

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2007 CALIFORNIA BUILDING CODE (CBC)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(HCD 02/07)**

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The Administrative Procedure Act requires an Initial Statement of Reasons to be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:**

(Government Code Section 11346.2 requires a statement of specific purpose of **EACH** adoption, amendment or repeal and the rationale of the determination by the agency that EACH adoption, amendment or repeal is reasonably necessary to carry out the purpose for which it is proposed.

- When repealing adopted California original standards, summarize the effect of the standards and explain why the standard is no longer necessary
- When amending a standard, explain the standard proposed to be modified, explain the effect of the proposed modification, explain the inadequacy of the standards being modified, and explain why the proposed amendment is necessary)

**1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.**

**Administrative Requirement:** Health and Safety Code Section 17921 directs the Department of Housing and Community Development (HCD) to propose adoption, amendment or repeal of building standards for the protection of public health, safety and general welfare. Government Code Section 12955.1 provides direction for HCD to propose adoption of building standards necessary to prohibit discrimination in the design and construction of all housing other than publicly funded housing.

**2) Specific Purpose**

HCD has determined the amendment of the 2007 California Building Code (CBC) is needed pursuant to the requirements of Health and Safety Code Section 17921 and Government Code Section 12955.1.

The **specific purpose** of these regulations is to amend the 2007 CBC, as indicated on the attached matrix table, into Part 2, Title 24, CCR for the following programs:

- a) **State Housing Law:** 1. relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921; 2. relative to California Fair Employment and Housing accessibility requirements as provided in Government Code Section 12955.1, except where the application is for public use only.
- b) **Employee Housing Act:** relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks or Special Occupancy Parks:** relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Sections 18865 and 18873 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

### **3) Rationale for Necessity**

The 2007 CBC, based on the 2006 edition of the International Building Code (IBC) published by the International Code Council (ICC), becomes effective on January 1, 2008. HCD has developed amendments to the 2007 CBC to implement, interpret, and make specific provisions of state and federal law and/or to incorporate provisions that benefit the health, safety and general welfare of the people of California.

**It is necessary to propose the amendment** of some sections of the 2007 CBC to incorporate state and federal laws and regulations, provide clarity to the user, include revised accessibility language and update structural building provisions based on current nationally recognized standards and engineering principles.

**It is necessary to not propose the adoption** of some sections of the 2007 CBC because they would conflict with amendments which are proposed in this rulemaking.

**It is necessary to propose the amendment** of certain previously existing state amendments including:

- Renumbering sections in order to fit appropriately into the newly adopted text of the 2007 edition of the CBC.
- Revising and reorganizing Chapter 11A language for clarification and compliance with state and federal law.

#### **Specific Proposed Regulatory Actions:**

**Accessibility:** In January 2002, HCD formed a focus group to improve the accessibility regulations for residential occupancies in California. This group of HCD's stakeholders included consumers, builders, consultants, enforcement agencies, representatives from organizations representing persons with disabilities, and state agencies.

Three phases were developed as follows: Phase I – address reorganization of Chapter 11A; Phase II – rewrite Chapter 11A for clarity; and Phase III – incorporate agreed upon changes into Chapter 11A.

Phases I and II were completed and became effective on May 2, 2007. Phase III is in progress and this rulemaking reflects the initial work of the focus group and HCD.

During the Phase III process, HCD held three meetings to obtain stakeholder input and distributed a draft of the proposed Initial Statement of Reasons and Express Terms to the focus group for comment prior to submittal of the rulemaking package. As a result of this process, HCD is proposing adoption of the following state amendments to the 2007 CBC.

## **CHAPTER 2 – DEFINITIONS**

### **SECTION: 202**

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## **CHAPTER 5 – GENERAL BUILDING HEIGHTS AND AREAS**

### **SECTION: 502.1**

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## **CHAPTER 11A — HOUSING ACCESSIBILITY**

**Division I – APPLICATION, GENERAL PROVISIONS AND DEFINITIONS (SECTIONS: 1101A, 1102A, 1104A, 1105A, 1107A)**

**Division II – EXTERIOR FACILITIES (SECTIONS: 1109A, 1111A, 1114A, 1115A)**

**Division III – BUILDING FEATURES (SECTIONS: 1121A, 1123A, 1124A, 1127A)**

**Division IV – DWELLING UNIT FEATURES (SECTIONS: 1131A, 1132A, 1134A)**

**Division VI – SITE IMPRACTICALITY TESTS (SECTION: 1150A)**

**Division VII – FIGURES (FIGURES 11A-8J, 11A-8K, 11A-9L, 11A-9M)**

**SECTIONS: 1101A.1, 1102A.3.2, 1104A, 1105A, 1105A.1, 1107A.2, 1107A.12, 1107A.16, 1107A.19, 1107A.20, 1109A.2, 1109A.2.1, 1109A.8.3, 1109A.8.8, 1111A.2, 1114A.2, 1114A.6.1, 1115A, 1115A.1, 1115A.2, 1115A.4, 1115A.5, 1115A.6.1, 1121A.2, 1123A, 1123A.1, 1123A.2, 1123A.4, 1123A.5, 1123A.6.1, 1123A.6.2.3, 1124A, 1124A.3.3.2, 1124A.4, 1124A.11, 1127A.7.2, 1127A.7.2.1, 1127A.7.2.2, 1127A.7.2.3, 1131A.2, 1132A.2, 1132A.4, 1132A.5.1, 1134A.2, 1134A.3, 1134A.6, 1134A.7, 1150A.1, and Figures 11A-8J, 11A-8K, 11A-9L and 11A-9M**

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## CHAPTER 16 – STRUCTURAL DESIGN

**SECTIONS: 1609.1.1, 1609.6, 1609.6.1, 1609.6.1.1, 1609.6.2, Tables 1609.6.2(1) and 1609.6.2(2), 1609.6.3, 1609.6.4, 1609.6.4.1, 1609.6.4.2, 1609.6.4.3, 1609.6.4.4, 1609.6.4.4.1**

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HCD proposes to continue the adoption of the entire 2007 CBC, Chapters 2, 5, 11A and 16 with amendments as indicated above. The rationale for each amendment is listed below.

### CHAPTER 2 – DEFINITIONS

#### **SECTION: 202 Definitions**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Confusion has been expressed by enforcement officials regarding scope and application of “Grade” and “Grade Plane” as defined by HCD in Chapter 5. Therefore, HCD proposes to re-adopt the existing definition of “Grade (adjacent to ground elevation)”, and add the HCD 1-AC banner, located in Chapter 2, and delete “Grade” and HCD 1 and HCD 2 banners in Chapter 2.

HCD also proposes to replace the term “Special Access Lift” with “Platform (Wheelchair) Lift” to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003.

Additionally, as a result of repealing Section 1107A.20-T, HCD proposes to delete “Toeboard” and “Townhouse” in Section 202.

The changes to Section 202 ensure consistency with the use of the terms in the remainder of the code and provide clarity for the code user. There is no change in regulatory effect.

### CHAPTER 5 – GENERAL BUILDING HEIGHTS AND AREAS

#### **SECTION: 502.1 Definitions**

HCD proposes to repeal the existing California amendment of the definition of “Grade or grade plane”. It is not HCD’s intention to change the model code definition for “Grade Plane” or its application when considering building height, basement or stories. The amended definition reflects statutory requirements specific to disabled access, so when accessibility is considered, as specified in Section 19955.3 of the Health and Safety Code, the definition of “Grade Plane” is different from that of the model code.

Confusion has been expressed by enforcement officials regarding scope and application of “Grade” and “Grade Plane” as defined by HCD in Chapter 5. Therefore, HCD proposes to re-adopt the existing definition of “Grade” located in Chapter 2, and delete the amended definition of “Grade or grade plane” and HCD 1 and HCD 2 banners from Section 502.1.

The changes to Section 502.1 ensure consistency with the use of the terms in the remainder of the code and provide clarity for the code user. There is no change in regulatory effect.

### CHAPTER 11A – HOUSING ACCESSIBILITY

HCD proposes to add an explanatory note directly below the Chapter 11A heading. The note directs code users to state law applicable to senior citizen housing including a reference to Civil Code and the appropriate enforcing agency (DFEH). This change resulted from stakeholder input and provides clarity for the code user.

#### **SECTION 1101A — APPLICATION**

##### **SECTION: 1101A.1 Scope**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The change is for consistency with the Federal Fair Housing Amendments Act (FHAA), page 11, and to clarify that a new building, when constructed as multifamily dwelling units behind an existing façade, is covered. The change provides clarity for the code user.

## **SECTION 1102A — BUILDING ACCESSIBILITY**

### **SECTION: 1102A.3.2 Multistory dwelling units in buildings with one or more elevators**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The term “townhouse” as defined in Chapter 2 of the 2006 IBC (model code) is not applicable to accessibility standards. A “townhouse” is defined as “A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides”. Multistory dwelling units may not necessarily start at the foundation or extend to the roof. The units may start above a garage or commercial unit and only extend to the next unit above. The language struck out in subsection 1 is redundant of the language in subsection 2 and is being removed.

### **SECTION 1104A — COVERED MULTIFAMILY DWELLINGS**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Occupancy classifications are defined in Chapter 3 of the 2007 CBC but are not relevant for determining accessibility standards for a covered multifamily dwelling unit. The section is renamed to provide clarity for the code user.

## **SECTION 1105A — GARAGES, CARPORTS AND PARKING FACILITIES**

### **SECTION: 1105A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Occupancy classifications are listed in Chapter 3 of the CBC and are not relevant to accessibility standards. Section 1105A itself is renamed to properly identify the type of buildings covered in this section and to provide clarity for the code user.

## **SECTION 1107A — DEFINITIONS**

### **SECTION: 1107A.2-B (Bathroom)**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The change is a result of a comment received. In the first sentence, the reference to “and/or a bathtub” is amended by adding a comma following (sink), and deleting the word “or” so the sentence correctly reads “, and a bathtub and/or a shower”. The change clarifies that a “bathroom”, by definition, must provide a bathtub, or a shower, or both a bathtub and a shower.

### **SECTION: 1107A.12-L (Lift, Platform (Wheelchair))**

HCD proposes to adopt the above-listed California amended definition. Amendment of the current definition “Special Access (Wheelchair) Lift” is necessary to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003. There is no change in regulatory effect.

### **SECTION: 1107A.16-P (Platform (Wheelchair) Lift)**

HCD proposes to adopt the above-listed California definition to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003. There is no change in regulatory effect.

### **SECTION: 1107A.19-S (Special Access Lift)**

HCD proposes to repeal the above-listed California definition because it is being replaced by the term “Platform (Wheelchair) Lift”. This change will ensure consistency between Chapters 11A, 11B and the model code and provide clarity for the code user. There is no change in regulatory effect.

### **SECTION: 1107A.20-T (Toeboard)**

HCD proposes to repeal the above-listed California amendment. The term as defined is not used in Chapter 11A. The term is only used in Section 1133A.3 referring to the toeboard along the base of the cabinet; therefore, the definition is no longer necessary for HCD 1-AC use.

**SECTION: 1107A.20-T (Townhouse)**

HCD proposes to repeal the above-listed California amendment. The term as defined in the 2006 IBC (model code) is not applicable to accessibility standards. Reference to HCD 1-AC has been removed in Chapter 11A and Chapter 2. "Multistory Dwelling Unit" is the correct term and is defined in Chapter 11A. The change provides clarity and consistency for the code user.

**SECTION 1109A — PARKING FACILITIES**

**SECTION: 1109A.2 Parking facilities**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Section 1105A was changed in an earlier rulemaking to include all parking facilities and refers the user to this section; therefore the reference is not needed and has been repealed. There are no substantive differences from the existing California amendment. The change provides clarity for the code user.

**SECTION: 1109A.2.1 Private garages**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. All garages accessory to multifamily dwellings must be accessible except private garages attached to and directly serving an individual multifamily unit. This exception was expanded to identify additional garage entrances that allow exemption from the provisions of Section 1109A. If the garage can be entered from the driveway via an accessible route and be exempt, then an accessible entry directly into the garage from the dwelling unit or through an accessible entry door via an accessible route would also be acceptable. The change provides clarity for the code user.

**SECTION: 1109A.8.3 Slope of accessible parking spaces**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with a proposed amendment to Chapter 11B by DSA. This change reflects an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user. There is no change in regulatory effect.

**SECTION: 1109A.8.8 Parking signage**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This change reflects that a "separate sign" marked with "VAN ACCESSIBLE" language is no longer required, but remains as one option. ICC/ANSI Section 502.7 allows the van accessible language to be placed on the same sign, and an interpretation from the federal Department of Justice concurs that the language may be located on the same sign. The change now offers an option between providing additional language on one sign or attaching a separate sign. The change brings consistency with other codes and clarity for the code user.

**SECTION 1111A – CHANGES IN LEVEL ON ACCESSIBLE ROUTES**

**SECTION: 1111A.2 Changes greater than ½ inch**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. The term "Special Access (Wheelchair) Lift" is being replaced with "Platform (Wheelchair) Lift" to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003. There is no change in regulatory effect.

**SECTION 1114A — EXTERIOR RAMPS AND LANDINGS ON ACCESSIBLE ROUTES**

**SECTION: 1114A.2 Slope**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. An exception is added to reference the newly adopted language in Section 1132A.4. The change is to clarify the exception for slope for patios, decks and balconies and to ensure consistency with other code sections.

**SECTION: 1114A.6.1 Where required**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with Chapter 11B, Section 1133B.5.5.1 and was added in response to a focus group comment. ICC/ANSI A117.1 Section 405.8 allows this exception for ramps 6 inches or less in rise, but makes no reference to the length. The change brings consistency with other code sections and provides clarity for the code user.

## **SECTION 1115A — EXTERIOR STAIRWAYS**

### **SECTION: 1115A Exterior stairways**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section heading is amended by deleting “Along Accessible Routes” to reflect the expanded scope of this section to include all exterior stairways serving buildings on sites which contain covered multifamily dwelling units. The change provides clarity for the code user.

### **SECTION: 1115A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The language was modified to include all exterior stairways serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, because any exterior stairway could be an accessible route for the visually impaired. The change provides clarity for the code user.

### **SECTION: 1115A.2 Open risers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The Fair Housing Amendments Act references ANSI Section 504.3 which prohibits open risers (a hazard for the visually impaired) on accessible stairways. Any stairway serving buildings with covered multifamily dwelling units could be an accessible route for the visually impaired and open risers would not be permitted. However, gratings with openings of not more than ½ inch are allowed on an accessible route. Therefore, a ½ inch opening shall be allowed at the bottom of the riser or a grated riser with openings of not more than ½ inch shall be permitted for cleaning purposes.

### **SECTION: 1115A.4 Nosing**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with current language in Section 1009.3.3 of the 2007 CBC. The proposal is also consistent with a proposed amendment to Chapter 11B, Section 1133B by DSA. This change reflects an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

### **SECTION: 1115A.5 Striping for the visually impaired**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification resulted from a focus group comment. Any stairway serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, could be an accessible route for the visually impaired and should meet the striping requirements for accessible stairs. Stakeholder comments led to the added requirement that a maximum 1 inch (25.4 mm) gap separate the strip from the nose of a step or landing as a precautionary signal to the visually impaired. The section was divided into separate paragraphs to reflect the additional language and for ease of reading.

### **SECTION: 1115A.6.1 Where required**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. Section 1012.8 of the 2007 CBC is more restrictive than the previous 2001 CBC. Amending Section 1115A.6.1 is necessary to maintain consistency with model code language currently in Chapter 10, Section 1012.8. This change also reflects an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

## **SECTION 1121A – CHANGES IN LEVEL ON ACCESSIBLE ROUTES**

### **SECTION: 1121A.2 Changes greater than one-half inch**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. The term “Special Access (Wheelchair) Lift” is being replaced with “Platform (Wheelchair) Lift” to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003. There is no change in regulatory effect.

## **SECTION 1123A — INTERIOR STAIRWAYS**

### **SECTION: 1123A INTERIOR STAIRWAYS**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section heading is amended by deleting “Along Accessible Routes” to reflect the expanded scope of this section to include all interior stairways serving buildings on sites which contain covered multifamily dwelling units. The change provides clarity for the code user.

**SECTION: 1123A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The language was modified to include all interior stairways serving buildings with covered multifamily dwelling units, not only those on an accessible route. The change provides clarity for the code user.

**SECTION: 1123A.2 Open risers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification was made in response to a focus group comment. The Fair Housing Amendments Act references ANSI A117.1 standards which prohibit open risers on stairways on an accessible floor. The Section 1123A.2 language was modified to include all interior stairways serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, because any interior stairway could be an accessible route for the visually impaired. The modification also exempts interior stairways located within an individual dwelling unit from this requirement. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1123A.4 Nosing**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with current language in Section 1009.3.3 of the 2007 CBC. The proposal is also consistent with a proposed amendment to Chapter 11B, Section 1133B by DSA. This change reflects an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

**SECTION: 1123A.5 Striping for the visually impaired**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification resulted from a focus group comment. Any stairway serving a building with covered multifamily dwelling units, even those units not on an accessible floor, could be an accessible route for the visually impaired and should meet the striping requirements for accessible stairs. Stakeholder comments led to the added requirement that a maximum 1 inch (25.4 mm) gap separate the strip from the nose of a step or landing as a precautionary signal to the visually impaired. The modification also exempts interior stairways located within an individual dwelling unit from this requirement. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1123A.6.1 Where required**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. Section 1012.8 of the 2007 CBC is more restrictive than the previous 2001 CBC. Amending Section 1123A.6.1 is necessary to maintain consistency with model code language currently in Chapter 10, Section 1012.8. This change also reflects an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

**SECTION: 1123A.6.2.3 Handrail extension**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is a result of a comment received to clarify that the handrail extension is not required within an individual dwelling unit. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1124A — ELEVATORS AND PLATFORM (WHEELCHAIR) LIFTS**

**SECTION: 1124A.3.3.2 Car control buttons**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Language was modified for consistency with Chapter 11B, Section 1116B.1.9. A reference was added to direct the user to the new provisions in the correlating section. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1124A.4 Hall call buttons**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification provides for consistency with CBC Chapter 11B, Section 1116B.1.10 which requires the “Up” direction button to be on top and internal illumination of hall call buttons. Sizing of the call operation buttons is also specified. The change provides clarity for the code user.

**SECTION: 1124A.11 Platform (wheelchair) lifts**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. The term “Special Access (Wheelchair) Lift” is being replaced with “Platform (Wheelchair) Lift” to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency

between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003. There is no change in regulatory effect.

Additionally, HCD proposes to add a reference to ASME A18.1 to maintain consistency with revisions DSA made during the 2006 IBC/2007 CBC code cycle.

HCD is also proposing to correct an oversight which occurred during the 2006 IBC/2007 CBC code cycle by removing the reference to Sections 3093 to 3094.5, Part 7 of the CCR, Title 24 (Elevator Code) as the Elevator Code has been moved from CCR, Title 24 and relocated into CCR, Title 8. There is no change in regulatory effect.

## **SECTION 1127A — COMMON USE FACILITIES**

### **SECTION: 1127A.7.2 Identification symbols**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with a proposed amendment to Chapter 11B by DSA with regard to identification symbols at sanitary facilities. Scoping language has been separated from the specific individual requirements for men's, women's and unisex sanitary facilities. Additional language has been inserted based upon suggestions made by the Code Advisory Committee. These changes reflect an attempt to coordinate between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

### **SECTIONS: 1127A.7.2.1 Men's sanitary facilities, 1127A.7.2.2 Women's sanitary facilities and 1127A.7.2.3 Unisex sanitary facilities**

HCD proposes to adopt the above-listed California amendments into Title 24, Part 2, CBC. These modifications are consistent with proposed amendments to Chapter 11B, Section 1115B by DSA with regard to identification symbols at sanitary facilities. Scoping language has been separated from the specific individual requirements for men's, women's and unisex sanitary facilities. HCD proposes to separate the individual requirements into Sections 1127A.7.2.1, 1127A.7.2.2 and 1127.7.2.3. Additional language has been inserted into the scoping and specific requirements based upon suggestions made by the Code Advisory Committee. These changes reflect HCD's attempt to coordinate and maintain consistency between Chapters 11A and 11B, when possible, as requested by the Code Advisory Committee. The change provides clarity and consistency for the code user.

## **SECTION 1131A – CHANGES IN LEVEL**

### **SECTION: 1131A.2 Changes greater than ½ inch**

HCD proposes to continue the adoption of the above-listed amendment into Title 24, Part 2, CBC, with modification. The term "Special Access (Wheelchair) Lift" is being replaced with "Platform (Wheelchair) Lift" to be consistent with terminology used in Chapter 10 of the 2007 CBC and with proposed Express Terms forwarded by the Division of the State Architect (DSA) under the current rulemaking cycle. This change in terminology will ensure consistency between Chapters 11A, 11B and the model code. The terminology is also consistent with new federal Access Board regulations and Section 410 of ANSI A117.1-2003.

## **SECTION 1132A — DOORS**

### **SECTION: 1132A.2 Interior Doors and secondary exterior doors**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification directs the code user to Section 1109A.2.1 "Private Garages" where the specific requirements for both sides of the door are provided when designing a door entering the dwelling unit from an attached private garage. The change provides clarity for the code user.

### **SECTION: 1132A.4 Level floor or landing**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Language is added to clarify that the 4 inch maximum drop is an adaptable feature that must be traversed by a platform within ½ inch of the interior floor level or by means of a ramp. Also, a reference is added to identify the new illustration number for clarity. The modification is for consistency with the Fair Housing Amendments Act (FHAA), Page 4.13, and other provisions of code. Subsection 4 is added to allow an optional method of obtaining conformance based on FHAA, Page 4.12 which allows a 1 ¼ inch (31.8 mm) rise with a 1:2 ratio slope at an entrance door threshold. The actual ratio of 1:8 was derived from viewing the various threshold ramps currently available on the market. A reference is added directing the code user to Section 1114A.6 for handrail requirements at exterior doors. The change is consistent with the FHAA and provides clarity for the code user.

**SECTION: 1132A.5.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section referred to was moved to Section 1132A.4 #4 as the result of an earlier rulemaking and immediately precedes this section. The "Note" reference is no longer necessary and is proposed for repeal. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1134A — BATHING AND TOILET FACILITIES**

**SECTION: 1134A.2 Number of complying bathrooms**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. A new paragraph is added at the end of Option 2 to make it clear that when a dwelling unit contains two bathrooms and one bathroom has a bathtub and the second bathroom has a shower stall, both the bathtub and shower stall must comply with disabled access provisions within Chapter 11A. There has been significant misunderstanding among design professionals, developers and code enforcement agencies whether or not to make both fixtures comply. Based upon stakeholder comments, a note is added within the clarified scoping requirements of Option 2. The change brings consistency and provides clarity for the code user.

**SECTION: 1134A.3 Powder rooms**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. As currently published, this section is being interpreted and enforced more restrictively than was intended. Before Chapter 11A was reformatted, powder room criteria was only addressed in Table 1109A.2-2, requiring powder rooms to be on an accessible route with usable entry doors. By utilizing Section 1134A.2, Option 2 Items 8 through 12, general requirements for all powder rooms are established. These general requirements are still more stringent than required in the Federal Fair Housing Design Manual and as intended by HCD. The additional requirements are only mandatory when the powder room is the only toilet facility located on an accessible level. This is consistent with the Federal Fair Housing Design Manual. See FHADM pages 7.34 and 7.35. The change provides clarity for the code user.

**SECTION: 1134A.6 Showers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is based on ICC/ANSI A117.1, Sections 608.2.1 through 608.2.3, ADAAG Section 4.21 and Chapter 11B, Section 1115B.6.2.1 requirements, which permit multiple shower sizes and provides designers optional means to meet accessible shower requirements. Portions of this section have been renumbered into subsections for user clarity and consistency with other code sections. The section departs from ANSI and ADAAG in that the minimum shower size of 36 inches by 36 inches (914 mm by 914 mm) is not allowed. Item 6 requirements have been modified.

HCD has attempted to establish a common ground between access needs of the disabled and the developer and design professional's concerns of preventing water damage. To encourage the continued use, design and inclusion of shower stalls within multifamily dwellings, the maximum allowable dam height permitted in an accessible shower shall be 2 inches (50.8 mm). The current California Plumbing Code (CPC) requires a minimum 2 inch (50.8 mm) and a maximum 9 inch (228.6 mm) finished threshold or dam. In effect, this creates an increase from current standards in the level of change (transition) for the mobility-impaired individual to enter the shower stall. The maximum 2 inch (50.8 mm) change of elevation at an accessible shower stall shall require a 1 unit vertical to 2 unit horizontal ratio of sloped angle. This provision addresses stakeholder comments/concerns regarding water damage while providing maximum utility for the greatest number of mobility-impaired individuals.

**SECTION: 1134A.7 Water closets**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is based on FHAA, Page 7.43 and ADAAG Section 4.16.2 and Figure 28, which require a minimum 48 inches wide maneuvering space in a toilet compartment/space. ICC/ANSI A117.1, Section 1003.11 requires 60 inches minimum width and is consistent with the distance to the wall. An exception is added which identifies approved encroachments on that maneuvering space. The exception is consistent with an illustration provided in the Fair Housing Manual. The change achieves equivalency with federal guidelines and provides clarity for the code user.

**SECTION 1150A — SITE IMPRACTICALITY TESTS**

**SECTION: 1150A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Reference to Section 1102A.2 for existing buildings was an oversight not applicable in this context. HCD has modified the text to reference Section 1102A.3.1 for multistory dwelling requirements. Utilizing the intended code reference, the code user can appropriately apply requirements of multistory dwelling units required to be

accessible. Multistory dwellings require ten percent of the dwelling units to be accessible, not twenty percent as may be required by Section 1150A. The term “townhouse” is defined in Chapter 2 of the 2006 IBC (model code) as “A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.” Multistory dwelling units may not necessarily start at the foundation or extend to the roof. The units may start above a garage or commercial occupancy and only extend to the next unit above. The changes bring consistency with other code sections and provide clarity for the code user.

**FIGURE 11A-8J "Platform at Secondary Exterior Door":** This illustration is added for clarity for the code user.

**FIGURE 11A-8K "Ramp at Secondary Exterior Door":** This illustration is added for clarity for the code user.

**FIGURE 11A-9L "Shower with Water Closet":** This illustration is added for clarity for the code user.

**FIGURE 11A-9M "Wing Wall or Cabinet at Water Closet":** This illustration is added for clarity for the code user.

## CHAPTER 16 – STRUCTURAL DESIGNS

### SECTION: 1609 Wind loads

HCD proposes the adoption of the above-listed new California amendment into Title 24, Part 2, CBC. HCD's banner is added along with a reference allowing the provisions of proposed new Section 1609.6 “Alternate all-heights method” to be used. The change brings consistency with other code sections and provides useful alternatives for the code user.

**SECTIONS: 1609.6 Alternate all-heights method, 1609.6.1 Scope, 1609.6.1.1 Modifications, 1609.6.2 Symbols and notations, Tables 1609.6.2(1) and 1609.6.2(2), 1609.6.3 Design equations, 1609.6.4 Design procedure, 1609.6.4.1 Main wind-force-resisting systems, 1609.6.4.2 Determination of  $K_z$  and  $K_{zt}$  velocity pressure exposure coefficient, 1609.6.4.3 Determination of net pressure coefficients,  $C_{net}$ , 1609.6.4.4 Application of wind pressures and 1609.6.4.4.1 Components and cladding**

HCD proposes to adopt the above-listed California amendments into Title 24, Part 2, CBC. The all-heights wind provisions of ASCE 7 are time consuming and confusing. Many engineers make significant errors in their use of this method. There is a simplified method in ASCE 7, but it is limited in use. The Structural Engineers Association of California (SEAOC) has filed a petition with the California Building Standards Commission (CBSC) in accordance with California Code of Regulations (CCR) Title 24, Part 1: California Administrative Code, 2007 (CAC 2007), Article 1-8 to adopt an alternate method which is in full compliance with ASCE 7. This method is being considered by the ASCE 7 Wind Committee for adoption in ASCE 7-10 and has been approved by the International Code Council – Structural (ICC-S) Committee for incorporation into IBC 2009 pending final action. Adoption of this proposal in the California Building Code, 2007 (CBC 2007) will permit use of this simplified method in California starting in 2009 instead of 2011. The changes update design requirements and provide clarity for the code user.

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

(Government Code Section 11346.2(b)(2) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

- ASCE 7-05 “Minimum Design Loads for Buildings and Other Structures”
- ACI 318-08 “Building Code Requirements for Structural Concrete and Commentary”
- ACI 503.7-07 “Specification for Crack Repair by Epoxy Injection”

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(3)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternative.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt model codes by reference.

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

(Government Code Section 11346.2(b)(3)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

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

(Government Code Section 11346.2(b)(4) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.)

None.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(5) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment. It is not the intent of this paragraph to require the agency to artificially construct alternatives or to justify why it has not identified alternatives.)

These regulations neither duplicate nor conflict with federal regulations.