

CBSC STAFF REPORT **DSA-AC 01/15 – Part 2 (11B)**

PROPOSING STATE AGENCY:

Division of the State Architect – Access Compliance (DSA AC)

APPLICATION AFFECTED:

2016 edition of the California Building Code, Part 2, Title 24 for state-owned or state-leased essential services buildings.

SUBJECT:

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

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

- Repealing DSA-AC's adoption of the 2012 edition of the IBC.
- Adopting selected portions of the 2015 edition of the IBC.
- Adopting new California accessibility amendments for electric vehicle charging stations into 2016 CBC, Chapter 11B.
- Adopting existing California accessibility amendments carried forward from the 2013 CBC and incorporated into the 2016 CBC.
- Amending existing California accessibility amendments from the 2013 CBC and incorporating into the 2016 CBC.

Codifying non-substantive editorial and formatting amendments.

FINDINGS:

CBSC Code Advisory Committee (CAC) Comments/Recommendations

CBSC's Access Code Advisory Committee CAC recommended approve as submitted, Accepted, Approve as Amended, Approve as Submitted, Disapprove, Further Study, Short Term Further Study of the provisions. DSA-AC modified many provisions prior to the 45 day comment period per the CAC's recommendations. See DSA's Final Express Terms for specific information.

Public Comments were received during First 45-Day Public Comment Period, August 14-September 28, 2015, Second 45-Day Public Comment Period, October 8-November 23, 2015 and the 15-Day Public Comment Period, December 3-18, 2015.

Public comments were received as follows:

Afshan Afshar, AA Architecture, Comment on First 45-Day, Recommends: Approve as Amended
Item: 2.01, Section: Chapter 2, ASSEMBLY AREA. See FSOR for DSA-AC response

HolLynn D'lil, Coalition of Disability Access Professionals, Including H. O'Mara & T. Harrington and C. Arnold, Comment on First 45-Day,
Recommends: Disapprove & Approve as Amended
Item: 2.03 Section: Chapter 2 ACCESSIBLE ROUTE. See FSOR for DSA-AC response

HolLynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,
Recommends: Further Study
Item: 2.10, Section: Chapter 2 TECHNICALLY INFEASIBLE. See FSOR for DSA-AC response

HolLynn D'lil, Coalition of Disability Access Professionals, Including H. O'Mara & T. Harrington and C. Arnold, Comment on First 45-Day,

Recommends: Disapprove

Item: 9.01, Section: 907.4.2.2. See FSOR for DSA-AC response

Terry McLean, Architect, CASp, TJ McLean Associates, Inc.,

Recommends: Disapprove

Item: 11B.01, Section: 11B-202.4 Path of travel, Exception 2. See FSOR for DSA-AC response

John Caprarelli, PE, CASp, City of Santa Clarita,

Recommends: Approve as Amended

Item: 11B.01, Section: 11B-202.4 Path of travel, Exception 2. See FSOR for DSA-AC response

Theodore C. Zsutty, Professor Emeritus: Structural Engineering, San Jose State University, Comment on First 45-Day, Recommends: Approve as Submitted

Item 11B.02, Section: 11B-202.4 Exception 10. See FSOR for DSA-AC response

HollLynn D'lil, Coalition of Disability Access Professionals, Including H. O'Mara & T. Harrington and C. Arnold, Comment on First 45-Day,

Recommends: Disapprove and Approve as Amended

Item: 11B.02, Section: 11B-202.4 Path of travel, Exception 10. See FSOR for DSA-AC response

Eugene Lozano Jr., California Council of the Blind, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.12.01, Sections: 11B-703.7.2.6.1, 11B-703.7.2.6.2, and 11B-703.7.2.6.3 (Toilet and bathing room geometric symbols). See FSOR for DSA-AC response

Eugene Lozano Jr., California Council of the Blind, Comment on First 45-Day,

Recommends: Approve as Amended

Item: 11B.12.01, Section: 11B-703.7.2.6.1, 11B-703.7.2.6.2, and 11B-703.7.2.6.3 (Toilet and bathing room geometric symbols) See FSOR for DSA-AC response

Afshan Afshar, AA Architecture, Comment on First 45-Day, Recommends: Approve as Amended

Item: 11B.12.01, Sections: 11B-703.7.2.6.1, 11B-703.7.2.6.2, and 11B-703.7.2.6.3 (Toilet and bathing room geometric symbols). See FSOR for DSA-AC response

John Paul Scott, AIA CASp, Disability Access Coordinator, Comment on 15-Day,

Recommends: Approve As Submitted

Item: 11B.12.01, Section: 11B-703.7.2.6.3 (Geometric symbols) Unisex toilet and bathing facilities. See FSOR for DSA-AC response

Susan Molloy, M.A. Environmental Illness/Intolerance, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.13, Section: 11B-216.13 Cleaner Air Symbol. See FSOR for DSA-AC response

Eugene Lozano Jr., California Council of the Blind, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.13, Section: 11B-216.13 Cleaner Air Symbol. See FSOR for DSA-AC response

Mary Lamielle, National Center for Envir. Health Strategies, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.13, Section: 11B-216.13 Cleaner Air Symbol. See FSOR for DSA-AC response

HollLynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.16, Section: 11B-220.2 Point-of-sale devices. See FSOR for DSA-AC response

Mehdi Shadyab, P.E., CASp, Comment on Second 45-Day,

Recommends: Approve as Submitted

Item: 11B.16, Section: 11B-220.2 Point-of-sale devices. See FSOR for DSA-AC response

Shawn Huff, Department of Housing and Community Development, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.19, Section: 11B-233.3.1.2.4 (Public Housing Facilities) Multi-story residential dwelling units.
See FSOR for DSA-AC response

Shawn Huff, Department of Housing and Community Development, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.20, Section: 11B-233.3.3 (Public Housing Facilities) Additions. See FSOR for DSA-AC
response

Shawn Huff, Department of Housing and Community Development, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.21, Section: 11B-233.3.4 (Public Housing Facilities) Alterations, Exception. See FSOR for
DSA-AC response

Mehdi Shadyab, P.E., CASp, Comment on Second 45-Day, Recommends: Approve as Amended
Item: 11B.21, Section: 11B-233.3.44 (Public Housing Facilities) Alterations, Exception. See FSOR for
DSA-AC response

Shawn Huff, Department of Housing and Community Development, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.22, Section: 11B-233.3.4.2 (Public Housing Facilities) Alterations to individual residential
dwelling units. See FSOR for DSA-AC response

David Cordova, P.E., Caltrans, Comment on First 45-Day, Recommends: Approve as Submitted
Item: 11B.25, Section: 11B-403.5.1.1 (Clear width) Sidewalks and walks. See FSOR for DSA-AC
response

Catherine Wampler, PE, Comment on First 45-Day, Recommends: Approve as Submitted
Item: 11B.25, Section: 11B-403.5.1.1 (Clear width) Sidewalks and walks. See FSOR for DSA-AC
response

Kevin L. Brinkman, PE, National Elevator Industry, Inc, Comment on First 45-Day
Recommends: Approve as submitted
Item: 11B.30, Section: 11B-411.2.1.2.2 (Destination-oriented elevators – Hall call console) Touch screen.
See FSOR for DSA-AC response

Kevin L. Brinkman, PE, National Elevator Industry, Inc, Comment on First 45-Day
Recommends: Approve as submitted
Item: 11B.31, Section: 11B-411.2.1.2.4 (Destination-oriented elevators – Hall call console) Display
screen. See FSOR for DSA-AC response

Kevin L. Brinkman, PE, National Elevator Industry, Inc, Comment on First 45-Day
Recommends: Approve as submitted
Item: 11B.32, Section: 11B-411.2.1.2.5 (Destination-oriented elevators – Hall call console) Audio output.
See FSOR for DSA-AC response

Kevin L. Brinkman, PE, National Elevator Industry, Inc, Comment on First 45-Day
Recommends: Approve as Amended
Item: 11B.33, Section: 11B-411.2.1.3.4 (Destination-oriented elevators – Hall call console) Position. See
FSOR for DSA-AC response

Kevin L. Brinkman, PE, National Elevator Industry, Inc, Comment on Second 45-Day
Recommends: Approve as submitted
Item: 11B.33, Section: 11B-411.2.1.3.4 (Destination-oriented elevators – Hall call console) Position. See
FSOR for DSA-AC response

Mehdi Shadyab, P.E., CASp, Comment on Second 45-Day, Recommends: Approve as Submitted
Item: 11B.33, Section: 11B-411.2.1.3.4 (Destination-oriented elevators – Hall call console) Position. See
FSOR for DSA-AC response

David Cordova, P.E., Caltrans, Comment on First 45-Day, Recommends: Approve as Submitted
Item: 11B.41, Section: 11B-503.6 (Passenger drop-off and loading zones) Identification. See FSOR for DSA-AC response

HollLynn D'lil, Coalition of Disability Access Professionals, Including H. O'Mara & T. Harrington and C. Arnold, Comment on First 45-Day, Recommends: Disapprove
Item: 11B.46, Section: 11B-608.6 Shower spray unit and water. See FSOR for DSA-AC response

David Cordova, P.E., Caltrans, Comment on First 45-Day, Recommends: Disapprove
Item: 11B.47, Section: 11B-705.1.1.1 (Detectable warning) Dome size. See FSOR for DSA-AC response

Alex Munroe, President, Cape Fear Systems, Comment on First 45-Day, Recommends: Disapprove
Item: 11B.47, Section: 11B-705.1.1.1 (Detectable warning) Dome size. See FSOR for DSA-AC response

Jon Julnes, President, Vanguard ADA Systems, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.47, Section: 11B-705.1.1.1 (Detectable warning) Dome size. See FSOR for DSA-AC response

Michael Keels, President, Detectable Warning Systems, Inc, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.47, Section: 11B-705.1.1.1(Detectable warning) Dome size. See FSOR for DSA-AC response

Eileen Tutt, California Electric Transportation Coalition, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects. See FSOR for DSA-AC response

Ron Davis, General Manager, Burbank Water and Power, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects. See FSOR for DSA-AC response

Eileen Tutt, California Electric Transportation Coalition, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: General – Sharing Concept. See FSOR for DSA-AC response

George L. Parrott, CSUS, Comment on First 45-Day, Recommends: Approve as Amended
Item: 11B.51, Section: General – Sharing Concept. See FSOR for DSA-AC response

Anne Smart, Charge Point, Comment on First 45-Day, Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects and Sharing Concept. See FSOR for DSA-AC response

Jay Friedland, Senior Policy Advisor, Plug In America, Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects and Sharing Concept. See FSOR for DSA-AC response

Guy Hall, Sacramento Electric Vehicle Assoc., Comment on First 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects and Sharing Concept. See FSOR for DSA-AC response

California Building Industry Associate, California Business Properties Association, Industry Coalition, Comment on First 45-Day, Recommends: Approve as Amended
Item: 11B.51, Section: General – Retrofit Projects and Sharing Concept. See FSOR for DSA-AC response

John Paul Scott, AIA CASp, Disability Access Coordinator, Comment on Second 45-Day,
Recommends: Approve as Submitted
Item: 11B.51, Section: 11B-812 Electric vehicle charging stations. See FSOR for DSA-AC response

Mehdi Shadyab, P.E., CASp, Comment on Second 45-Day, Recommends: Approve as Amended
Item: 11B.51, Section: 11B-812 Electric vehicle charging stations. See FSOR for DSA-AC response

Richard F. Teebay, County of LA Sustainability, Comment on First 45-Day, Recommends: Approve as Submitted
Item: 11B.51, Section: 11B-812.5.1 Accessible route to building or facility, Exception. See FSOR for DSA-AC response

Janis Kent, FAIA, CASp, Architect, Stepping Thru Accessibility, Comment on Second 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: 11B-812.5.2 Accessible route to EV charger,. See FSOR for DSA-AC response

HollLynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,
Recommends: Disapprove
Item: 11B.51, Section: 11B-812.5.4 Arrangement, Exception 2. See FSOR for DSA-AC response

Janis Kent, FAIA, CASp, Architect, Stepping Thru Accessibility, Comment on Second 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: 11B-812.6 Vehicle spaces and 11B-812.6.4 Drive-up and Section: 11B-228.3.2 Minimum number, Exception 2 . See FSOR for DSA-AC response

Janis Kent, FAIA, CASp, Architect, Stepping Thru Accessibility, Comment on Second 45-Day,
Recommends: Approve as Amended.
Item: 11B.51, Section: 11B-812.7.2 Marking and 11B-812.9 Surface marking. See FSOR for DSA-AC response

John Paul Scott, AIA CASp, Disability Access Coordinator, Comment on 15-Day,
Recommends: Approve as Submitted
Item: 11B.51, Section: 11B-812.7.2 Marking . See FSOR for DSA-AC response

HollLynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,
Recommends: Disapprove
Item: 11B.51, Section: 11B-812.8 Identification signs. See FSOR for DSA-AC response

Kerwin Lee, Architect, Comment on Second 45-Day Recommends: Approve as Amended.
Item: 11B.51, Section 11B-228.3.2 and Section 11B-812.8 Identification signs. See FSOR for DSA-AC response

Sarah Moore, Comment on Second 45-Day Recommends: Approve as Amended
Item: 11B.51, Section:11B-812.8 Identification signs. See FSOR for DSA-AC response

Janis Kent, FAIA, CASp, Architect, Stepping Thru Accessibility, Comment on Second 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: 11B-812.9 Surface marking. See FSOR for DSA-AC response

Janis Kent, FAIA, CASp, Architect, Stepping Thru Accessibility, Comment on Second 45-Day,
Recommends: Approve as Amended
Item: 11B.51, Section: 11B-812.10.4 Location. See FSOR for DSA-AC response

John Paul Scott, AIA CASp, Disability Access Coordinator, Comment on First 45-Day,
Recommends: Disapprove
Item: 11B.51.01, Section: Chapter 2 - Definition of ELECTRIC VEHICLE CHARGING STATION (EVCS). See FSOR for DSA-AC response

Richard F. Teebay, County of LA Sustainability, Comment on First 45-Day,
Recommends: Approve as Submitted
Item: 11B.51.03, Section: 11B-202.4 Path of travel requirements, Exception 11. See FSOR for DSA-AC response

Hollynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.51.03, Section: 11B-202.4 Path of travel requirements, Exception 11. See FSOR for DSA-AC response

Guy Hall – President, Sacramento Electric Vehicle Association; Board Member, Electric Auto Association; Director, Sacramento Clean Cities Board, Comment on First 45-Day,

Recommends: Approve as Amended

Item: 11B.51.03, Section: 11B-202.4 Path of travel requirements, Exception 11. See FSOR for DSA-AC response

Hollynn D'lil, Coalition of Disability Access Professionals, Comment on First 45-Day,

Recommends: Disapprove

Item: 11B.51.04, Section: 11B-208.1 (Parking spaces) General. See FSOR for DSA-AC response

Eileen Tutt, California Electric Transportation Coalition, Comment on First 45-Day,

Recommends: Approve as Submitted

Item: 11B.51.05, Section: 11B-228.3 Electric vehicle charging stations (scoping). See FSOR for DSA-AC response

Anne Smart, Director, Government Relations and Regulatory Affairs ChargePoint,

Comment on First 45-Day, Recommends: Approve as Amended

Item: 11B.51.05, Section: 11B-228.3 Electric vehicle charging stations (scoping). See FSOR for DSA-AC response

Jay Friedland, Senior Policy Advisor, Plug In America, Comment on First 45-Day,

Recommends: Approve as Submitted

Item: 11B.51.05, Section: 11B-228.3 Electric vehicle charging stations (scoping). See FSOR for DSA-AC response

Eugene Dunlap, Woodland, Comment on First 45-Day, Recommends: Approve as Amended

Item: 11B.51.05, Section: 11B-228.3 Electric vehicle charging stations (scoping). See FSOR for DSA-AC response

Richard F. Teebay, Comment on First 45-Day, Recommends: Approve as Submitted

Item: 11B.51.05, Section: 11B-228.3 Electric vehicle charging stations (scoping). See FSOR for DSA-AC response

Richard F. Teebay, Comment on First 45-Day, Recommends: Approve as Amended

Item: 11B.51.06, Section: 11B-309.4 (Operable Parts) Operation). See FSOR for DSA-AC response

Kevin L. Brinkman, PE, Code and Safety Director, National Elevator Industry, Inc. (NEII), Comment on First 45-Day, Recommends: Approve as Amended

Item: N/A, Section: 11B-411.2.1.1. See FSOR for DSA-AC response

Kevin L. Brinkman, PE, Code and Safety Director, National Elevator Industry, Inc. (NEII), Comment on First 45-Day, Recommends: Approve as Amended

Item: N/A, Sections: 11B-411.2.1.2.1, 11B-4.11.2.1.6, 11B-411.2.1.7, 11B-411.2.1.7.2, 11B-411.2.1.7.2.1, 11B-411.2.2.2. See FSOR for DSA-AC response

Kevin L. Brinkman, PE, Code and Safety Director, National Elevator Industry, Inc. (NEII), Comment on First 45-Day, Recommends: Approve as Amended

Item: N/A, Section: 11B-411.2.1.2.4.3. See FSOR for DSA-AC response

Kevin L. Brinkman, PE, Code and Safety Director, National Elevator Industry, Inc. (NEII), Comment on First 45-Day, Recommends: Approve as Amended

Item: N/A, Section: 11B-411.4.11. See FSOR for DSA-AC response

Kevin L. Brinkman, PE, Code and Safety Director, National Elevator Industry, Inc. (NEII), Comment on First 45-Day, Recommends: Approve as Amended
Item: N/A, Section: 11B-411.4.11. See FSOR for DSA-AC response

Shawn Huff, Assistant Deputy Director CA Department of Housing and Community Development (HCD) State Housing Law Program, Comment on First 45-Day, Recommends: Unclear
Item: N/A, Section: 11B-233.1 (Residential Facilities) General. See FSOR for DSA-AC response

Shawn Huff, Assistant Deputy Director CA Department of Housing and Community Development (HCD) State Housing Law Program, Comment on First 45-Day, Recommends: Approve as Amended,
Item: N/A, Section: 11B-233.3.1.2 Residential dwelling units with adaptable features. See FSOR for DSA-AC response

Shawn Huff, Assistant Deputy Director CA Department of Housing and Community Development (HCD) State Housing Law Program, Comment on First 45-Day, Recommends: Unclear
Item: N/A, Section: 11B-233.3.1.2.3 Ground floors above grade. See FSOR for DSA-AC response

Shawn Huff, Assistant Deputy Director CA Department of Housing and Community Development (HCD) State Housing Law Program, Comment on First 45-Day, Recommends: Approve as Amended
Item: N/A, Section: 11B-233.3.4.1 (Public Housing Facilities) Alterations to vacated buildings.
See FSOR for DSA-AC response

Staff Findings:

DSA-AC's Submittal appears to be compliant with the Administrative Procedure Act and Building Standards Law.

COMMISSION ACTION:

Staff prepared color Commission Action Matrix's which group the proposed regulations as follows:

- GREEN = Uncontested items
- YELLOW = Challenged items during the public comment period
- SALMON = Withdrawn items by the state agency; no action required.

For efficiency, staff recommends the Commission act on the uncontested items listed on the green matrix in one motion. The Commission may take any one of the following actions on the proposed regulations, and then act on the code adoption proposal as a whole: **One or more of the 9 point criterion must be cited for an action other than Approve.**

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amended**
- ❖ **Further Study Required**