

CHAPTER 11A

HOUSING ACCESSIBILITY

NOTE: Dwelling units constructed as senior citizen housing may also be subject to the Unruh Civil Rights Act. Refer to Division I, Part 2 of the California Civil Code. For additional information regarding application, interpretation and enforcement, contact the California Department of Fair Employment and Housing.

Division I – APPLICATION, GENERAL PROVISIONS, AND DEFINITIONS

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SECTION 1101A APPLICATION

1101A.1 Scope. The application and authority of this chapter are identified and referenced in Sections 1.8.2.1.2 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 areas serving covered multifamily dwellings.
5. Where 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 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 public housing as defined in Chapter 2 of this code are subject to provisions of the Division of the State Architect (DSA-AC) and are referenced in Section 1.9.1.1.

SECTION 1102A BUILDING ACCESSIBILITY

1102A.1 Where required. Buildings or portions of buildings and facilities within the scope of this chapter shall be accessible to persons with disabilities. Each building on a building site shall be considered separately when determining the

requirements contained in this chapter, except when calculating the number of units which must comply with Section 1102A.3.1. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

Newly-constructed covered multifamily dwellings as defined in this chapter, include, but are not limited to, the following:

1. Apartment buildings with 3 or more dwelling units including timeshare apartments not considered a place of public accommodation or transient lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.
2. Condominiums with 4 or more dwelling units including timeshare condominiums not considered a place of public accommodation or transient lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.
3. Lodging houses, as defined in Chapter 2 of the California Building Code, used as a residence with more than 3 but not more than 5 guest rooms.
4. Congregate residences, as defined in Chapter 2 of the California Building Code.
5. Dwellings with 3 or more efficiency units, as defined in Chapter 2 of this code, or Section 17958.1 of the California Health and Safety Code.
6. Shelters for homeless persons, not otherwise subject to the disabled access provisions of the Division of the State Architect-Access Compliance (DSA-AC).
7. Dormitories, as defined in Chapter 2 of this code, with 3 or more guest rooms as defined in Chapter 2 of the California Building Code.
8. Timeshare dwellings with 3 or more units, not considered a place of public accommodations or transient lodging as defined in Health and Safety Code Section 19955 (a), and Chapter 2 of the California Building Code.
9. Other Group R occupancies in covered multifamily dwellings which are regulated by the Office of the State Fire Marshal. See Section 1.11.
10. Public housing as defined in Chapter 2 of this code is subject to provisions of the Division of the State Architect (DSA-AC). See Chapter 11B.

1102A.2 Existing buildings. The building standards contained in this chapter do not apply to the alteration, repair, rehabilitation or maintenance of multifamily dwellings constructed for first occupancy prior to March 13, 1991. Public housing as defined in Chapter 2 of this code is subject to pro-