means that these are not just seniors, they're seniors with disabilities, and the disability population in general is growing. How is DSA looking at these proposals or

creating these proposals? Based on numbers and I'll use another example, the inadequate number of accessible parking spaces on sites because of the substantial increase in the number of users. And I'd like to know what Eric and Ida, you're doing as far as determining changes to the code that speak to those increased numbers of people with disabilities.

Because we're finding a real problem in the community accessing facilities for example parking because of the inadequate numbers required and accessible features within buildings and facilities because of the lack of numbers based on population increases. Thank you.

Brad Morrison: Richard. Rather than get into a back and forth about that, this is a broader question. I'm gonna move that item down to our items not on the agenda just because I think it's a broader question. It's a valuable discussion and I think we just need to put it into place where we can focus on that.

Because we're trying to capture as much comment on the specific language of this section right now. So let me just propose that we just move that comment and I'll bring it up as part of one of the first items that we address on our open item section.

Richard Skaff: That's fine with me, Bradley.

I just, I wanted to raise it. So how it's done is fine on that one and the previous one about how these documents are presented. I'd like some kind of written response also at some point, not today, but we can discuss it further today if there's time.

Brad Morrison: Great. That's great. Now, that's a typical kind of action that we could request as part of that process. So, let's just hold it off till then and then we'll capture it in its full content then. Okay. Thank you. Okay. Let's see. Michal, do you have your hand up? Did it just not come down? Okay. Arfaraz. Come on in Arfaraz.

Arfaraz Khambatta: Thank you, Bradley. I just had a follow up question. A real quick follow up to question for Eric. When he was reading out the proposed language for privacy compartments, is a privacy compartment defined as being in an all-gender multi accommodation restroom? Or did I misconstrue that?

Eric Driever: Arfaraz, yes. It is referenced in only the context of all-gender restrooms. One of the comments received, or that Building Standards Commission received initially was in response to a lack of definition of privacy compartment being provided within the context of the exception. So, the exception for referenced the term privacy compartment.

And in early drafts there was no definition of a privacy compartment. And so, a definition was developed to be submitted alongside or along with those other requirements in the plumbing code.

Arfaraz Khambatta: Thank you, Eric. And here I was using compartments all my life thinking that I was afforded some amount of privacy, but I guess I wasn't in all-gender restroom at the time.

Just kidding.

Brad Morrison: That's okay. We need a little code humor here. Thank you, Arfaraz. Appreciate it. Okay. I'm not seeing any more, questions on this particular...

Katy Iverson: Hey, Brad you're muted.

Brad Morrison: Okay. Sorry. I'm sorry, I just, what I was gonna say is I think, I don't see any more comments on this particular code proposal. So, what I'm gonna suggest is that we take a 10-minute break right here and come back and that this seems to be a good break in the discussion.

So, we can come back and start with a new item. So, let's go ahead and take the break now and we'll reconvene at 11:41. Okay. And does anybody have any problems with that? All right. Not seeing any questions. So, let's come on back. I'll see you in 10 minutes. Thank you.

BREAK

Brad Morrison: Derek. And you can start up with the item number two.

Derek Shaw: Okay, great. Thank you, Brad. Item number two starts on page six, excuse me, page seven of your packet. And this is item number two that we see here on the list to the left of the screen. This is Chapter 11B, Section 11B-213.3.3.

Here we have the urinal compartments scoping requirements. In this case we are proposing to amend the existing scoping language for urinal compartments and to acknowledge that the condition where urinals are provided within privacy compartments in both cases maintaining the same 10%.

But no fewer than one criteria for the amount of urinals that need to comply with Section 11B-605. Okay. This is one that we did present at the prior ACC meeting. There have been no additional changes or updates to this item. And Brad, I think with that we can certainly receive comments and questions.

Katy Iverson: Brad, you're muted. If you're trying to talk, we can't hear you.

Brad Morrison: Arfaraz are you there? We can't hear you.

Arfaraz Khambatta: I can hear. I was just waiting to be recognized.

Brad Morrison: Oh, okay. Sorry. Go ahead, please.

Arfaraz Khambatta: I guess my question is the same as before, Derek hereto, in situations where we have both urinals and toilet fixtures in the same compartment, how do we as code enforcers make the determination of how many fixtures need to be accessible in these privacy compartments?

Derek Shaw: Okay. And I think as with your previous comment, DSA is gonna need to study the issue a bit more to see if we can address that and clarify.

Arfaraz Khambatta: Derek if it's useful at all I can certainly share with you some recent examples of configurations that have been proposed by various permit applicants.

Just as a range of what we're seeing come to us especially in new construction with multi-user restrooms that have, or rather all-gender multi-user restrooms and different configurations being proposed.

Derek Shaw: Okay. Arfaraz if you'd like to send those to us, that would be great. And if you could send those over to our email address, it's down here in the lower left corner of the screen - DSA Access2022@dgs.ca.gov.

Brad Morrison: Thank you, Arfaraz. That's good feedback. Appreciate that. Nubyaan.

Nubyaan Scott: Thank you, this is Nubyaan from Disability Rights California. I just wanted to comment that I think this change will allow greater accessibility than the ADA and so for that we're for sure supportive of this adopting.

Derek Shaw: Great. Thank you.

Brad Morrison: Yeah, great. That's great clarification. Thank you. Ernest, would you like to go ahead?

Ernest Wuethrich: Yeah. I just had a, maybe just a comment, not necessarily a question, just about the consistency in the term usage. In the previous section we were looking at, the language urinal privacy compartments was used and then we had urinal compartments used in 213.3.1.2.

And then we got urinals in this one. We got urinals provided in privacy compartments. And I don't know if that's something being nitpicky of having the consistency in just the language, but...

Derek Shaw: That's great, Ernest. Thanks. Thanks for pointing that out.

Ernest Wuethrich: Sure.

Brad Morrison: Okay, great. Other comments?

Jessica Axtman: Gene has his hand up.

Brad Morrison: Oh, Gene. Okay. Gene, please come in.

Gene Lozano: I had tried to lower my hand and I thought a long time ago. And is that pound two?

Brad Morrison: I'm not sure about if pound two lowers it as well Gene. And just to let you know, you're not showing up on my screen with your hand so I'm not sure exactly why I'm not seeing that, but do you have a comment now?

Gene Lozano: No, I don't.

Brad Morrison: Okay. And if you do just come in verbally and I'll get you into the queue.

Okay. So don't worry about interrupting. We'll just work with the phone line as best we can. So just go ahead and say something if you want to come in and I'll recognize you. Okay. Thanks Gene.

Okay Eric or Derek? I'm not seeing any more comments on this issue. Why don't we move on to item three?

Derek Shaw: Okay, great. So, item three as we see in the static list over on the left regards Chapter 11B, Section 11B-604.8. These are technical requirements for toilet compartments.

This item begins on page nine of your packet, and I'll go ahead and display the language that we're proposing. Here we're only adding a small discrete requirement to section 11B-604.8.1.2. and also, to section 11B-604.8.2.2. These two sections address doors at wheelchair accessible compartments and ambulatory accessible compartments, respectively.

Both of them are simply proposing to add the phrase that would require a privacy latch at both the wheelchair accessible compartments and the ambulatory accessible compartments. Now a privacy latch is commonly provided. I don't know that I've recently seen any compartments, whether they're accessible or non-accessible compartments that are being provided without privacy latches.

But, nonetheless, we thought that this would be a good addition to the code and would help to maintain some consistency with the proposals that Building Standards Commission and DSA are looking at for the all-gender toilet facilities. Okay. So, I think with that you can entertain questions or comments.

Brad Morrison: All right. Let's start, Ernest, I see you have handed up.

Ernest Wuethrich: Yeah. When I read through this I had to go back to my old book, and I was shocked that this wasn't part of it because I've always thought that this was part of the code already and realized that this was part of the DSA advisory that was provided to 11B.

And it indicates the door is required to have a latch. But it also goes on to indicate that the latch is a flip over style, sliding, or which otherwise does not require the user to grasp or twist. Would it be inappropriate to add that language to provide some guidance in the code since it's taking the language of the advisory and putting it right into the code?

Derek Shaw: I think that's a fine suggestion. We currently have the requirements for privacy latch, and they're required by the 2010 ADA Standards for Accessible Design. But those are applicable to unisex or single user or family toilet rooms. We didn't have the code language before for privacy latch. So, I think that we can certainly consider your comment.

Ernest Wuethrich: Thank you.

Brad Morrison: Great. Thanks. Thanks service. Okay, next up we have Nubyaan followed by Gene.

Nubyaan Scott: Hi, this is Nubyaan. I wanted to strongly encourage the suggestion that Ernest just made because the only concern that I had is the accessibility within the privacy latch itself because oftentimes people have disabilities that affect their ability to access a privacy latch.

Let's say if one of your appendages was affected and you may need to use a device or something to just flip something over. And it sounded like the language and the guidance that Ernest just recited would address that because it doesn't require the grasping. So, I think the explicit mention of that is really important since these are explicitly regarding accessible compartments.

Because we don't wanna just add a privacy latch that people are not going to be able to access or that they might have to require assistance to access when they might not otherwise require assistance for restroom access. So, I just really wanted to encourage that language be reflected cuz I think it better establishes the accessibility of the privacy latch itself.

Derek Shaw: Okay. Good. Thank you, Nubyaan.

Brad Morrison: Yeah, thanks Nubyaan. Appreciate that. Okay, Gene. Not seeing, I wonder if Gene's,

Gene Lozano: Can you hear now?

Brad Morrison: Yeah, there you go. Gene. Now I can hear you.

Gene Lozano: I apologize. It has to do with the privacy latch. I agree with the comments that's already been made but I'd like to also ask for the cross reference into the Chapter one, the specific section number which I don't have, which talks about proper maintenance and installation of accessible items.

And, as I said during our stakeholder meeting on October 24th, I've had in the recent year or two in brand new buildings and or buildings that are probably less than 10 years old, that either the latches were broken and had been there for a long period of time in that condition or hodgepodge of different pieces that were of different type of locks that were put in.

And, or the thing was totally removed where you could just look through where the empty hole through it, there was no privacy and you just with your finger could push a little lever into the slot assuming it was lined up. In other words, a cross reference. It should still be there to the section in Chapter one that deals with maintenance.

So, it's people reminded that they have to be maintained. It should be obvious. I don't, I would assume that it's not necessary in theory, but in reality, they're not. And it always seems to be the accessible compartments rather than the inaccessible ones that have this problem. It's probably purely coincidental, but it seems to be the commonality and therefore people with disabilities wishing to use the accessible stalls not only have to compete to get into the stalls, but don't have the same level of privacy as others do.

Thank you.

Derek Shaw: Okay. Thank you, Gene. I think that the section that you may be referring to is actually within Chapter 11B, and that it's section 11B-108, maintenance of accessible features. It says that public accommodation shall maintain inoperable working condition. Those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities. Isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted.

So that's existing language. It certainly applies to everything that we regulate in Chapter 11B. But we'll certainly study your comment and see if we can address the issue that you bring up. Thank you, Gene.

Brad Morrison: Great. Thanks, Derek. Thanks, Gene. Arfaraz.

Arfaraz Khambatta: Thanks Brad. I just wanted to point out that we could just simply reference 11B-404.2.7 for the privacy latch as well to address the concerns raised by Nubyaan and sorry I'm blanking out who raised it originally. But 11B-404.2.7 essentially says that in addition to giving a height range of 34 to 44 inches, it also cross references 11B-309.4, which is essentially the catchall for operable parts needing to be accessible which is to be operated without tight grasping, pinching, or twisting of the wrist.

So, maybe if we tweak the language to capture the new privacy latch addition to the door pole, which already needs to comply with 11B-404.2.7, that might address Ernest's original comment. Thank you.

Derek Shaw: Great. Thanks.

Brad Morrison: Great. Thanks, Arfaraz. Nubyaan.

Nubyaan Scott: Thank you. I am not necessarily opposed to the suggestion that Arfaraz just made.

I guess I just would wanna see the two examples side by side. I'm not asking you all to do this, but just making a comment that it would be helpful for me in considering it as we move forward to just see the two examples. Cause I guess I'm hesitant to refer back to things rather than just including it in the original language, because I think if you just explicitly include accessibility mentions in the language rather than referring back, sometimes it can be more likely that people will have an explicit understanding.

But I wanted to add to the previous comment that was made by Gene about including, although I recognize I think as Derek stated, that everyone should be aware of that requirement and should be responsible for maintaining accessible features as required by law. I think it is important to acknowledge that it doesn't happen as often, it's not happening as regularly.

And in consideration of that, because people with, because those accessible restrooms are always the least amount. You have a limited amount of restrooms to choose from if you're a person with a disability because not all of them are accessible, only a certain amount are. So, it makes it even more important that those restrooms be maintained which I think is why the law was written to reflect that

because there's already minimal options. So, it's even more important that they be maintained. I don't think it would hurt to just mention as pursuant to or some language just explicitly referencing that maintenance feature since Gene is getting that feedback directly from his constituents. And that's all for me. Thank you.

Derek Shaw: Yeah. Just to share with the group here. You know this is what Dennis Corellis would sometimes refer to as a belt and suspenders approach to writing the code requirements. That sometimes yes, we make multiple references even though through the structure of the code, requirements are already applicable.

So, for example and we see in 11B-604.8.1.2, that we have the ellipses at the end of line one, that's a language that's not included, or that's not proposed for changes. And so, we haven't included this in our writeup for this but the language in that section is very similar to what we see in 11B-604.8.2.2.

So, there we see that toilet compartment doors including the door hardware shall comply with section 11B-404. So, I would say we've already got the requirement that would invoke section 11B-404.2.7 as a subsection of 11B-404. You know we definitely need to study whether having additional duplicative references would be appropriate.

But just wanted to give folks context I think for some of the discussions DSA will have as we're considering the comments.

Brad Morrison: Thanks. Thanks, Derek. Ernest, would you like to go?

Ernest Wuethrich: Yeah. And thanks for that, Derek. I do agree with what Arfaraz stated and I think the one thing is, I think the reason I didn't initially think of going that way was because the next section specifically describes what was mentioned, it defers 11B-404.2.7.

It's the same as the standards that it defers that specifically the door pull back to 404.2.7. Because it's specifically indicating that 404.2.7 is required for the door pull, it would be very redundant to put that exact same section in the sentence before for the privacy latch.

So, I get that. It's just would maybe as Arfaraz said, maybe if the latch section could be tied to the door pull sentence as well so we don't have to have two different references since it is specifically being referenced for the pull. But yeah, don't want it to have a ton of more language by any means.

Derek Shaw: Okay. Great. Thank you.

Brad Morrison: Yeah, sounds good Ernest. Jihee come on in.

Jihee Lee: Yeah, like what Ernest just said and also what Arfaraz said. We just wanna be cautious about having duplicate information or redundancy. We want the code language to be clean as possible. I feel like when I read this paragraph as a code user, door hardware is already specified and required. There's requirements so, I feel like if we be explicit on something and not at others, it just raises more questions as a reader of the codebooks. And so, we just wanna be careful having

not too many information showing at different locations. So just want to give that feedback.

Derek Shaw: Great. Thank you, Jihee.

Brad Morrison: Yeah, very good point. That sometimes brevity is best. Thank you, Jihee. Okay, Ernest. Okay, Richard.

Richard Skaff: I think I'm gonna lower my hand because I think I'm gonna discuss an issue relating to this later in the day. Thank you.

Brad Morrison: Great. Thank, Thanks, Richard. Appreciate that. Okay. Any other comments on this item?

All right. Hearing none, let's move on to the next one.

Derek Shaw: Okay. This next item was revised since the last time the ACC took a look at it. This item is number four on the list. It's the last of the first group of all-gender toilet items. This item begins on page 13 of your packet. Here what we're doing is we are proposing new language, a great deal of new language that addresses urinals located in privacy compartments.

And so, we start out with the general provisions here which make a distinction. Now because we're contemplating privacy compartments, we had a need to make the distinction between urinals not located in privacy compartments versus urinals located in privacy components.

So here we see that urinals not located in privacy compartments shall comply with sections 11B-605.1 through 11B-605.4. And then urinals located in privacy compartments shall comply with sections 11B-605.1 through 11B-605.5, and {indiscernible} urinal privacy compartments shall be identified by a sign complying with section 11B-216.2.

Here I just wanna point out the difference between the two general statements. First of all, that the urinals not located in privacy compartments would comply with basically the existing requirements that we have, 11B-605.1 through 11B-605.4.

And then specific to urinals located in privacy compartments, we're adding the new section 11B-605.5, and that's only going to apply to urinals that are within privacy compartments. Okay, so let's take a look at the meat of the section for urinals in privacy compartments. Here, this is all new language under 11B-605.5. What we do is in the first paragraph, we place the requirement for a maneuvering space in front of the urinal fixture 66 inches minimum in width and 48 inches minimum deep.

And additionally, we have a requirement for a turning space within the urinal privacy compartment. And that's complying with the standard section reference 11B-304 for turning spaces that would allow a circular turning space or a T-shaped turning space. Either one of those are acceptable under section 11B-304.

As we get down to the next subsection 11B-605.5.1, doors. Here we're using a lot of the same language that we have for toilet compartment doors, just so you have an idea of where this language comes from. But here we indicate that urinal privacy

compartment doors, including door hardware shall comply with section 11B-404, except that if the approach is from the push side of the compartment door clearance between the door side of the compartment and any obstruction shall be 48 inches minimum measured perpendicular to the compartment door in its closed position.

Just keeping in mind that this is nearly identical language that we have about the door to the wheelchair accessible compartment. Continuing on, doors shall be located in the front partition or in the side wall or partition. Where located in the front partition the door opening shall be four inches maximum from the side wall, or partition farthest from the urinal

Where located in the side wall or partition, the door opening shall be farthest from the urinal and shall be 54-inches minimum from the rear wall. The door shall be self-closing and have a privacy latch. Door pulls complying with section 11B-404.2.7 shall be placed on both sides of the door near the latch. Doors shall not swing into the clear floor space or clearance required for any fixture.

Doors may swing into that portion of maneuvering space, which does not overlap the clear floor space required at a urinal. There is an exception provided. When located at the side of a urinal privacy compartment, the compartment door opening shall provide a clear width of 34 inches minimum. Now, that exception is in essence identical to the same exception that we see for the wheelchair accessible toilet compartment that requires a 34-inch clear width door opening.

Normally a 32-inch clear width door opening would apply under compliance with section 11B-404. There was an aspect of this language that I was hoping to rely on comments from the ACC. And that's this concept of the phrase farthest from the urinal. So, the whole sentence there reads where located in the front partition, the door opening shall be four inches maximum from the side wall, or partition farthest from the urinal. Now, this language might be a bit confusing. A big difference between the urinal compartment versus a wheelchair accessible toilet compartment is that the toilet within the wheelchair accessible toilet compartment needs to be located 17 to 18 inches from one of the side walls or partition.

And that's to facilitate transfer to the toilet seat. However, there's not a similar set of requirements for urinals. There's not an expected transfer in that case. And of course, we don't have the requirement for grab bars at accessible urinals as we do at the accessible water closets.

So, this phrase farthest from the urinal might not be entirely applicable in this context here. But I'd certainly like to hear comments about that. In addition to all of, any other comments that you might have about this proposal. Okay. So, Brad, I think with that we can open it up to comments and questions.

Brad Morrison: Okay, great. We have Tim in que here. Come on in, Tim.

Tim McCormick: All right, thank you. I would like to suggest that DSA add a figure to the code to go with this one as it does for toilet compartments. I think that would be very helpful. And I also think that one of the questions the CALBO Access Committee had on this was where does the urinal need to go inside the compartment?

I agree with what Derek was saying that obviously we don't have grab bars and transfer issues, but I do think we have some minimum distance we probably want it away from a side wall, so maybe it's more of a distance. I mean, I think we need to talk about whether it needs to be centered at least for the clear floor space that's provided for it on a forward approach. That would make it 15 inches off a side wall.

So, I think we do need a little more information on exactly how to locate it. Hopefully, if we do that, it might help guide Derek's question about what it means to be the door away from where the urinals are located. Those are my thoughts.

Derek Shaw: Thank you, Tim.

Brad Morrison: Yeah, thanks Tim. Those are good points. Okay. Ernest,

Ernest Wuethrich: Thank you. One of my comments is exactly what Tim said. Those is probably one of the ones that needs a graphic support when things get dialed in. One maybe concern I have is, I understand that we're adopting some of the requirements for, it seems like it's really being taken from the toilet compartment technical requirements. But it feels like, specifically to what your point is Derek, this functions differently than an accessible water closet toilet compartment where someone would transfer onto the toilet. In this case, the urinal functions differently.

So, the way the language reads, a urinal compartment is really gonna be larger than a toilet compartment. We see 66-inch width as part of the exception where you don't have toe space in a toilet compartment, or you need to have at least some toe space if you're gonna have toilet partitions. You can have your toilet compartment could be six inches wide, but if you have full height walls, then that triggers the 66-inch min width typically.

But here we're going right for 66-inch min width and then requiring a turn space within the compartment. And that's not a requirement of even a toilet compartment which is I would imagine if it's adequately sized now, which is already bigger than the ADA standards. I just have a hard time thinking of this from a design perspective. How big these things are gonna be and what it's gonna be to actually get these things laid out in a fashion that people are gonna want to use them.

So, and my last one is, because there isn't a, we're not using this the same way where I always associated that the direct diagonal direction relationship between the water closet and the toilet or the water closet and the compartment door is to allow that maneuvering and ability to transfer onto the water closet.

I don't see how that would, that four-inch minimum requirement would be applicable here if you're still able to maintain door maneuvering clearances by its reference to 404. So, I'm just thinking about this. Let's say everything gets adopted and I'm out in the field. How do I tell someone that the door not being four inches is prohibiting access?

I don't think it does. I understand it for the toilet compartment. The extra size I think I would personally push back on. But that's what I got. Thank you.

Derek Shaw: Ernest. If you don't mind a follow up question to you. In developing this language, one of the issues we contemplated was about the maneuvering space required. And we recognize that maneuvering space that's expressed in section 11B-605.5 was going to largely determine the size of the urinal privacy compartment. But at the same time, we were also considering at least treating the width requirement which now in this draft reads 66 inches minimum wide, we were contemplating the 60-inch requirement that would correspond with the wheelchair accessible toilet compartment. And then if we did take that route, we of course would have wanted to add the language about the toe space that would allow maneuvering within the compartment. Do you have any thoughts on taking the alternative approach or how might you see that?

Ernest Wuethrich: I'm good with it. You mean introducing the, I forget how you guys phrase it, where you require the additional six inch incorporated into the space if it's a full height wall, as an exception, I think it is. It's worked up in when it first kicked off for that code change, I think people struggled with it, but I think everyone understands it at this point. And I would be fine with it. Is it truly required? I guess I'm just trying to think of how. I'm completely good with what you're suggesting. I think it's a great idea to be able to narrow down toilet partitions to 60-inch width. I think it's a fine suggestion.

Derek Shaw: Yeah. Okay. Well, I think maybe going back to our comparison between the proposed urinal compartment here versus the existing requirements for toilet compartments, accessible toilet compartments.

And you had talked about requiring a turning space within the urinal compartment. I would just point out that due to the various space requirements in the wheelchair accessible toilet compartment that it in effect provides a turning space within the compartment.

And here because we had more brief language for the urinals in privacy compartments, we did anticipate the same issue. We just thought it would help to make it explicit that the turning space would be required here.

Ernest Wuethrich: I think that if you look at the table or the design for a, let's call it a front approach to a toilet compartment with an out swinging door.

The only requirement is 48 inches in front of the water closet. So, it wouldn't have a turn space within the compartment. It would be 48 by 60 in front. And the urinal compartment is saying we need a full turn space. So, you would need 60 by 60 in front of the urinal. If it's a ground mounted, you might have toe clear if it's raised.

So, in that instance, I think the toilet compartment, or the urinal compartment is going to be bigger than a water closet compartment.

Derek Shaw: Okay. Okay. Great. I sure appreciate your comments on this.

Ernest Wuethrich: Sure.

Derek Shaw: It's gonna be very helpful to us.

Ernest Wuethrich: All right. Thanks, Derek.

Brad Morrison: Thanks Ernest. Thanks Derek. Okay. Up next, we have Jihee followed by Richard followed by Gene.

Jihee Lee: I agree, graphics will help a lot for this requirement. I just wanna, so if I remember correctly, the turning space language does not show up in the total compartment requirement. It shows up in the single use toilet room, I believe. So, there's a little slight difference there. It totally makes sense to have a turning space required in the urinal compartment but just wanna kind of point that out.

Maybe someone know this better. If somebody could explain how people use the urinal as a wheelchair user, maybe I could give better feedback. Is it just somebody rolling in and just be placed, you centered in front of the urinal and then able you do their business and then able to turn around and come out?

Is that basically what the functionality or the usability of the urinal compartment? Is there some other like, functionally, what other things that we need to consider? If somebody could explain that better then maybe we could provide better feedback about this, diagonal requirement, and that kind of thing.

Richard Skaff: I'd be happy to describe that to you.

Jihee Lee: Okay.

Richard Skaff: Is that okay, Brad?

Brad Morrison: Yeah. Let's go ahead and thank you, Jihee. Go ahead, Richard.

Richard Skaff: Wheelchair Accessible urinals are used by rolling up to them, pulling up your pant leg. Typically having a leg bag with a condom catheter attached and emptying the leg bag. That's why you pull up your pant leg to get to the leg bag. Emptying the leg bag into the urinal.

Does that, and again, everybody so far has said visuals are absolutely important and we need to have that. This would clarify that. Has anybody on this collaborative looked at the website with the videos? With caricatures used at the US Access Board showing how a person does a transfer onto a toilet. DSA needs to go into the 22nd, 2023 maybe, and start putting videos up as part of the interpretive manual. The one, it took years for me to finally get DSA to start redoing.

This would go a long way to provide the kind of information needed to understand the people can memorize code. That's the problem I have with a CASp. We have over 900 people that have memorized code that has nothing to do with creating accessibility. You have to understand the function of a person with a disability before you can apply the code correctly.

So, I would strongly suggest DSA take the next step and start adding whatever type of video interpretations as the Access board is done. And I wish the Access Board had done more. I don't know why they're not doing more with that. Because of any of the interpretations that is the most significantly successful in educating architects, engineers, contractors, and building department staff on what access really means.

Thank you.

Brad Morrison: Great. Thank you, Richard. Appreciate that. And again, if you wanna speak to that again in our later section, that'd be great too. But I captured a note right here. Okay. Next up we have Gene, who's been waiting in queue so let's go to him and then I'll go to Arfaraz.

Gene Lozano: I don't know why I have not raised my hand and I've used #2 to lower my hand. So, I don't know what's happening.

Brad Morrison: Gene, It's okay. No, I saw it light up earlier then it went gray, and I just thought I'd check back with you. It's okay. I'm just being careful here. Okay. Let's go to Arfaraz.

Arfaraz Khambatta: Thank you, Brad. I would just like to suggest, recommend, that given that we have doors to a urinal privacy compartment needing to comply with 11B-404.2.4, which would essentially require that maneuvering space not be overlapped by the urinal fixture itself.

In addition to that, we also are saying that we need a turning space complying with 11B-304. 11B-304 itself allows for knee and toe clearances complying with 306 to be included as part of the turning space. There may be some confusion as to what portion of the toe clearance can go under the urinal.

I would be supportive of an amendment where DSA wouldn't allow for or wouldn't allow for the toe clearance to go onto the urinal if DSA proposed that. But as far as the language about the door being offset four inches for the front partition or for that matter, the door configuration for an entrance from the side partition if you will, that might be belt, suspenders, and something else.

So, I would recommend we just exclude that language because we've got door maneuvering clearances that we need to comply with, and we've got turning spaces that complying with 11B-304. That should ensure that someone can enter, turn around, latch the door, turn back around, and use an accessible urinal with the required clear floor space at the fixture. And that's my comment. Thank you.

Brad Morrison: Okay. Thanks, Arfaraz. Again, with the brevity, I guess is the point there is just to keep it clear as possible. Okay, Tim.

Tim McCormick: Okay. I'd like to actually invite Richard to finish answering a question that I'm not sure we got enough clarity on if that's alright. I think one of the concerns I mentioned earlier for us as building officials is locating where on the back wall that urinal needs to be. So, if we have a 66-inch-wide privacy compartment which we think is consistent with how the code is done for toilets, that's a good thing that it's consistent with.

So somewhere in that 66-inches we have to put the urinal. We know that a person in wheelchair is gonna come up to that urinal. We wanna know specifically when we talk about providing the necessary approach in clear floor space, is it best if it's straight on right in front? Is it better to have a parallel approach to that urinal for dumping the leg as Richard was saying? Do we wanna make sure they can do it from either side?

So, if we say, it's a, maybe it's the side of the urinal or the front of the urinal providing things for people who are left-handed and right-handed. I think there's a lot of options there that we may have 66 inches to work with, but I think we're gonna wanna put the urinal somewhere we know that works that's not too close to either side.

And I think we need to hear from people with the disability to tell us what they need so we get this right. I think this is unique and I think like Jihee was saying, we just need more information to make sure we get it right so that when we're trying to enforce {indiscernible} that works, it took into consideration the special needs of a person actually approaching the urinal in a wheelchair. And that's what I was hoping Richard could maybe clarify a little bit more on his comments just for that point.

Richard Skaff: If I may, Brad?

Brad Morrison: Please Richard, go ahead.

Richard Skaff: First of all, Tim, bless you. Thank you for asking that. And I apologize that I wasn't clearer in my description. And I want to go back to the last meeting we had where I talked about finally realizing what we have done is created an accessible toilet stall that a large number of wheelchair users using an attendant or a family member to help them use the toilet, can't. Because when you go into a bathroom and there's one Accessible stall. And it's either a right hand or left-hand access side stall if that person does it from the opposite transfers from the opposite side using their attendant.

And that's what I saw at Kaiser a couple of weeks ago. A wife coming in with her husband to the restroom looking in the accessible stall and saying, we can't use it because I can't help my husband transfer because it's the wrong side.

We have never looked at that because we've never gone out to the community and said, what do you really think of what we've produced? So, I thank you for raising that, Tim. We need to be able to because there are people with electric wheelchairs that can raise and lower their seat if they're lucky to have that model, electrically that's got a motor on it, that raises it up to 10 to 12 inches depending on the wheelchair.

They may be able to they have more maneuverability because of that raising and lowering, but we have people that have one side functioning, or the other side functioning based on the fact that they have a stroke. They're using a wheelchair because they can't walk any longer because of the stroke. And they may have one side that is functioning but not the other side.

So, you're raising an amazing point there that hasn't, at least as far as I know, hasn't been discussed. So, I think we need to consider that and maybe send this back for more discussion. Again, what I think hasn't happened that I think needs to be DSA doing more outreach to the disability community on specific proposed code changes using the kind of chart I talked about earlier where we say, this is what the proposal is, this is what is existing, and this is what change the proposal would have.

But also saying based on your disability, will this work for you? We've never done that. I should say DSA hasn't done that to my knowledge, except during the advisory

committee meetings when we discuss those things. But that hasn't happened for years. So, I can't give you a definitive answer Tim, or committee members. Collaborative members. All I know is that we don't have code now, even though we believe it provides access, it only provides that access to a portion of the disability community. Sorry for my {indiscernible}.

Brad Morrison: Oh, great. No, that's great feedback. Richard, thank you. Tim, let me go back to you and see if you have a follow up.

Tim McCormick: I think this is the point for just the designers and the enforcers is to say, we know that you need approach to the urinal for the accessible urinal. I think in most cases right now in the restroom, we're assuming it's a forward approach.

But there's a little more space generally in an open restroom than there might be in this compartment depending on where it's located. I just think we have to be careful where we locate to make it usable, and we need to come up with something and put it out there as a proposal. And I agree with Richard that the best way to do that is get an informed amount of information from the disabled community.

And I think that's really what was Jihee's point and I agree with her on that.

Brad Morrison: Great. Okay. Thank you, Tim. Carol, you like to go?

Carol Loeffler: Thank you very much. I appreciate this opportunity to talk. I wanna just present ideas for people to think about. There's two of them. One is that there are also women that use urinals.

There is a device that is able to be used so a woman can sit and use a urinal as well. And also, if the women want to stand and urinate, the urinal position allows her to be able to do that as well. So, it's not only a male that uses a urinal. The other thing that I wanted to present is that there are people that are of a shorter stature and there are the children.

And I know the code is designed for an adult and it has certain height requirements, but there is a woman that I met that is a dwarf and the challenges that she has being able to access. So being able to stand and use a urinal is a challenge for her. And she does not always want to transfer onto a toilet seat in order to use that.

And so, there are the options that I want people just to consider when they're thinking about a urinal, that it's not just a male that uses one. And then also for people that are of short stature, if they're independent in being able to get onto a toilet and use a toilet sometimes because of the short statue, if they choose to use the urinal, they can't.

And so, I just wanted that to be a consideration, especially for the young males that are growing up with a disability. It almost forces them to have to, in order to keep their independence, it forces them to have to use a toilet and to mount to transfer under a toilet. But if they're ambulatory and they're short, it forces them then to have to work hard to get onto that toilet as well.

So, there's just an idea that I wanted people to consider, that it's not just a male that needs to use a urinal. So, thanks for letting me share.

Brad Morrison: That's okay. That's okay. Carol, that was good information. Thank you for sharing with us. Appreciate it. Jihee.

Jihee Lee: While we're considering the usability of the urinals, my question, I don't know if Richard would know or anybody else would know. Maybe it depends on the disability aspect of particular individuals, but would typically wheelchair user using the urinal, can they use the toilet, or they only have to use urinal? The question I'm asking this is, this is beyond what we're discussing here, but I'm wondering if those people are only able to use urinal, then why don't we require at least one urinal to be in a complete privacy compartment?

Currently urinals are all just open in multi stall restrooms, right? So, it doesn't give privacy at all. If what I just heard earlier from Richard, if I was that person, I would like more privacy. Doing what you need to do. So, I'm just adding one more thing to consider in the future as we get to know more about the functionality of the urinals.

Thank you.

Richard Skaff: Brad, may I respond?

Brad Morrison: Yeah, please, Richard.

Richard Skaff: Real quickly, my preference is to use a toilet because of the privacy that you just described. But in a single use bathroom many of the older single use bathrooms also had a urinal where there it becomes a convenience issue. And some people prefer the urinal. The only problem with urinal is it's typically dirtier. So, I would still, even in a single use bathroom, or a single use stall with both, I would probably still use the toilet.

Brad Morrison: Great. Thanks. Thanks, Richard. Okay. Arfaraz. Arfaraz, you had a question?

Arfaraz Khambatta: Thank you, Brad. Yes. I just wanted to also recommend that we remove the requirement that the door may not swing into the clear floor space or clearance required for any fixture. First of all, though, I imagine the only fixture we're talking about considering the subsection here or the section here is urinals. And a compartment or privacy compartment is we're talking about the urinal fixture here and the clear floor space hasn't really, I mean, we haven't really defined where the clear floor space starts for a urinal. Does it start right at the lip off the urinal going back 48 inches? And in under 11B-605.5 proposed here, we say a 48-inch-deep maneuvering space.

So, we have a maneuvering space in front of the fixture. I guess I'm not sure if we need to restrict the door from swinging into the maneuvering space, per se.

Brad Morrison: Arfaraz, let's ask Derek and see if he can respond to that.

Arfaraz Khambatta: And then I had an additional question not related to this, but what time is lunch?

Brad Morrison: It's gonna be after we finish with this item.

Derek Shaw: Okay, great. Thank you. Thank you Arfaraz. You know, I take that language about prohibiting the door from swinging into the clear floor space or clearance required for any fixture, I take that to be any fixture. So, if you had for example a lavatory that was adjacent to a urinal compartment, and you had perhaps an outswing door to the urinal compartment, then that would be an example of another type of fixture other than a urinal that the door would not be permitted to swing into the clear floor space.

Brad Morrison: Okay, Thanks Derek. Arfaraz, did you have a follow up there?

Arfaraz Khambatta: I see. Thank you, Derek. So essentially, you're talking about a fixture that's outside the compartment, not a fixture inside the compartment.

Derek Shaw: In the example I focused on outside the compartment, but I don't see any distinction in the existing language that we have for the toilet compartments versus this language here. It could apply to both cases either in swinging into the compartment and fixtures within the compartment or outswinging, and fixtures adjacent to the compartment.

Arfaraz Khambatta: The challenge with assuming that it applies to the clear floor space at the urinal inside the compartment is that the very next sentence says that the door may swing into the portion of the maneuvering space, which does not overlap the clear floor space required at the urinal.

But the clear floor space required at a urinal is fully encompassed in the maneuvering space. So essentially, are we saying that I guess this is where the need for a figure comes into play, cause is a clear floor space at a urinal required to be centered on the urinal? I can't recall if the code requires that. We've always assumed it to be a front approach and centered on the urinal. But I'm not sure if I, like I'm, I'm running on fumes here. It's, it's 10 to one. I haven't had lunch. What can I say?

Derek Shaw: I understand. I'm hungry too, Arfaraz.

Brad Morrison: I can see you're putting a picture up there. Do you wanna explain that?

Richard Skaff: Brad, can I speak to that, please? Very quickly, as far I believe Arfaraz asked the question of how far in does one sitting in a wheelchair go to a urinal to use it? I've attempted on many occasions to try to use a urinal and very done it very carefully, again, because the face of urinal typically aren't very clean.

Typically, in my case, and I can only speak for me, I haven't asked this of others, and I should, I have approached it and only had about the point of my feet, which are on a fixed frame, a solid frame manual wheelchair at the very front edge of the lip of the urinal. I do not roll underneath the urinal because then you've got legs on either side of a not clean urinal.

I don't wanna do that. So, I approach the urinal. I stop when my feet are just maybe slightly under the front lip and then go through the procedure of raising my pant leg and as I explained before. So that's it. With all of this, it still is a problem because we

are, we have never recognized the fact that the general public likes to use the accessible stall. So, they're typically never available for us when they're needed. I'll leave it at that.

Brad Morrison: Yeah. Good, good points, Richard. Good. Very visual. Arfaraz, did you have a follow up? Okay. It looks like Arfaraz does not. Michelle.

Derek Shaw: Brad, actually before we go on, I'd like to at least in part respond to something that Arfaraz was bringing up.

Brad Morrison: Sure. Yeah. Go ahead, Derek.

Derek Shaw: Okay, that's good. Arfaraz, you were asking about the relationship between the clear floor space required at the urinal and the maneuvering space that's also required in front of the urinal in our proposal. For a comparison, and because we have a graphic, by the way I think developing a graphic for a urinal compartment would be a really good idea.

But we have really that the same relationship of, for toilets, water closets is not called the clear floor space, but rather it's called the clearance around the water closet. But it functions quite similarly to. Standard dimension of 30 by 48 that we are looking at for the urinal, and that is required for the urinal.

It's a space that allows use of the element. In the case of the water closet, the clearance is much larger than 30 by 48 clear floor space. And that's why they give it a different name in the ADA standards. And we've utilized that same naming convention as clearance around the water closet as they do in the ADA standards.

But nonetheless, if we look at the figure over here on the right of the screen right now, we see the dimensions for the required 60-inch minimum deep maneuvering space. Okay? And this happens to be aligned with the front of the toilet fixture. But we also see in this dashed square rectangles, excuse me, that designates the clearance around the water closet.

So, from this illustration we see that the clearance around the water closet which is 60 inches wide and either 56 or 59 inches from the back wall, we see that clearance around the water closet is overlapped by the requirement for the maneuvering space in front of the water closet. Okay? And so that's why we have the language in the text of the code.

And it's also reflected here in the figure that indicates a portion of the maneuvering space being hatched with diagonal hatch lines. And in this case, it's specific to the door swing which I think is the same issue we're talking about with the proposed language for the urinal compartment, that the door is permitted to swing over the hatch portion of the maneuvering space.

In other words, the hatch portion is also part of the clearance around the water closet. It's outside of that clearance around the water closet. And that's why the door can swing over only that portion of the maneuvering space. However, the door is of course prohibited from swinging over that portion of the maneuvering space that is overlapping the clearance around the water closet.

I can imagine having a similar sort of figure for the urinal requirements as well.

Brad Morrison: Okay, thanks. Thanks, Derek. Michelle, did you have a comment?

Arfaraz Khambatta: Could I respond to that real quick?

Brad Morrison: Yes. I'm sorry, Michelle. Arfaraz come in.

Arfaraz Khambatta: We'll complete this loop here.

Brad Morrison: Okay, go ahead, Arfaraz.

Arfaraz Khambatta: All right. So, Derek, under 11B-603.2.3, there's language that says other than doors to accessible water closet compartments, a door in any position shall be permitted to encroach into the turning space by 12 inches maximum.

Isn't that language sufficient since we're not including in that language and there's no proposal that I see right now to amend that language? That since the door to an accessible urinal compartment is not included, that door may overlap a maximum of 12 inches with the turning space inside the urinal compartment.

And that pretty much does away with the need to define the maneuvering space, excuse me, where the door needs to be because it'll be controlled by that requirement itself.

Derek Shaw: I think that's a good point that we would need to investigate a bit further. I would comment that I think that the existing language right now is specific to the turning space located within the room, within a toilet room, which is going to be a different requirement than what we have proposed as the turning space within the compartment.

And we would, I think we would probably want to clarify that. But no, I don't think the intent here is to allow the compartment to swing over the maneuvering space within the, I'm sorry, the compartment door to swing over the maneuvering space. That was also part of the clear floor space required in front of the urinal.

Arfaraz Khambatta: I think, I didn't say maneuvering space. I said turning space. Turning space required to comply with 11B-304

Derek Shaw: Oh, yes. You're right. I'm sorry. I used the wrong term. Yeah, the turning space when people are turning around, they are going to have to be able to operate the door and open the door.

Once if in the process of exiting the urinal compartment. Because of the fairly large size, wheelchair accessible toilet compartments, we have that room available. The urinal compartments are envisioned to be a bit smaller than a wheelchair accessible toilet compartment.

So, it's even more I think of a concern, and part of the reason why we specified a turning space within the urinal compartment. But you bring up real good points and we need to look at that.

Brad Morrison: Great. Thank you, Derek. Thank you. Arfaraz. Michelle. Michelle, do you want to?

Michelle Davis: Sorry, I was trying to unmute. Real quickly so we can go to lunch, I just wanted to respond to Richard's comment about his personal use and that he should ask other people how they use the urinals. And I was fortunate enough when I was a newly minted architect to have a gentleman share with me his method and he told me that he used the urinals either parallel approach or at an angle.

I won't go into further details, but I suspect it has to do with the specific medical equipment used. I just wanted to share that.

Brad Morrison: Great. Thanks Michelle. Good point. Okay. Any more comments on this item, number four? Okay. Hearing none, I say let's take that lunch break and it's 1:01 so, we'll return at 1:46. We'll take a 45-minute break here. And we'll see you then. Okay. Thanks everybody. Appreciate your patience on this one.

LUNCH BREAK

Eric Driever: Can we, understanding that there is some struggle in the first part of the meeting, can we confirm that his hand is down? Are we fully functioning on that realm right now?

Gene Lozano: It's down now.

Eric Driever: Okay. So, Brad, is it down for you as well?

Brad Morrison: Yeah, on my screen it shows up as gray. And it shows up as green when he's ready to go. And so sometimes I just ask if I see it's gray, I just ask to see if he's ready to go. And I hope that's okay with Eugene. I'm just checking in and I just wanna make sure that we get that comment in and I realize it's, I'm not just that I'm not seeing a hand on my particular zoom here so that's okay.

Gene Lozano: Absolutely. Appreciate that.

Brad Morrison: I'll just check if it's okay with you. I'm just gonna keep going like I've been doing.

Katy Iverson: Hey, Brad.

Brad Morrison: Yes.

Katy Iverson: Sorry to interrupt. When Gene raises his hand, if you look, I don't think you have the participant panel, up but Jessica and I do, so we can always clue you in, but there you can see his hand raised as well.

So just know that you can see one of us will flag you down.

Brad Morrison: Okay. Thanks a lot. Yeah, I appreciate that. And yeah, let me know and if nothing else, send me a text or something and I definitely will, I'll get it that way too.

Katy Iverson: Sounds good.

Brad Morrison: I'm actually, I don't see Gene. Oh, see, let see here.

Eric Driever: He's the phone number on the

Katy Iverson: Yeah, that's why. He's listed under the attendees. But we've allowed him to speak. So, yeah. Just know Gene, we've got you. We see you and we'll make sure that we'll get you in.

Brad Morrison: Yeah, definitely. Thanks, Katy. Okay, Katy, why don't you go ahead and start the recording. Michelle, take it away.

Michelle Davis: All right. I, Katie, can you confirm you did start the recording?

Katy Iverson: Yes. Yeah, recording is in progress.

Michelle Davis: Okay, great. Then we will go ahead and continue on.

Eric Driever: I'm sorry, one more interruption. I know that we've covered items earlier today. I know that we've covered items earlier in a previous meeting.

Can we summarize for the record very quickly by item number, which items have been discussed?

Brad Morrison: Yes, we can. We've discussed, if you look on the checklist on the left side, we've discussed items one through four completely. And we're now...

Eric Driever: Today?

Brad Morrison: Today. Already so far, it's about a third of our agenda.

So now we're proceeding on number five, and I believe Michelle has, five or six of the next, she has a few of the miscellaneous items. So, we'll have Michelle for the next five or six items, and then we'll go back to Derek for the final round.

Eric Driever: Yeah, and I apologize. I believe we've discussed number 12 and so that's my point, is that list, we've already discussed some items in the previous meeting.

Michelle Davis: Yes. Items 8, 9, 12, and 13 were discussed in the last ACC meeting. We're leaving them here in case anybody has additional comments, but we expect that it, discussion will be light because we have already discussed them.

Eric Driever: So that's 8, 9, 11 and 12.

Michelle Davis: 8, 9, 12, and 13.

Eric Driever: Thank you for that clarification. So, 1, 4, 8, 9, 12, and 13 have been covered and we'll be covering the rest of the items today, plus, any additional items not on the agenda.

Michelle Davis: Yes.

Eric Driever: Thank you for that record keeping moment.

Arfaraz Khambatta: I've got one more clarifying question before Michelle takes us through to item five. At what point does DSA envision, if at all, to poll ACC members on their, I forget the term we use in our charter, being in favor of amendments, specific amendments or being neutral or being against certain amendments.

What point does that happen? Does that happen once we get closer to a final draft or does that happen at all?

Brad Morrison: It hasn't happened since I've been here. And I think what we would need is some kind of direction from the collaborative about whether or not there's a sort of an up or down vote on something.

And, you'd have to initiate action on a particular proposal if you're interested in taking some kind of action on it. Because if not, otherwise, what we would probably do is take a mostly in a discussion format trying to maximize the amount of comments and give most amount of information to the staff who preparing the items for to move into the building code process.

So, what I'm saying Arfaraz, I don't think we're gonna actually poll on particular items because I don't know that's really particularly helpful. And because it doesn't really lead to the why question. And I think if you, if there's a sentiment out there that some of these are not ready for prime time, meaning that they should not go forward to the proposal process, then I think a member of the collaborative should initiate that and then we can deal with it and poll the members right then to see how the, what's going on here?

And then maybe take a little further into the why question about why this one may not be ready, and then we can evaluate what to do or what our recommendation would be to DSA as far as that particular item. Okay.

Arfaraz Khambatta: But I guess again, just to clarify, the ACC members really don't have control over when DSA brings back an item after it's been revised. That is at DSA's discretion.

So, if for example, let's take urinal compartments, the one that we recently discussed. If we've all given our comments on urinal compartments, we believe that DSA will be revising it. In the past, and I hate to dredge up the past here, but when the 36 by 36-inch shower compartment for example, was introduced, initially the proposal was that it would only be for hotels, lodging facilities, and then at some point public housing was included.

I don't recall it ever coming back with the public housing inclusion. So that's why I'm asking. When I supported that particular amendment without the public housing inclusion, my support would've changed had I known that public housing was included. So that's my point here is, knowing when something is essentially moving forward or just getting a sense of whether members are in favor of it or not.

Of course, none of this is binding on DSA. DSA can obviously move forward with any amendment it so chooses. But it'd be good to get ACC members on the record on a final draft of the amendment. And with that, I'm gonna mute myself. Thank you.

Brad Morrison: Arfaraz, let me ask you a question though. If we were to identify a particular item that you were concerned about, would you feel comfortable discussing it as part of our collaborative discussion? Is that part of the idea? Or would you rather just sort of have it pulled aside and maybe off the menu of items that are gonna go towards the building commission?

Arfaraz Khambatta: Oh, I'm always happy to engage in the collaborative discussion. That's why I think I volunteered to be on this group. As did everyone else. So, we're always more than happy to provide input for DSA consideration. So that's always on the table. I think just being on the record as far as whether we were for an amendment moving forward or not, that can be important to some of us. And I'll just leave it at that.

Brad Morrison: Okay. Yeah. Okay. And I think that you're raising a good process point here. So, let me get a couple more respondents here and then I'll come back in with some process suggestions around this. Go ahead, Richard. Do you have a, some comments for us?

Richard Skaff: Just a brief one saying that this came up at the original meeting that I was on, last meeting of the collaborative. And I raised the concern that unlike the past Access Advisory Committees, we don't have much control. However, I feel it's important that those that don't support an item be recognized as not supporting it and that go on the record, so the Building Standards Commission sees that it wasn't oh, we're all in love with something.

What is the point? This whole concept of being collaborative is great in concept, but the fact is we're dealing with issues of people's function in the built environment, and it is very difficult to be representing a whole population and not being able to have any effect on what DSA does or whether the Building Standards Commission even knows that there was any disagreement. So, I think this needs further discussion. Thank you.

Brad Morrison: What do you mean by this? The whole package of items on the ground?

Eric Driever: Brad, can I jump in please?

Brad Morrison: Sure. Here, Eric go ahead.

Eric Driever: Thank you. I can appreciate all the comments and I definitely want to address this. Can I, is it possible for me to share my screen so that, because I think this is an item that hearing all of the concerns that really drives at the heart of the charter and the charter was a whole development process in and of itself. That I wanna make sure that the history of is recognized and if needed revised.

So, I'm just gonna share my screen real quick and I'm not, please don't take this as pushing back on any of the comments. I think it just deserves a separate meeting

aside from this meeting. So, I believe I'm sharing my screen. So, what's in front of you is the charter that everybody's agreed to.

Once you applied to be on, the charter and it expressly stipulates that you're here to offer input, feedback regarding proposed amendments to the CBC, help create some transparency related to the discussion of proposed amendments and recommendations made by the ACC for the rule making record.

Now that's that part of it right now, I instinctually tend to agree that it would be good to have some record of agreement or disagreement. And then, so it goes on to offer code change proposals for consideration by DSA that address the diverse needs of the beneficiaries, et cetera, and then identify opportunities to strengthen public awareness, which Richard you've offered as well.

And the opening paragraph is of course; the ACC is a consultative or advisory body without formal decision-making authority. So, I wanna make sure to draw that line between commission responsibilities and the collaborative's responsibilities before this goes too far. But I am very open to having a separate meeting on the role of the ACC and any suggested changes that collaborative members could see.

But I'd prefer the opportunity to have that history brought in front of you and consider that history of this charter before moving too much further with this discussion.

Richard Skaff: Brad, can I speak to Eric? Because this, and I won't be long, Eric. I apologize.

Eric Driever: Sure.

Richard Skaff: I wanna get down here to this lower section organizational structure. How many people with disabilities are members?

Eric Driever: Individuals with disabilities are four.

Richard Skaff: And how many...

Eric Driver: Can I finish?

Richard Skaff: {crosstalk} No, let me just. And I know I asked that question.

Eric Driever: So, there's, that's not a maximum. It's possible for a design professional of course, to have disabilities as well. So, none of these are sort of minimum numbers is your point.

Richard Skaff: I understand. But the makeup, as defined by this document Eric, says that there will be four recognized people with disabilities on the collaborative, and there will be two more who are advocates for people with disabilities and access. That's six out of the 11. That means the majority are not representing people with disabilities or their advocates who are representing people with disabilities. But majority are in a position, representing other businesses, architect organizations, code enforcement; all of those other.

This idea that this collaborative is able to do the job of assuring that or helping DSA produce the code needs of the disability community in California is inadequate to say the least. And I'm not saying that at some point, maybe Arfaraz and others who are not a person with a disability may vote in favor.

In fact, today some have. But the point is that we don't have equal representation. So, I wanna make it really clear that because of that, I want the Building Standards members who only have one member with a disability representing people with disabilities out of 11 to know that there may be, I'm not saying there will be, there may be an opinion difference of those individuals listed as either people with disabilities or advocates for people with disabilities on the collaborative.

That's really important for them to understand that it wasn't all warm and cuddly, that there were some real problems with what was being proposed, but maybe their numbers being the lesser of the two, didn't allow their issues to be supported by DSA. And I think your idea of having a separate meeting is very, it's a great idea.

We shouldn't be taking the time today to do it. But it's a very important issue. That's why I was very disturbed about the collaborative and the loss of the access committee. When we had the access committee, and I was on most of those, so I know when I was with the access committee for all those years, there was a majority of people with disabilities, and we had a really good cross section of all types of disabling conditions and ages.

And it wasn't always successful. At least {indiscernible} with disabilities could say we were well represented. Thank you. And I don't mean that in a negative way. Thank you.

Eric Driever: It's not taken that way, Richard. I think we're all here interested to make it better if we can where it's needed.

So, I'll again just state because I feel like I wanna respond, but I'm gonna hold off and suggest that we have a separate meeting with the collaborative to capture any desired modifications to the charter. At which point we can consider those and put that out to the group to vote if that's appropriate.

But again, I just don't wanna lose the history. I wasn't part of that history. So, it would, in order to make good decisions, I wanna make sure to consider all that was considered prior before making any changes.

Brad Morrison: Great. Thanks Eric. Nubyaan.

Eric Driever: Thank you.

Nubyaan Scott: Sure. Thank you. I just wanted to see if we could quickly tie that up.

Is that just a commitment that maybe we'll get an email from Jessica later just about scheduling something like that? Cause it seems like a few people are, including me are in agreement that it would be worth setting aside another meeting to do that. So, could we just get confirmation?

Eric Driever: So, in the spirit of democracy I'll ask for a show of hands to see how many are supportive of that. And if somebody could capture that for me, I would appreciate it. Cause I'm certainly {indiscernible}.

Ernest Wuethrich: Supportive of what?

Eric Driever: Holding a separate meeting to discuss the charter and the collaborative responsibilities. Should I phrase the question more specifically or is that sufficient?

Nubyaan Scott: I think it was specifically two things were raised.

Number one, talking about even how we vote on things, quote unquote. Cause there's not clarity on that. So that no matter what role you serve, it's clear what your position on something is and if there's a consensus, et cetera. I think that's something people suggested addressing. And then also the other concerns that Richard suggested about the makeup of the collaborative.

And I'm sure other things would develop as part of that conversation.

Eric Driever: Okay. So, I'll respond by saying, as I read the charter, nothing in the charter currently suggests that a committee vote is required. It's all about us receiving input. So, I think both would suggest an update to the charter.

Brad Morrison: Okay, so are we...

Eric Driver: Because what, I guess I'll just expand. We haven't voted prior, and we've been guided by this charter. So, understanding the sort of shift in practice, overlaid with the guiding charter of this collaborative. I think both topics would suggest a change to the charter.

So, understanding that, it seems like we have support, but again, just to have that on record, maybe to kick off this process, would everybody be agreeable to a specific meeting on the charter?

Brad Morrison: Okay. I'm not...

Eric Driever: Knowing that you're volunteering your time too, I don't wanna assume too much of your time.

Nubyaan Scott: It may be easier to see if there's any opposition.

Eric Driever: yeah. Okay.

Bob Raymer: I see three people in favor of that.

Brad Morrison: Yeah. So far, I mean. I'd like to say that I think that it's probably a good idea for us to get together as a collaborative and have a meeting. And I think that...

Eric Driever: Well, with respect Brad that's DSA's decision at this point.

Brad Morrison: Okay. All right. But what I was gonna suggest was a process suggestion for today.

That would if you could, identify a particular issue that you think needs an up or down vote to show sentiment of individuals about a particular issue, then I think as members of a collaborative, you should ask for that, for now, just to be able to say if there's something you really think that needs to, you need to show your opposition to then ask for that, and that we can identify that particular item and do that process on that particular item.

But with 17 items, we're not really gonna, we're not, we're not here to vote on all of those. We're really here to provide substantive discussion on the language here that's moving forward to the building code. So, my suggestion is that if there are specific items here that you, or a specific item that you'd like to identify, then call that out and we will take the time to run a process on that item.

Ernest?

Ernest Wuethrich: Yeah, I just wanna quickly chime in and then hopefully we can move on. Being part of the collaborative for the first term, I think it was really emphasized that when a lot of this charter stuff was developed, was the acknowledgement that the ACC is just one form of public outreach for DSA, for the proposed rulemaking cycles.

It's not intended to be an authoritative board that makes decisions or helps DSA make decisions. We're like a sounding board, and we're supposed to reach out to our constituencies to provide the feedback as needed. So, and for what it's worth if there's a clarification needed, this isn't, yeah. I think we did have some votes in the past to really gauge support on some more contentious items if I remember correctly.

But I don't recall that it was intended that we were voting to really see. DSA is gonna do what they need to do to move things along. And we're the sounding board to provide, represent our constituencies as best we can. So that's my 2 cents. Thanks.

Nubyaan Scott: And I just wanted to quickly add, I think I have an understanding of that, and I think that was reflected in what Richard said as well. I think Richard's point was that he wanted to have a discussion about if people still agree that should be the purpose or if things could be modified.

And so, I just wanted to clarify that. I think that was the intention of having a meeting about it, is to discuss whether that is still the intention that people want to look forward with.

Brad Morrison: Okay, Eric?

Eric Driever: Okay. I would suggest that we continue on with our agenda items so that we're not hopefully going beyond today, but if we need to go to tomorrow, we certainly can.

Brad Morrison: Okay. Thank you. Okay. Arfaraz

Arfaraz Khambatta: Yeah, I just wanted to clarify that I wasn't proposing another discussion of the charter. And so that my intention was just to get a sense of when something becomes, gets to a final draft. Especially things like the urinal compartment where we're breaking new ground here. A lot of the other proposals are simple; change of verbiage, adding a latch to a privacy compartment. Those are not the contentious issues.

I think the shower, the smaller 36 by 36 shower, there was a lot of discussion around and when changes are made to those kinds of amendments, I would ask that, and I'm sure most of my fellow ACC members would agree, we would really appreciate seeing the final draft of those kinds of amendments.

More so than a simple language change about a privacy latch, just to make the distinction between the two and then going on record as far as a majority of ACC members supported that final draft or not. And the ACC members don't have that, don't have a say in whether that final draft really comes back to us for our final comment if you will, on that final draft.

And that was my point is these amendments go through multiple iterations before it even goes to the committees or before DSA presents to the committee. So, you know we'd like to provide for the record, what our concerns about those amendments are, and we can only do that if we are, if those final drafts are actually shared with us and not an initial draft.

Brad Morrison: Okay. That's a pretty solid suggestion Arfaraz. We'll come back to that.

Eric Driever: Yeah, I'll thank you for that, Arfaraz. I certainly would echo that it would be important to include this collaborative in submittals before or as they're finalized. So, I take that to heart, and I will take that back to staff, the State Architect and see if there's the way that we can better close the loop on final drafts.

Brad Morrison: Sounds good. Thanks, Eric. Appreciate that.

Eric Driever: Thank you.

Brad Morrison: Gene. Okay. Okay. Gene, did you have a comment? I see your light is on.

Gene Lozano: Yeah, I raised my hand a while ago. And I'm in agreement with at least I think there's, at least, an interest in having a separate meeting later on. I agree with that, and I think a discussion about the whole thing, the whole charter, and maybe discussing whether, the time has come to elevate to a level of an advisory body with a whatever that requires the difference.

But I do have to, for people who are re more recent, I was one of the charter members of this entity. It was based on an actual independent study done that DSA had done. And it, there was an extensive input from members of the disability community as well as other stakeholders, whether agree or disagree with the outcome.

But there was work done and data gathered, and this is what we have. And I think consensus, it was something we were supposed to use the consensus model on these issues and items and coming up at the end of the whole meeting of all the items and consensus that we could at least live with them. And, we would then have the right as individuals or organizations during the regulatory process to either support or oppose them, et cetera.

So, we should have another meeting and fully talk about whether we need to recommend, suggest to DSA for an advisory body that has a little more influence, but still its advisory does not make any decisions. So, thank you.

Brad Morrison: Okay. Thanks Gene. Good suggestions. Okay. Eric, your hands still up? Is, another...

Gene Lozano: Oh yeah. Getting down to it.

Brad Morrison: You're okay, Gene. You're okay. Eric, I was looking at your hands up.

Eric Driever: Yeah. Thank you. So again, thank you, Gene for that input. And reminder some of the history. In reviewing the collaborative charter, there is discussion about attempting to achieve consensus and I would concur that within the existing charter, there could be room for us to try to reach consensus, or record consensus as was suggested.

Again, let me take this back. Let's, let us have a little more thorough review of this in the history. We might need to schedule another meeting hearing that there is support for that, to suggest maybe changes in process under the existing charter or whether the charter actually needs to be revised.

So, the comments are all really, well received. Please understand that, and we will work hard to make this an effective collaborative.

Brad Morrison: Sounds great. Thanks, Eric. Appreciate that. Okay. Any more comments? All right, I think I'm gonna turn it over to Michelle and we're gonna start with item number five and go from there.

Michelle Davis: All right. And Derek has shared his screen again so hopefully you all see that now. And we are on item number five which is parking and charging sign changes at section 11B-216.5. For the background on this, there is currently no reference in 11B-216 which covers signs. There's no current reference to electric vehicle charging spaces.

There are sign references for that in the technical requirements of division eight, but we don't get there through the scoping language. And so, we felt that was a shortcoming and that the scoping should point you to the technical language. So, the suggested text, we will read it here, is 11B-216.5.

We're going to add Electric Vehicle Charging facilities to the title. So, it says Parking and EVCS. And then we're going to add an additional sentence that says - Signs identifying Electric Vehicle Charging spaces and signs within Electric Vehicle Charging facilities shall comply with this section 11B-216.5.

And then we propose to add a subsection at 11B-216.5.2 that reads - Electric Vehicle Charging spaces. Signs identifying Electric Vehicle Charging spaces shall comply with section 11B-8 12.8, which is already in the code. And then we are proposing to move another, what was 11B-216.5.2 down so that it becomes a third subsection, and that is 11B-216.5.3. And it will read - Parking and Electric Vehicle Charging facilities. Signs within parking and charging facilities shall comply with section 11B-216.5.3. So that is just the gist of it. We are reordering sections to include Electric Vehicle Charging Stations so that everybody who is looking for what signs might be required can find it in the overall sign section.

And hopefully that is clear enough. So, I will open it up to discussion.

Brad Morrison: Okay. Arfaraz.

Arfaraz Khambatta: Thank you, Michelle. I had a question about the use of language intended for use by pedestrians. We don't see that anywhere else in the building code. By choosing to include that language, it calls into question whether signs that are not identified as intended for use by pedestrians.

Now, there may be questions about whether those signs are not intended for use by pedestrians, and how do you make that determination of what's only used by pedestrians and what's intended for use by drivers? And is there a benefit to really including this language?

Michelle Davis: Well, I'm going to ask Derek to jump in here a little bit. I think, with some history, but I believe the idea is that signs that are directing drivers tend to get their requirements more from the municipal traffic control codes of which there is both a national and a California version. Whereas signs for pedestrians are going to follow more closely with the ADA requirements for visual signs.

There could be some argument that a charging space sign could be either, but I believe if you're approaching a charging or parking space, you are probably driving the vehicle. And so that is, I think the intent is those signs are for drivers. So, there might be other signs within a parking area that once you're out of your vehicle, might direct you to an elevator or an exit or some other informational sign. Maybe directing you to, instructions for paying parking fees. I don't, the various number of other signs that could be in a parking facility. So, we are trying to divide the requirements for the two, so it's clear who is using them in what context.

Arfaraz Khambatta: Right. I mean I see a point there, Michelle. The California Manual on Uniform Traffic Control Devices, which generally has information related to road signs. They, for the most part, those are signs intended for drivers. And I get that piece. But there are, even in that, in the MUTCD, there are signs that potentially a driver may read after they're out of the car.

Now, whether they're still considered a driver or not, are we saying that... You know I'm just struggling with this choosing to single out these signs in the entire building code as intended for use by pedestrians and being silent on other signs. Generally speaking, all visual signs are required to comply with 11B-703.5.

As far as specific signs like EV Charging spaces, tow away signs, and the accessible parking signs. We have more specific language within those sections itself that speak to it, but there's still anti-glare and have certain contrast, or requirements perhaps, and I'm just paraphrasing here, but which you'd normally see in 703.5.

But from a code user's perspective and then code enforcement perspective, when you start talking about intent, that's when you start going down a slippery slope. And that's why I'm raising concern about putting in language regarding intent, because that can be argued two ways and it's not a position you as a code enforcer, you don't want to be in that position with a permit applicant.

Michelle Davis: Understood.

Derek Shaw: And thanks for calling on me, I think. I would just wanna point out for the collaboratives benefit that the language that describes signs intended for use by pedestrians is existing language in the code right now. We see that in 11B-216.5. 2.1, it's limited in its application to within parking facilities.

And our proposed change for this item simply expands that existing language with the discrete amendment to add the reference and application to charging facilities. So, it's not really a new concept for the code. We can certainly take the comments and consider this in greater depth.

But I think Arfaraz, what you're suggesting probably would represent a significant change, or expansion of code changes that we have not reviewed. We haven't developed them yet. We haven't reviewed them with the public yet and looking for additional amendments based on existing language with no change.

I'm just concerned that, that might introduce hurdles to proceeding with this language when the existing code language for this topic regarding parking facilities has been in place for quite a number of years.

Arfaraz Khambatta: Thank you, Derek.

Derek Shaw: I think that's Michelle that I can really add to this.

Arfaraz Khambatta: Thank you, Derek. Thank you for pointing that out to me. I was mistaken. I apologize. I take back my objection.

Brad Morrison: Okay, thanks. Thanks everybody. Okay, so we have Gene and Jihee in queue. So, Gene, why don't you go ahead.

Gene Lozano: Can you hear me right now, Brad?

Brad Morrison: Yes, we can hear you.

Gene Lozano: Okay. And I'm not trying to be argumentative. We had this item and the two following items in the last code cycle, and I suggested during the collaborative sessions and stakeholder meetings then, and then more recent stakeholder meeting. And that is for the inclusion in both 11B-216.5.2 and then the point three where to be populated within the reference to 11B-703.5.

And it's not I know that's technical though. Other areas in two, in 11B-216 has technical references. We want this sign to be visual in it's not just the deal with height, but character. The font style that is san serif, the stroke width, and a variety separation of line from pictogram as such. There's a lot of things that go into this, that are in 703.5. And I am still trying to find out why we can't have that section reference here just like the other areas because it's not there and it needs to be clarified.

It just, these signs should be made fully accessible as much as possible. And as we know with other things like curb ramps that people, there's more than just people who use wheeled mobility devices to find ramps work for them and help enhance their access with no disabilities.

This makes {indiscernible} visible as possible and there's so much research that substantiates when the feds came up with 703.5 and then later, we've incorporated into ours to make the sign more visible for motors or pedestrians so that they can see it. So, I really would like to know why despite several times being brought up and assured that it would come back with an answer why we can't do it or do it.

I'd like to find out for now, since we, it doesn't appear to be that's being incorporated. Thank you. I'd like to maybe...

Michelle Davis: Sure. I'd love to respond. So, this section that we're talking about right now, 11B-216.5 is just the scoping and it points to two other sections that we're gonna talk about next that then go into the technical sections. So, any technical references will be in the next two items.

Gene Lozano: Then Michelle, I will point you to, and you're quite familiar with it, 11B-216.2, and 11B-216.3. And they're both scoping, and they have technical citations, references and detailed ones, not just general ones.

And there's other places that there, so if you can do it, the scoping there, put technical, why can't you put technical here?

Michelle Davis: Okay. Well, can we go on to discuss the next sections and then we'll see if you still have objections?

Gene Lozano: Sure. Except, let me just comment, the thing is it makes sense having that citation elsewhere, but the code user, the one that's using this doesn't have to when they go to the scoping language, the earlier 216's, they have all the references. They don't have to go to another level layer to get that reference. So that's put in front.

Michelle Davis: Okay. So, you're just suggesting that we be complete in our references?

Gene Lozano: Yes.

Michelle Davis: Perfect. I will note that

Gene Lozano: {indiscernible} of substance change. I'm just asking a reference here and I don't think it hurts to replicate it in the next two items. It's just a little few digits. That's all I'm asking for. Thank you.

Michelle Davis: Perfect. And I will mention that DSA has not changed any of the language of our proposals since the Building Standards Commission meeting a couple weeks ago. So, any of the suggestions from that meeting because we are still gathering comments, any of the suggestions from that meeting have not been incorporated yet. Okay?

Gene Lozano: Okay.

Michelle Davis: But it doesn't hurt to repeat them, so please do if you feel strongly about something. We appreciate it.

Gene Lozano: Okay. I'm not trying to be, Michelle at all. I'm not, I wanna give you the first impression being that I'm really negative and not wanting to cooperate. That's not where I'm coming from.

Michelle Davis: Not at all. I totally understand. Thank you.

Brad Morrison: Yeah, I don't get that sense either, Gene. And what we'll do is Michelle's suggestion, we'll come back after the other items are complete and check in with you to make sure that you're, that however you wanna comment on it at that point you can. Okay. Derek, did you wanna come in there?

Derek Shaw: I sure did. And this is to Michelle. Michelle, I think you may have misspoken and characterized our past meeting as a Building Standards Commission meeting. That's, it was actually a DSA public meeting.

Michele Davis: Thank you for correcting me, Derek. You're right.

Derek Shaw: Thank you.

Michelle Davis: New person mistakes. I apologize everybody.

Brad Morrison: It's okay. We all make them. Hey. Okay. So, we have Jihee up. Jihee, come on in.

Jihee Lee: Yeah, I just wanted to let Arfaraz know that this section of signs intended for used by pedestrians, looking at the copy I have from 2019, it's been there from, it looks because it's in italic, so it must have been new in 2019 cycle.

And then I did not realize this was in there so I'm in the same reaction you had Arfaraz. And I'm just not sure what value this paragraph has, that existing section, that 5.2.1 times intent for used by pedestrian. It, and then it refers to the whole section of 216.

So, I'm just not sure about that whole paragraph. And I think what you're doing here is just adding that charging facilities language there. Which makes sense just adding that language to existing code. I have no objection to that but I'm just relooking at

that whole paragraph I completely missed from few years back. So, just kind noting that to everybody. Thank you.

Brad Morrison: Great. Thanks. Thanks, Jihee. Appreciate it. Eric.

Eric Driever: Yeah, just point of clarification. The italicized text is California text. It does not indicate when language was introduced. Simply indicates a differentiation between model code, the ADA and ADA standards and California language.

Brad Morrison: Oh, great. Thanks, Eric. Okay. How are we doing? Any other comments on this item? All right let's take the next one.

Michelle Davis: Okay. The next one also has to do with parking signs. And this is on page 19 of your packet. It is a change to section 11B-502.6, and what we are suggesting to do is add some additional language that says that the term van accessible will be in one-inch-high minimum letters.

This is the same size letters that are on the sign indicating that you have to have a placard in order to park in the accessible spaces. And the suggested text is going to read 11B-502.6 Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with section 11B-703.7.2.1 in white on a blue background.

Signs identifying van parking spaces shall contain additional language or an additional sign with the designation "van accessible" in one inch high minimum letters. Signs shall be 60 inches minimum above the finished floor or ground surface measured to the bottom of the sign. So, the only new language is we are adding the term in one-inch-high minimum letters.

So, I hope I've explained that clearly and we'll open it up to discussion.

Brad Morrison: Great. Thanks Michelle. Ernest.

Ernest Wuethrich: Thanks Michelle. I would personally prefer to see the language indicate a two-inch minimum. If we look at parking signs out in the wild, they're typically provided as a standard at two inches. And the one-inch lettering that we see in the unauthorized vehicle parking signs, I think we have to take into context that unauthorized vehicle language is like, it's not a full paragraph but it's gotta be a, it's very lengthy and the one-inch lettering is probably appropriate for that.

I don't think people necessarily read it. It's kind something you drive by most of the times as you enter a shopping center or whatever, but I would really encourage consideration for two inches as that's what we actually do see in the field as sign height, the text heights for those items.

Michelle Davis: Okay. I've noted that.

Brad Morrison: Thanks, Ernest. Bob?

Bob Raymer: Yeah. This is Bob Raymer. I'm just wondering, given other parts of the code, if you shouldn't be putting in a range there. And I'll tell you why I think that's the case. Such as an example of one to two-inch high minimum letters. There are a

number of lawyers out there that, let's say all of a sudden, we start doing signs with one-inch-high minimum letters. If somebody puts in a sign that's got one and a quarter-inch letters, they'll get sued. I realize that sounds odd, but you can bet those types of cases will come out. And so just for reference, it might be good to have a range in there where if your font is between one and two inches or whatever, you're good to go. That at least gives people a range to deal with.

Michelle Davis: Okay. Thank you. Question on that though. Isn't the fact that it's a minimum, and I want input from everybody on this, please. Isn't the fact that it's a minimum with no maximum stated already a range?

Bob Raymer: Yeah, I think you're right. There's also the question, what about the preexisting signs? I was always thinking that it one inch was always the requirement anyway, one inch minimum. And I guess I was wrong. But what happens when, let's say hypothetically this gets passed by DSA and then by the Building Standards Commission. If somebody's out there with a three-quarter inch sign that they put up five years ago, could they be sued over that?

Michelle Davis: That's probably an attorney question. But I think it would meet, have met the standards at the time of construction.

Bob Raymer: At the time and health and safety code 18938.5, I would say covers that, but it would be nice just to kind check into that going forward. But I'm looking at this again. I think if you say one-inch-high minimum I think you're covered. It's probably gonna be just fine that way.

Michelle Davis: Okay. Thank you.

Brad Morrison: Thanks, Bob. Okay, Richard.

Richard Skaff: Thank you. I want to ask the question first about how the, how this was determined about the one inch, because I also agree that we are dealing with a whole variation of people and we're seeing a lot of people that are older now that have not such good vision.

Being able to see one-inch letters from a distance doesn't work very well. I'm less concerned about lawsuits about saying one or two inches. I'm more concerned about how DSA came to that measurement. As I have said continually over the years, we need research that supports from what distance should we be deciding the size of lettering needs to be read.

Is it from a foot away? Is it from 10 feet away? And what numbers of the population, given the variation and vision, are able to read at these different distances and base the outcome on that? We're reaching in the dark here and trying to pull up a number and threw it at the wall to see if it sticks.

And that's not a good way to create a code that's supposed to be making the built environment accessible. Thank you. And I don't worry about lawsuits about this. If we don't have a minimum maximum we're saying, if you do a minimum of this, you can make it larger, then that takes away. Plus, in code enforcement, those that are on today know that you go to the last permit that was pulled to determine, or you look at

the permit history to determine whether what is on the site is in compliance or not in compliance.

Michelle Davis: Thank you, Richard. I will say that signs at the head of a parking or charging stall are intended to be used by the driver of a vehicle, and that the DMV requirement for site is 20/40. So that person would need to get twice as close to something. The way I understand this, as somebody with 20/20 vision so that's how...

Richard Skaff: What does that mean as far as distance?

Michelle Davis: Well, I'm not a doctor so I can't really explain that to you, but I believe what it means is that they, somebody with 20/40 vision would either have to be half the distance as somebody with 20/20 vision or the text would need to be twice as big at the same distance for the person with 20/40 vision to be able to read it.

So yes, it is absolutely connected. Distance and your visual acuity are positively connected. What the minimum is that somebody could read under what light conditions and still be a licensed driver is I think more technical than we can get to today.

Brad Morrison: Okay. Thanks, Michelle. Appreciate that. Thanks, Richard.

Derek Shaw: If I could add in response to Richard's question about where DSA referenced the one-inch lettering requirement, minimum one inch height. Currently in section 11B-502.8.2, we have existing requirements regarding the unauthorized vehicles parked in designated accessible spaces signs and that requires minimum height of one inch.

That sign is intended for use by drivers so that they are warned not to park inappropriately or in an unauthorized fashion in accessible parking spaces. And that requirement with that letter height, minimum letter height, has been in place for quite a number of years. This is certainly not something that DSA has randomly plucked from the air.

Brad Morrison: Thanks, Derek. Appreciate that. I thought there was a standard somewhere. Okay, Bob.

Gene Lozano: Gene.

Brad Morrison: Okay, Gene, hang on a sec. Let me get Bob and I'll come back to you. Okay?

Bob Raymer: I'm sorry, I forgot to lower my hand.

Brad Morrison: Oh, okay. Gene, come on in.

Gene Lozano: Okay. I believe that what was being looked at was what the feds had done their research on, ranges for pedestrians with low vision. And it came up with so many feet away and so many inches. And I can tell you from the actual talking to people in the low vision community, the claim to have surveyed every single person and they all have the same answer.

They think that chart is inadequate, and the sizes are too small for character height. And the suggestion of doing a minimum of two inches, I would be very much in support of, but on the other end I do understand is they're just brought up consistency with the specifications for height, the characters.

But the realities are that somebody is driving and they're moving. There is gonna be seen at sign from a distance. And the bigger it can be from a distance, the better it is than one inch, not to when they're right on top of it so that they don't enter. And it should be for any driver. So, the driver's approaching there, and they see it quickly and read and go, oh, this is whether they wanna be in there and they should be permitted in there.

Or whether they should go to a van place, spot that is inaccessible, but the bigger the better. And the also, I, as I, the citation 703.5, and you can, I know it was brought up in the stakeholder meeting concern because of the chart that from the feds that's in our code, the 11B-703.5.1 table, that chart there, just put an exception.

It doesn't apply to 5.5 if you need to do that. But I would think that if you just mentioned whether it's minimum one inch or a minimum of two inches, that would cancel out any reference to height. But the other provisions found in with 11B-703.5 are needed. It should be stated here.

It should be stated in the next item that we're coming up with and the one we just did, item five, which should be there too. So that because sometimes people will skip the scoping language and go straight to when they go through and go to a specific area in the code that they have some sense of familiarity with so that it catches their attention there.

And as Richard has correctly stated that there are drivers whether that they're aging, whether they should not still have a driver's license, and benefit with the larger size. And there are legally licensed people that are legally blind, but with adaptive lenses, they can get a driver's license with some restrictions in California and throughout the United States.

Very small percentage, but one of my points is it can benefit a lot of people for a variety of different reasons. And so, I strongly support a minimum of two inches and I'm certain that the sign fabricators will then stick to two inches and they're not gonna go bigger than that. For a variety of reasons.

The space and having the site, the cross reference to 11B-703.5, in here. And I'd like to see, because in case I don't get a chance to the next item that it's. The same comments that I'm making to this item. Item six apply to item seven. Thank you.

Michelle Davis: Thank you. Gene. I've noted that you're in favor of larger text as well, and that we should reference the other font characteristics such as san serif in this code section.

Gene Lozano: Yes, Michelle. And I'm not saying that you itemize it here, just with the cross reference to that other section, then you dealt with it. And for others, I did find on the internet that US Veterans Administration issued in 2012 guidelines for parking structures and facilities. And they were saying pedestrians sign character

height should be for pedestrians, one and a half inches. And they said for those that for motorists would be three inches. Just general information for you. I'm sorry, Michelle. I'm finished. Thank you.

Michelle Davis: Okay. Thank you, Gene.

Brad Morrison: Yeah, good job, Gene. That was a great resource there. Okay. Arfaraz.

Arfaraz Khambatta: Thank you, Brad. I have a two part, or two separate comments to make here. One is regarding how the character height is actually measured in 11B-703.5.5. It says character height shall be based on the case letter I. Traditionally the way font size is measured, it's measured from the highest point of any letter A through Z to the lowest point of any letter in that font type.

And that is deemed the font height. But the building code is at least in 703.5.5 is specific that the character height shall be based on the uppercase letter I. Since we are not referencing 11B-703.5 for this particular section of 11B-216.5, the sign fabricators don't really have a reference of how that character height is being measured.

I've also seen certain signs where the character proportions, they tend to be really slim to that by meeting the height requirement, but not necessarily the proportion requirement. And those can be very difficult to read. Even for someone who has 20/20 vision it's just hard to read because of the spacing between characters or the stroke thickness, or the character proportions.

So, I support Gene in that we should reference 11B-703.5 with those general characteristics of visual signs in that regard. And then the second...

Michelle Davis: Okay.

Arfaraz Khambatta: Go ahead, Michelle. Didn't mean to interrupt.

Michelle Davis: I was just going to say okay. Thank you. I've noted that you're also in support, so please go on.

Arfaraz Khambatta: Okay. And then, I guess this was, I know for the longest time in we've always required when parking signs are in a circulation space, then we need them to be the bottom edge of the sign to be 80 inches clear. Is that solely in the parking section?

Will someone please remind me? Is that no longer in 11B-307 if I'm not mistaken? If it's a sign that doesn't extend more than 12 inches from the post in a circulation space, Derek, I know you have the code handy, but would you happen to know where that stems from?

Michelle Davis: The 12-inch requirement?

Arfaraz Khambatta: Oh no, the 80-inch requirement when it's, so typically parking signs can be 60 inches to the bottom.

Michelle Davis: When they're not in a walking surface.

Arfaraz Khambatta: When they're not in a walking surface, exactly. But we say when it is in a walking surface, then in 307, I think it's for post mounted objects. It's only when the sign protrudes more than 12 inches beyond the post. And most parking signs don't, right?

Michelle Davis: Probably not. I haven't seen many that might.

Derek Shaw: Yeah, I think one issue that needs to be considered when analyzing the question is that where you have circulation paths, which of course include accessible routes, but they also include non-Accessible routes. But where you have circulation paths, then your vertical clearance requirements of 11B-307.4, are going to kick in. And that requires a minimum 80 inches high vertical clearance.

Arfaraz Khambatta: So that's, are you saying that 11B-307.3 doesn't apply in this situation?

Derek Shaw: When 307.3 is going to apply to freestanding objects mounted on posts or pylons, and they say that they shall overhang circulation paths 12 inches maximum when located 27 inches minimum and 80 inches maximum above the finished floor or ground. So that is covering a different z dimension, dimension above the ground.

And we notice that in 11B-307.4, that here we're talking about the vertical clearance being required to be 80 inches minimum.

Arfaraz Khambatta: Okay. Thank you.

Derek Shaw: I think they're talking about two different ranges of height.

Arfaraz Khambatta: Understood. Thank you, Derek. And finally I guess since these signs will especially if they're in circulation paths end up being higher than 70 inches, maybe a two inch high minimum would be required, or we could make it contingent on whether or not it's mounted higher than 80 inch, or, mounted at 60 inches or 80 inches, where a one inch high lettering is okay at 60, and maybe you need two inches high when you are at 80. And that'll also align with 11B-703.5.5, which says, when you have signs mounted higher than 70 inches than the minimum height of the character should be two. Thank you.

Brad Morrison: Okay, thanks Arfaraz. Okay, Tim.

Tim McCormick: thank you. So, a couple comments here. I think the idea of making these signs subject to the visual character requirements is okay, as long as we make it clear what the height of the characters have to be in relation to. So, if we end up landing on a one-inch height, and I'll talk about that in a second, if whatever height we land on, if we're gonna put it here, I think we need to be clear that we're saying that they comply with 703.5 except for the height requirement of the characters.

And there's precedent in doing that in the code. I think we do it for the evacuation signs, and other signs where we say the minimum care requirement, the five eight doesn't apply. So, there are some other times in the code where we say this. I think

it's important to have that clarified so someone doesn't have to try to figure out if it's a conflict or not. And one of the conflicts would be that most of these signs are gonna be in 80 inches which means most of the letters would have to be two inches.

And that's from my observation, experience of practice. Most of these signs will be mounted with their bottom eight inches off the ground which would mean they would always be two inches in letters. I do think that whatever we state, we should use one minimum number and not a range from one to two.

For those of us, that one to two leaves absolutely no wiggle room outside because it's a fixed point, beginning point for no construction tolerance otherwise apply. Whereas if we say one inch minimum or two-inch minimum then I think that as far as legally it's easier to comply and it allows for small variations, which I think is reasonable.

But mostly I think from an enforcement standpoint for building officials, whatever the answer is, I think we would see this. The answer needs to be the same. For an accessible ev charging station as it is for an accessible parking space. If we're saying one's been accessible here and it needs two-inch letters, and we're saying over here it can be one-inch letters or we don't say anything at all.

It's confusing. It's confusing to everybody. That's confusing to sign manufacturers and confusing to the building inspector to enforce it. Whatever we decide is the right letter size, I think should be driven by the need. It should be supported by data and studies, and it should be consistent between the two.

So, if we decide it needs to be a certain number here, I think it should be equally represented for the van accessible parking space. Consistency is huge in getting compliance. The more we make with the rules all the same, the more likely they will be followed. And so that's, those are my comments.

Brad Morrison: Great. Thank you, Tim. Appreciate that on consistency too. That's really good. Okay. Richard.

Richard Skaff: Tim, would you please stop taking my thunder?

Tim McCormick: Richard, I did get your notes before the meeting and I'm sorry to say, and I've been {indiscernible}.

Richard Skaff: I really appreciate what you said. And that is consistency. It is also having documentation, some supporting document that says this is what we're basing it on. Whether it's a sign, lettering size distance from where the reader will be reading it, the height of a urinal or whatever. We cannot keep throwing things against the wall to see if they stick, only to see if they stick.

We need to have something that says, we actually understand the problem here because we've done, either we've done some research or somebody else has, and if somebody else has, this is what they say the possible solutions are. I'm not trying to be difficult here. I just want us to have a process that assures that there is a process and that it is based on real facts. And that's all I'll say at this point. Thank you. But thank you, Tim.

Brad Morrison: Okay. Thanks Richard. Eric?

Eric Driever: Yeah. So, in an effort to move us along a little bit, I greatly appreciate everybody's input. I really do. I think I've learned that DSA often is in the very unenviable spot, sort of between a rock and a hard spot, that there is statute that limits our ability to expand on federal regulations in the accessibility realm.

Certainly, we have the authority to write regulations for California, but we also can't diminish federal regulations. So, it at times forces us to walk a very fine line. I appreciate the consistency comment. We did attempt to start at a point of reference from the federal parking requirements sign size requirements, but I also really appreciate the focus on some of the technical aspects that might be left off the table by simply, or by not referencing some of the visual text requirements.

So, I think there's an ability for us to perfect this or get it better, but we also have to be mindful of our statutory requirement to not expand or diminish federal requirements. So, I ask for your understanding in that as we advance this, DSA, as much as we would love to do a bunch of research and improve upon federal requirements, we are guided by statute.

And often, I guess personally as an advocate we are often somewhat restricted by that. So, I'll just close it with that. We will take your comments to heart and see what we can do to make changes appropriately.

Gene Lozano: Gene.

Brad Morrison: Okay. Thanks, Eric. Gene, come on in.

Gene Lozano: Okay. I think, as it's been pointed out, some of that table it would, where the signs are generally mounted, would show two inches. And whether agree or disagree with the research, there is research like the access board came up with using that.

Just the wordsmithing and that was, and just to get it in the record of this meeting, I did bring up the stakeholder meeting. It says a minimum one-inch letters and the letters, the word letters should be replaced with characters to be consistent. Characters are letters and numbers and I know that there's no numbers in this, but just to be consistent with our terminology throughout the code, it would be better to stick with characters, especially since we refer to visual characters in 11B-703.5.

The heading visual characters and elsewhere, visual characters are listed. So please, consider changing letters to characters. And these would be the same comments and same positions as this item, as the follow the next item that comes up. I know we're running out of time, so not to duplicate what I said. Thank you.

Brad Morrison: Okay, Thanks Gene. Appreciate that, Tim. Okay, Tim. Okay. No, no worries, Tim. Okay. So, anybody else have any comments on this issue on number six? If not, we'll move to seven. Okay, Michelle, let's go to number seven.

Michelle Davis: Okay. Looks like Derek still has the building Code. Oh, there he goes. Thank you, Derek. So, item number seven is a similar sign. That's why it's grouped together.

And this is a proposed change to the Electric Vehicle Charging station identification sign. That's a mouthful. Okay. The section is 11B-812.8.7 location, and we are proposing to add a similar language, just like the last item, number six, and provide a minimum lettering height on the term van accessible.

So, I'm gonna go ahead and read it to you. It's 11B-812.8.7. Location. Required identification signs shall be visible from the EVCS it serves. Signs shall be permanently posted either immediately adjacent to the vehicle space or within the projected vehicle space width at the head end of the vehicle space.

Signs identifying van accessible vehicle spaces shall contain the designation van accessible in one-inch-high minimum letters. Signs shall be 60 inches minimum above the finished floor or ground surface measured to the bottom of the sign. Signs located within a circulation path shall be 80 inches minimum above the finished floor or ground surface measured to the bottom of the sign.

Signs may also be permanently posted on a wall at the interior end of the vehicle. So, as has been noted, this is very similar to the previous item, and we can open it up to any additional comments that are needed.

Brad Morrison: Okay, thanks Michelle. So, anybody have any comments on this one? Okay. Not seeing anything.

Arfaraz Khambatta: Derek, could I request you to scroll to the statement of reasons for the committee members benefit? Because a lot of what we are discussing is somewhat included in the statement of reasons. Might be helpful to some members.

Derek Shaw: Arfaraz, does that, is that what you need right there displayed on screen now?

Brad Morrison: Yes.

Derek Shaw: Okay, great.

Brad Morrison: Yeah, it's very well documented.

Michelle Davis: Should I read that aloud for everybody?

Nubyaan Scott: I think so, just because I think some people are on the phone.

Michelle Davis: Let me read it then. The statement of reasons says there is currently no specified requirement for letter sizes on signs at EV charging spaces in either CBC section 11B-216, or in section 11B-812. Scoping Section 11B-216.2 (Signs, General) invokes section 11B-703.5 (Visual characters) and Table 11B-703.5.5 among other requirements, which dictate letter height by viewing distance for signs viewed by standing person. Identification signs are required to be 60 inches high minimum or 80 inches high minimum when located within a circulation path. The horizontal distance depends on the building official's interpretation since the position of the driver could be from the drive aisle or from the vehicle space.

When viewed from these locations, letters are required to be at least two inches high and may be required to be four inches high or more. The requirement for one-inch-high letters is consistent with current requirements for other vehicle area sign.

Brad Morrison: Okay. All right. Well spoken. Does anybody have any comments?

Okay, why don't we move on to, well that completes that section. So why don't we move on to our first miscellaneous item number eight.

Michelle Davis: And number eight is going to go a bit faster. This is the definition of blended transition found in Chapter two at section 202, and we discussed this at our last meeting.

So, we simply wanted to offer the opportunity for any additional comment. If anyone has one, I'm not gonna read it again or go deeply into this one. Alright. Does anybody have any additional thoughts that they didn't share last time?

No? Okay. I'm not...

Brad Morrison: Michelle. Has there been any changes to this item since the last time everybody's seen it?

Michelle Davis: No. It is identical to what was, yes. It's remained the same.

Brad Morrison: Okay.

Michelle Davis: I don't think we had any objections last time either, or comments. Oh, I see Richard.

Brad Morrison: Richard, come on. Richard.

Richard Skaff: Thank you. I just come across a very strange remodel of a strip mall that had at one point a street that was the roadway that was closest to the shops, and then a curb, and then a sidewalk. A major portion of the curb and the walkway have now been removed and that same length, probably two or 300 feet are now, it is now blended and it's with detectable warning for about 300 feet.

And to get to parking, you have to cross from the walking area next to the stores, across the detectable warning, blended area, across the roadway to where all the parking is. What we don't have anywhere is about the creation of a blended way. That's massive, that creates a comp- And I don't know whether I should really be speaking to this because I'm not blind, but I can only imagine having spent days, weeks, months, and years working with Lighthouse for the Blind, with Gene, and with others in the blind community about what access means for them in the built environment.

And we have nothing in Title 24 that deals with this massive creation of a blended way. They are in compliance with code because they've put in detectable warning. What is a blind pedestrian supposed to make of that though? And how do we deal with that? Here's a statement about blended transition. There's no length. I understand there may be times when you have to break up and put walkways in, but

100, 200, 300, 400, 500-foot blended walkway to a roadway, even with detectable warning.

Michelle Davis: Yeah, Richard. I can't speak to that because of course DSA may not even be the authority having jurisdiction and we haven't seen it and it's. Well, I understand your concern.

Richard Skaff: I wasn't saying it was DSA. DSA has the authority to write the code to resolve that.

The enforcement agency threw up their hands and the local building department said, what are we supposed to do? What I would've done as a planner would've said this could pose real problems for a blind pedestrian. Because there's this massive area, there's no definition of where it's safe for them to cross.

And I think if, we won't deal with it today, I just am wanting to raise it because we're talking about blended transitions, and I'm thinking we, at least sometime in the near future, sooner than later, need to think how we can qualify distance of blended transitions. So, thank you. I won't go any further.

Michelle Davis: Okay. Thank you, Richard.

Brad Morrison: Yeah, thanks Richard. Appreciate it.

Michelle Davis: Okay, let's, so moving on to item number nine. This one we also discussed in our last meeting. So, I'll just quickly state that this is just a reference in Chapter four, to Chapter 11B. And we've already presented it at the last meeting, so I just wanna ask again if anybody has any additional comments related specifically to this item? Yes, Richard.

Richard Skaff: Another quickie at some point, with an aging population and a growing disability population we need to re-look at numbers. I won't go any further than that today, but the numbers we have do not adequately provide accessible parking for people with disabilities and vulnerable seniors.

And the problem being twofold, not only the general numbers of both five regular parking, accessible parking spaces and van accessible, but the other part of that is we have all kinds of folks that don't need van accessible parking spaces using those. So, there aren't van accessible parking spaces. So, we need to look at both again as far as numbers.

Michelle Davis: Okay. Thank you, Richard. All right. If there are no other comments on this, I believe I get to turn it back to Derek now and, or no, wait a minute. I have two more items, don't I? Okay.

Brad Morrison: Okay. Number 10.

Michelle Davis: Sorry about that. Okay, we will move on to item number 10, which is in Chapter 10, amazingly. And we did not review this one at our last meeting so I'm going to go ahead and introduce this to you.

Chapter 10 is Exiting, and we are making a fairly small change here that just references Chapter 11B. The proposed amendment has to do with directions to exits, and I'll go ahead and read it to you right now. It's section 1009.8.2 Directions. And there are some instructions at the beginning that reads Directions for the use of the two-way communication system, instructions for summoning assistance via the two-way communication system and written identification of the location shall be posted adjacent to the two-way communication system.

And this is where we're proposing our change in this following sentence. It reads Signage shall comply with Chapter 11A, Section 1143A or Chapter 11B, Section 11B-703.5 requirements for visual characters.

We currently have the section number in the code language. We don't have the Chapter reference, fully. So, this is just to fully reference the section at 703.5. Hopefully I explained that correctly. And do we have comments?

Brad Morrison: Okay. Any comments on this one? Item number 10. Okay, not hearing it. Let's move on to number 11.

Michelle Davis: Okay, number 11 you'll find in page 29 of your packet. And this is very similar in that we are adding a reference to Chapter 11B that was not in Chapter 10 before. So, this is just telling the folks where to find the information they need. This is for the floor or landing on a door at a balcony.

The code section is, Chapter 10, Section 10, 1010.1.4, and there is an exception number five in this section that we propose to read Exterior decks, patios or balconies that are part of adaptable or accessible dwelling units shall have impervious surfaces. Oh, I'm sorry. Not shall have, let me go back and read that again.

Exterior decks, patios and balconies that are part of adaptable or accessible dwelling units, have impervious surfaces and that are more than four inches below the finished floor level of the adjacent interior dwelling unit. See also Chapter 11A, Section 1132A, or Chapter 11B, Section 11B-809.8 as applicable.

So, the reason we're adding this language is because the requirements in Chapters 11A and 11B are more restrictive than what is in Chapter 10. And currently we do not have a reference to Chapter 11B, which may be needed. So, we are proposing to add 11B reference so that they do not think that the Chapter 10 requirements are the only requirements.

Do we have any comments?

Brad Morrison: Okay, I don't see comments on this one. Let's move on to number 12.

Michelle Davis: Okay. And I think that this is where I do hand it back to Derek.

Derek Shaw: Thank you very much, Michelle. Appreciate it. Okay. This is an item that the code advisory committee discussed at the last meeting. There aren't any changes to it so we're not intending to present this fully in this meeting. But we do

wanna open it up and see if there are any additional comments on this item so we can open it up now. Brad?

Eric Driever: Yeah, I see Tim. Tim, come on in.

Tim McCormick: Okay, thank you. I will just briefly remind DSA we talked about the 2% of facility occupants being the correct number or not for the number of spaces required.

And did want to say that it's half a percent for areas of refuge inside a building. And so, this is four times what it is for the same function inside of a building. I think that if we wanna get 2% once again for consistency, it should be the same number in all these facilities. Whether it's the area of refuge inside the exterior area of assisted rescue immediately outside or the safe dispersal area.

It does seem, it does raise the question because in our opinion, the safe dispersal area is the safest of all three options cuz you're away from the building by at least 50 feet. So, it seems strange that it would have the highest number of protected occupants, but the main point is it should reflect what the real need is.

I think there's been some discussion about whether 2% is enough and whether half a percent is enough on the other features. There is a bigger problem here. And perhaps in fairness to DSA, it's too big for them to tackle. I think it probably requires State Fire Marshal. There is some language problems with what we're trying to do that are bigger than just trying to make an accessible safe dispersal area which is important and we should have those provisions.

And I forget which one of our members last time brought up that there is a stated conflict with this concept that we're adding and what it actually says right now about exterior areas of assisted rescue. So, for exterior areas of assisted rescue, it says you have to use that when you can't get to the public way.

And we're saying you can use that or this. So, I think that we're going to have to fix the other section to add this. At least we're gonna have to address the exterior of assisted rescue with language that allows both of these options to do it. Now, in the point that we're adding it is one of the options under the first part of this. That's fine. That's, it's one of many components, but for the current language and the technical later technical provisions in this part that talks about the exterior area of assisted rescue, its language plainly reads. I think that that's the only option once you're going outside.

And this is a bigger problem because it's technically not recognizing the safe dispersal area, which by all common sense is the safest place to be 50 feet away from the building right next to the building. I don't think we should argue about which one is safe. I think it's readily apparent. So, this is a gap that we're trying to fix, but the problem is bigger than what we're doing.

So that's one problem. I think we need to go, I think we need to add this, but we also need to take a look at the language in exterior area of assisted rescue and add something in there that says it's one of two options, because this would be the other

option. The second thing is that there is a problem in the language itself that we're not proposing to change.

And I don't know that in fairness to DSA, this is something they need to try to tackle unless they're really working in concert with the State Fire Marshal, but access to a public way 1028.5 says the exit discharge shall provide a direct and unobstructed access to a public way. That language here has an exception for a safe dispersal area.

But in the other section, if you can continue up, if you see 1009.2, it says each required accessible means of egress to shall be continuous to a public way and shall consist of one of the following. But two of those options actually don't go to a public way. The area of refuge does not go to public way. That's the endpoint.

The exterior of assisted rescue is the endpoint for the Accessible route and how far the Accessible means of you, because from then on, it is assisted rescue from emergency personnel, first responders. And not every time can we get to the public way. And this is the point reason we have a safe dispersal area, which is frankly commonly used in schools.

It's also used when, I've seen buildings built on hilltops where there's a steep driveway all the way up to it. No one's getting down to the public way. Nobody is. So, you have to have an area where people can go to. Whether in the National Fire Life Safety code at NFPA 101. It uses a little different language.

It says that the exit discharge provides a direct unobstructed access to a public way or an area of refuge. So, this problem exists. We know about it. Unfortunately, we're using an older version in the IBC, which is passing through to California. I'm bringing this up more to see if DSA feels like an {indiscernible} State Fire Marshal to fix it now.

But it is something that, anyone who's really familiar with the accessible means of egress provisions, knows it exist as a conflict. We ignore it because we don't have much choice to, but it is a problem that this is being put onto. It's a Band-Aid on a bigger problem. So, in general, I just wanna say I think we should make sure we get the numbers the same in all this and that we make a concerted point to not only fix this, but make sure we adjust the language in exterior area for assisted rescue so that it's not viewed as the only option once you get outside the building.

Cuz we're adding the second option and we need to reduce that conflict in another section that we haven't addressed yet. And whoever was the good person that brought that up last time should get credit. Cause I'm basically just repeating their idea, so.

Brad Morrison: Okay. Great. Thank you. Thank you Tim. Appreciate that. And whoever else gave it last time. Okay. Veronica,

Veronica Turdean: Hi. This is Veronica with HCD. There was a question last time, and I apologize for not answering. Unfortunately, I did not receive the agenda and the supportive documents. I think it was only the day before around 4:00 PM so I was not able to review it with none of my management.

And since I don't present myself, I didn't think it was appropriate for me to actually speak at that meeting. However, I think, she had a question regarding this item, and it was what about 11A? So, I talked to my management and said, there are instances where the path of travel to the public way is not safe or not achievable due to the site constraints or security concerns.

The safe area would allow occupants of the building to assemble in an emergency. I apologize for my dogs. We think this applies to schools, prisons and other public applications. From my own knowledge, there is a five feet, to allow adequate space for standing persons as well as some space for persons in wheelchairs or on stretchers.

Everyone who is expected to wait in this area for fire department assistance must be a minimum of 50 feet away from the building. This refuge must always remain open and not be used for parking, storage, or temporary structures. That's all I had to say. And always I will take your questions and attempt on replying.

If I can reply, I will reply at the second meeting, or you can always send questions to, title24@HCD.ta.gov. And I'm the one that usually gets those questions, and I will discuss with my management, then reply to any questions you guys have. However, our amendments, we do discuss them with everybody that's in HCD and our stakeholders.

Since our stakeholders are not here, we can't discuss them but I'm happy to help with whatever I can. And that's why I'm here to make sure that we collaborate with DSA and with everyone to make sure that the codes and everything that we apply, it helps the people with disability. Thank you. That's all I have to say.

Brad Morrison: Oh, great. Thank you, Veronica. I appreciate that. Anybody have any comments? Okay. All right. I'm not seeing any more comments on the broader topic of the exit discharge. Okay. All right. Let's, why don't we move on to number, 13.

Derek Shaw: Okay, great. Thank you. This next item number 13 also was heard at the prior Access code collaborative meeting. There have been no additional changes. There have been no changes since then. And just as a reminder, this is really a housekeeping item.

We do have a site impracticality tests that were previously brought in from Chapter 11A to Chapter 11B. So, those already exist within Chapter 11B, applicable to the facility types that DSA regulates. And so, we just simply in that rule making, we neglected to strike out our adoption of the Chapter 11A section, 1150A and subsections 1150A.1 and 1150A.2.

Our actions here are not gonna have any effect on the Department of Housing and Community Developments existing adoption of these same sections. So those will still be in effect for Housing and Community Development. But DSA, we have, I think it's identical language. We have identical language except for the section numbers in Chapter 11B. Okay. So, I think with that, if there are any additional questions or comments that weren't brought forth at the last meeting we'd certainly like to hear.

Brad Morrison: I'm not seeing anybody come in, so. Okay. That's, I say we move on. How about number 14?

Derek Shaw: All right. So, item 14, this item was provided immediately prior to the last Access Code Collaborative meeting. I'm concerned that our ACC members may not have had an enough of an opportunity to review this. And so, we're gonna go ahead and present this in full and open it up for questions and comments.

Anyhow, here what we are doing is where we are correcting an error. In that previous action that I referenced where DSA was moving a number of items from Chapter 11A into Chapter 11B to apply specifically to public housing. We erred in that action.

And what we ended up doing was, it expanding greatly the applicability of the requirements for residential units with adaptable features. In this item, we are correcting it to align with what we had for many years, co-adopted with the Department of Housing and Community Development in Chapter 11A.

And that would be with the applicability to facilities, I'm sorry, to buildings with three or more residential dwelling units. The general applicability of Chapter 11A is to cover multifamily housing. And one of the criteria there is for buildings with three or more units. So, we are simply reintroducing this and aligning this with our previous language. Okay. Is, are there any questions or comments about this item?

Brad Morrison: Okay. I'm not seeing any on this one. Looks like it's time to move on to the next. Okay. 15.

Derek Shaw: All right. So, the next item 15 on our list over here on the left was included in the package at the last ACC meeting, but we did not have the opportunity to discuss.

Brad Morrison: Derek, we had a question come in. Let me just see if, it's, Bob, let me just see if he has, something on the last item before we move too quick.

Bob Raymer: Oh, my question is for the adult changing stations.

Brad Morrison: Oh, okay, great. Go ahead.

Derek Shaw: Okay. So, with adult changing facilities we, historical background, several years back in response to legislation, we introduced new accessibility requirements for adult changing facilities. We included not only the technical details of dimensions and the elements that needed to be provided at adult changing facilities, but we also included the scoping for adult changing facilities.

The legislation had a two-tiered, applicability structure. And so, consistent with that, we initially provided scoping for newly constructed adult changing facilities and, or I'm sorry, newly constructed commercial places of public amusement. And so that was previous action. We also included scoping for where facility owners in any types of facilities chose to provide adult changing facilities.

Then our scoping in section 11B-249.1.1 would apply to those elective provisions of adult changing facilities. With this action that we're discussing today, we're focused

on the proposed section 11B-249.1.3, and this is going to also respond to the legislation's two-tiered implementation of the requirements.

Here, we are applying it to alterations to existing commercial places of public amusement which require a permit or for which the estimated cost is \$10,000 or more, shall provide no fewer than one adult changing facility in compliance with section 11B-813. Now 11B-813, we're not proposing any changes with this code cycle and so the technical requirements for adult changing facilities are, we don't have any proposals to amend that. Okay. So, I think with that we can certainly take questions and comments.

Brad Morrison: All right. Let's start with Bob.

Brad Raymer: Hey, thanks. Sort of similar to the legislation that directed HCD to start adopting aging in place regs for single family homes, SB 66, I'm sorry, AB 62.

This is the bill that is dealing with the adult changing stations. Had an effective date of January 1st, 2025. And if these, yeah, there you go. And if these are the regs that DSA is proposing for to take effect in the intervening code cycle like HD just did, we, I reached out to the Amusement Park Association and they respectfully request DSA to consider doing what HCD did, and that is putting in a delayed effective date for this provision only, for January 1st, 2025. Thank you.

Brad Morrison: Okay. Derek, do you have any follow up on that?

Derek Shaw: I we can certainly consider that and review that proposal.

Bob Raymer: Okay. Thank you. That's my only comment.

Derek Shaw: Okay, great.

Brad Morrison: Okay, great. Sounds good. Other comments? Oh, Richard, come on in.

Richard Skaff: This is a function issue and I understand that the amusement park companies, owners would like to have it delayed.

It's been delayed already for quite some time. This needs to be implemented. It is unacceptable that we have adult family members that may need help with changing themselves, yet they don't have any facilities. This goes back to my comments earlier about what are we here for? We need to recognize when we don't have the needed code requirements to assure that the built environment actually serves a substantial number of the population, close to 20%, if not more, and to continue putting this off because it's inconvenient or it costs something. Access costs something.

And, as a society, I thought that we decided to bring people with disabilities into the community. And to suggest we should continue holding off on doing a really important basic function requirement is not really acceptable. Thank you.

Eric Driever: Okay, great. So, Richard, just let me clarify. You're okay with this moving forward then, right? Yeah, that was your point, right?

Richard Skaff: Am I okay with it? No. I felt a long time ago it should have been done.

Brad Morrison: A long time ago. Okay, great.

Richard Skaff: Yeah, so am I okay with it? I guess I have to be. I won't be okay if there's a decision by DSA to hold off doing this again.

Brad Morrison: Okay, we'll come back to that. Okay. Thanks Richard. Appreciate that. Bob, are you still in queue for a question or is your hand just up?

Bob Raymer: I forgot to take my hand down.

Brad Morrison: Oh, it's okay. No worries. Nubyaan?

Nubyaan Scott: Yes, thank you. This is Nubyaan. I just wanted to support the request to move this forward rather than delaying because I think it does increase accessibility for quite a lot of people. And I hadn't realized that it had already been delayed. But in light of that, I just wanted to support, Richard's comment. Thank you.

Eric Driever: Great. Thanks, Nubyaan, I appreciate that. Okay. other comments on this one?

Gene Lozano: Gene?

Brad Morrison: Oh, Gene. Okay. Sorry, Gene. I didn't see it. Okay. Come on in, Gene.

Gene Lozano: I'm just giving support to DSA proposal and do not wish to see that it be delayed. I understand we wanna be consistent with other sister agencies, but I think it's been delayed as Richard said, too long. So, I am in support of this proposal. Thank you.

Brad Morrison: Great. That sounds good. Loud and clear, Gene. Thank you very much. Okay.

Derek Shaw: You know, it just occurred to me that in our recent public meeting where we discussed this item, there was one additional discussion point that I wanted to solicit, input. And that's regarding the term, which is from legislation about the estimated cost.

Now estimated cost can be interpreted many different ways. And yet DSA has existing language on another topic and that being path of travel requirements for alterations where we use the adjusted cost of construction. And I'm curious about any comments about potentially changing the term estimated cost to instead use the defined term, adjusted construction costs.

Excuse me. Okay. And so let me go ahead and just read that. Currently the current definition of adjusted construction costs reads as follows, all costs directly related to the construction of a project, including labor, material, equipment services, utilities, contractor financing, contractor overhead and profit and construction management costs. The costs shall not be reduced by the value of components assemblies,

building equipment, or construction, not directly associated with accessibility or usability. The adjusted construction costs shall not include project management fees and expenses, architectural and engineering fees, testing and inspection fees and utility connection or service district feeds.

Okay. So, this was a pretty well-developed definition that was included in the building code about 10 or 12 years ago, I think. And as I mentioned it is currently being used within our path of travel requirements in exception eight. So, does anybody have any thoughts, comments, ideas, about potentially substituting the term adjusted construction cost for the current draft where we say estimated cost?

Brad Morrison: Okay. Let's see. We have Tim queue and then Richard. So, Tim.

Tim McCormick: Yeah, I think the building officials would support being consistent using an already defined term.

Brad Morrison: Okay. That's pretty clear. Thank you, Tim. Richard.

Richard Skaff: Thank you. Can you tell where the estimated cost of \$10,000 came from?

Derek Shaw: It's from statute. Here, I've got an excerpt.

Richard Skaff: No, I see that. But I wanted to go further back. Where did statute get it?

Derek Shaw: I don't know.

Richard Skaff: And see that's, I don't know what to say because I don't know what the \$10,000, where it came from and what it's based on.

I think in the other language there's some conflict. I'm not happy with the other construction cost language necessarily either. If before this move forward we can get some clarification that would help me make a decision of whether I could support it the way it is or not.

Brad Morrison: Okay. Let me, let's look. We have several people who have come up. Maybe there's somebody else with more information coming up. Eric, let me go to you.

Arfaraz Khambatta: Hey I'm sorry, Brad. Eric, I apologize for just interrupting. I just realized it's four o'clock. I have another commitment, I'm gonna have {indiscernible} away. Thank you all. Good to see you all. Bye. Bye.

Bob Raymer: And I'm gonna have to sign off as well. Could somebody get back to me and just let us know what's left for Monday if we're coming back on Monday. Thank you.

Brad Morrison: Okay, thanks Bob.

Nubyaan Scott: I think we should come back on Monday. Not saying we need to stop at this moment, but it seems like there's a good chunk of material to continue.

Brad Morrison: Okay. We have two items ...

Nubyaan Scott: And I also wanted to bring up the additional items, which I think it'd be better for Monday than at the last minute.

Brad Morrison: Yeah, that sounds like maybe a good idea. Okay. So, let me just maybe really quickly, let me see if Eric has more information on the question before us right now, which is about this adjusted dec as opposed to the estimated cost, wording. Eric, you, did you wanna follow that?

Eric Driever: Yeah, sure. I'm sitting here having an internal debate with myself, whether or not we should pause here in respect of everybody's time and start up fresh with this discussion on Monday knowing that we've lost a couple members and not wanting to leave anybody behind.

So, currently we have, other than DSA staff, we've got 1, 2, 3, 4, 7, and not withstanding HCD, but seven it looks like.

Richard Skaff: Eric, I would suggest that we wait until Monday and start this again on Monday.

Eric Driever: Yeah, Richard, thank you for that. I guess just quickly in closing, and I definitely will restate it.

We often are in the unenviable position of living by statute and not always pleased with the process of statute. So, I guess I'll leave it with that. I do want to pick this discussion up again. If we don't advance something, we are at risk of not complying with statute, which is problematic in and of itself. So, let's pause there. Let's reconvene at our proposed time on Monday, and we can pick this discussion up then.

Gene Lozano: What is the proposed time for Monday?

Brad Morrison: Oh, it's the same as today. 10 to four. But I don't know that we'll go to four. That leaves us with two agenda items, plus this one, so a total of three.

And plus, several issues that are gonna come up as part of the open discussion part of the meeting where people can bring up new or unrelated items. So, we probably have a couple hours, my guess here, maybe a little bit more, on Monday to follow through with. So, and I don't wanna lose where we were on this discussion, so I think we would come in right here at this point where we're trying to discuss this wording issue, to see if we can't work this out because there was sentiment that this one should move pretty quickly into the building code process.

So that's where we are in a nutshell. And, so, I think Nubyaan makes a good point. Let's take our time on and apply it to Monday and we'll see if we can't work through these issues. Okay, Gene?

Gene Lozano: That's fine.

Brad Morrison: Okay. Others, any other comments from anybody about our decision right now to move to Monday?

Is that okay? If anybody has any, I guess any objections, please let us know right now so we don't just assume that you're okay with it.

Eric Driever: And on the agenda, there is a Zoom link for Monday, so you should be able to join the Monday's Zoom link, as opposed to the one that was...

Katy Iverson: Eric? Eric, I'm gonna step in really quick. We're actually gonna send everyone brand new links once this meeting concludes.

Eric Driever: Okay. All right. Thank you for that. All right.

Jessica Axtman: The link in the agenda is just for the public, so they'll use that link.

Eric Driver: Oh, okay. Thank you for reminding me. I apologize.

Gene Lozano: Will it be the same telephone call in information?

Brad Morrison: Katy? Jessica, can you answer?

Katy Iverson: You know Gene, I will, we'll email you and let you know. I don't have it up in front of me, but we will definitely reach out to send it your way.

Gene Lozano: Thank you.

Katy Iverson: Yeah, no problem.

Brad Morrison: Okay. Okay. Anybody else? All right, well gang, we'll see you on Monday. We'll pick it up where we left off and hopefully, we can go right to this issue and get this one moving because I think several people indicated that they really wanted to see this one happen.

So, we'll push it through on Monday and then we'll get onto the others and finish our meeting. Thank you all for your work today. I appreciate it. Anybody have any closing comments? No. Okay. Just open mic there. Okay. We'll see you Monday morning, 10 o'clock at the new link. Okay. Thanks again.