

**INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT (DSA-AC)  
REGARDING THE 2019 CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(DSA-AC 01-19)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS**

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

California Government Code Section 4450 directs the State Architect to develop and submit proposed building standards to the California Building Standards Commission (CBSC) for approval and adoption pursuant to Health and Safety Code Section 18935 for the purpose of making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

This proposed regulatory action by DSA-AC will provide greater consistency and clarity for code users by:

- Amending existing California accessibility amendments.
- Adopting new California accessibility amendments for adult changing facilities.
- Codifying non-substantive editorial and formatting amendments.

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**ITEM 1.01**

**CHAPTER 1 - SCOPE AND ADMINISTRATION  
DIVISION I - CALIFORNIA ADMINISTRATION  
SECTION 1.9 - DIVISION OF THE STATE ARCHITECT  
1.9.1 Division of the State Architect - Access Compliance.  
1.9.1.3 Application**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the term “private housing available for public use” and the reference to California Government Code Section 4450 for the following reasons:

- Section 4450 states “all buildings, structures, sidewalks, curbs, and related facilities, constructed in this state by the use of state, county, or municipal funds, or the funds

of any political subdivision of the state shall be accessible to and usable by persons with disabilities”.

- Section 4451 states *“this chapter shall be limited in its application to all buildings and facilities stated in Section 4450 intended for use by the public, with any reasonable availability to, or usage by, persons with disabilities, including all facilities used for education and instruction, including the University of California, the California State University, and the various community college districts, that are constructed in whole or in part by the use of state, county, or municipal funds, or the funds of any political subdivision of the state”*.
- The application of these Government Code sections and the term *“private housing available for public use”* creates confusion for code users when determining the application of California Building Code Chapter 11B to public housing. Code users typically understand *“private housing available for public use”* to be one of the types of housing regulated as a place of public accommodation. Those types of housing are social service center establishments, transient lodging and housing at a place of education; California Building Code Section 1.9.1.2 *Application* is the appropriate citation for places of public accommodation.
- In the context of the California Building Code definition of public housing and the application of Chapter 11B, receipt of public funds is one of any number of methods that a public entity may use in the administration of a public housing program. Citing California Government Code Section 4450 creates confusion for code users who interpret the application to only apply to facilities that receive public funds.
- The more specific Government Code Section for the application cited in California Building Code Section 1.9.1.3 is California Government Code Section 12955.1(c) which states *“regulations adopting building standards necessary to implement, interpret, or make specific the provisions of this section shall be developed by the Division of the State Architect for **public housing**”*.

This code change proposal is intended to provide consistency and clarity for code users when applying California Building Code Chapter 11B to public housing projects. This item was removed for consideration during the 2018 rulemaking cycle at recommendation of the California Building Standards Commission’s Code Advisory Committee in order for the Division of the State Architect to request an opinion from Department of General Services legal counsel. The Division of the State Architect requested an opinion from the Department of General Services, Office of Legal Services and received the following analysis and conclusion.

**Analysis of Amendment.** The rationale for this amendment is largely to bring the California Building Code Chapter 11B in line with historic interpretation and application of Chapter 11B to “public housing”, a defined term. This revision clarifies the application of the proper government code reference for public housing from California Government Code Section 12955.1(c). The continued citation of California Government Code Section 4450 confuses the application of California Government Code Section 12955.1(c) to private housing for public accommodation, a different type of housing. Repealing the reference to California Government Code Section 4450 would not allow for the Division of the State Architect to provide a lesser standard of accessibility than that required by

federal regulations and standards, since this change is not substantive. This change only clarifies the scope of application, to be consistent with Division of the State Architect policy and California statute. Greater or equal protection than the federal standards is required by California Government Code Section 12955.1(c), and is not affected by this amendment. The proposed amendment seeks only to clarify its application to “public housing”, a defined term in the regulations.

**Conclusion.** This amendment does not affect any substantive accessibility standard, so it does not enhance or diminish accessibility.

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## **ITEM 2.01**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*BLENDED TRANSITION*)**

##### **REASON:**

The current definition of “blended transition” was sourced from the United States Access Board’s *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* and includes the term “pedestrian access route” which is not used in California Building Code Chapter 11B. This proposal replaces the term “pedestrian access route” with “circulation path,” and includes additional amendments for clarity.

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## **ITEM 2.02**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*BOTTLE FILLING STATION*)**

##### **REASON:**

DSA is proposing to provide a definition in California Building Code Chapter 2 for bottle filling stations based on the definition currently in the California Plumbing Code. The language in the definition from the plumbing code that is not included in the proposed code change is better suited to the plumbing code requirements and is unnecessary in the definition proposed for inclusion in California Building Code Chapter 2 related to accessibility. This proposed code change is related to proposed amendments in Sections 11B-211.4 and 11B-602.10.

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## **ITEM 2.03**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*CIRCULATION PATH*)**

##### **REASON:**

The current definition of “circulation path” was sourced from the United States Department of Justice’s *2010 ADA Standards for Accessible Design*. The Division of the State Architect has received numerous inquiries about whether this term refers to accessible or non-

accessible surfaces. This proposal clarifies that a circulation path describes all prepared surfaces for pedestrian travel, accessible and non-accessible, and includes an additional amendment for clarity.

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## **ITEM 2.04**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*CURB RAMP*)**

##### **REASON:**

The current definition of “curb ramp” refers to “A sloping pedestrian way intended for pedestrian traffic...” The defined term “pedestrian way” is proposed for repeal as part of this rulemaking package. The term does not adequately describe the type of walking surface used in a curb ramp as it allows the possibility of sloping natural surfaces to be classified as curb ramps.

This proposal amends the definition of “curb ramp” to replace the term “pedestrian way” with the term “prepared surface.” This amendment is consistent with the Division of the State Architect’s intent that the term “curb ramp” is applied to constructed rather than natural elements.

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## **ITEM 2.05**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*DETECTABLE WARNING*)**

##### **REASON:**

The current definition of “detectable warning” was sourced from the United States Department of Justice’s *2010 ADA Standards for Accessible Design*. This definition does not adequately inform the reader of the intended purpose of detectable warnings. This change better describes the intended purpose of detectable warnings.

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## **ITEM 2.06**

### **CHAPTER 2 - DEFINITIONS**

#### **SECTION 202 – DEFINITIONS (*DRIVE AISLE*)**

##### **REASON:**

This proposal adds a new definition for “drive aisle.” This term is used in proposed language in Section 11B-250 and the definition of “vehicular area.”

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## ITEM 2.07

### CHAPTER 2 - DEFINITIONS SECTION 202 – DEFINITIONS (*DRIVEWAY*)

#### REASON:

This proposal adds a new definition for “driveway.” This term is used in proposed language in Section 11B-250 and the definition of “vehicular area.”

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## ITEM 2.08

### CHAPTER 2 - DEFINITIONS SECTION 202 – DEFINITIONS (*PEDESTRIAN WAY*)

#### REASON:

This proposal rescinds the Division of the State Architect’s adoption of the definition for “pedestrian way.” The term “circulation path” provides greater specificity and is consistent with terminology used in the 2010 ADA Standards for Accessible Design.

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## ITEM 2.09

### CHAPTER 2 - DEFINITIONS SECTION 202 – DEFINITIONS (*PUBLIC HOUSING*)

#### REASON:

DSA is proposing to amend the definition for “public housing” to:

- Include “*altered*” in the opening sentence. This proposed amendment aligns the terminology with the 2010 ADA Standards for Accessible Design.
- Provide in the definition the reference to the Americans with Disabilities Act Title II Regulations in United States Code of Federal Regulations, 28 CFR Part 35, Section 35.102(a) for the application of the Americans with Disabilities Act to programs of Title II entities.
- Provide a note for the code user to refer to the “*Guide to Public Housing Regulated in Chapter 11B of the California Building Code*” and the “*California Access Compliance Advisory Reference Manual*” for additional information regarding the application of California Building Code Chapter 11B and what constitutes a housing program.
- Items 1 through 7 are proposed for revision, renumbering and repeal of item seven.
- Repeal of redundant language “*Publically owned and/or operated*” in items 1 through 5 proposed. Ownership and operation is not the only requirement for housing to be considered public. As stated in the opening sentence, a project that is constructed or altered “*by, for or on behalf of a public entity*” is public housing. Code users believe ownership and operation overrides the criteria of, on behalf of, when reading the items where “*Publically owned and/or operated*” is stated.

- Revise Item 6 to repeal “campus”. Housing serving places of education may be located on or off campus.
- Eliminating item 7 removes a term that is ambiguous and vague. Code users are confused with the term “*privately owned housing facilities made available for public use as housing*”. The term “*public use*” muddles the terminology with the types of housing that are regulated as places of public accommodation. Including “*privately owned housing facilities*” and “*as part of a public entity’s housing program*” in the opening statement provides clarity for the various types of housing considered “*public housing*” currently in Item 7. Amending the language in the opening statement therefore requires the repeal of Item 7.
- DSA is proposing these amendments to clarify the definition based on questions received from code users.

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## ITEM 2.10

### CHAPTER 2 - DEFINITIONS

#### SECTION 202 – DEFINITIONS (*PUBLIC USE*)

##### REASON:

The Division of the State Architect is proposing to amend the definition of “public use” to repeal the last sentence in the definition. Repeal of the term “*public use is the provision of housing programs*” is being proposed in conjunction with the overall proposed code changes for the various public housing provisions in California Building Code Chapter 11B and Chapter 1, Section 1.9.1.3. The terminology proposed for repeal is unnecessary and confusing.

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## ITEM 11B.01

### CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING DIVISION 2: SCOPING REQUIREMENTS

#### 11B-202 Existing buildings and facilities

##### 11B-202.4 *Path of travel requirements in alterations, additions and structural repairs.*

##### REASON:

California Building Code Section 11B-202.4 Exception 10 uses the term “primary function” to distinguish between alterations solely for the purpose of installing electric vehicle charging stations at facilities that are required or are not required to provide a path of travel. However, “primary function” is not defined in the California Building Code. The Division of the State Architect proposes to add clarifying language regarding the term “primary function” to Exception 10 consistent with the applicable portion of the definitions provided in the 2010 ADA Standards for Accessible Design.

## ITEM 11B.02

### **CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING DIVISION 2: SCOPING REQUIREMENTS**

#### **11B-203 General exceptions**

#### **11B-203.8 Residential facilities.**

#### **REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for the dwelling units in public housing facilities that the Division of the State Architect currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals.

In addition, “and” is proposed for revision to “or” so that the provisions in this section apply when either type of unit is provided. As written, with “and” in the section the provisions apply only when both types of units are provided.

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## ITEM 11B.03

### **CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING DIVISION 2: SCOPING REQUIREMENTS**

#### **11B-205 Operable parts**

#### **11B-205.1 General.**

#### **REASON:**

The Division of the State Architect is proposing this code change to alleviate the conflict between the 2019 California Electrical Code, Title 24, Part 3 Sections 210.52 (C)(1) through (C)(5) and California Building Code Chapter 11B for the placement of electrical outlets. The outlet locations required by the electrical code create a conflict with complying with the reach ranges in Section 11B-308. At inside corners where the spacing in both directions can total no more than four feet at least one of the outlets is then located in a non-complaint location. Adding an additional outlet in a compliant location does not alleviate the requirement that all outlets must be located within reach ranges complying with Section 11B-308. Should this code change be adopted that would allow for one outlet that is not within reach range and one that is in such a location. In addition, this proposed code change aligns Chapter 11B with the 2010 Americans with Disabilities Act Standards for Accessible Design.

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## ITEM 11B.04

### **CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING DIVISION 2: SCOPING REQUIREMENTS**

**11B-206 Accessible routes**

**11B-206.2 Where required.**

**11B-206.2.3 Multi-story buildings and facilities.**

**Exception 4**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for the dwelling units in public housing facilities that DSA currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals.

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**ITEM 11B.05**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-206 Accessible routes**

**11B-206.7 Platform lifts.**

**11B-206.7.6 Guest rooms and residential dwelling units.**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for the dwelling units in public housing facilities that the Division of the State Architect currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals. In addition, “and” is proposed for revision to “or” so that the provisions in this section apply when either type of unit is provided.

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**ITEM 11B.06**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-208 Parking spaces**

**11B-208.1 General.**

**REASON:**

The Division of the State Architect is proposing to amend this section to allow for the installation of an electric vehicle charger when an accessible parking space is assigned to the resident. This code change proposal provides for a resident to use their parking space to charge a vehicle without having the inconvenience of charging their vehicle at one location and then having to move the vehicle to park.



**ITEM 11B.07**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-208 Parking spaces**

**11B-208.2 Minimum number.**

**11B-208.2.3 Residential facilities.**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A as part of an overall package of public housing code change proposals that if approved would make Chapter 11B a standalone chapter. Therefore, the reference to Chapter 11A in the note would no longer be necessary.

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**ITEM 11B.08**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-208 Parking spaces**

**11B-208.3 Location.**

**11B-208.3.2 Residential facilities.**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for the dwelling units in public housing facilities that the Division of the State Architect currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals.

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**ITEM 11B.09**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-211 Drinking fountains**

**11B-211.4 Bottle filling stations.**

**REASON:**

The Division of the State Architect is proposing this code change in response to requests from code users and facility owners. Bottle filling station provisions are addressed in the plumbing code and currently there are no specific provisions for accessibility for this type

of fixture in California Building Code Chapter 11B. This proposed code change specifically addresses the scoping and technical provisions for bottle filling stations to provide for access compliance.

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#### **ITEM 11B.10**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC  
ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-224 Transient lodging guest rooms, *housing at a place of education and social service center establishments***

**11B-224.8 Social service center establishments**

#### **REASON:**

The Division of the State Architect is proposing to repeal the adoption of Sections 11B-224.1 through 11B-224.6 that create confusion when applying the provisions to social service center establishments. The transient lodging standards do not apply to social service center establishments under the 2010 ADA Standards for Accessible Design or Housing and Urban Development Section 504 Regulations. The proposed code change aligns Chapter 11B with the 2010 ADA Standards for Accessible Design and Housing and Urban Development Section 504 Regulations.

In addition, using the scoping Section 11B-233.3 and the technical provisions for residential dwelling units requires features that provide for greater access such as turning spaces within kitchens and the amount of storage required within reach ranges.

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#### **ITEM 11B.11**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC  
ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-226 Dining surfaces and work surfaces**

**11B-226.4 Baby changing tables.**

#### **REASON:**

The Division of the State Architect is proposing to amend this section in order to use the same title for baby diaper changing stations consistent with California Government Code Section 50535 and Health and Safety Code Section 118506. Chapter 11B does not require baby changing tables; however, when provided they must be accessible. The California Government and Health and Safety Codes require baby diaper changing stations in specified facilities and under specified conditions.

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## ITEM 11B.12

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-228 Depositories, vending machines, change machines, mail boxes, fuel dispensers, and electric vehicle charging stations.**

**11B-228.2 Mail boxes.**

### REASON:

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for the dwelling units in public housing facilities that the Division of the State Architect currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals.

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## ITEM 11B.13

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-228 Depositories, vending machines, change machines, mail boxes, fuel dispensers, and electric vehicle charging stations.**

**11B-228.3 Electric vehicle charging stations**

### REASON:

The Division of the State Architect has received comments from building officials and had discussions with electric vehicle charging station providers where it was suggested that lower charging level electric vehicle charging stations may be provided at accessible charging stations when higher level charging is provided at the rest of the charging stations in a facility. These suggestions are contrary to state and federal law which require accessibility at each new or altered facility. Current code language requires accessible charging stations at each facility. The Division of the State Architect is proposing clarifying language in Section 11B-228.3.2 to indicate that each combination of charging level and connector type provided constitutes a facility.

The Division of the State Architect is also proposing to amend this section to provide for accessible electric vehicle charging stations to clarify the requirements for charging stations located in public housing facilities.

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## ITEM 11B.14

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-233 Residential facilities**  
**11B-233.3 Public housing facilities.**

**REASON:**

The Division of the State Architect is proposing to amend this section to delete the reference to Chapter 11A. The features for dwelling units in public housing facilities that the Division of the State Architect currently adopts in Chapter 11A have been revised and reformatted for consistency with the numbering and format used in Chapter 11B. Sections 11B-809.6 through 11B-809.12 are the sections that contain those revisions that are included as part of an overall package of public housing code change proposals.

A reference note is also proposed for inclusion in this section to alert code users of the requirements in the California Civil Code for senior housing requirements that are often overlooked by design professionals.

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**ITEM 11B.15**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC  
ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-233 Residential facilities**

**11B-233.3 Public housing facilities.**

**11B-233.3.1 Minimum number: new construction.**

**11B-233.3.1.2 Residential dwelling units with adaptable features.**

**11B-233.3.1.2.6 Public housing facility site impracticality.**

**11B-233.3.1.2.6.1 Single building with one common (lobby) entrance.**

**11B-233.3.1.2.6.2 Test number one, individual building test**

**11B-233.3.1.2.6.3 Test number two, site analysis test**

**11B-233.3.1.2.6.4 Test number three, unusual characteristics test**

**11B-233.3.1.2.6.5 Additional requirements.**

**REASON:**

The Division of the State Architect is proposing to repeal the current Section 11B-233.3.1.2.6 Public housing facility site impracticality and adopt the *Chapter 11A, Division VI Site Impracticality Tests*. This amendment is a related item consistent with the intent to include the provisions related to public housing in Chapter 11B. The provisions are revised and rewritten for consistency with the format in Chapter 11B. The Division of the State Architect is proposing this code change in response to comments from code users who asked that one set of regulations be used for public housing projects. With this code change, and the related amendments in other sections, Chapter 11B becomes the set of regulations to refer to in the California Building Code for accessibility in public housing projects.

## ITEM 11B.16

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-233 Residential facilities**

**11B-233.3 Public housing facilities.**

**11B-233.3.2 Residential dwelling units for sale.**

### REASON:

The Division of the State Architect is proposing to amend this section for residential dwelling units that are offered for sale to individual owners.

The language in Section 11B-233.3.2.1 is taken from the United States Code of Federal Regulations, 28 CFR Part 35, Section 35.151(j)(2) for facilities with residential dwelling units that will be offered for sale to individual owners. Although this provision does appear to be operational it does provide the means for building officials to perform plan review and inspection for residential dwelling units required to comply with these sections.

The Division of the State Architect is also proposing that the exception be repealed. If an addition or alteration is not undertaken to a residential dwelling unit, then the building code is not triggered which makes the exception an unnecessary requirement.

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## ITEM 11B.17

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-233 Residential facilities**

**11B-233.3 Public housing facilities.**

**11B-233.3.4 Residential dwelling units for sale.**

### REASON:

The Division of the State Architect is proposing to amend this section to delete “*public housing facility*.” The current provision limits the requirements to existing public housing facilities where alterations are planned. An alteration to an existing building may be undertaken as part of a program on behalf of a public entity that would then require compliance with Chapter 11B if the project meets the definition of public housing in Chapter 2. As written, existing facilities that are not public housing would be exempt from compliance with this section. The proposed amendment is also consistent with language in the 2010 ADA Standards for Accessible Design.

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## ITEM 11B.18

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-247 Detectable warnings and detectable directional texture**

**11B-247.1 Detectable warnings.**

**11B-247.1.2 Where required.**

**11B-247.1.2.5 Hazardous vehicular areas.**

**REASON:**

The proposed changes to Sections 11B-247.1.2.5 and 11B-705.1.2.5 replace language requiring detectable warnings at hazardous vehicular areas with requirements for detectable warnings at blended transitions. Proposed language is intended to include requirements for detectable warnings at all locations covered by the current language for hazardous vehicular areas. These changes are intended to minimize confusion about the required placement of detectable warnings.

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**ITEM 11B.19**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 2: SCOPING REQUIREMENTS**

**11B-250 Circulation Paths**

**REASON:**

This proposed scoping section in Chapter 11B clarifies the existing scoping requirements in Section 11B-247.1.2.5 that walking surfaces need to be separated from vehicular areas. The new language requires circulation paths, as defined, be physically separated from vehicular traffic (i.e. movement) in all locations; several exceptions are provided. In part, these requirements address conditions currently addressed as hazardous vehicular areas. This proposal also prohibits flush transitions at non-accessible parking, charging, and passenger drop-off and loading aisles to enhance safety for people with visual disabilities.

Exception 1 indicates no separation is required when crossing drive aisles. For example, between the end of access aisles and the drive aisle, or along both sides of a drive aisle crossing (marked or unmarked). Exception 2 indicates that within the public right of way, no separation is required where sidewalks and walks cross driveways without stop signs, stop lights, or yield signs. Exception 3 indicates compliance with Section 11B-250 is not required where curb ramps and blended transitions are provided with detectable warnings. Detectable warnings at curb ramps and blended transitions are already required by other provisions. Exception 4 indicates no separation is required between access aisles and the vehicle spaces or the drive aisle. Exception 5 indicates only in existing facilities may detectable warnings be used to provide separation. Exception 6 allows existing flush transitions to remain where detectable warnings comply with the current code requirements.

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**ITEM 11B.20**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 3: BUILDING BLOCKS**

**11B-304 Turning space**

**11B-304.2 Floor or ground surfaces.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at floor or ground surfaces in turning spaces. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.21**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 3: BUILDING BLOCKS**

**11B-305 Clear floor or ground space**

**11B-305.2 Floor or ground surfaces.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted in clear floor or ground space. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.22**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 4: ACCESSIBLE ROUTES**

**11B-404 Doors, doorways, and gates**

**11B-404.2 Manual doors, doorways, and manual gates.**

**11B-404.2.4 Maneuvering clearances.**

**11B-404.2.4.4 Floor or ground surface.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at floor or ground surfaces in door maneuvering clearances. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.23**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 4: ACCESSIBLE ROUTES**

**11B-404 Doors, doorways, and gates**

**11B-404.2 Manual doors, doorways, and manual gates.**

**11B-404.2.9 Door and gate opening force.**

## REASON:

The Division of the State Architect is proposing to amend this section in order to correct a drafting error made during the 2012 Rulemaking cycle when Chapter 11B was rewritten using the 2010 ADA Standards for Accessible Design as model language with California amendments.

- The 2010 California Building Code, Section 1133B.2.5 Door opening force, exception 2 permitted an exception to the door opening force requirement when specified conditions were met. Part “c” of this exception required compliance with Section 1117B.6. This section required the following: Section 1118B.4, clear floor or ground space for a forward or parallel approach; Section 1118B.5, forward reach, or 1118B.6, side reach; and activation force of operable parts not to exceed 5 pounds.
- During the 2012 rulemaking process a turning space provision was inadvertently applied to item “c” and the provision for activation force of operable parts was omitted.
- 11B-309 Operable parts, requires 11B-305 Clear floor or ground space, 11B-308 Reach ranges and activation force of operable parts not to exceed 5 pounds.

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## ITEM 11B.24

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**  
**DIVISION 4: ACCESSIBLE ROUTES**  
**11B-405 Ramps**  
**11B-405.7 Landings.**  
**11B-405.7.1 Slope.**

## REASON:

The proposed changes to this section clarify that detectable warnings are not permitted at ramp landings. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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## ITEM 11B.25

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**  
**DIVISION 4: ACCESSIBLE ROUTES**  
**11B-406 Curb Ramps, blended transitions and islands**  
**11B-406.3 Parallel curb ramps.**

## REASON:

Current Chapter 11B provisions address parallel curb ramps with two opposing sloping segments but do not address parallel curb ramps with only one sloping segment. Currently, this condition may be approved by building official as equivalent facilitation. This



code change proposal explicitly allows parallel curb ramps to be provided with one or two opposed sloping segments.

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**ITEM 11B.26**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 4: ACCESSIBLE ROUTES**

**11B-406 Curb Ramps, blended transitions and islands**

**11B-406.5 Common requirements.**

**11B-406.5.10 Diagonal curb ramps.**

**REASON:**

The Division of the State Architect regularly receives questions about whether parallel curb ramps may be used as diagonal curb ramps. While Figure 11B-406.5.10 illustrates a perpendicular curb ramp in a diagonal orientation, the text of Section 11B-406.5.10 does not address diagonal parallel curb ramps and does not prohibit their use. The proposed language clarifies this issue by explicitly addressing diagonal perpendicular and parallel curb ramps.

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**ITEM 11B.27**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**

**DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-502 Parking spaces**

**11B-502.3 Access aisle**

**REASON:**

Current California Building Code requirements do not directly address whether an accessible parking space and an accessible electric vehicle charging station may share an access aisle. Currently, California Building Code Section 11B-812.7.2 prohibits use of the “...blue color required for identification of access aisles for accessible parking...” – this language suggests shared use of the access aisle is not permitted.

The Division of the State Architect is not aware of any detriment to the shared use of the access aisle between an accessible parking space and an accessible electric vehicle charging station. The Division of the State Architect is proposing to explicitly state the access aisle may be shared, and the access aisle must be marked consistent with the requirements for access aisles at accessible parking spaces (Section 11B-502.3.3) – not access aisles at accessible electric vehicle charging spaces (Section 11B-812.7.2).

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**ITEM 11B.28**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-502 Parking spaces**

**11B-502.4 Floor or ground surfaces.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at accessible parking access aisles. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.29**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-503 Passenger drop-off and loading zones**

**11B-503.4 Floor or ground surfaces.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at accessible passenger drop-off and loading zone access aisles. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.30**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-504 Stairways**

**11B-504.4 Tread surface.**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at stair treads. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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**ITEM 11B.31**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 6: PLUMBING ELEMENTS AND FACILITIES**

**11B-602 Drinking fountains**

**REASON:**

The Division of the State Architect is proposing this code change in response to requests from code users and facility owners. Bottle filling station provisions are addressed in the plumbing code and currently there are no specific provisions for accessibility for this type of fixture in California Building Code Chapter 11B. This proposed code change specifically addresses bottle filling stations and the technical provisions to provide for access compliance.

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**ITEM 11B.32**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**  
**DIVISION 6: PLUMBING ELEMENTS AND FACILITIES**  
**11B-603 Toilet and bathing rooms**

**REASON:**

The Division of the State Architect is proposing to amend this section in order to use the same title for baby diaper changing stations consistent with California Government Code Section 50535 and Health and Safety Code Section 118506. Chapter 11B does not require baby changing tables; however, when provided they must be accessible. The California Government and Health and Safety Codes require baby diaper changing stations in specified facilities and under specified conditions.

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**ITEM 11B.33**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING**  
**DIVISION 6: PLUMBING ELEMENTS AND FACILITIES**  
**11B-604 Water closets and toilet compartments**  
**11B-604.3 Clearance.**  
**11B-604.3.2 Overlap.**

**REASON:**

The Division of the State Architect is proposing to amend this figure for the location of a lavatory within the water closet clearance in response to a discussion with the United States Access Board and comments from code users. The Division of the State Architect posed a question to the Access Board related to the figure and whether or not this indicates a compliant installation for the clearance required at the grab bar. The representative from the Access Board stated that the Access Board recognizes that the figure is incorrect and if and when amendments are proposed to the 2010 ADA Standards for Accessible Design one of the items they would propose to correct is this figure.

In addition, the representative stated that 2010 ADA Standards for Accessible Design Section 604.3.2 must be viewed in conjunction with 2010 ADA Standards for Accessible Design Section 604.5 Grab bars. In residential dwelling units backing is required for the future installation of grab bars, however when not using the provisions in both sections

sufficient space and backing may not be provided to allow a compliant grab bar installation. Unless otherwise noted figures are not regulatory; the requirements for clearances at grab bars must be reviewed in conjunction with the mounting height for lavatories. Installing a lavatory at 34 inches to the rim does not allow for the required clearance below the grab bar.

The Division of the State Architect is proposing to amend an inaccurate figure and amend associated code language to provide clarity for the code user and for compliant installations of grab bars and lavatories.

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#### **ITEM 11B.34**

***CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING***  
***DIVISION 6: PLUMBING ELEMENTS AND FACILITIES***

***11B-604 Water closets and toilet compartments***

***11B-604.8 Toilet compartments.***

***11B-604.8.1 Wheelchair accessible compartments.***

***11B-604.8.1.2 Doors.***

**REASON:**

The Division of the State Architect is proposing to amend Section 11B-604.8.1.2 and Figure 11B-604.8.1.2 to revise the required location for out-swinging toilet compartment doors in the side wall or partition of an accessible toilet compartment. The current provisions require the door to be 4 inches maximum from the front partition. This proposal allows the toilet compartment door to be located in a variety of locations in the side wall or partition while maintaining equal or greater accessibility than the current California Building Code Chapter 11B requirements and the 2010 ADA Standards for Accessible Design.

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#### **ITEM 11B.35**

***CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING***  
***DIVISION 6: PLUMBING ELEMENTS AND FACILITIES***

***11B-608 Shower compartments***

***11B-608.5 Controls.***

**REASON:**

The Division of the State Architect is proposing to amend these sections in response to comments from code users to address the following issues:

- Section 11B-608.5.2 in one sentence refers to the installation of the shower faucets and controls and in another sentence the term location is used. The language is proposed for amendment to use consistent terminology within the section therefore installation is proposed to be replaced with location.
- Unlike the 2010 ADA Standards for Accessible Design, California Building Code Chapter 11B requires that seats be installed in shower compartments with the one

exception for residential dwelling units. The 2010 ADA Standards for Accessible Design requires seats to be installed only in transient lodging guest rooms with mobility features and also includes the exception for residential dwelling units. DSA's proposed code change aligns with the 2010 ADA Standards for Accessible Design for the location of controls, faucets and shower spray units when seats are provided.

- The Division of the State Architect does not use the International Building Code or ANSI A117.1 Accessibility Standard as model code, however the range proposed in this code change is consistent with ANSI A117.1 and is more restrictive than the 2010 ADA Standards for Accessible Design.
- Complying with the more restrictive current requirements in Chapter 11B results in installations that are non-compliant when controls, faucets and the shower spray unit can't be accommodated in a control area that is 8 inches in width. Increasing the width of the control area is still more restrictive than the 2010 ADA Standards for Accessible Design and providing an additional 3 inches allows the few inches necessary to accommodate the controls, faucets and shower spray unit within the control area.
- Chapter 11B requires that the controls and faucets be installed with their centerlines at 39 inches to 49 inches above the shower floor. When a diverter and faucet is provided in one unit with an escutcheon the dimension between the diverter and the faucet is well within the control area but does not comply with the requirement for the centerline location. Removing the requirement for the dimension to the centerline of the controls would allow this type of unit to be installed that does provide for a compliant installation.
- Section 11B-309.3 requires operable parts to be within one or more of the reach ranges specified in 11B-308. The requirement that the handle of the shower spray unit is required within one of the reach ranges is redundant and unnecessary language and is therefore proposed for repeal.

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## **ITEM 11B.36**

### **CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

#### **11B-705 Detectable warnings and detectable directional texture**

##### **11B-705.1 Detectable warnings.**

##### **11B-705.1.1 General**

##### **11B-705.1.1.3 Color and contrast.**

#### **REASON:**

Proposed changes to this section require all newly installed detectable warning surfaces to be federal yellow. This change would improve consistency of appearance and message for people with visual impairments.

When alterations to existing facilities occur and detectable warnings are subject to path of travel requirements the proposed exception allows existing installed detectable warnings to remain when they provide 70% contrast with surrounding walking surfaces.

This proposal also updates the reference citation for the required color. Federal Standard 595C has been superseded by SAE AMS-STD 595A.

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#### **ITEM 11B.37**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

**11B-705 Detectable warnings and detectable directional texture**

**11B-705.1 Detectable warnings.**

**11B-705.1.2 Locations**

**11B-705.1.2.2 Curb ramps.**

**REASON:**

This change reformats Section 11B-705.1.2.2 to present detectable warnings requirements separately for perpendicular and parallel curb ramps. Revised detectable warning requirements are also provided for parallel curb ramps with one entrance/exit point (i.e. transition from the turning space to the gutter, street or highway) and those with two entrance/exit points – as may be found in parking lots where a median has accessible parking on both sides of an island. The amendment language requires the turning space to include a 36” minimum width passage without detectable warnings so pedestrians may travel through the turning space without passing over the detectable warnings. This provision responds to numerous comments from wheelchair users who experience pain when travelling over extended lengths of detectable warnings.

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#### **ITEM 11B.38**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

**11B-705 Detectable warnings and detectable directional texture**

**11B-705.1 Detectable warnings.**

**11B-705.1.2 Locations**

**11B-705.1.2.5 Hazardous vehicular areas.**

**REASON:**

The proposed changes to Sections 11B-247.1.2.5 and 11B-705.1.2.5 replace language requiring detectable warnings at hazardous vehicular areas with requirements for detectable warnings at blended transitions. Proposed language is intended to include requirements for detectable warnings at all locations covered by the current language for hazardous vehicular areas. These changes will minimize confusion about the required placement of detectable warnings.

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### ITEM 11B.39

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS**

**11B-802 Wheelchair spaces, companion seats, and designated aisle seats and semi-ambulant seats**

**11B-802.1 Wheelchair spaces.**

**11B-802.1.1 Floor or ground surface**

**REASON:**

The proposed changes to this section clarify that detectable warnings are not permitted at floor or ground surfaces for wheelchair spaces. Additionally, the exception has been rescinded and restated in the parent section to provide additional clarity.

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### ITEM 11B.40

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS**

**11B-804 Kitchens, kitchenettes, and wet bars.**

**11B-804.1 General.**

**11B-804.2.3 Turning space.**

**REASON:**

The Division of the State Architect is proposing to amend this section to provide the requirements in Chapter 11B from the United States Code of Federal Regulations, 28 CFR Part 35, Section 35.151(f)(1) and Part 36, Section 36.406 (e)(1) for turning spaces required in undergraduate student housing. Including this requirement in Chapter 11B provides that this provision, that may be overlooked by code users due to the fact that it is in the 2010 ADA Standards for Accessible Design and not in the California Building Code, will be enforceable by building officials.

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### ITEM 11B.41

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS**

**11B-804 Kitchens, kitchenettes, and wet bars.**

**11B-804.3 Kitchen work surface.**

**REASON:**

The Division of the State Architect is proposing to amend this section to provide the requirements in Chapter 11B from the United States Code of Federal Regulations, 28 CFR Part 35, Section 35.151(f)(1) and Part 36, Section 36.406 (e)(1) for work surfaces in undergraduate student housing. Including this requirement in Chapter 11B provides that

this provision, that may be overlooked by code users due to the fact that it is in the 2010 ADA Standards for Accessible Design and not in the California Building Code, will be enforceable by building officials.

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## **ITEM 11B.42**

### ***CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING*** ***DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS*** ***11B-809 Residential dwelling units***

#### **REASON:**

The Division of the State Architect is proposing this code change in response to comments from code users who asked that one set of regulations be used for public housing projects.

The Division of the State Architect currently adopts Chapter 11A, Division IV, Dwelling Unit features for multifamily ground floor dwelling units with adaptable features. The Division of the State Architect is proposing to repeal the adoption of that section. The proposed code change provides for new sections, 11B-809.6 through 11B-809.12 in Chapter 11B.

The proposed code change relies on the provisions for the requirements in Chapter 11A, Division IV, Dwelling Unit Features as a foundation for Chapter 11B, Sections 11B-809.6 through 11B-809.12.

The scoping provisions for the number of ground floor units that are accessible with adaptable features is currently included in Chapter 11B and is carried forward. This code change proposal, if adopted would alleviate the need to refer to Chapter 11A for the technical provisions for accessible units with adaptable features.

The language in Chapter 11B, Sections 11B-809.6 through 11B-809.12 is written and formatted to align with the 2010 ADA Standards for Accessible Design that is used as model code for Chapter 11B.

Chapter 11A remains unchanged.

The Division of the State Architect has the statutory authority to regulate public housing and with this proposed code change, and the related amendments in other sections, Chapter 11B becomes the regulation to refer to in the CBC for accessibility in public housing projects.

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## **ITEM 11B.43**

### ***CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING*** ***DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS*** ***11B-812 Electric vehicle charging stations*** ***11B-812.3 Floor or ground surfaces.***

#### **REASON:**



The proposed changes to this section are for literal consistency with changes proposed for Sections 11B-304.2, 11B-305.2, 11B-404.2.4.4, 11B-405.7.1, 11B-502.4, 11B-503.4, and 11B-802.1.1.

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#### **ITEM 11B.44**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS**

**11B-812 Electric vehicle charging stations**

**11B-812.7 Access aisle.**

**REASON:**

Current California Building Code requirements do not directly address whether an accessible parking space and an accessible electric vehicle charging station may share an access aisle. Currently, California Building Code Section 11B-812.7.2 prohibits use of the “...blue color required for identification of access aisles for accessible parking...” – this language suggests shared use of the access aisle is not permitted.

The Division of the State Architect is not aware of any detriment to the shared use of the access aisle between an accessible parking space and an accessible electric vehicle charging station. The Division of the State Architect is proposing to explicitly state the access aisle may be shared, and the access aisle must be marked consistent with the requirements for access aisles at accessible parking spaces (Section 11B-502.3.3) – not access aisles at accessible electric vehicle charging spaces (Section 11B-812.7.2).

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#### **ITEM 11B.45**

**CHAPTER 11B – ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLIC HOUSING  
DIVISION 8: SPECIAL ROOMS, SPACES, AND ELEMENTS**

**11B-812 Electric vehicle charging stations**

**11B-812.9 Surface marking.**

**REASON:**

DSA-AC is proposing to change the term “parking space” to “vehicle space” for consistency with the terms used in Section 11B-812.

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#### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

None required; California Health & Safety Code Section 18928 mandates this proposed action.

### **STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

The proposed building standards clarify accessibility provisions contained in the 2019 California Building Code. Accessibility is required by the federal Americans with Disabilities Act and corresponding California statute and regulations; lack of consistent scoping and technical requirements creates confusion for code users, building officials, and building and facility owners.

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

The Division of the State Architect has not considered any reasonable alternatives to the proposed action.

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

The Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

**A.** The creation or elimination of jobs within the State of California.

The Division of the State Architect has determined that the proposed action has no effect.

**B.** The creation of new businesses or the elimination of existing businesses within the State of California.

The Division of the State Architect has determined that the proposed action has no effect.

**C.** The expansion of businesses currently doing business within the State of California.

The Division of the State Architect has determined that the proposed action has no effect.

**D.** The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The Division of the State Architect has determined that the proposal establishes the minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

**ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

The Division of the State Architect estimates that the cost of compliance with these proposed regulations will be minimal. Clear and consistent scoping and technical requirements benefit code users, building officials, and building and facility owners.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

The regulations proposed for adoption do not duplicate or conflict with federal regulations.