

Chapter 14: General Regulations
Article 5: Building Regulations
Division 40: Voluntary Accessibility Program

§145.4001 Purpose

The purpose of the Voluntary Accessibility Program is to encourage residential development that incorporates accessible design features including accessible routes of travel, accessible entrances, and accessible common use rooms to meet the needs of as many users as possible. The intent is to increase opportunities for persons with temporary, developing, or permanent disabilities to visit neighboring dwelling units, and to increase the number of accessible dwelling units in the local housing supply that meet long term housing needs by offering development incentives that facilitate this type of accessible design.

§145.4002 When Voluntary Accessibility Program Applies

- (a) Proposed residential development is eligible for this voluntary program as follows:
 - (1) Projects that are exempt from the accessibility requirements of the California Building Code (Chapter 11A),
 - (2) Projects where only a portion of the residential development is subject to the accessibility requirements of the California Building Code (Chapter 11A), or
 - (3) Projects where the required accessibility in accordance with the California Building Code (Chapter 11A) would be less accessible than would be achieved through the Voluntary Accessibility Program.
- (b) In consideration of the benefit to the community, projects with dwelling units that are voluntarily designed to be accessible may be granted development incentives in accordance with Section 145.4003.
- (c) The Voluntary Accessibility Program does not apply to dwelling units requesting reasonable accommodations in accordance with Section 131.0466.

§145.4003 Voluntary Accessibility Program Regulations and Development Incentives

- (a) Development incentives specifically granted under the Voluntary Accessibility Program in accordance with Section 145.4003(c) and (d) shall not require processing of a deviation from the underlying base zone.

- (b) The decision process for a *development* requesting an incentive shall be the same decision process that would be required if the incentive were not a part of the *development* proposal.
- (c) The incentives available to a project shall be determined by the number and type of *dwelling units* that would be voluntarily designed for accessibility.

 - (1) Each *dwelling unit* voluntarily designed in accordance with Section 145.4004 (Tier I- Accessible Living Unit) shall be eligible for:

 - (A) A *floor area ratio* bonus up to a maximum of 5 percent, and
 - (B) A choice of one development incentive from Section 145.4003(d).
 - (2) Each *dwelling unit* voluntarily designed in accordance with Section 145.4005 (Tier II- Visitable Unit) shall be eligible for either a *floor area ratio* bonus up to a maximum of 5 percent or a choice of one development incentive from Section 145.4003(d).
 - (3) Projects with at least 50 percent of the eligible *dwelling units* voluntarily designed in accordance with either Section 145.4004 (Tier I- Accessible Living Unit) or Section 145.4005 (Tier II- Visitable Unit) shall be eligible for:

 - (A) Incentives for each Tier I- Accessible Living Unit in accordance with 145.4003(c)(1),
 - (B) An incentive for each Tier II-Visitable Unit in accordance with 145.4003(c)(2), and
 - (C) Expedite Processing subject to Council Policy.
 - (4) Projects with 100 percent of the eligible *dwelling units* voluntarily designed in accordance with Section 145.4004 (Tier I- Accessible Living Unit) shall be eligible for:

 - (A) Incentives for each Tier I- Accessible Living Unit in accordance with 145.4003(c)(1),
 - (B) Expedite Processing subject to Council Policy, and

- (C) A density bonus up to 5 percent based on the pre-bonus number of dwelling units in the project voluntarily designed in accordance with Section 145.4004 (Tier I- Accessible Living Unit).
- (D) Projects providing a minimum of 10 Tier I- Accessible Living Units shall be eligible for a choice of 1 additional development incentive from Section 145.4003(d).

(d) Development Incentives

Where Section 145.4003 indicates that a project is eligible for one or more development incentives, an applicant may select from the following:

- (1) Modification of the applicable parking regulations in Section 142.0560 may be requested for Tier I- Accessible Living Units as follows:
 - (A) A reduction of the drive aisle width to a minimum of 22 feet if using standard parking space dimensions, or
 - (B) A reduction of the required motorcycle facilities up to 50 percent, or
 - (C) A reduction of the driveway width consistent with the minimum dimensions specified in Table 142-05M, or
 - (D) Encroachment of required off-street parking spaces into the required setback area of a private driveway (where parking spaces would not conflict with a required visibility area), or
 - (E) Calculation of tandem parking spaces (designed in accordance with Section 142.0560) as two spaces to meet the applicable parking requirement.
- (2) The applicable setback regulations may be reduced up to 10 percent for proposed structures where necessary to fulfill the accessible design requirements.
- (3) The applicable lot coverage regulations may be exceeded up to 10 percent where necessary to fulfill the accessible design requirements.
- (4) The applicable maximum structure height regulations may be exceeded by up to 10 percent to accommodate an elevator or

special access (wheelchair) lift system. The maximum *structure height* may not exceed height limits required within the Coastal Height Limit Overlay Zone or conflict with Federal Aviation Regulations Part 77 airspace protection surfaces within designated airport influence areas.

- (5) The applicable landscape requirements may be modified or reduced as necessary to accommodate an accessible route of travel.
- (e) The *floor area ratio* bonus and development incentives applicable to a project in accordance with Section 145.4003(c) are limited to accessible units that are voluntarily designed in accordance with this program and may not be redistributed across the project as a whole.

§145.4004 Tier I- Accessible Living Unit Design Standards

- (a) In order to meet the Tier I Accessible Living Unit Design Standards, *dwelling units* shall comply with the California Building Code requirements for accessibility (Chapter 11A), except as otherwise indicated in Section 145.4004(b), (c), and (d).
- (b) For the purpose of this section, *dwelling units* developed with multiple *stories* shall provide a *kitchen* on the primary accessible level in accordance with the California Building Code requirements for accessibility (Chapter 11A) in addition to other accessible design requirements in accordance with Section 145.4004(a).
- (c) Accessible entrances designed for Tier I- Accessible Living Units shall be permitted up to a maximum of three quarters of an inch in height differential between the exterior and interior landings.
- (d) Required accessible *off-street parking spaces*
 - (1) *Single dwelling units* and duplexes
 - (A) *Single dwelling units* shall provide *off-street parking spaces* per *dwelling unit* in accordance with Sections 142.0520 and 142.0560.
 - (B) Duplexes shall provide *off-street parking spaces* per *dwelling unit* in accordance with Sections 142.0525 and 142.0560.

- (C) In addition to the required parking in Section 145.4004(d)(1)(A) or (B), an accessible off-street loading and unloading area shall be provided as follows:
 - (i) The minimum dimensions shall be 14 feet in width by 18 feet in depth with a maximum slope of one quarter inch per foot in any direction,
 - (ii) The off-street loading area may be located within the private driveway and may encroach into the required setback area, and
 - (iii) The loading area shall be connected to the *dwelling unit* via an accessible route of travel to an accessible entrance.

- (2) Multiple dwelling unit development with three or more dwelling units shall provide *off-street parking spaces* in accordance with Sections 145.0525 and 142.0560 including required accessible *off-street parking spaces* in accordance with California Building Code Section 1109A.

§145.4005 Tier II- Visitable Unit Design Standards

The Tier II Visitable Dwelling Unit Design Standards are intended to create *dwelling units* that facilitate access to, and access within, the primary level of a *dwelling unit* for persons with temporary, developing, or permanent disabilities. The primary level of a Tier II Visitable *Dwelling Unit* shall include accessible routes of travel, an accessible entrance, and accessible common use spaces (a kitchen, a bathroom or half bathroom, and at least one common use room) designed as follows:

(a) Accessible Exterior Route of Travel

At least one exterior accessible route of travel shall connect an accessible entrance to either the sidewalk or driveway. The exterior route of travel shall be designed as follows:

- (1) A minimum width shall be provided in compliance with California Building Code Section 1113A.1.1.
- (2) A maximum slope less than 1 unit vertical and 12 units horizontal shall be provided with a maximum 2 percent cross slope.

(3) A level landing area of 5 feet in length shall be provided for every 30 inches of rise in circumstances where the accessible route of travel would have a slope exceeding 5 percent.

(4) Handrails are not required.

(b) Accessible Entrance to the Primary Level

(1) At least one accessible entrance to the primary level shall be provided that does not exceed three quarters of an inch in height differential between the exterior and interior landings.

(2) In lieu of Section 145.4005(b)(1), the entrance for up to 50 percent of the units may be designed to be adaptable for accessibility as follows:

(A) A maximum of 4 inches in step height shall be provided between the exterior and interior landings.

(B) A minimum clear space of 12 inches in length for every 1 inch in step height shall be provided on the exterior side of the door to accommodate a future ramp.

(C) The ramp clear space shall not overlap the exterior landing.

(D) Interior and exterior landings shall provide a minimum length of 48 inches to the accessible route of travel.

(E) The entry door shall provide a minimum net clear opening of 32 inches.

(c) Accessible Interior Route of Travel

At least one interior accessible route of travel shall be provided in compliance with California Building Code Section 1120.A.1. The interior route of travel shall connect an accessible entrance to the following rooms located on the primary level:

(1) At least one bathroom or half bathroom,

(2) The *kitchen*, and

(3) Any common use rooms such as a living room or family room.

(d) One Kitchen on the Primary Level

A kitchen, located along the interior accessible route of travel on the primary level, shall be provided in accordance with the following:

- (1) A clear floor space at least 30 inches by 48 inches shall be provided to allow a parallel approach by a person in a wheelchair at a range or cook top, the kitchen sink, oven, dishwasher, and refrigerator/freezer.
- (2) In lieu of Section 145.4005, a kitchen with a pass through design may provide a 39 inch wide or greater accessible route of travel to a range or cooktop, kitchen sink, oven, dishwasher and refrigerator/freezer.
- (3) Kitchen sink faucet controls shall use lever hardware or other similar hardware.
- (4) A minimum linear length of 30 inches of countertop space shall be provided adjacent to the kitchen sink.

(e) Bathroom or Half Bathroom on the Primary Level

At least one accessible bathroom or half bathroom, located along the interior accessible route of travel on the primary level, shall be provided in accordance with the following:

- (1) The bathroom entrance shall provide sufficient maneuvering space in accordance with California Building Code Sections 1132A.5 and 1134A.4.
- (2) Structural reinforcements for future grab bar installation shall be provided in the walls adjacent to showers and bathtubs, and in the walls or floor adjacent to toilets, in accordance with California Building Code Chapter 11A.
- (3) A minimum clear space of 30 inches by 48 inches shall be provided for parallel approach at the lavatory. Maneuvering spaces may include any knee-space or toe-space available below bathroom fixtures.
- (4) A minimum clear space of 30 inches by 48 inches shall be provided for forward approach at the toilet.
- (5) When provided, a minimum clear space of 30 inches by 48 inches shall be provided for parallel approach at the shower or bathtub.

(6) Faucet controls shall use lever hardware.

(7) Clear spaces at the sink, toilet and shower/bathtub may overlap or coincide to meet the minimum requirements.

(f) Common Use Room(s) on the Primary Level

The accessible primary level shall include at least one common use room such as a living room or family room.

(g) Accessible Design and Fixtures on the Primary Level

Accessible rooms located along the interior accessible path of travel and the accessible entrance to the primary level shall comply with the following:

(1) Doors

(A) Doors shall have a minimum net clear opening of 32 inches.

(B) Lever hardware, or other similar hardware, centered between 30 inches and 44 inches above the floor is required for all doors, except for pocket doors or sliding doors.

(C) Pocket doors and sliding doors providing access to rooms required along the interior accessible route of travel shall be easily operated by persons with limited dexterity.

(2) Electrical Outlets and Fixtures

(A) Electrical switches and outlets shall be located no more than 48 inches measured from the top of the outlet box nor less than 15 inches measured from the bottom of the outlet box to the level of the finished floor.

(B) Electrical outlets providing power to appliances such as ovens, refrigerators, microwave ovens, dishwashers, washing machines, dryers and other similar fixed appliances are exempt.