

**REVISED EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING PROPOSED CHANGES TO THE 2007 CALIFORNIA BUILDING CODE (CBC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2
(HCD 02/07)**

The Department of Housing and Community Development (HCD) proposes to make necessary changes to the 2007 edition of the California Building Code (CBC), based on the 2006 International Building Code (IBC), as presented on the following pages. HCD further proposes to:

- Adopt necessary amendments to the model code;
- Repeal amendments to the model code that are no longer necessary.

LEGEND FOR EXPRESS TERMS:

1. **New California amendments (CA):** All California language appears in italics, original modified language is underlined or in ~~strikeout~~.
 2. **Amended, adopted, or repealed language after 45-day public hearing:** Amended, adopted, or repealed language will appear in double underline and ~~double strikeout~~.
 3. **Notation:** Authority and Reference citations are provided at the end of the document.
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1. Amend Section 1101A.1

Before Comment Period:

1101A.1 Scope. *The application and authority of this chapter are identified and referenced in Sections 108.2.1.2 and 1102A for the Department of Housing and Community Development. Applicable sections are identified in the Matrix Adoption Tables of this code under the abbreviation HCD 1-AC. The provisions of this chapter shall apply to the following:*

1. *All newly-constructed covered multifamily dwellings.*
2. *New common use spaces serving existing covered multifamily dwellings.*
3. *Additions to existing buildings where the addition alone meets the definition of a covered multifamily dwelling.*
4. ~~Common use~~ Common use *areas serving covered multifamily dwellings.*
5. *Where the facade of a building is preserved, but the interior of the building is removed, including all structural portions of floors and ceilings, the building is considered a new building for the purpose of determining the application of this chapter.*

These building standards generally do not apply to public accommodations such as hotels and motels. Public use areas, public accommodations and housing which is publicly funded as defined in Chapter 2, Chapter 11A, and Chapter 11B of this code are subject to provisions of the Division of the State Architect (DSA-AC) and are referenced in Section 109.1.1.

After Comment Period:

1101A.1 Scope. *The application and authority of this chapter are identified and referenced in Sections 108.2.1.2 and 1102A for the Department of Housing and Community Development. Applicable sections are identified in the Matrix Adoption Tables of this code under the abbreviation HCD 1-AC. The provisions of this chapter shall apply to the following:*

- 1. All newly-constructed covered multifamily dwellings.*
- 2. New common use spaces serving existing covered multifamily dwellings.*
- 3. Additions to existing buildings where the addition alone meets the definition of a covered multifamily dwelling.*
- 4. ~~Common use~~ Common use areas serving covered multifamily dwellings.*
- 5. ~~Where the facade of any portion of a building's exterior is preserved, but the interior of the building is removed, including all structural portions of floors and ceilings, the building is considered a new building for the purpose of determining the application of this chapter.~~*

These building standards generally do not apply to public accommodations such as hotels and motels. Public use areas, public accommodations and housing which is publicly funded as defined in Chapter 2, Chapter 11A, and Chapter 11B of this code are subject to provisions of the Division of the State Architect (DSA-AC) and are referenced in Section 109.1.1.

Rationale:

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with additional modification of subsection 5. The proposed regulation originated as the result of a stakeholder comment from past HCD Access focus group meetings. HCD's language modification is an effort to remove ambiguity and to clarify the purpose of the proposed building standard as intended. The term "façade" has been used during the development of this proposed building standard to include the exterior of the building. After further review, HCD believes that the perception of façade is more commonly associated with a building's front elevation as depicted in the Fair Housing Act Design Manual – Revised April 1998, page 11. Based upon this principle, HCD has removed "façade" from the proposed language to avoid any misreading and instead inserted modified language to make it clear that if any of the building's exterior remains during reconstruction, the provisions of Chapter 11A apply.

An existing building reconstructed as a multifamily dwelling, and meeting all other requirements for classification as a covered multifamily dwelling, is considered a new building for the purpose of applying Chapter 11A. Whether the façade remains and a new building is constructed behind the existing façade, or the building exterior (shell) is preserved in whole or in part, and the interior of the building including all structural portions of the floors and ceilings is removed and newly constructed within, the provisions of Chapter 11A will apply.

2. Amend Section 1115A.5

Before Comment Period:

1115A.5 Striping for the visually impaired. ~~Where stairways occur outside a building along accessible routes, the upper approach and all treads shall be marked by a strip of clearly contrasting color at least a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide and placed parallel to and not more than 1 inch (25.4 mm) from the nose of the step or landing to alert the visually impaired. The strip shall be of a material that is at least as slip resistant as the treads of the stair. A painted strip shall be acceptable. Exterior stairs serving buildings on a site containing multifamily dwelling units shall have the upper approach and all treads marked by a stripe providing clear visual contrast.~~

The stripe shall be a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable.

After Comment Period:

~~1115A.5 Striping for the visually impaired. Where stairways occur outside a building along accessible routes, the upper approach and all treads shall be marked by a strip of clearly contrasting color at least a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide and placed parallel to and not more than 1 inch (25.4 mm) from the nose of the step or landing to alert the visually impaired. The strip shall be of a material that is at least as slip resistant as the treads of the stair. A painted strip shall be acceptable. Exterior stairs serving buildings on a site containing multifamily dwelling units shall have the upper approach and all treads marked by a stripe providing clear visual contrast.~~

The stripe shall be a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable.

Rationale:

HCD removed some proposed language in Section 1115A.5 for further study. Based upon commenter testimony and suggestion at the Access Code Advisory Committee meetings, HCD agreed to amend Sections 1115A.5 and 1123A.5 "Striping for the visually impaired." The requirements initially proposed by HCD, if approved, would have required all striping to terminate within (3) inches of each side of a tread or landing. Currently, HCD has no prescribed length for a stripe. HCD's concurrence to additional modifications of Sections 1115A.5 and 1123A.5 would have established a more restrictive requirement than initially proposed. HCD staff review of stairway design has revealed that further evaluation is necessary to ensure no unworkable construction conditions would occur. The different materials, methods, and types of construction, including manufacturing and installation techniques, require further analysis to ensure consistency with Building Standards Law Nine-Point Criteria. HCD's approach is sensible and requisite prior to forwarding a blanket proposal for striping requirements that affect all stair applications. The language removed will be evaluated for possible inclusion in a future rulemaking package.

3. Amend Section 1123A.5:

Before Comment Period:

~~1123A.5 Striping for the visually impaired. The upper approach and the lower tread of each stair along routes required to be accessible shall be marked by a strip of clearly contrasting color at least a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or landing to alert the visually impaired. The strip shall be of material that is at least as slip resistant as the other treads of the stair. A painted strip shall be acceptable. Interior stairs shall have the upper approach and lower tread marked by a stripe providing clear visual contrast.~~

Exception: Stairways within an individual dwelling unit.

The stripe shall be a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable.

After Comment Period:

1123A.5 Striping for the visually impaired. ~~The upper approach and the lower tread of each stair along routes required to be accessible shall be marked by a strip of clearly contrasting color at least a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or landing to alert the visually impaired. The strip shall be of material that is at least as slip resistant as the other treads of the stair. A painted strip shall be acceptable. Interior stairs shall have the upper approach and lower tread marked by a stripe providing clear visual contrast.~~

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The stripe shall be a minimum of 2 inches (50.8 mm) wide to a maximum of 4 inches (101.6 mm) wide placed parallel to, and not more than 1 inch (25.4 mm) from, the nose of the step or upper approach. The stripe shall extend the full width of the step or upper approach and shall be of material that is at least as slip resistant as the other treads of the stair. A painted stripe shall be acceptable.

Rationale:

HCD removed some proposed language in Section 1123A.5 for further study. Based upon commenter testimony and suggestion at the Access Code Advisory Committee meetings, HCD agreed to amend Sections 1115A.5 and 1123A.5 "Striping for the visually impaired." The requirements initially proposed by HCD, if approved, would have required all striping to terminate within (3) inches of each side of a tread or landing. Currently, HCD has no prescribed length for a stripe. HCD's concurrence to additional modifications of Sections 1115A.5 and 1123A.5 would have established a more restrictive requirement than initially proposed. HCD staff review of stairway design has revealed that further evaluation is necessary to ensure no unworkable construction conditions would occur. The different materials, methods, and types of construction, including manufacturing and installation techniques, require analysis to ensure consistency with Building Standards Law Nine-Point Criteria. HCD's approach is sensible and requisite prior to forwarding a blanket proposal for striping requirements that affect all stair applications. The language removed will be evaluated for possible inclusion in a future rulemaking package.

4. Amend Section 1124A.3.3.2:

Before Comment Period:

1124A.3.3.2 Car control buttons. ~~Passenger elevator car controls shall have a minimum dimension of 3/4 inch (19.05 mm) and shall be raised 1/8 inch (3.17 mm) plus or minus 1/32 inch (0.8 mm) above the surrounding surface.~~

~~Control buttons shall be illuminated, shall have square shoulders and shall be activated by a mechanical motion that is detectable.~~

~~All control buttons shall be designated by a 5/8-inch-minimum (15.88 mm) Arabic numeral, standard alphabet raised characters or and standard raised symbols that comply with Sections 1143A.8 and 1143A.9 immediately to the left of the control button. A Contracted Grade 2 Braille symbol that conforms to Section 1124A.3.3.4 shall be located immediately below the numeral, character or symbol. A minimum clear space of 3/8 inch (9.5 mm) or other suitable means of separation shall be provided between rows of control buttons. **Note:** (See Figure 11A-7B.)~~

~~The raised characters and symbols shall be white on a black background. Controls and emergency equipment identified by raised symbols shall include, but not be limited to, "door open," "door close," "alarm bell," "emergency stop" and "telephone." The call button for the main entry floor shall be designated by a raised star at the left of the floor designation.~~

After Comment Period:

1124A.3.3.2 Car control buttons. Passenger elevator car controls shall have a minimum dimension of $\frac{3}{4}$ inch (~~49.05~~ 19.1 mm) and shall be raised $\frac{1}{8}$ inch (~~3.17~~ 3.2 mm) plus or minus $\frac{1}{32}$ inch (0.8 mm) above the surrounding surface.

Control buttons shall be illuminated, shall have square shoulders and shall be activated by a mechanical motion that is detectable.

All control buttons shall be designated by a $\frac{5}{8}$ -inch-minimum (~~15.85~~ 15.9 mm) ~~Arabic numeral, standard alphabet raised characters or and standard raised symbols that comply with Sections 1143A.8 and 1143A.9~~ immediately to the left of the control button. ~~A Contracted Grade 2 Braille symbol that conforms to Section 1143A.9~~ ~~1124A.3.3.4~~ shall be located immediately below the numeral, character or symbol. A minimum clear space of $\frac{3}{8}$ inch (9.5 mm) or other suitable means of separation shall be provided between rows of control buttons. **Note:** (See Figure 11A-7B.)

The raised characters and symbols shall be white on a black background. Controls and emergency equipment identified by raised symbols shall include, but not be limited to, "door open," "door close," "alarm bell," "emergency stop" and "telephone." The call button for the main entry floor shall be designated by a raised star at the left of the floor designation.

Rationale:

HCD is removing a reference to an incorrect code section and inserting the correct reference section. The code section being removed was part of our original proposed Express Terms submitted to the Building Standards Commission. The incorrect reference section was part of a new section and several subsections withdrawn after comment from the Access Code Advisory Committee. The revision has no change in regulatory effect.

5. Amend Section 1134A.2, Option 2, as follows:

Before Comment Period:

Option 2. Only one bathroom within the dwelling unit shall be designed to comply with the following:

1. Toilet, bathing and shower facilities shall comply with Section 1134A.4.
2. Bathtubs shall comply with Section 1134A.5.
3. Showers shall comply with Section 1134A.6.
4. Water closets shall comply with Section 1134A.7.
5. Lavatories, vanities, mirrors and towel fixtures shall comply with Section 1134A.8.
6. Where both a tub and shower are provided in the bathroom, at least one shall be made accessible. (See Section 1134A.5 for bathtubs or Section 1134A.6 for showers.)
7. When two or more lavatories are provided, at least one shall be made accessible and comply with Section 1134A.8.
8. Bathrooms shall be provided with an accessible route into and through the bathroom.
9. If a door is provided, it shall comply with the requirements of Section 1132A.5.
10. A minimum 18-inch (457 mm) clear maneuvering space shall be provided on the swing side of the door at the strike edge of the door.

11. Switches, outlets and controls shall comply with Section 1142A.

12. Reinforced walls to allow for the future installation of grab bars around the toilet, tub and shower shall comply with Sections 1134A.5 for bathtubs, 1134A.6 for showers and 1134A.7 for water closets. Grab bars shall comply with Section 1127A.4.

When Option 2 is used, all additional bathrooms must comply with Items 8 through 12 above.

When two or more bathrooms are provided within the same dwelling unit and a bathtub is installed in one bathroom and a shower stall is installed in a second bathroom, both the bathtub and at least one shower stall shall comply with Section 1134A.

After Comment Period:

Option 2. Only one bathroom within the dwelling unit shall be designed to comply with the following:

1. Toilet, bathing and shower facilities shall comply with Section 1134A.4.
2. Bathtubs shall comply with Section 1134A.5.
3. Showers shall comply with Section 1134A.6.
4. Water closets shall comply with Section 1134A.7.
5. Lavatories, vanities, mirrors and towel fixtures shall comply with Section 1134A.8.
6. Where both a tub and shower are provided in the bathroom, at least one shall be made accessible. Additional requirements apply to dwelling units containing two or more bathrooms when a bathtub is provided as the accessible bathing fixture.

Where two or more bathrooms are provided within the same dwelling unit and a bathtub is installed to comply with Option 2 item 6 in one bathroom and a shower stall is provided in a subsequent bathroom, both the bathtub selected to comply with Option 2 item 6 and at least one shower stall within the dwelling unit shall meet all the applicable accessibility requirements provided in Section 1134A. (See Section 1134A.5 for bathtubs or Section 1134A.6 for showers.)

7. When two or more lavatories are provided, at least one shall be made accessible and comply with Section 1134A.8.
8. Bathrooms shall be provided with an accessible route into and through the bathroom.
9. If a door is provided, it shall comply with the requirements of Section 1132A.5.
10. A minimum 18-inch (457 mm) clear maneuvering space shall be provided on the swing side of the door at the strike edge of the door.
11. Switches, outlets and controls shall comply with Section 1142A.
12. Reinforced walls to allow for the future installation of grab bars around the toilet, tub and shower shall comply with Sections 1134A.5 for bathtubs, 1134A.6 for showers and 1134A.7 for water closets. Grab bars shall comply with Section 1127A.4.

When Option 2 is used, all additional bathrooms must comply with Items 8 through 12 above.

~~When two or more bathrooms are provided within the same dwelling unit and a bathtub is installed in one bathroom and a shower stall is installed in a second bathroom, both the bathtub and at least one shower stall shall comply with Section 1134A.~~

Rationale:

HCD received oral testimony during a public hearing conducted by the Building Standards Commission on May 6, 2008. One commenter opposed HCD's proposed amendments to Section 1134A.2, Option 2, stating that language is "unclear with regard to the shower issue." The commenter further suggested that the language as proposed is "conflicting and that more development is required." HCD acknowledges the comment received. Although no supporting documentation or revision language was offered to clarify the commenter's testimony, HCD developed non-substantive revisions to this section to increase the clarity and understanding of the proposed regulation. The revision has no change in regulatory effect.

NOTE:

Authority cited: Health and Safety Code Sections 17040, 17921, 17922, 18300, 18865 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17060, 17910 through 17990, 18620, 18630, 18640, 18670, 18690, 18691, 18873 through 18873.5 and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.