# Access Code Stakeholder Forum October 24, 2022

**Brad Morrison:** That's why we have, oh, a bit over 10 participants as far as I can see right now but would like to start the meeting. Welcome to the DSA public meeting, on the current change proposal to the building code. I'd like to welcome you all. We'll start off today's meeting with introductions of staff by Eric Driever, our principal architect. And Eric, why don't you go ahead and start that and I'll follow up with some more information.

**Eric Driever:** Thank you Brad. I'd like to start today by welcoming everybody to this intervening code cycle and appreciate your attendance at this public meeting. Joined with me today are Derek Shaw, Supervising Architect for accessibility with DSA headquarters. Derek, would you like to introduce yourself?

**Derek Shaw:** Good morning I'm Derek Shaw, Supervising Architect with DSA headquarters. You'll see my face throughout the bulk of today's meeting as I'll be doing a large portion of the presentations here. And with my staff today, we have Michelle Davis, Senior Architect. She'll be also presenting some of the items today as we get into that portion of the meeting. And we also have Katie Iverson on staff providing excellent assistance, as does Jessica, providing great assistance and helping us to get these meetings, up and available to the public. Thank you.

**Brad Morrison:** Great thank you. Thank you everybody. Let's start off with a little bit of information about, Derek, can you zoom down to our agenda? We'll talk a little bit about the agenda. I'd like to welcome the members of the public to the meeting. And, what we'll have you do is introduce yourself, prior to making your comment, just a quick introduction of who you are and what your role is in this process and, that would be a great way to kind of introduce yourself as we move the meeting along. As you can see, we have our agenda is sort of light on the front and heavy on the back. We have 17 code change proposals today that leaves us with about 18 minutes per proposal, to get through 'em, you know, as the day goes on. So I just want you to all to be mindful as you make comments on the proposals to be mindful that we do have some time restrictions. Although there is no end point to this meeting, we can go into the evening if necessary. Just be mindful that we're all trying to get through these here, give 'em a good hearing, answer as many of your questions as possible. But also to move the day along as efficiently as possible. So just bear with us as we move through the agenda you can see we have a pretty thorough list here on the left, with several items of that may be of interest. And so we wanna be able to make sure and capture as many public comments as we can. And you'll notice on this list on the left there's a notation down at the bottom where written comments can be sent so if you could, if you'd really like to make a strong and thorough comment of some kind, while we would encourage you to say it as part of the public forum you could also maybe be more complete in your comments if they were in writing. So be sure to go ahead and use that link there and leave your full comments at your discretion. And just to let you know we will not be monitoring those comments during the meeting. They're really much more as part of the public record and really like you to spend the time on getting it, getting your questions asked and the way you'd best like to see them. So just wanna encourage you to recognize that and recognize there is an opportunity there to submit thorough comments on each agenda item that you choose.

So what we would like to do is just to talk a little bit about what today's meeting is gonna be like. As I mentioned, it's gonna move along pretty quickly because we do have so many code change proposals. So just to keep you abreast of that we'll probably be looking at a goal of, say 18 minutes per proposal. We may go over that depending on the content and we may make up time on items that aren't as significant. So there's no way to really tell yet so we're just gonna sort of leave it open right now and kind of move through the day as best as we can. We're targeting a lunch break that lunch break will be for an hour, and we're targeting one o'clock to start that break. So just to let you know that's where we are. It may be that we start it a little earlier if the agenda works in that direction, it may go a little later it's hard to say at this point, but we'll try and make a natural break when the agenda item is either finished or before the next one begins just to make sure we maintain continuity throughout the day. So just to let you know that that's what we're thinking there.

Also, we have a public comment period at the end of the meeting in allowing three minutes per speaker for public comments at any item that's not on the agenda. You can make comments about other items of interest to you but that time period is really for the items that are not listed on the agenda or maybe comments that you thought of after the agenda item has been heard and moved on to another. So we'll allow that time at the end of the meeting. We'd also asked you to respect that time goal for the, we're not holding you to a strict limit during the comment period during the proposal discussion, but we'd ask you to keep that three-minute goal in mind. I'm using some high tech three-minute timing here this, I'll have you know this is and antique of the old days of long-distance telephone calls when you try to keep 'em under three minutes from the telephone company. But I just wanna let you know I'll be timing the three-minute conversations and I'll let you know, I'll give you a prompt if we're getting close to your timeframe. Okay? All right.

So other things to know today what we'd like to, we'll try and aim for bio breaks at certain points. I think this morning's discussion we're gonna move right through and we'll probably look at a break in the afternoon and the second session but I think we can move on through to the first section. But we will kind of go as we can. Okay. We'll go as fast as we can, and hopefully you can take care of that on your own. And in some cases we may receive your comments without any follow up comment back. So just to let you know that we're trying to be as receptive as possible and to gain as much of this as we can on the recording and so we will go from there. Okay, and I see Eric has a question. Eric, you wanna come in or the question or a comment.

**Eric Driever:** Thank you Brad. I'm not sure if it was mentioned or not, but, if we do have comments, use the raise your hand function and Katie and Jessica will ring you in. And then if we don't, if we have folks that are calling in I believe it is pound two, correct?

**Brad Morrison:** Correct.

**Eric Driever:** And again, Katie and Jessica will cycle through those comments either I guess by phone number, if that's all that's listed, or by name if that happens to be listed on the phone number.

**Brad Morrison:** Great. Thank you, Eric. And just a reminder to check your hand button once you're off the line so that we're able to kind of keep up who has their current hands up so we may send a reminder in if we don't see you respond to our call for that. So just to let you know that. Also request that you stay on mute for the time that you're not speaking. Just to avoid background noises coming in, we may have to remind you that should we hear any noises coming in while the meeting's going on. Okay. Thank you for that.

And just to elaborate a little bit on the pound two, this is for a call-in folks who are not able to view the screen or just using a phone line to call in and the system we're using requires pound two to raise your hand and be identified as a person with a question. This is different from the star nine function that's normally associated with Zoom so just to let you know, it's pound two to get that that, question into the queue for the answering. Okay. All right. So as we move forward we'll go to Derek for the beginning of our discussion, and we'll be checking in with you throughout the day. So here we go, Derek, you wanna take on the next step?

**Derek Shaw:** Great. Well, thank you very much, Brad. I'm Derek Shaw and I'll be presenting and along with Michelle Davis, we'll be presenting the draft code changes that have been distributed. They're posted online right now on DSA's website and they did go out with the meeting agenda announcements.As we go through this we'll try to make reference to the page of the code change package of documents. It's a rather lengthy document but we are going to be going through them in the order that they are composed within the DSA code changes document. Okay?

So our first item that we're going to address, the first group of items are related to all-gender toilet items. These items are being proposed in coordination with other code change proposals by the Building Standards Commission and by DSA for alterations to the California Plumbing Code, which will allow multi-user all-gender toilet rooms as an alternative to regular compliance with the requirements in the plumbing code, which call for separate male and female toilet facilities.

Now our proposals don't require all-gender toilet rooms, multi-user all-gender toilet rooms. However, when they are provided then these proposals will kick in they'll provide appropriate guidance for the scoping, as well as the technical requirements for privacy compartments. Now, privacy compartments can be, and we've received, over the last months as we've had other focus groups and public meetings for the California Plumbing Code, we've received plenty of feedback that the issue of establishing privacy compartments is very important in unisex toilet room facilities.

So what we have here with our first item, 11B-213.2.4, I'll go ahead and show the text of our current draft. But within the existing language of section 11B-213, DSA is proposing a new scoping section 11B-213.2.4 to address multi-user all-gender toilet rooms where multi-user, all-gender toilet rooms are provided they shall comply with section 11B-213.3.1. When we look a little bit further down on this same page 11B-213.3.1, this is new language that amends the current code language that now allows us to distinguish our scoping requirements to acknowledge the a condition where only toilet compartments are provided then they shall comply with section 11B-213.3.1, and where both toilet and urinal compartments are provided they shall comply with section 11B-213.3.1.2 and all toilet and urinal privacy compartments shall be identified by a sign complying with section 11B-216.2. Current language in the code, which is [recording interrupted]

We're not proposing any amendments, except for renumbering the section number. So this paragraph on toilet compartments is already in the code it's been operational for a number of years. What we are proposing to add is this new section 11B-213.3.1.2 for toilet compartments and urinal compartments. So in this case we've carried forward a lot of the same scoping requirements as far as percentages of accessible toilet compartments that are required, with the discussion for the plumbing code on all-gender facilities we're also looking to address a relatively new concept in the code, and that's the issue of urinal compartments. Now at this point, and historically urinals have not generally been located in compartments but rather in an open space and typically provided with partition wing walls or wing panels that are on both sides of the urinals and project away from the wall for a about 15 to 24 inches depending on the design.

As I mentioned earlier, the privacy issue is a very big issue with all-gender multi-user toilet rooms. And so we needed to propose new requirements for urinal compartments since we don't currently regulate urinals within compartments in the code. So what do we have here? So we've got where both urinal toilet where both toilet compartments and urinal compartments are provided at least 5% of toilet compartments, but no fewer than one shall comply with section 11B-604.8.1, and 5% of the urinal compartments, but no fewer than one shall comply with section 11B-605.1. In addition to the toilet compartments required to comply with section 11B-604.8.1 and urinal compartments required to comply with section 11B-605.1 where the combination of urinals and water closets totals six or more fixtures, toilet compartments complying with section 11B-604.8.2 shall be provided in the same quantity as toilet compartments required to comply with section 11B-604.8.1. Okay, so I think the first portion of this paragraph is pretty straight forward. In the first sentence, we are reiterating some of the existing requirements that we have for toilet compartments and that being that the percentage of toilet compartments that are required to comply with section 11B-604.8.1. And just for quick reference, those toilet compartments complying with section 11B-604.8.1 are what I might refer to as accessible or wheelchair accessible compartments. And then the first sentence goes on to say, and 5% of urinal compartments, but no fewer than one shall comply with section 11B-605.1.

We'll go ahead and take a look at the details of 11B-605.1 in a little while as we get to that item in our first group of items. But for now, just understand that these would be referring to accessible urinal compartments, and that this sets the percentage required at 5% of the total number of urinal compartments provided within the room.

And then we get down to the to the last sentence of this paragraph which is quite similar again to language we have existing in the code right now. And that being the language which identifies what we call the additional water closet compartments for ambulatory, for ambulatory use, ambulatory toilet compartments. These toilet compartments are already required under the existing requirements and the purpose of those compartments is for people who have greater, who don't necessarily use mobility devices that need the much larger, mobility compartments or wheelchair accessible compartments but rather can rely on the provision of grab bars on both sides of the ambulatory compartments to provide assistance. Okay. So that's a quick overview of the language that we're proposing under 11B-213.2.4. Brad, if you think this is a good time we could address any questions or comments on this item.

**Brad Morrison:** Okay. Let's hear. Were there, any members of our audience that would like to comment on this item? Please raise your hand and we'll call your name.Or if you'd like to hit pound two that would also get your question up there. Okay. I see we have a question. It must be Gene. Gene would you like to go ahead?

**Gene Lozano:** Just for clarification, the toilet and urinal compartments, those will be just the traditional partition and not an actual private room compartment area.

**Derek Shaw:** The language that we have in the sections of the code that we're currently discussing, are, would be applicable to compartments. Now they do not indicate that a private room needs to be provided. We need to understand that toilet compartments as we've traditionally known, often are fabricated by pre-manufactured partitions surrounding the accessible toilet compartments. But just as well the other non-accessible toilet compartments are also surrounded by toilet partitions. Now, sometimes the toilet compartments are fabricated from framed walls and drywall in instead of the pre-manufactured panels that are often used but in either case, we would still refer to those as toilet compartments. The new concept here is urinal compartments and those could certainly be fabricated with panels, partition panels, but they could also be fabricated with framed walls on the sides. Now the language here is set to apply to not only the all-gender, multi-user toilet rooms, but it also will apply to where a building owner or operator would choose to provide privacy compartments instead of the more traditional style of compartments that have an open space, typically near the floor and an open space near the ceiling. Okay. The privacy compartments are generally going to be full floor to ceiling heights.

**Brad Morrison:** Does that address your question, Gene?

**Gene Lozano:** Yeah. I still have my concerns that there isn't going to be in an all-gender facility, the privacy where you have a partition that does not have any gaps where the, between the panels on the sides or above or below so there's still that concern. And I heard clearly that the toilet compartments will have a tactile sign complying with 11B-703 and will that also apply that signage in the all-gender restroom, the urinal private compartments, will they also have that signage to identify them from to make the distinction between the urinals, private ones from the toilet compartments?

**Derek Shaw:** In those toilet rooms that are provided with both toilet and urinal compartments? Then yes, they would all be, all of the toilet and urinal privacy compartments would be required to be identified with a sign complying with section 11B-216.2.

**Gene Lozano:** Okay. Thank you very much.

**Brad Morrison:** And Gene I'd like to point out that we have a public comment period, following the agenda items today, and you could weigh in there on the first issue that you mentioned which has to do more with the privacy conditions that aren't a part of this code proposal. So that's what we have that time for. So if you wanna weigh in there and leave an extensive comment there we can accept it at that time. Okay?

**Gene Lozano:** Okay. Thank you.

**Derek Shaw:** I think just for additional information on that issue, I probably should have included this in my response to Gene initially, but within the plumbing code, I believe that's where they are discussing the requirement for the privacy compartments. Now, the privacy compartments are intended to have to eliminate the visual gaps between the panels above the panels, you know, between the panel and the ceiling and below the panels be between the bottom of the panels and the floor. That's going to be done with different types of attachment hardware when panels are used including, I think, full length hinges and probably some sort of gasketing but of course where framed walls are used, then that, eliminates the issue of gaps between the pre-fabricated partition panels.

**Brad Morrison:** Great. Thanks Derek. Thank you, Gene. And Gene, don't forget to lower your hand when you're done, okay?

**Gene Lozano:** Oh, okay sorry.

**Brad Morrison:** It's okay. Thanks a lot.

**Eric Driever:** Brad, if I may

**Brad Morrison:** Go ahead, Eric, yeah please.

**Eric Driever:** Yeah, thank you. Gene, thank you for your comment. I would reiterate what Derek mentioned that the definition of privacy compartment is going to be contained within part five of the CPC and currently does indicate that no gaps are allowed. That would include not only full length hinges, full length brackets, but also a lapped condition at the door strike side as well. And so the intent and the language of that definition suggests no gaps for privacy.

**Derek Shaw:** Great thank you, Eric.

**Brad Morrison:** Yeah, thanks Eric. Okay. Any other comments on that issue? Okay. Hearing done. Let's move on to the next one, number two.

**Derek Shaw:** Okay. So we're gonna move on to the next item that's, Chapter 11B section 11B-213.3.3, and that starts on page seven of your code amendment package. Here what we see in the suggested text of the proposed amendment, we see amendments to the current language in section 11B-213.3 that's the current language in the building code we're proposing to amend a currently existing paragraph 11B-213.3.3. Currently, this doesn't acknowledge the concept of providing urinals within compartments. However, the existing language simply says where one or more urinals are provided at least 10%, but no fewer than one shall comply with section 11B-605 in other words, accessible urinals. We're proposing to add the new language, which says where one or more urinals are provided in privacy compartments at least 10%, but no fewer than one shall comply with section 11B-605. So here we're adding language that makes clear that when the urinals are provided within the compartments, that the same percentage of urinals that are provided within compartments must be accessible in the same percentage as is currently required in the code. Okay it's a pretty short and brief presentation on this item. So I think Brad, we can move on to questions and comments.

**Brad Morrison:** Okay, great. Thanks Derek. Okay. Does anybody have any questions on this item?If you'd like to ask a question, remember to just to use the raised hand function at the bottom of your screen.Okay. Not hearing any. So let's move on to the next item, Derek. Thank you.

**Derek Shaw:** Okay, great. So the next item that we see on the list here, item number three, that's gonna be in Chapter 11B section 11B-604.8. And in the code change packet for today's meeting, that item starts on page nine of the code package. And we've got that queued up on the screen now. So for this item we're working within the technical requirements for water closets and toilet compartments in section 11B-604. Under that section we are proposing amendments, both addressing toilet compartments as well as ambulatory accessible compartments. And both of these items are pretty, well they're nearly identical in what we're proposing. We're proposing to add the explicit requirement for a privacy latch within the wheelchair accessible compartments in section 11B-604.8.1.2 and additionally proposing to add the explicit language requiring a privacy latch at ambulatory accessible compartments. And for that one, that's in section 11B-604.8.2.2. Now, privacy latches are commonly provided I would say most, if not every, well, most if not all, toilet compartments are provided with privacy latches that simply allows the user to latch the door after they've entered the door, they can latch the door so that other people don't come into the compartment while it's in use. Okay. So this we don't think we'll have any economic effect on the provision of toilet compartments, either in the wheelchair accessible compartments or the ambulatory accessible compartments that are within our authority to regulate. This language does not address the non-accessible compartments, and that's simply outside of our authority to regulate as we interpret our authorities. So with that, Brad, I think we can open it up for questions and comments.

**Brad Morrison:** Okay. Thank you, Derek. Okay. Any, any discussion on item number three? Just go ahead and use the raise hand function at the bottom of your screen, your control panel there. Okay. I'm not seeing any questions. Let's go ahead and move on to item number four, Derek. Thank you.

**Derek Shaw:** Okay. That's great. That's great. Okay, so item number four is addressing, Chapter 11B, section 11B-605. This item begins on page 13 of your code change packet, and this one is going to address urinals and the bigger picture on urinals is that we're addressing conditions where urinals are located in privacy compartments. Okay? And so what we've done is first of all we've, I'm gonna go to the bottom portion of this we've added a new section 11B-605.5, and a subsection under that at 11B-605.5.1 and these are the proposed technical requirements for urinals that are located within privacy compartments. Before we get to a detailed discussion of those requirements, I'll come back up here to the top of this section and under section 11B-605.1, we are noting amendments that similar to our scoping section that we were discussing in 11B-213.2.4, we now want to make sure that we explicitly address the scoping requirements for urinals located in privacy compartments in addition to maintaining the existing language for urinals in general since that is certainly another viable option of the method of providing urinals it's somewhat inconsistent with the concept of privacy compartments. But, so what we've done is we've amended the existing language that would be if adopted it would say urinals not located in privacy compartments shall comply with sections 11B-605.1 through 11B-605.4.

And then we go on to add the new language, talking about urinals located in privacy compartments. So we say that urinals located in privacy compartments shall comply with sections 11B-605.1 through 11B-605.5, and all urinal privacy compartments shall be identified by a sign complying with section 11B-212.6. So again we come back to that concept of where urinals are provided within privacy compartments that we are gonna require the identification sign at those compartments and the reason we didn't really address that earlier on the earlier item, but, the reason, that it is really necessary to have identification signs for those types of facilities where all of the fixtures, the toilet fixtures and the urinal fixtures where all of them are located within privacy compartments you can imagine that as you enter the room, and you'd like to utilize the urinal compartment or the toilet compartment, that all you may observe from the common space of the room is a series of doors, that don't give you an indication of what is on the other side of the door and hence the proposed language to require identification, by a sign outside of the urinal compartments.

Okay now let's get to what is a little bit more detailed portion of this item, and that's 11B-605.5 urinals in privacy compartments. Here in this first paragraph, we are establishing the clear space or the maneuvering space within the urinal compartment and we say accessible urinal privacy compartments shall provide a maneuvering space in front of the urinal fixture, 66 inches minimum wide and 48 inches minimum deep. And so that reflects the width requirement that we already know exists with regard to toilet compartments, we know that under the ADA standards and the California Building Code, that within toilet compartments where you have a partition or wall that goes all the way to the ground and does not provide the additional toe space beyond the compartment side wall, that, 66 inches would be required in those conditions.

Currently with regard to accessible toilet compartments where wheelchair accessible toilet compartments are provided with adequate toe space at the side walls, toe space under those side partitions, then those compartments can be 60 inches in width. But here because we are talking about privacy compartments, we have incorporated the additional six inches of width. So we have the width requirement of 66 inches and then additional 48 inches minimum in depth in addition to that, we are requiring a turning space complying with section 11B-304 shall be provided within the privacy compartment. Now, there are two types of, or two configurations of turning space that can be utilized. Of course there is the 60 inch diameter circle turning space, and there is the T-shaped turning space. Either one of those would be certainly appropriate to use within a privacy compartment for a urinal. I will point out that if one selects the 60 inches diameter turning space that likely the depth that would exceed the minimum of 48 inches that we are requiring there. However, if one chooses, if the designer chooses to utilize a T-shaped space, then it is possible to include that T-shaped turning space and still provide the minimum depth requirement that we see in the first sentence.

Okay, now we get onto the next subsection and this is regarding the doors for urinals in privacy compartments. That's section 11B-605.5.1 and here we say 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 door 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 have 54 inches minimum from the rear wall. The door shall be self-closing and have a privacy latch. Door poles 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. We also provide an exception that says when located at the side of a urinal privacy compartment, the compartment door opening shall provide a clear width of 34 inches minimum. Okay, now let's take a look at that language in more detail. Okay. So first of all, please understand that a lot of these requirements are they do mirror or mimic the existing requirements for compartments at, wheelchair accessible compartments for toilets. And so here in the first sentence we have language that is generally consistent with the current requirements for doors allowing entrance into wheelchair accessible toilet compartments and that being that there is a requirement for clearance as one approaches the door the current requirements for the wheelchair accessible toilet compartments and the proposed requirements for urinals and privacy compartments will both require 48 inches minimum in width measured perpendicular to the door in its closed position. Okay now the stipulation here in the second sentence that doors shall be located in the front partition or in the side wall or partition that's identical to what we see in the toilet compartment. And then the following sentence talks about where that door needs to be located. So where it's located in the front partition, the door opening shall be four inches maximum from the side wall or partition farthest from the urinal. And I'd like to talk about that last phrase there, farthest from the urinal.

Now we've included this phrasing within this draft however, we know that there probably are some open issues regarding this phrasing. The phrasing makes really good sense when we're talking about the context of the compartments at wheelchair accessible toilets because for toilets the toilet is required to be located 18 inches, excuse me, 17 to 18 inches from the side wall or partition. And then what that leads to is a wider space on the opposite side of the toilet. Now with urinals, we don't have that same provision that requires the urinals to be located to one side or the other of the compartment so it's quite possible that the urinals may be located right in the center. And now, so the open question I think that we've been discussing at DSA is what does that mean when we start talking about the door, that the door opening shall be four inches maximum from the side wall or partition farthest from the urinal, I think that's still an open issue that's still under discussion, but we'd certainly welcome comments or ideas about that issue. Okay and then the next sentence we talk about 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. Here, we still see the words farthest from the urinal we're talking about it in a different condition. You know, here we're talking about the door to the urinal compartment being located in the side wall or partition. So we want that to be as far away from the urinal as possible. Now, if we imagine that the urinal is in the front of the compartment and that, I'm sorry, I should probably give the example where it's located furthest into the compartment then we want the door to be located closest to the front wall of the compartment in other words, that wall of the compartment that is closest to the common space, because that allows easier maneuvering for somebody who uses a mobility device as they enter through the door into the urinal compartment and position themselves to use the urinal so there is, while we do have the similarity in terminology there, it has a different effect when we're talking about the door located in the front wall or partition versus the door being located in the side wall or partition. In house at DSA we didn't really have too many questions about the provisions in this sentence. In the next sentence we talk about the provisions for the door to be self-closing and to have a privacy latch those duplicate entirely the current requirements that apply to toilets located in wheelchair accessible compartments. So that just means that the door is gonna be self-closing that's generally provided through gravity hinges and not necessarily through closers that we might see on doors to an office or a room.

Okay we then have the additional provisions here in the next two sentences that are generally identical to those currently required for wheelchair accessible toilet compartments except that here we are requiring that at the urinal compartment. Okay and then the exception again, mimics the current requirements in the accessible wheelchair accessible toilet compartment and that's to make sure that the compartment door opening provides a clear width of 34 inches minimum. Now, typically in compliance with section 11B-404 a typical door opening minimum width is 32 inches. However, because of the need for additional maneuvering, which comes when a person enters from the side of the compartment it requires a wider door opening. And in this case, 34 inches is the requirement for the current requirements for wheelchair accessible toilet compartments and we are proposing to apply the same width of the door opening on the side wall to 34 inches as well. Okay. So I think with that, Brad, we can take questions and comments.

**Brad Morrison:** Great. Thank you Derek. Let's open it up for questions. Anybody would like to question, please use the hand function, raise the hand function on your control panel and we'll get you in. Okay, I'm not seeing any questions so let's go ahead and move on to item number five.

**Derek Shaw:** Okay, very good. So at this point we've completed items one through four which were our group of items that were addressing all-gender toilets and facilities and now we're gonna move on to another group of items that are somewhat related. For this group of items on parking and charging sign items, Michelle Davis, our Senior Architect at DSA headquarters, is going to present the next group of items. Michelle just let me know how you'd like me to advance through our draft code amendments.

**Michelle Davis:** Thank you, Derek. So for those of you who are following along with your own packet we are now on page 17 of the proposals. And, as Derek mentioned we are grouping these next three items, numbers five, six, and seven, because they are all related to signs found at motor vehicle occupancies where we have either parking or electric vehicle charging stalls.

Item number five is a proposal for Chapter 11B section 11B-216.5, and we are proposing to amend the scoping for signs to include electric vehicle charging facilities. Currently, the scoping only addresses parking and we treat parking and charging as separate types of features so including similar signs is required because later in the code these items diverge. What we are proposing is simply a language that refers code users to another section of the code for information on electric vehicle charging facilities. The new language reads signs identifying electric vehicle charging spaces and signs within electric vehicle charging facilities shall comply with section 11B-216.5. We then have added a new section to that, subsection, 11B-216.5.2. And this refers code users to another section for technical details, it reads electric vehicle charging spaces, signs identifying electric vehicle charging spaces shall comply with section 11B-812.8.We further amend the following section by renumbering it to 11B-216.5.3, and including we've added language to include electric vehicle charging in addition to the existing language for parking facilities. So we are calling out that both parking and charging will comply with the section.

We've gone on and continued to amend the subsections. And the next subsection is 11B-216.5.3.1. This is a subsection that is for signs intended for use by pedestrians, and we are adding that signs intended for use by pedestrians within parking and charging facilities including directional informational signs indicating parking sections or levels shall comply with the requirements of 11B-216.

The next subsection has also been renumbered and becomes 11B-216.5.2.3 it covers additional signs but there is no language change proposed. Only the renumbering to allow the previous additions. I think that is all for this section so we could open it up for comments.

**Brad Morrison:** Great. Thank you, Michelle. Appreciate that. Okay, so let's hear if anybody has any comments, please do so by, looks like we have Gene. Gene's coming up in queue. Anybody else have any comments just raise your hand while his comment is underway and we'll get you in next. Okay, Gene, why don't you go ahead.

**Gene Lozano:** Thank you. I would like to inquire if, well, let me backtrack the last time this item was brought forth I asked about inclusion, another site citation in 11B- 216.5.1 and that had to do with where it's saying that has to comply and it gives technical citations already in the proposal for complying. But I'd like to see why we can't also add that it comply with 11B-703.5 which is the visual character citation since we already have technical citations and referrals to other sections in this one. That's the first thing I'd like to comment I was wondering if there's anyone could give me a response on that.

**Michelle Davis:** Yes. Actually, the next two proposals are to give requirements for the lettering height which is currently absent. So we'll get there in just a minute.

**Gene Lozano:** Well, I guess what I'm saying is right now you are making technical referrals to the other sections. the 502-5 five and the 11B-8 ... I'm having a problem breathing I am having some numbness in my fingertips. My point is you are already, yes, you are providing references to other parts of the code and I don't want to get into those right now cuz this is off topic, but right here is provide the reader in the scoping language all the technical referrals and that includes the 11-703.5 so they clearly understand that these signs are going to have to comply to that requirements for the visual characters. Well if this is what's done in other parts of the 11B-216 you have other scoping language and you have direct references to the 11B-703 wherever it's appropriate. So it would just seem to be consistent and wouldn't I don't see it being a problem doing it right up front.

**Michelle Davis:** Okay.

**Gene Lozano:** My organization, the California Council the Blind, feels strongly that the technical reference should be included here too.

**Michelle Davis:** Okay. I've made note of that. Thank you, Gene

**Gene Lozano:** Okay then also in the, 11B- 216.5.2 would like to see that also that citation reference to 11B-703.5 to be added there and going to 11B-216.5.3.1, it seems to be, you know, since you have a reference to 11B-216 that should be covered. But 11B-216.5.3.2 do have the technical reference to another section and feel that this is another appropriate place to put the reference to 11B-703.5 and I wish I could be more specific, but unfortunately I can't feel my braille notes, so I apologize and I'll try to work on giving something in writing. Thank you.

**Michelle Davis:** Thank you Gene.

**Brad Morrison:** Yeah, thank you Gene that's a great suggestion about giving something in writing. But I think you've done a pretty good job though, indicating the ones that you're interested in amending there. So thanks for your comments I appreciate it. Looks like we have Timothy McCormick. Tim, come on in.

**Timothy McCormick:** Hi Bradley, thank you. I just wanted to offer something for Eugene to consider about referring vehicle related signs to 703.5 and it's not normally done in the rest of the code it is a separate criteria when we're talking about science made for vehicles and there's good reasons for that and I think that we should be consistent in keeping the practice we have of some of the problems that can come up if we reference 703.5 have to do with character height of the signs. And we could actually have very small characters on these signs when they're low enough and sometimes they will be low enough to allow five eights inch characters if we use visual character [indiscernible], I think it's important we keep at least a one inch minimum. It would also mean that the higher signs would go to a two-inch lettering. So I think we need to understand we're talking about vehicles we need to have separate sign criteria because you have a moving person reading it in a car, and that's who they're designed for. I do think there are some things that can affect vision even for people who are able to drive, but I think that whatever those are whether it's glare and we should have language in there about glare, they should be specific for drivers and they should not follow the general 703.5 visual character requirements. And I think anything that fits in that category should be specifically stated. In the past, we've talked about having a certain letter size as a minimum one inch, usually for vehicle signs I think those are all important things, but whatever the criteria is, I think it would be, it would create more problems by referencing 703.5 than just simply stating what we want on vehicle type signs. So that's my input.

**Brad Morrison:** Great. Thank you, Tim, that was very enlightening, appreciate that. Gene do you have another comment?

**Gene Lozano:** Yes. I understand about the character issue, and that is be addressed in the other sections, however, we've gotta keep them remember that character, the visual character height is not the only thing. There is a lot more. There is the stroke width, the type of font styles. There's a lot of other aspects of it and it would seem that when we get to the other two sections, which deals the height, that measurement would negate whatever is in this 703.5, that whole table, it would override that. And that minimum one inch, which I'll get into, there's a problem with that height from a pedestrian as a, also as a moving vehicle driver approaching that. And the US Veterans Administration has some measurements for that, that differ from this. So I'll touch upon those in the other section. But, I, I think it's important to understand that there's more to 703.5, it covers many other aspects of visual characters. And those need to be made clear that those are to be met. Thank you.

**Brad Morrison:** Thank you Gene. Thank you for the clarification on the additional information there. Appreciate that. Okay. Other comments on this item? Okay. Hearing none, let's move forward. Go ahead, Michelle.

**Michelle Davis:** Okay. We're going to move to proposal item number six, which is found at Chapter 11B section 502.6 that is found on page 19 of the proposal packet. This proposal is suggesting an amendment to section 11B-502.6, which is the identification signs for vehicle parking spaces. And these signs are already required at a van accessible parking space are required to have language stating van accessible, but there is no letter height given for this sign. And so we propose to add language designating a letter height. The code language will now read: 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 currently there is no minimum height designation except as found in the table for visual characters at 11B-703. And because these signs are specifically to be viewed by drivers and not by pedestrians, we are clarifying the language of the height that is needed there and requiring a size so that the signs are consistent and it is not open to interpretation by designers and building officials. I think that covers the entire change, we are simply going from no language for a height to requiring one inch high letters. So if we have any question or comments now would be the time to bring them forward.

**Brad Morrison:** Okay, I see Gene is waiting here. So Gene, why don't you go ahead.

**Michelle Davis:** Great.

**Gene Lozano:** Oh, okay. The height here, and I guess I'm having a difficult time understanding the rationale when the signs would be a minimum of 60 inches off the ground and the table has a range that deals with 60 inches, what is the difference whether it's somebody sitting or standing? And it could be somebody that's standing, you know there are people that are short statured, but the point is, I understand minimum is one inch they could be higher than or height than that. But, as I was alluding to earlier, the US Veterans Administration in 2012 issued guidelines for parking facility structures and they have a minimum of one and a half inches for a pedestrian but they have, for signage for a moving vehicle, three inches. And larger may be more effective than just one inch is, you know, getting closer to something closer to two inches so that's more visible and maybe that can also help drivers. And there are drivers there with a variety of disability that do use will accessible vans and that do have, with adapted lenses they legally can drive though they have severe visual impairments and this would help the small percentage of people, it would be more inclusive of everyone and it would make signs more, you know, make a sign that is supposed to be, informing people of access that should be accessible. And this, there's no reference to 11B-703.5, and perhaps, it might be listing all the subsections and with the if you decide the exception to the height. And I think that's, 11B-703.5.5 I think is the subsection table that you're having, feel that is not applicable. But there are the other ones like I mentioned, stroke with and so forth that should be reference here. And so in both locations, in the scoping language as well as here in the technical place, that should have the reference to the signage for visual characters. Thank you.

**Brad Morrison:** Okay. Thank you, Gene. Michelle, could you respond to that before we go on to our next question?

**Michelle Davis:** Yes. I've made note, that the US Veterans Administration has additional guidance and so we can go look at that and, that the gene feels that we should also reference 11B-703.5. Did I get that correct, Gene?

**Gene Lozano:** Yes. And that's, if you wanna put the same note that is what the other item that you're gonna be bringing up the other item, it would be the same comments.

**Michelle Davis:** Okay. Thank you.

**Brad Morrison:** Great. Thank you, Gene, appreciate that. Okay, next up we have Jonathan Adler. Jonathan, go ahead.

**Johnathan Adler:** Hi, good morning. Regardless of what size is determined and I think it is an interesting thing to question whether one and a half inch might be more appropriate than one inch, I'm simply pointing out that the minimum size is not identified for the, for the $250 minimum fine sign and I've seen cities modify signs that were installed originally prior to the requirement they even put $250 minimum fine, by putting on stickers that are about a half inch high type. And so you can't see that even if you have 20/20 vision from your car. So there you have it.

**Brad Morrison:** Yeah thanks Jonathan. Appreciate that. Very helpful. Okay. Other comments on this item? And, just a reminder to lower your hand once you're done speaking. Jonathan, do you have another question? Oh okay, you're done. Okay, great. Okay, any other questions on this one? Okay, hearing none, we'll move on to the next item. Go ahead, Michelle.

**Michelle Davis:** Okay. The next item is number seven and it is found at Chapter 11B section 11B-812.8.7, which is page 21 of your packet. Very much like the last item as Gene noted, we are proposing to have a minimum lettering height at signs that identify electric vehicle charging stations. There is currently no lettering height requirement in the section we're proposing to change, 11B-812.8.7, and so it's left to a distance calculation from the division seven table, which can vary according to interpretations. So the suggested language that we're proposing will read, 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 space. So with that, I think we can open it up to comments.

**Brad Morrison:** Great. Thank you, Michelle. Okay, Gene I see you have a comment on this one. Go ahead.

**Gene Lozano:** Yes, and I'm not gonna repeat what I said just earlier, even though it applies to this area. The term, the word, letters, to be consistent elsewhere I think, I believe we should be using characters that are inclusive of letters and numbers, and I realize the text is just purely letters that's all it is but just to use the terminology that we've used throughout characters. And we've had discussions in earlier code changes over the term to use. So I'd say in both items, change letters to characters. Thank you.

**Brad Morrison:** Great. Thank you, Gene. Michelle, do you have any comments on that?

**Michelle Davis:** I'm making a note of that suggestion, so thank you.

**Brad Morrison:** Great okay, thanks. Okay. Other comments on this item? Okay, hearing no comments let's move on to our next one. Thank you.

**Michelle Davis:** Okay. We're now on item eight and this is where the items start to change a little bit from item to item and we have not grouped them, by topic, but instead, we'll now go back to the order they are found in the California Building Code. So item number eight is found at Chapter 2, section 202 and is the definition of a blended transition. This item is actually fairly simple. The current language for blended transition uses the slope in a percentage form and the rest of the code when it talks about slope the reference is in a ratio form. So we are proposing to amend the blended transition language to a ratio and it will read blended transition adopted by DSA-AC A raised pedestrian crossing, depressed corner, or similar connection that has a slope of one to 20 or less between a circulation path at the level of the sidewalk or walk and the level of a vehicular way. So the reference simply changes from 5% to one in 20 ratio, which mathematically is the same. And this is for consistency. So Brad, if you wanna go ahead and open this up for comment.

**Brad Morrison:** Okay, great. So we're changing the reference for consistency there into a ratio this point as opposed to specific requirement. So let's see if there's any questions out there. Raise your hand if you'd like to respond to this item. Okay not seeing any comments on this one. So Michelle, if that's it, let's move on to the next.

**Michelle Davis:** Okay, great. Thank you. The next item is found in Chapter 4, section 406, which is part of motor vehicle related occupancies. This section that we're proposing to change is 406.2.3 accessible parking spaces and we're proposing that it read where parking is provided accessible parking spaces, access aisles, and vehicular routes serving accessible parking shall be provided in accordance with Chapter 11A or Chapter 11B as applicable. This section currently references Chapter 11A, but does not reference Chapter 11B and since it covers all motor vehicle occupancy facilities, it is appropriate to reference both chapters as they're applicable to the project. So Brad we can take comments.

**Brad Morrison:** Okay, let's hear, any comments on this one? Number nine, Section 406.2.3. Okay I'm not seeing any comments. Let's move on number 10.

**Michelle Davis:** All right, great. The next item is item number 10, and it is found also at Chapter 10, Section 1009.8.2, and you can find this on page 27 of the proposal packet. This proposal is very similar to the last one in that we propose to change the wording of the section to include a reference to Chapter 11B. And the suggested text reads 1009.8.2 directions, and there's some text in there that is not changing, but the sentence that we do propose to change reads, signage shall comply with Chapter 11A Section 1143A or Chapter 11B section 11B-703.5 requirements for visual characters. So we're cleaning up this code reference to correctly identify both the chapter and the section. Do we have any comments?

**Brad Morrison:** If you do have comments, remember there's the raise hand function at the bottom of your screen.

**Michelle Davis:** Or pound two for the callers.

**Brad Morrison:** Or pound two, that's correct. Thanks Michelle. Okay, but I'm not seeing comments on this. So we are just flying through these. We're averaging about 10 minutes per item, so this is well ahead of our agenda. So I'd say let's take this point and move on to the next item and see where we go from there.

**Michelle Davis:** Okay, well, the next item, again, very similar to the previous two items, and this is found at page 29 in your packet and is a proposed amendment to chapter 10, Section 1010.1.4, exception five, and the exception will now read exterior decks, patios, or balconies that are part of adaptable or accessible dwelling units have impervious surfaces and that are not more than four inches below the finished floor level of the adjacent interior space of the dwelling unit. See also Chapter 11A section 1132A.4 or Chapter 11B section 11B-809.8 as applicable. For this proposed amendment we currently do not have a reference to Chapter 11B so we are proposing to add that language so that both Chapters 11A and 11B are referenced from chapter 10. Any comments or questions here?

**Brad Morrison:** Not seeing any comments or questions sounds like that was okay. Thanks, Michelle.

**Michelle Davis:** Thank you. And at this point, I believe we turn it back over to Derek Shaw.

**Derek Shaw:** Well, thank you, Michelle. Greatly appreciated. The next item is in Chapter 10 section 1028.5 this is regarding exit discharge. we also have a related item in section 1009 that we'll also be discussing.

**Brad Morrison:** Derek, can I hold you for one sec? Just one sec. We do have a question coming in from Timothy. Tim Thimesch, I'm not sure how to pronounce your last name Timothy but go ahead please.

**Timothy Thimesch:** Yeah. Hi. Thanks. Can you hear me?

**Brad Morrison:** Yes, loud and clear.

**Timothy Thimesch:** Yeah, I see that this is referencing chapter 10 and I'm quickly trying to find my chapter 10 in the code. Are we using an 11A reference to reference at an 11B reference, or I guess chapter 10 is in the general.

**Derek Shaw:** Tim, I can address that question. The Division of the State Architect access compliance does adopt some sections from chapter 10. Chapter 10 covers means of egress and a portion of the means of egress requirements are accessible means of egress. So, while we don't usually get too involved in the general means of egress requirements, we have a very significant interest in involvement in the accessible means of egress portion of Chapter 10. And that's what we're discussing here with this item.

**Timothy Thimesch:** Okay. I might have to come back and comment on this in the subsequent thing. It looks like to me, at my first quick read is that we're providing a steeper slope at balconies, not necessarily just for egress, but at balconies in general.

**Derek Shaw:** Oh, I'm sorry. I didn't realize you were commenting on the prior item.

**Timothy Thimesch:** I'm sorry. Yes, I was struggling to find my hand.

**Derek Shaw:** Okay. I do the same thing Tim.

**Brad Morrison:** Yes. Sorry, Tim.

**Timothy Thimesch:** Landings shall be level except for exterior landings.

**Michelle Davis:** Okay so for item number 11 which is found at chapter 10 also, section 1010.1.4. We are not proposing to change any of the slopes. That language is as existing it still remains at a quarter inch per foot, also known as a 2% slope. And we are only proposing to add the requirements at Chapter 11B in reference chapter ten's requirements are not as restrictive as Chapter 11A or Chapter 11B so we want to make sure we send code users to either of those locations as applicable for the additional requirements.

**Timothy Thimesch:** Okay my question here is gonna not sound very adept because I'm trying to contextualize this. I think chapter 10 is just purely egress but this certainly is not seeking to change. There's a reference to dwelling units, this is certainly not intending to change the threshold, for instance, the four inches on balconies, for instance, in transient lodging. None of that's being affected here am I correct?

**Michelle Davis:** You are correct.

**Timothy Thimesch:** Sorry, I was just only half listening to this one because I'm waiting for something else to come up and, so thank you. Thank you for explaining that.

**Michelle Davis:** You're very welcome.

**Brad Morrison:** And, and Tim, no problem on the raise hand, I think it's just in the last couple versions of Zoom that they started to break it out as a separate feature. So I've been sort of assuming that everybody could see it down there, if not you really have to go looking for it. Yeah, okay. Take care, Tim. Thank you.

**Timothy Thimesch:** I'll lower that now. Okay, thanks.

**Brad Morrison:** Okay. Sue Moe. Sue, come on in.

**Susan Moe:** Hello, good morning. I just had one suggestion for this where you're saying exterior decks, patios, or balconies that are part of adaptable or accessible dwelling units. If you take a look at the way that that's phrased in Chapter 11B there actually residential dwelling units with adaptable features and then 11A talks about accessible dwelling units. So I wonder if you might want to clarify that a little bit. So for purposes of 11B you can only use that section 11B-809.8 where you have residential dwelling units with adaptable features, you wouldn't be able to use that, say, in transient lodging or in other types of facilities. So like I said, my only recommendation would be that potentially you might want to clarify that terminology just a little bit so it's consistent with the way Chapter 11B reads for that section.

**Brad Morrison:** Great. Thank you, Sue. Appreciate the comment. Anybody else? Oh, Sue, don't forget to lower your hand. Okay. Anybody else have a comment on this one? Okay. Not hearing any more comments. Why don't we go ahead, Derek, you can queue back up to 1028 and we'll go on to that one then. Thank you.

**Derek Shaw:** Great. Okay, so our next item is in chapter 10, Section 1028.5, and this addresses the exit discharge. We will also be discussing additional language in section 1009, accessible means of egress. The basic, or the broader point that we're trying to address with these two items is that the current code requirements do typically require that the exit discharge as part of a means of egress that it shall provide direct and unobstructed access to the public way. There are, however, there is an exception to this that says where access to the public way cannot be provided a safe dispersal area shall be provided where all of the following are met, and then it provides some technical requirements for that. The idea is that a safe dispersal area may be provided in lieu of direct and unobstructed access to the public way. But when doing so that it needs to comply with these technical requirements. In general or frequently this type of safe dispersal area is utilized within educational buildings or campuses at educational facilities as well as at correctional facilities. And this allows the occupants of the buildings to safely egress from the building and to get away from the building that may be under an emergency event like a fire and they can travel to a point that's safely distant from the building where the fire or other event is occurring. And you can imagine that certainly in a detention facility or correctional facility we know the need not to allow the occupants, in many parts of the correctional facility to have full access to the public way since a lot of those occupants are detainees. At schools similarly, we have a safety issue for students at schools we certainly want them to be safely away from the building under the emergency event. Directing a few hundred students out to the public way could certainly introduce some risk and hazard to the student occupants of the building. So what we're doing with these two sections is first of all I'm gonna bounce back up to section 1009.2. What we're proposing to do is to identify safe dispersal areas as a component that may be utilized in establishing a required accessible means of egress. Okay? And so that makes it very, that would make it very clear to designers and building officials that safe dispersal areas may be utilized in conjunction with the exit discharge. And so we see, then coming back down to section 1028.5 here, DSA is proposing an additional requirement for this single exception under access to the public way, and remember that the exception, the single exception allows a safe dispersal area where access to the public way cannot be provided. And these numbered items are the conditions that must be met when utilizing a safe dispersal area. so I'll go ahead and go through the general requirements to which we don't have any changes proposed. And then I'll address our additional element that we are proposing.

So the requirements that are currently in the California Building Code, under this exception, are one that the area shall be of a size to accommodate not less than five square feet for each person. Two, for other than group E buildings, the area shall be located on the same lot, not less than 50 feet away from the building requiring egress. For group E buildings, the area shall be located on the same lot, at least 50 feet away from any building. Three, the area shall be permanently maintained and identified as a safe dispersal area. Four, the area shall be provided with a safe and unobstructed path of travel from the building. Five, in correctional facilities the area shall be of a size to accommodate not less than seven square feet for each person. Accessible path of egress travel to the safe dispersal area and clear ground space for 5% of the occupants meeting section 11B-305.3 shall be provided. Now, that's the existing language in the code presently. To that, DSA is proposing to add a condition or a requirement number six, under this single exception, and the extra requirement here: at facilities regulated by Chapter 11B an accessible area within the space required by item one shall be provided for a minimum of 2% of the facility occupants served by the safe dispersal area. For each occupant, the accessible area shall provide clear ground space complying with section 11B-305. Accessible routes complying with Chapter 11B Division 4 shall connect the accessible area with all accessible exits served by the safe dispersal area. Okay, and so now for discussion of this item six here, we see initially in the first sentence that the space the accessible area is identified as being within the space required by item one up here. Now this is a five square feet per person sizing of the safe dispersal area, the minimum size of the safe dispersal area. And according to the International Code Councils code and commentary on utilizing this exception, they indicate that the five square feet per person is an aggregate requirement and that it does include greater areas within that calculated minimum square footage for the safe dispersal area. It does include and accommodate larger areas for people who use wheelchairs or for gurneys. So here we're just seeking to make specific what the additional technical requirements would be within that accessible portion of the safe dispersal area. Here we want to define the spatial area to provide additional features for the accessible portion of the safe dispersal area. So based on a calculation of 2% of the facility occupants then what we would require within the safe dispersal area is that for each occupant that the accessible area shall provide clear ground space complying with section 11B-305. Now that's the typical requirement for clear floor or ground space that requires a 30 inch by 48-inch space to be provided. Additional to that accessible routes complying with Chapter 11B Division four shall connect the accessible area with all accessible exits served by the safe dispersal area. The reason for this sentence is to make sure that any of the building occupants that are egressing the building and need to move from the building exit to the safe dispersal area that they may do so over an accessible route complying with Chapter 11B Division 4. Now, these are the existing requirements in Chapter 11B and so the requirements for, accessible routes are very well established, and have been for many years. But we wanted to make sure to be explicit in requiring compliance with those existing requirements. And further that we want to make sure that the accessible route does connect, the accessible area of the safe dispersal area with all accessible entrances served by the safe dispersal area. The concept behind that is that accessible exits served by the safe exit, excuse me, that accessible exits in the building that's being egressed are designed and intended to be available for use by people who use mobility devices as well as for the benefit of other disabilities that people may have. But here we wanna make sure that once an individual leaves the building through an accessible exit, that they can then proceed to the safe dispersal area along an accessible route. And so that's the basic requirement or the basic discussion I think of these two items that are being proposed. And so I think Brad, with that we can certainly open it up to discussion and questions.

**Brad Morrison:** Okay. Sounds good. I can see that we have Jonathan Adler. Come on in, Jonathan.

**Johnathan Adler:** Okay, so Derek, I like the concept behind everything that you spoke about. Just one section where I would submit you need to tighten the language.

**Derek Shaw:** Okay.

**Johnathan Adler:** In exception number six, in the second line where it says 2% of the facility occupants, that seems to conflict with number one, where it just says for each person.

**Derek Shaw:** Mm-hmm.

**Johnathan Adler:** And I think number one assumes that the size, five square feet for each person is based on the egress analysis of the facility. How many people would be going out a given exit, hence the size. Whereas, so it might be a small portion of the facility using therefore a smaller safe area. Number six is basically saying you have to provide a 30 by 48 footprint for all the occupants of maybe a giant facility. So do you follow what I'm saying?

**Derek Shaw:** I think so. So Jonathan, are you suggesting clarifying this introductory, phrase for each occupant and maybe something like,

**Johnathan Adler:** No

**Derek Shaw:** No

**Johnathan Adler:** I'm saying the line before it. How many 30 by 48 inch spaces are required pursuant to the proposed language. Seems to me that you're saying 2% of the entire occupancy of the facility

**Derek Shaw:** served by the safe dispersal area, yes, that's correct

**Johnathan Adler:** 2% of a thousand is a lot. And maybe that safe dispersal area is only serving one exit through which the calculations determine only a small number of people are exiting in an emergency. So you're creating space for people who may be a quarter mile away at a whole nother side of a giant facility. So I think you're overreaching in that statement 2%.

**Derek Shaw:** Okay. I would like to point out, Jonathan, is that it's not just 2% of the facility occupants, but that it continues on to actually those that are served by the safe dispersal area. So where we see the egressing analysis and a portion of the, occupants of the overall occupants within the building if a portion of them would be served by the safe dispersal area. We're really looking only to that portion.

**Johnathan Adler:** Yeah. Hold your breath. I'm guilty of reading only the first half of a sentence.

**Derek Shaw:** It was on the next page, so

**Johnathan Adler:** I take it back.

**Derek Shaw:** I'm glad we could talk about it.

**Johnathan Adler:** Lowering my hand.

**Derek Shaw:** Okay. Thank you, Jonathan.

**Brad Morrison:** Thanks, Jonathan. That was a good comment anyway., Thank you, appreciate that. Other comments on this item? Okay Derek let's move on to the next one. Looks like we have

**Derek Shaw:** Okay, good. So the next one we're gonna be looking at, Chapter 11A section 1150A and that item begins on page 35 of your code package for this meeting. And what we're doing here, this is a cleanup item. This is something that we erred somewhat in our previous rule making cycle and, and I'll just as a refresher or to inform people who weren't tracking DSAs access code proposals in prior cycles we've over the last several code change cycles, we affected a withdrawal of DSAs adoption of, Division 4 within Chapter 11A. However, we didn't accurately include the language in our code proposal packages at that time to fully rescind the adoption of Chapter 11A. So we got most of the job done, but this one needed some follow up and we're seeking to finish it up with this item. Also as background, we have current requirements in the building code in Chapter 11B that were part of that prior effort that do address the the site impracticality tests so we actually have already adopted the language within Chapter 11B that has been moved over from Chapter 11A. We just simply need to make sure that we don't, as we currently have in the code, that we don't have language in Chapter 11A and in Chapter 11B that address exactly the same issue, that being site impracticality tests. We would like the code users who are designing in compliance with Chapter 11B to only have to refer to Chapter 11B provisions. So for site impracticality tests we currently have those site impracticality tests we're moved to Section 11B-233.3.1.2.6, and to clean up, DSA is simply proposing to rescind our adoption of Section 1150A in Chapter 11A. So I hope that's clear. If this code change is adopted, then DSA AC will no longer adopt Section 1150A in Chapter 11A or the subsections. However, the Department of Housing and Community Development, of course, will still have adopted those sections and DSAs action has no effect on the Department of Housing and Community Development's adoption of those sections. So appropriate to Chapter 11A and that's addresses accessibility at housing in general. DSA requirements in Chapter 11B would address public housing. And so that's why we wanna make sure that for public housing, we've got all the code users and the building officials referring to one location. And that being Chapter 11B and specifically 11B-233.3.1.2.6. Okay. So Brad, with that, we can certainly open it up to comments and questions.

**Brad Morrison:** Great, Derek, that sounds good. Thank you for the clarification on this one. And does anybody have any comments on this? This technical change? There's no substantive change I think it's all the information is located in a different section now. It's just a removal of an item from a section of the code just to clarify. Jonathan, I see you have a question. Why don't you come on in?

**Johnathan Adler:** No, I do not have my hand up as far as my computer says.

**Brad Morrison:** Okay. Sorry, I thought you did. I thought I saw hand there for a sec. Okay. Are there any other comments on this technical change? Okay. Not hearing any Derek, why don't you go ahead on with the next one.

**Derek Shaw:** Okay so the next item we'll be looking at is in section in Chapter 11B now, and that's section 11B-233.3.1.2. The topic for this is residential dwelling units with adaptable features, and this item starts on page 37 of your code packet. Here what we're doing this is again related to our prior rule makings effort to withdraw our adoption of items in Chapter 11A and to move those requirements over to Chapter 11B which we did in prior code cycles. However, with this what we overlooked at the time was that the application that DSA had adopted in Chapter 11A necessarily was limited to facilities or buildings with three or more residential dwelling units. Now when we brought over the language of that is now in section 11B-233.3.1.2, we did not include that distinction of buildings with three or more residential dwelling units. And, that's led to a number of questions and difficulties in applying this requirement by build by designers and enforcing the requirements by building officials. And so what we are doing is we're correcting this language to accurately convey the same level of coverage that we had previously in our adopted sections in Chapter 11A. And so here we're just simply wanting to limit the provisions for residential dwelling units with adaptable features. We want to limit those two buildings with three or more residential dwelling units. In which case adaptable residential dwelling units complying with sections 11B-809.6 through 11B-809.12 shall be provided as required by sections 11B-233.3.1.2.1 through 11B-233.3.1.2.6. Adaptable residential dwelling unit shall be on an accessible route as required by section 11B-206, and then there's an exception that is provided. Brad with that, I think we can take comments and questions.

**Brad Morrison:** Great. Thank you, Derek. Okay, let's take anybody has any comments on this one? Use the raised hand function on the bottom, or if you're using an older version of Zoom, I think it's located in the participants tab if you wanna look in there. But so far I'm not seeing any questions. Derek, so why don't we go ahead and move on with the next, and if somebody comes in late, we'll stop everything.

**Derek Shaw:** Okay. Very good. Okay, so the next the next one that we'll look at is regarding Section 11B-249.1. And this is regarding adult changing facilities. This item starts on page 39 of your code change packet. Here, just to refresh everyone's memory who was with us at the time and to give us some overview of information for those that weren't at the time. A couple of years ago we proposed a new scoping section and technical sections in the code to accommodate statutory California statutory requirements that commercial places of public amusement provide adult changing facilities. Now, the statute on that had two different trigger points. The first trigger was for newly constructed facilities. And so at the time that we previously introduced the adult changing facilities language, we focused specifically on what statute required, and that was pertaining to newly constructed facilities. The second part of the statute, had a trigger point for alterations to existing commercial places of public amusement. And that trigger date was delayed from and different from the trigger date for the new construction. So the time is upon us now where we are adding to the scoping requirements here to require 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.

That's generally the same requirements that currently apply to newly constructed buildings or what we see the beginning of here in section 11B-249.1.1, where adult changing facilities are optionally provided. So we make reference in this new proposed language to section 11B-813 that's where we would find the technical requirements that have already been established in the building code for adult changing facilities. And with this would likely this would be our last scheduled change to this section to fully bring in the requirements from statute on this issue.

I think with that we can oh, there was actually one other side issue that DSA was still a little bit undecided on or unsettled on, and that's the language that we see here about estimated cost of $10,000. Now that language comes right from the statute. And, and yet costs can be estimated in a number of different ways. Our job as the state agency is to make specific the provisions of statute. And, so one of the approaches that we are contemplating right now is to use a more, to use a term that's more specifically defined in the current building code and with regard to accessibility in compliance with Chapter 11B. So that term would be adjusted cost of construction. I can probably pull that up with little difficulty if anybody would like to review that. But it goes into a great deal more detail about what is considered, the appropriate cost of construction for consideration on several other elements. So lemme go ahead and bring that up. Adjusted cost of construction or adjusted construction cost, excuse me.

Okay. So the existing definition for adjusted construction cost 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 fees. So here you can see we go into a great deal more detail and we believe that the level of detail that's provided here in adjusted construction costs which has served us well for quite a number of years especially regarding issues of path of travel requirements in alterations to existing facilities. We think there's a possibility that the language in the definition for adjusted construction cost may serve us better than the statutory language that we have drafted into this this draft of 11B-249.1.3. We'd certainly like to get some public input on that question as well as input or questions about this item in general. Brad, if we could open up.

**Brad Morrison:** Okay, let's hear. Looks like we have Sabrina Lockhart, jumping to the front of the line. Come on in, Sabrina.

**Sabrina Lockhart:** Hello. Good afternoon. Thank you so much. I'm the executive director of the California Attractions and Parks Association. So we represent large world renowned parks that have millions of visitors each year to small family owned businesses across the state. And I have alerted our members to this [indiscernible] that they're aware of the legislation and understand that this is a part of the timeline spelled out in the legislation. And we really appreciate you aligning the effective date to what's in statute. As we prepare for compliance, I've been getting some questions from our members about unique situations at their facilities, and I do appreciate you explaining the rationale between adjusted costs and estimated costs. I'll have to go back to my members and see what their input is about that, but I think having a little bit more specificity in general is helpful. But some of our members lease land from public entities like cities or counties or maybe a regional district park. So they're not the owners of public restroom facilities, nor are they responsible for the maintenance. And so they were wondering how compliance would work from that standpoint in that situation. And another question that I've gotten from my numbers is what if installing the changing tables creates clearance issues for accessible routes within a restroom and how would those two issues align?

**Derek Shaw:** Sabrina, I'm sorry but during the last portion of your questions and comments, there was some other crosstalk, I'm not sure if that was coming from your source or from other locations, but the effect is I'm pretty sure is that our caption capture of your comments has probably been distorted so much that we probably did not accurately capture your comments. Would you mind addressing that again? I hate to ask you to repeat yourself, but I think we wanna accurately capture your comments?

**Sabrina Lockhart:** No, I appreciate that. Can you hear me more clearly now?

**Derek Shaw:** We're still getting a lot of crosstalk. Are you in a room with other people talking?

**Sabrina Lockhart:** Yeah, I am. Hold on just ... is that better? Can you hear me more clearly now?

**Derek Shaw:** I can hear you much more clearly. Thank you.

**Sabrina Lockhart:** Okay. So there's two concerns really, some of our members lease land from public entities. So it's not on private property they're the leaser of from a county, maybe a city or regional park district. And so they're not the owners of the public restroom facility and they don't maintain the facility. So they're curious about how compliance would work in situations just such as that.

**Derek Shaw:** Well, I think probably I would ask a clarifying question. When alterations to existing commercial places of public amusement occur, and that alteration is initiated by the operator, are any contemplated alterations carried out in coordination with the owner and under their, permission?

**Sabrina Lockhart:** I'm not certain that was the direct feedback that I got from a handful of our members, but I could certainly go back and email you with their response. But they were not familiar with any other requirements similar to this so they didn't have any suggestions on how this could work operationally.

**Derek Shaw:** Well it seems to me, although not stated in statute, so I'm looking at it from other comparable code requirements in Chapter 11B but it seems to me it's somewhat similar to the condition in say an office building or a shopping center where you have an owner of the overall shopping center or building office building, and that portions of the office building are leased to different tenants. So you have that same relationship between the tenant, the business operator, and the owner of the overall building or facility. Now typically we would require any alterations to a tenant space to comply with the building code, certainly but knowing that there are other shared facilities that may be located in commonly used spaces of a shopping center or in office building, quite often there is an agreement between the owner and the facility operator, or the tenant in my examples, that identifies and distinguishes the responsibilities for providing the accessibility. Now my understanding, I'm not an attorney, I'm an architect, so I'm not qualified to give full legal interpretations at all but my understanding of the requirements under the Federal Americans with Disabilities Act is that accessibility provisions and the responsibility to provide those are actually shared by a tenant and the building owner. But I think that's an issue that your organization, Sabrina, may want to look into and see how that might apply to the the conditions that you describe where the operators are leasing space from a government entity.

**Sabrina Lockhart:** Okay. Thank you. That is helpful. And, and I dunno if the same budgeting constraints are available for a privately owned facility versus a publicly owned facility, but I will certainly alert the members impacted by that, so thank you. And then the second question was how this interacts with clearance issues for accessible routes. And if you could just explain how those two would align if installing the changing table would create some access issues.

**Derek Shaw:** Okay, well we do have the accessibility requirements in section 11B-813. I'd like to bring that up so that we can refer to those. Give me just a moment, please. Here we are. Okay. So the current requirements for adult changing facilities, the technical requirements are located in section 11B-813. And here we have a lot of very detailed requirements these were vetted not only through a focus group that was dedicated to exploring the requirements the necessary features for an adult changing facility. We went through a series of meetings within the focus group as well as more broadly attended meetings with the general public on the issue. And so part of the technical requirements that were created talked about the location and the features that would be required within an adult changing facility. Well, I guess first of all the location in 11B-813.1 says that adult changing facilities shall be provided within a unisex single user or family toilet room, or other similar private room. So we start to get some idea of where these facilities need to be provided. There are certainly a lot of issues that do address space requirements there. In fact, we don't say precisely how large this space will be, but we do address in great detail the requirements that we have for elements provided within the space. We have the adult changing table of specified sizes. There are clearances that are required around the adult changing table, and then there are some requirements on the height and operation of the adult changing table and the capacity, the weight capacity of the table.

We, we also have a provision here indicating that when deployed changing tables shall not obstruct the required width of an accessible route except as allowed by section 11B-307.2. Now that's because some adult changing tables will fold up and when they're not used, then more space is available with the room, within the room but when they are in use or being prepared for use then the table can be deployed. In other words, made horizontal so that it's ready for use. And of course in that kind of an arrangement when it's deployed, it's going to impact the space within the adult changing room, more than when the table is stowed and awaiting deployment.

So these provisions would apply to alterations of places of public amusement and would need to be complied with. Additional features of the adult changing rooms are the requirement for a water closet, a toilet. You know oftentimes the adult changing function is closely associated with a person people passing their waste and changing into fresh garments. And so a water closet would be necessary, a lavatory, a hand washing sink and a waste receptacle as well as coat hooks, shelves, other accessories. And then we get down to requirements for space within the room. Within the room a turning space in compliance with Section 11B-304 is required. We clarify that clear floor spaces, clearance at fixtures and turning space are permitted to overlap. We have requirements for the door swing and how much that door swing can encroach into the required turning spaces. And then the requirements for privacy latch and signage. Those would all apply where the requirement in an alteration to an existing place of public amusement triggered the provision of an adult changing table under our proposed requirements and regulations.

**Sabrina Lockhart:** Thank you. I appreciate that.

**Derek Shaw:** You're welcome.

**Brad Morrison:** Oh, thank you Sabrina, we appreciate you bringing your members' comments forward. And if you do have any additional feedback from the membership please refer it to our you know, website mailbox down there where we can take those comments at a later time so you can have your members forward their comments or you can forward members' comments down there and we'll be able to pick them up after the meeting. That way we can still hear your feedback, but we do appreciate that. Thank you very much.

**Sabrina Lockhart:** Thank you. And is there a deadline for submitting comments?

**Brad Morrison:** Yes, you'll see on the left side of the screen, Derek has highlighted a area in gray with a little website address down there. And that's for feedback comments. That website is also located on the first page of the public meeting notice you'll see it at the very bottom, right above the term agenda. And you can send in to that website. As I said earlier, it's not monitored today, but somebody will be picking up those comments after the meeting and in the days following. So to go ahead and send anything you have there and we'll be sure to capture it as part of the record here. Okay?

**Sabrina Lockhart:** No, I appreciate that. I guess my question though was is there a date that I have that the comments are due?

**Brad Morrison:** Oh, good question. Go ahead Derek, do you have

**Derek Shaw:** Sabrina I would ask that you, we don't have a specific date set, however, please understand that our code change proposal process has to comply with a calendar that's established by the Building Standards Commission. That's a different agency than our office, the Division of the State Architect, so we need to continue to meet their deadlines that they've established. So I would encourage you to if you do have additional comments please submit them within a matter of, let's say two to three weeks, that would give us adequate time to analyze the comments, to do any necessary research and to incorporate any changes that were needed. Incorporate that into our draft proposals.

**Sabrina Lockhart:** Okay. That's reasonable. Thank you so much. That concludes my comments. Thank you.

**Derek Shaw:** Thank you.

**Brad Morrison:** Great. Thanks, Sabrina. Okay, next up we have C. Kujala I'm sorry if I'm misreading your name a little bit here but let us know. Come on in with your comment and let us know your name please.

**Colleen Kujala:** Hi there, my name's Colleen Kujala, and I have a question about the adult changing facilities requirements to have both a toilet and a urinal or toilet and a sink toilet in a lavatory in the space. I'm working on a remodel right now, and the proposal is to enclose a shower area with just semipermanent partitions and we have the toilet and the sink available near there. So what's the proximity requirement for the toilet? And does it have to be within the same four walls or can it be adjacent? Just a little bit confused about that.

**Derek Shaw:** Well the code requirements, and I'll refer to the same general requirements that we were talking about with Sabrina is that the adult changing facility needs to provide all of these features within the facility. You can imagine if you have to dispose of human fecal matter, that carrying it into another room might be problematic and less hygienic than would be appropriate. So I think that's probably your guide there, that the features are required within the adult changing facility and the adult changing facility we see in section 11B-813.1 it can be provided within a unisex toilet room. Now a unisex toilet room would be a single user type of toilet room. That includes a toilet and lavatory, hand washing fixture, and so these are all contained within the same room.

**Colleen Kujala:** Okay. So where an adult changing facility is actually required, it's still as if provided, is that correct? At this point in time, there's no real,

**Derek Shaw:** Well no at this time current code tells us that newly constructed facilities, and remember this is limited to commercial places of public amusement.

**Colleen Kujala:** Okay.

**Derek Shaw:** So it's required in newly constructed commercial places of public amusement right now. And then in other types of facilities, then it is predicated on where the adult changing facilities are provided. So let's say you've got an office building and you'd like to even though the code doesn't require it you'd like to provide an adult changing facility within the office building. Then once you make the decision that you're going to provide it, then the existing requirements in the code in 11B-249.1.1 are gonna kick in and they will similar to the language we have down here that adult changing facility would need to be constructed in compliance with section 11B-813, which was the other section that we were just looking for here. Yes.

**Colleen Kujala:** In addition to that question, public what was it? Public entertainment. Places of commercial, places of public amusement. Yeah. Can you maybe gimme some examples of what you would consider public amusement? I mean like,

**Derek Shaw:** Sure. Let's take a look at this.

**Colleen Kujala:** A gymnasium be considered something like that, or like a workout area or,

**Derek Shaw:** Well let's take a look.

There we are.

**Colleen Kujala:** Oh, look at that, right in the definitions.

**Derek Shaw:** Yes, ma'am. So it is an auditorium, convention center, cultural complex, exhibition hall, permanent amusement park, sports arena, theater or movie house for which the occupancy is 2,500 or more for the facility. Cultural complexes include, but are not limited to, art galleries, symphony, concert halls, and museums. A commercial place of public amusement does not include any public or private higher education facility or district agricultural associations. Now, my understanding, the district agricultural associations refers to I think it's county fairs primarily.

**Colleen Kujala:** Great. Thank you for your clarification.

**Derek Shaw:** You're welcome. Anything, any other comments or questions?

**Colleen Kujala:** No.

**Derek Shaw:** Okay great. Thank you, Colleen.

**Brad Morrison:** Yeah, thanks Colleen. Okay. Does anybody else have any comments on this issue? Okay not seeing any. We'll go ahead and move on to number 16.

**Derek Shaw:** That's great. So the next item 16, on our agenda today is addressing Chapter 11B section 11B-608.2.1. This item starts on page 41 of your code packet, and I'm pulling it up on the screen now. Okay. So here what we are doing is we are, this is a cleanup item. We have some duplicative language that distinguishes where transfer type shower compartments are permitted and where they're not permitted. And what we find is that language is duplicated in other sections of the code that already have broader application, including of course, this section in the 11B-608.2.1. The current language is found in the scoping section 11B- 213.3.6, and it would apply to facilities complying with 11B-608.2.1. So DSA finds that it's not necessary to duplicate our language in fact, it becomes confusing and it becomes a maintenance issue for our office as the code, when other changes are necessary in the code and if we are addressing the same requirements in several different locations within the code, of course DSA would have to make sure that we apply any amendments to all of those several different places. However if we can make the code operate in the more rigorous method of understanding and application of the code then we can locate this language and rely upon it in section 11B-213.3 .6. Okay, so I think with that, I'd like to open it up to questions or comments, Brad?

**Brad Morrison:** Let's see. Would anybody like to weigh in on this? Looks like we have Timothy come on in, Tim.

**Timothy Thimesch:** Yeah. Hi. I don't oppose this language coming out I see the objective here. It was my understanding, and I could be wrong, but it's my understanding that this is actually nothing a provision that was never approved to go into 608.2.1 by Building Standards, that it accidentally got typed in. Maybe you could address that Derek in which case I don't think it should be put to a vote to take something out that's not in there to begin with. It create a dangerous precedence. So, for instance, a Building Standards could say no to something that they never approved. I think you follow my reasoning. The second thing I wanted to say, and this is it, is that I perceive a conflict. I know you're not addressing 11B-213.3.6 here. In fact, that's the code section you're relying upon to have this scoping language. It just seems to me the way 213.3.6 is written, it could come into conflict with the transient lodging scoping, or at least be misinterpreted that way that you're allowed to have transfer showers and, for example, the mobility guest rooms required to be equipped with roll-in showers. Would 213.3.6 overrule 224.2 on transient lodging and permit that to happen. So I would just suggest, even though you're not on this scoping provision that that sentence being taken out here, but still existing in scoping say the transfer type shower compartments, in lieu of bathtubs and insert those words shall be permitted in transient lodging guest rooms, or else you could reference the scoping for transient lodging at 224.2. I just think that section needs to be tightened so that there's not a misinterpretation or bad argument later that one scoping overrules the other.

**Derek Shaw:** Tim, I think that's an excellent comment and suggestion. It, because it is about a section that we've not previously noticed the public I think that we would most likely have to study that and address that in a subsequent rule making cycle. However, it gives us a start on the next cycle already so thank you for that. Now, your first comment was about the about the potential non-approval or never existing approval of this language in 11B-608.2.1 this is the first time I'm hearing of that issue. So I would definitely need to go back and review the actions of the Building Standards Commission related to the time when this language was incorporated into section 11B-608.2.1 to determine the actual sequence of the proceedings there. Okay. But thank you very much for bringing that to our attention as well, and if that ends up being the case and we can confirm that then I think we're gonna need to reconsider how we address this issue within 11B-608.2.1.

**Timothy Thimesch:** Yeah. I'm relying upon a lunchtime comment that I heard from somebody that this was a mistake or that building standards had perhaps notified DSA of the publication error but I'm, again, very loose information.

**Derek Shaw:** Sure, sure. That's okay. We take loose information and we take tight information too, but getting our focus on an issue that that has ramifications we definitely wanna address all of those.

**Timothy Thimesch:** Thank you very much.

**Derek Shaw:** Okay.

**Brad Morrison:** Well thank you Tim. Appreciate the comment there. Appreciate it.

**Derek Shaw:** Okay. Well if we have no more comments or questions on this item, Brad, I would think we can continue on to the next item.

**Brad Morrison:** I say go ahead.

**Derek Shaw:** Okay. Very good. So the next item we will take a look at here is Chapter 11, is the last item on our agenda, and this is addressing 11B-809.10.6, and this item begins on page 43 of your code change packet. Here what we're doing is we are proposing language to correct a bad reference in our current code text. So the current language in section 11B-809.10.6.1 it includes requirements for shower stalls provided within a dwelling unit. And it indicates that at least one shower stall shall comply with the following. Item number one, a transfer type shower compartment 36 inches wide by 36 inches deep with an entrance opening 36 inches, complying with section 11B-608.1. Here we find that the section references are inconsistent with the requirements under the Fair Housing Act and that and so we need to provide this correction. So what we do find is that the reference to 11B-608.1 is inappropriate and that instead the remaining language in that section does adequately describe the the requirements that we'd like to see in that section and that are consistent with the Fair Housing Act requirements. I think with that, we can take any questions or comments.

**Brad Morrison:** Okay. Let's see if we have any comments. Does anybody have any comments on this item. Okay Tim, come on in.

**Timothy Thimesch:** I'm not gonna have any substantive comments as a non-user but I don't believe this has come up through the code collaborative yet. I think there should be great input by affected users because it does look to me that this would be a reduction in size. I appreciate that the built environment sometimes smaller is better actually leveraging yourself against the shower wall maybe that's the objective here. But in any event I think there should be another opportunity to address this after the code collaborative has churned the issue through from a user's perspective.

**Derek Shaw:** Good. Good. Thank you.

**Timothy Thimesch:** That's all. Thank you.

**Brad Morrison:** Yeah, good one. Thanks. Thanks, Tim.

**Derek Shaw:** Oh, and just by the way, we will be discussing this item at the upcoming DSA Access Code Collaborative meeting occurring in, is it two weeks?

**Brad Morrison:** Yes. Two weeks.

**Eric Driever:** Brad, you're muted.

**Brad Morrison:** Sorry. Thank you. Sorry. Yeah, I'm not seeing any further comments and if, so this concludes the proposal change portion of our agenda. So where we would go from here would be to return the discussion to DSA staff to talk a little bit about the next steps that are proposed for the items here. And and then following that we'll have our public comment period. So let's go with let's go with DSA staff and hear if any anybody has any comments on where the items go and any other issues that might be coming up.

**Derek Shaw:** I can give an overview of some of the next steps and perhaps Eric may have additional information to add. But I would say, first of all, thank you very much to everybody who's been here today and has been listening to our proposals. We certainly appreciate your involvement in the DSA process. Additionally for those who have provided comments or sought answers to questions that's an extra level of engagement, that's very helpful not only to get the message out broadly to effected parties, but also to help DSA clarify our code requirements as we proceed along in the code change process. Now our next steps on this, as I mentioned, we are gonna have another Access Code Collaborative meeting in two weeks. So we will be getting additional input from our Access Code Collaborative members, collaborators you might say. And so the comments and questions that we received at our meeting today, as well as comments and questions that we receive through the Access Code Collaborative those all help to inform the discussion in house within DSA as we are looking to refine and hone our requirements. Ultimately we are of course honing and refining them and crossing the t's and dotting the i's so that we can submit code change proposals to the Building Standards Commission. The first submittal is scheduled, as I recall, for early December. I think it's December two of this year and that submittal will be for the review and public hearing by the Building Standards Commission's Code Advisory Committee for access. Now the Code Advisory Committee for access, they will they will review and make available for public comment accessibility related requirements. Now, those primarily come not only from the Division of the State Architect, but also from the Department of Housing and Community Development where they write accessibility for housing. So that will, I think that's if I recall the projected timeline I think those meetings are anticipated in February of 2023. In late winter spring time of 2023 in any case. So that is going to be a great opportunity for any affected parties or for the public to hear discussion about the items as they're submitted to the Building Standards Commission. And it's a great opportunity to provide additional public comments.

Subsequent to that, DSA will take those public comments back, we will then study those comments and the same sort of thing. It's an iterative process, you know, each time we get comments and questions coming from outside of our group then we go back and we recheck our items and see if we can't refine them, see if we can't take away any issues that are asserting unclear language. You know, we wanna make the language as clear as possible. If there are issues closely related issues that need to be addressed in association with our drafts of proposed code changes, then we would look to incorporate those additional elements as well as we're going along through this process.

I've talked a little bit about the Code Advisory Committee meeting for access and then DSAs actions after that Code Advisory Committee meeting for access. Once we, once we then further refine our language, we will be preparing to provide what is considered the first full submittal to the Building Standards Commission, and that would be for the 45-day public comment period.

The 45-day comment period is another period of time where the public may review our written proposals and provide comments on those proposals. Those comments are typically directed to the Building Standards Commission, so that they may be recorded by BSC, Building Standards Commission, and that that those comments are also forwarded to us at the Division of the State Architect so that we can study those comments and questions and see if it requires further refinement of our code change proposals. That's the 45-day comment period. Now sometimes not, it's not required subsequent to that initial 45-day comment period, but sometimes we might have to schedule an additional 45 day comment period if the changes that we're proposing are substantial and the public may need additional time to review and comment upon our proposed code changes. That happens sometimes, not too frequently, but some years that does happen for the second or subsequent 45-day comment period more often we may require an additional 15 day public comment period and that's so that the public gets a chance to take a look at refinements to our code change proposals that are of a narrower sense about our code change proposal. Sometimes we have minor refinements, you know like the an and has to be changed to an or, you know, those sorts of very small, but very important refinements that could be necessary for our code package. So you can see we have a series of public comment meetings great opportunities for the public to get involved and to share their comments and perspectives on our items. And then once we get to the end of those several public comment periods, then DSA further refines our items and we will be submitting it back our final package to the Building Standards Commission for hearing at the Commissioner's Building Standards Commission meeting. And that's usually considered the final stop along the way in our process. At that meeting, the commission will usually vote to approve or disapprove or approve as amended, or sometimes they send the item back to the agency, DSA, for further study. So that occurs at the big Building Standards Commission meetings at the end of this process. If the items are approved by the commission at that time then that's great. It starts the timelines for other processes that are associated with the overall schedule that would be forwarding those approved changes to the publisher, the code publishers, they start to get their drafts of the next edition of the code or of supplements to the code, depending on whether we're in a supplement I'm sorry either in a code adoption cycle or in the intervening cycle.

So that leads to then the publication, a 180-day opportunity for designers and building officials and the general public to become familiar with the adopted regulations and then they would become effective then after that 180 day period. So those are our next steps on the code change process.

**Brad Morrison:** Great. Okay great. Thank you. Thank you, Derek. Eric, do you want to chime in any other steps that you wanna offer?

**Eric Driever:** No. Derek covered it all very well. I would just suggest that if you're interested in seeing that timeline, you can find it, it is available on the Building Standards Commission's webpage, but Derek outlined the periods for that review very well.

**Brad Morrison:** Okay, great. Great. Thank you, Eric. Okay. So now that we've concluded those parts, let's move on to our public comment period. And I just wanna remind you that we're gonna be holding you to a three-minute limit on time. And then I will chime in verbally and give you a 30 second warning just to let you know that your time is coming up. So I see two comments in queue so far. One is from Gene coming up first and then followed by Jonathan coming up second. So let's start with you, Gene. Go ahead.

**Gene Lozano:** I'd like to suggest for a future code cycle if it will fall within the realms of the building code. It's to do with the accessible stalls, the ambulatory and the wheelchair accessible stalls. There seems to be an equity, and I know we don't deal equity, but difference between the maintenance of the doors, particularly the wheelchair accessible doors at the stalls, compartments compared to the standard stall compartments. And often the doors are either not in alignment or they may be improperly installed originally or they're sagging due to vandalism or other causes. The hardware, the privacy hardware for the locking mechanism sometimes it's broken and has not been replaced for an indefinite period of time. Parts are missing while you find the other standard ones, they seem to be maintained. I just wonder if the code can have something that talks about the proper installation of doors and the mechanisms, the locking mechanisms and maintenance maintaining it properly so that a person using those stalls has the same privacy as anyone else and can not be possibly inhibited from using that stall when you don't have any alternative. So I'd like to see if there's some way in the code that could be addressed. Proper installation and maintenance of the the stall doors and the locking mechanisms. Thank you.

**Derek Shaw:** Great. Brad, if you don't mind me commenting upon that.

**Brad Morrison:** No, go ahead, Derek, go ahead.

**Derek Shaw:** Gene, this is Derek. I would like to bring to your attention the requirements under the current requirements of the code under section 11B-108, that's titled Maintenance of Accessible Features. It says a public accommodation shall maintain an operable working.

**Gene Lozano:** Sorry to interrupt, Derek. I got cut off and just got back on, so I didn't hear what you started to say I apologize.

**Derek Shaw:** Okay. I just wanted to bring your attention to an existing provision of the code that does address maintenance of accessible features. And that's in section 11B-108. And it says a public accommodation shall maintain in operable 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 here they do acknowledge that repairs and maintenance are necessary but they only allow isolated or temporary interruptions in services. Otherwise, those elements like the latch on toilet compartments those ought to be in fully operational working condition almost all the time, with the exception of isolated or temporary interruptions.

**Gene Lozano:** Well you can go to several office buildings in Roseville and Sacramento and could find that facilities that have been in existence for years that the locking mechanisms and the doors have not been dealt with. I believe I found one at a Sutter Hospital facility too, and I brought it to management at the building, and sometimes they've been responsive more often it's thank you and nothing has changed. I'm just wondering if that, and I knew that there was, that citation, didn't know the number that you provided, but maybe that would, if maybe it is referenced in a future code cycle in the restroom area even though it's duplicative, but perhaps maybe it would get the attention of people that are dealing with the restrooms, particularly since we're talking about the all-gender restrooms, then maybe, that there's some reference to that those facilities have to be maintained and properly installed just for consideration. Thank you. Great.

**Derek Shaw:** Thank you Gene very much.

**Brad Morrison:** Yeah, Gene, that's very good comment. Thank you for bringing that forward. Next up Jonathan Adler, please.

**Johnathan Adler:** Thank you. So there are some code sections that have specific dimensional requirements that are stated as an absolute minimum or maximum and not as a conditional one and I find them to cause problems because under certain conditions, the requirement just isn't relevant to the code intent and yet not meeting it is still a violation. So today this got brought up in the four-inch minimum width of a style on a toilet and now a urinal compartment. So what I run into is when you have a bank of toilets and the last one against the opposite wall is made into an accessible side entry one and retrofits it's typically using two compartments to make one. At this point, it's not relevant whether that hinge side style is four inches or two inches if the compartment is 12 or 14 feet wide, if you see what I'm saying. Similar maybe to an end entry toilet compartment where the four inches in the minimum. But I think that's predicated on the assumption that it's a 60-inch-wide compartment. But if it is a six-foot-wide compartment, could it not essentially be a one foot four inch wide style and still provide the equivalent maneuvering space? And so what I'm simply requesting is that when you refine any of the language here, you consider what really is the point that needs to be demarcated to achieve the access that you're after. I mean, we saw that added to the side entry toilets where the minimum 59 inches to the latching edge of the door was specified, or 56 in a wall hung and that's really relevant. So that's my comment there.

**Derek Shaw:** Great. Well, thank you Jonathan. Certainly, we'll take a look at that and see what we need to do about it. If you have any suggested code changes, I would encourage you to maybe draft them up and submit them to DSAAccess2022@dgs.ca.gov. If you want to, you and I talk a lot about a variety of issues but if you need any assistance in locating our preferred form I'd have, I'd be happy to direct you to that.

**Johnathan Adler:** Okay. Thanks.

**Derek Shaw:** Yeah, thank you.

**Brad Morrison:** Thanks, Jonathan. Next up we have Nubyaan Scott. Nubyaan I hope I'm pronouncing your name correctly, but if not, just let me know, thanks.

**Nybyaan Scott:** Good morning, well afternoon now, my name is Nubyaan Scott I'm a staff attorney with Disability Rights California. I just wanted to reference two proposed amendments that we'd like to be included in this cycle, if at all possible. We've already provided the written information to DSA but just for this record, I did want to reference a proposed amendment to 11B-233.3.1.2.1 on elevator buildings and the proposed amendment is that the language be changed to state residential dwelling units on any floors of a building with a building entrance on an accessible route shall be adaptable. And our rationale for that is because California Building Standards Code Section 11B-233.3.1.2.1 requires an amendment pursuant to Criterion B1 and that it conflicts with pertinent statutes. As written we think it fails to comply with the Federal Fair Housing Act and it's implementing regulations. And this section of the code outlines which units in an elevator building must contain adaptable features. However, the language in the code differs from that of the HUD regulations because it covers fewer units. The current code language limits required adaptable units in elevator buildings to those on floors served by an elevator. But federal law requires that all units in an elevator building be adaptable units, even on floors not served by the elevator. And we think that the code has to be amended to make that clear and being compliance with federal law.

The other proposed amendment is to 11B-233.3.1.2.6 on public housing facility site impracticality, we recommend incorporating Fair Housing Accessibility Guidelines requirement one, which defines specific exceptions to the site impracticality test into the CBC to ensure consistency with the Federal Fair Housing Accessibility Guidelines. Failure to include these exceptions will mean that the California Building Code compliant buildings may fail to include adaptable units that the Fair Housing Act would require, and we think the proposed amendment would add the text from the FHA Accessibility Guidelines that's currently missing from the code. And we also note that California laws require that the California Building Code cannot reduce standards below federal requirements. Thank you.

**Derek Shaw:** Thank you very much, Nubyaan. We are continuing to work with your group as we are evaluating these proposals among the package that had been presented. And so we will continue to do so. Thank you.

**Nybyaan Scott:** Thank you.

**Brad Morrison:** Thanks, Nubyann. Would anybody else like to make a comment during this public comment period? Okay. I'm not seeing anybody step forward. So I'm gonna bring this to a close. We were scheduled to go until later today and now we're sort of at our lunch break so I think it's time that we consider adjourning the meeting and moving on. And if anybody else has any comment before we do so, please raise your hand now.

Okay. Not seeing any further comments, I'm going to call this meeting as adjourned. And we will look forward to written comments. Should you like to send anything to our DSA access box, DSAaccess2022@dgs.ca.gov. The citation can be found on the bottom of the public meeting notice right above the term agenda, first page of the public meeting notice you'll see that little underlined link there. You could reference that and send those comments in written form. And DSA will be happy to accept anything. And I think Derek mentioned a period of, say, two to three weeks so you have a bit of time to think about it and apply those comments and we will put those into consideration for this code cycle. Given that let me, Oh, I see a comment here we go raised hand from Eric. Eric, would you like to step forward?

**Eric Driever:** Thank you, Brad. I'd just really like to, in closing this meeting up, thank everybody for their participation. We really do value the input and the feedback and truly depend on it for our public process. You know, we mentioned the two to three weeks. Certainly that would be helpful for our process. But as Derek mentioned, there are follow up public meetings that will be occurring, and you're welcome to attend and participate in those and provide feedback during those periods as well. But I'd just like to thank everybody for your participation today, really well attended. So we do value your input. Thank you.

**Brad Morrison:** Great. Thank you very much, Eric. Okay. With that let's, This meeting is adjourned. Thank you again for your participation and look forward to seeing you sometime in the future.

**Derek Shaw:** And thank you everyone.