

GENDER NEUTRAL  
BOTH ROOMS

DRAFT PROPOSED CODE CHANGES  
FOR  
THE CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

2016 CALIFORNIA BUILDING CODE  
TRIENNIAL CODE CYCLE

LEGEND

1. Existing California amendments or code language being modified are in italics when they appear in the model code text: All such language appears in *italics*, modified language is underlined.
2. New California amendments: All such language appears underlined and in italics.
3. Repealed text: All such language appears in ~~strikeout~~.

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CHAPTER 11B  
ACCESSIBILITY TO PUBLIC BUILDINGS,  
PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDINGS AND PUBLICLY FUNDED HOUSING

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ITEM 11B.XX  
DIVISION 2: SCOPING REQUIREMENTS

**11B-208 Parking spaces**  
**11B-208.3 Location. ...**

**11B-208.3.1 General.** Parking spaces complying with *Section 11B-502* that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance complying with *Section 11B-206.4*. Where parking serves more than one accessible entrance, parking spaces complying with *Section 11B-502* shall be dispersed and located on the shortest accessible route to the accessible entrances. In parking facilities that do not serve a particular building or facility, parking spaces complying with *Section 11B-502* shall be located on the shortest accessible route to an accessible pedestrian entrance of the parking facility.

**Exceptions:**

1. ~~All *In existing facilities, all*~~ van parking spaces shall be permitted to be grouped on one level within a multi-story parking facility.
2. Parking spaces shall be permitted to be located in different parking facilities if substantially equivalent or greater accessibility is provided in terms of distance from an accessible entrance or entrances, parking fee, and user convenience.

**REASON:** DSA-AC is proposing to amend Exception 1 to Section 11B-208.3.1 and related Section 11B-502.5 to allow van accessible parking spaces to be grouped on one level only in existing multi-story parking facilities and to allow car accessible parking spaces in existing multi-story parking facilities to provide 80 inches minimum vertical clearance at the space, access aisle and vehicular routes serving them. These changes recognize the practical difficulty of requiring 98 inches of vertical clearance in

existing multi-story parking facilities where the existing condition provides less than 98 inches of vertical clearance.

In this situation, current code enforcement practice typically is to determine compliance with the applicable requirements is technically infeasible and require equivalent facilitation or compliance with the requirements to the maximum extent feasible as allowed in Section 11B-202.3 Exception 2. This practice lends itself to a variety of solutions, some of which omit the dispersal of car accessible parking spaces in multi-story parking facilities which serve accessible building entrances on more than one story. The proposed changes provide for the dispersal of car accessible parking spaces in existing multi-story parking facilities where the minimum vertical clearance to and at these parking spaces is 80 inches minimum – consistent with the requirements of the 2010 ADA Standards for Accessible Design. The proposed changes do not alter the technically infeasible provisions in Section 11B-202.3 Exception 2. These amendments will provide clarity and consistency for code users.

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**ITEM 11B.XX – RELATED CODE AMENDMENT**  
**DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-502 Parking spaces**

**11B-502.5 Vertical clearance.** Parking spaces, access aisles and vehicular routes serving them shall provide a vertical clearance of 98 inches (2489 mm) minimum.

*Exception: In existing multi-story parking facilities, car parking spaces, access aisles and vehicular routes serving them shall provide a vertical clearance of 80 inches (2032 mm) minimum.*

**REASON:** DSA-AC is proposing to amend this section to allow car accessible parking spaces in existing multi-story parking facilities to provide 80 inches minimum vertical clearance at the space, access aisle and vehicular routes serving them; this exception is not applicable to van accessible parking spaces. These changes recognize the practical difficulty of requiring 98 inches of vertical clearance in existing multi-story parking facilities where the existing condition provides less than 98 inches of vertical clearance. This proposal complies with the 2010 ADA Standards for Accessible Design requirement for 80 inches minimum vertical clearance at car accessible parking spaces, access aisles and vehicular routes serving them. These amendments will provide clarity and consistency for code users.

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**ITEM 11B.XX**  
**DIVISION 2: SCOPING REQUIREMENTS**

**11B-213 Toilet facilities and bathing facilities**

...

**11B-213.2 Toilet rooms and bathing rooms.** Where toilet rooms are provided, each toilet room shall comply with *Section 11B-603*. Where bathing rooms are provided, each bathing room shall comply with *Section 11B-603*.

**Exceptions:**

1. In alterations where it is technically infeasible to comply with *Section 11B-603*, altering existing toilet or bathing rooms shall not be required where a single unisex gender-neutral

toilet room or bathing room complying with *Section 11B-213.2.1* is provided and located in the same area and on the same floor as existing inaccessible toilet or bathing rooms.

2. ...
3. ...
4. ...
5. ...

**11B-213.2.1 ~~Unisex (single-use or family) Single-user or family~~ toilet and ~~unisex single-user or family~~ bathing rooms.** ~~Unisex Single-user or family~~ toilet rooms shall contain not more than one lavatory, and *not more than* two water closets without urinals or one water closet and one urinal. ~~Unisex Single-user or family~~ bathing rooms shall contain one shower or one shower and one bathtub, one lavatory, and one water closet. Doors to ~~unisex single-user or family~~ toilet rooms and ~~unisex single-user or family~~ bathing rooms shall have privacy latches.

**11B-213.2.2 ~~Unisex (patient) Single-user or family patient~~ toilet rooms in medical care and long-term care facilities.** Common-use ~~unisex single-user or family patient~~ toilet rooms for exclusive patient use not located within patient bedrooms shall contain a lavatory and one water closet.

**11B-213.2.3 ~~Unisex (patient) Single-user or family patient~~ bathing rooms in medical care and long-term care facilities.** Common-use ~~unisex single-user or family patient~~ bathing rooms for exclusive patient use not located within patient bedrooms shall contain one shower or one bathtub, one lavatory, and one water closet.

**REASON:** DSA-AC is proposing to amend these sections to clarify what is meant by the term "unisex". Currently, the term "unisex" is used in two ways in the code, either 1) in reference to "single-user or family" toilet and bathing rooms or 2) in reference to "gender-neutral" toilet and bathing rooms. Clarification of the term is necessary to ensure scoping provisions are applied correctly. DSA-AC is proposing to replace the term "unisex" with "single-user or family" and "gender-neutral" as the context of the code indicates. These amendments will provide clarity and consistency for code users.

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## ITEM 11B.XX – RELATED CODE AMENDMENT

### DIVISION 2: SCOPING REQUIREMENTS

#### 11B-202 Existing buildings and facilities

**11B-202.4 *Path of travel requirements in alterations, additions and structural repairs.*** *When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided. The primary accessible path of travel shall include:*

1. *A primary entrance to the building or facility,*
2. *Toilet and bathing facilities serving the area,*
3. *Drinking fountains serving the area,*
4. *Public telephones serving the area, and*
5. *Signs.*

**Exceptions:**

1. ...
2. ...
3. ...
4. ...
5. ...

6. ...
7. ...

8. *When the adjusted construction cost is less than or equal to the current valuation threshold, as defined in Chapter 2, Section 202, the cost of compliance with Section 11B-202.4 shall be limited to 20 percent of the adjusted construction cost of alterations, structural repairs or additions. When the cost of full compliance with Section 11B-202.4 would exceed 20 percent, compliance shall be provided to the greatest extent possible without exceeding 20 percent.*

*When the adjusted construction cost exceeds the current valuation threshold, as defined in Chapter 2, Section 202, and the enforcing agency determines the cost of compliance with Section 11B-202.4 is an unreasonable hardship, as defined in Chapter 2, Section 202, full compliance with Section 11B-202.4 shall not be required. Compliance shall be provided by equivalent facilitation or to the greatest extent possible without creating an unreasonable hardship; but in no case shall the cost of compliance be less than 20 percent of the adjusted construction cost of alterations, structural repairs or additions. The details of the finding of unreasonable hardship shall be recorded and entered into the files of the enforcing agency and shall be subject to Chapter 1, Section 1.9.1.5, Special Conditions for Persons with Disabilities Requiring Appeals Action Ratification.*

*For the purposes of this exception, the adjusted construction cost of alterations, structural repairs or additions shall not include the cost of alterations to path of travel elements required to comply with Section 11B-202.4.*

*In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:*

1. *An accessible entrance;*
2. *An accessible route to the altered area;*
3. *At least one accessible restroom for each sex or a single accessible ~~unisex~~ gender-neutral restroom;*
4. *Accessible telephones;*
5. *Accessible drinking fountains; and*
6. *When possible, additional accessible elements such as parking, signs, storage and alarms.*

*If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.*

9. ...

**REASON:** DSA-AC is proposing to amend this section by replacing the term “unisex” with “single-user or family” and “gender-neutral” as the context of the code indicates. This amendment will provide clarity and consistency for code users.

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## ITEM 11B.XX – RELATED CODE AMENDMENT

## DIVISION 2: SCOPING REQUIREMENTS

### 11B-222 Dressing, fitting, and locker rooms

**11B-222.1 General.** Where dressing rooms, fitting rooms, or locker rooms are provided, at least 5 percent, but no fewer than one, of each type of use in each cluster provided shall comply with *Section 11B-803*.

**Exception:** In alterations, where it is technically infeasible to provide rooms in accordance with *Section 11B-222.1*, one room for each sex on each level shall comply with *Section 11B-803*. Where only unisex gender-neutral rooms are provided, unisex gender-neutral rooms shall be permitted.

**REASON:** DSA-AC is proposing to amend this section by replacing the term "unisex" with "single-user or family" and "gender-neutral" as the context of the code indicates, in coordination with the changes to *Section 11B-213.2*. This amendment will provide clarity and consistency for code users.

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## ITEM 11B.XX – RELATED CODE AMENDMENT

### DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES

#### 11B-703 Signs

##### 11B-703.7 Symbols of accessibility. ...

###### 11B-703.7.2 Symbols.

**11B-703.7.2.6.3 Unisex Gender-neutral toilet and bathing facilities.** Unisex Gender-neutral toilet and bathing facilities shall be identified by a circle, ¼ inch (6.4 mm) thick and 12 inches (305 mm) in diameter with a ¼ inch (6.4 mm) thick triangle with a vertex pointing upward superimposed on the circle and within the 12-inch (305 mm) diameter. The triangle symbol shall contrast with the circle symbol, either light on a dark background or dark on a light background. The circle symbol shall contrast with the door, either light on a dark background or dark on a light background.

**Exception:** Within secure perimeter of detention and correctional facilities, geometric symbols shall not be required to be ¼ inch (6.4 mm) thick.

**REASON:** DSA-AC is proposing to amend this section by replacing the term "unisex" with "single-user or family" and "gender-neutral" as the context of the code indicates, in coordination with the changes to *Section 11B-213.2*. This amendment will provide clarity and consistency for code users.

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## ITEM 11B.XX

### DIVISION 2: SCOPING REQUIREMENTS

#### 11B-220 Automatic teller machines, fare machines and point-of-sale devices

**11B-220.1 Automatic teller machines and fare machines.** Where automatic teller machines or self-service fare vending, collection, or adjustment machines are provided *they shall comply with Section 11B-220.1*. Where bins are provided for envelopes, waste paper, or other purposes, at least one of each type shall comply with *Section 11B-811*.

**11B-220.1.1 One automatic teller machine or fare machine.** Where one automatic teller machine or fare machine is provided at a location, it shall comply with Sections 11B-707.2 through 11B-707.8.

**11B-220.1.2 Two automatic teller machines or fare machines.** Where two automatic teller machines or fare machines are provided at a location, one shall comply with Sections 11B-707.2 through 11B-707.8 and one shall comply with Sections ~~11B-309, 11B-707.2, 11B-707.3~~, 11B-707.4, 11B-707.5, 11B-707.6, 11B-707.7.2 and 11B-707.8.

**11B-220.1.3 Three or more automatic teller machines or fare machines.** Where three or more automatic teller machines or fare machines are provided at a location, at least 50 percent shall comply with Sections 11B-707.2 through 11B-707.8 and the rest shall comply with Sections ~~11B-309, 11B-707.2, 11B-707.3~~, 11B-707.4, 11B-707.5, 11B-707.6, 11B-707.7.2 and 11B-707.8.

**REASON:** DSA-AC is proposing amendments to this section to clarify the requirements for ATMs and fare machines. The accessibility provisions for ATMs require features for people who use mobility devices and other features for people with visual impairments. Where one ATM is provided, features for both user groups are required. Where two ATMs are provided, the first requires features for both user groups and the second requires features for people with visual impairments. Where three or more ATMs are provided, 50 percent of the ATMs require features for both user groups and the balance require features for people with visual impairments.

When these provisions for ATMs were brought forward from the 2010 CBC into the 2013 CBC, DSA-AC included referenced code sections which inadvertently expanded the technical requirements for ATMs which previously were only required to provide features for people with visual impairments. Specifically, reference to Sections 11B-309 (Operable Parts) and 11B-707.2 (Clear Floor or Ground Space) invoked directly and by reference the requirements for 30" x 48" clear floor space, knee and toe space, and operable parts within reach ranges for forward or side reach; these requirements are appropriate for use by people who use mobility devices but are not necessary for people with visual impairments.

References are being amended to correctly identify when compliance with clear floor space and reach range provisions are required. These amendments will provide clarity and consistency for code users.

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**ITEM 11B.XX – RELATED CODE AMENDMENT**  
**DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

**11B-707 Automatic teller machines, fare machines and point-of-sale devices**

**11B-707.1 General.** Automatic teller machines, fare machines and point-of-sale devices shall comply with Section 11B-707.

**11B-707.2 Clear floor or ground space.** A clear floor or ground space complying with Section 11B-305 shall be provided.

**Exception:** Clear floor or ground space shall not be required at drive-up only automatic teller machines and fare machines.

**11B-707.3 Operable parts.** Operable parts shall comply with Section 11B-309. Unless a clear or correct key is provided, each operable part shall be able to be differentiated by sound or touch, without activation.

**Exception:** Exceptions:

1. Drive-up only automatic teller machines and fare machines shall not be required to comply with Sections 11B-309.2 and 11B-309.3.

2. Where automatic teller machines and fare machines do not require compliance with 11B-707.2, compliance with 11B-309.2 and 11B-309.3 shall not be required.

**REASON:** DSA-AC is proposing to amend this section to clarify the requirements for ATMs and fare machines. A new exception is being added to identify when compliance with clear floor space and reach range provisions is not required in coordination with related amendments proposed for Sections 11B-220.1.2 and 11B-220.1.3. This amendment will provide clarity and consistency for code users.

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## ITEM 11B.XX

### DIVISION 2: SCOPING REQUIREMENTS

#### 11B-220 Automatic teller machines, fare machines and point-of-sale devices

**11B-220.2 Point-of-sale devices.** Where point-of-sale devices are provided, all devices at each location shall comply with Sections 11B-309.4, 11B-707.3, and 11B-707.7.2, and 11B-707.9. In addition, point-of-sale systems that include a video touch screen or any other non-tactile keypad shall comply with either Section 11B-707.9.1.1 or 11B-707.9.1.2. Where point-of-sale devices are provided at check stands and sales and service counters required to be accessible, they shall comply with Section Sections 11B-707.2, 11B-707.3, 11B-707.7.2, and 11B-707.9. 11B-707.9.1, and shall also comply with Sections 11B-707.2, 11B-707.3 and 11B-707.4.

**Exception:** Where a single point-of-sale device is installed for use with any type of motor fuel, it shall comply with Sections 11B-220.2 and 11B-309 11B-707.2, 11B-707.3, 11B-707.7.2, and 11B-707.9. Where more than one point-of-sale device is installed for use with a specific type of motor fuel, a minimum of two for that type shall comply with Sections 11B-220.2 and 11B-309 11B-707.2, 11B-707.3, 11B-707.7.2, and 11B-707.9. Types of motor fuel include, but are not limited to, gasoline, diesel, compressed natural gas, methanol, ethanol or electricity.

**REASON:** DSA-AC is proposing amendments to this section to clarify the requirements for point-of-sale devices. The accessibility provisions for point-of-sale devices require features for people who use mobility devices and other features for people with visual impairments. Where point-of-sale devices are provided, features for people with visual impairments are required at all locations. Where point-of-sale devices are provided at check stands and service counters required to be accessible, these point-of-sale devices additionally require features for people who use mobility devices.

When the provisions for point-of-sale devices were brought forward from the 2010 CBC into the 2013 CBC, DSA-AC included referenced code sections which inadvertently expanded the technical requirements for point-of-sale devices which previously were only required to provide features for people with visual impairments. Specifically, reference to Sections 11B-309 (Operable Parts) and 11B-707.2 (Clear Floor or Ground Space) invoked directly and by reference the requirements for 30" x 48" clear floor space, knee and toe space, and operable parts within reach ranges for forward or side reach; these requirements are appropriate for use by people who use mobility devices but are not necessary for people with visual impairments.

References are being amended to correctly identify when compliance with clear floor space and reach range provisions are required. These amendments will provide clarity and consistency for code users.

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**ITEM 11B.XX – RELATED CODE AMENDMENT**  
**DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

**11B-707 Automatic teller machines, fare machines and point-of-sale devices**

**11B-707.1 General.** Automatic teller machines, fare machines and point-of-sale devices shall comply with *Section 11B-707*.

**11B-707.2 Clear floor or ground space.** A clear floor or ground space complying with *Section 11B-305* shall be provided.

**Exception:** Clear floor or ground space shall not be required at drive-up only automatic teller machines and fare machines.

**11B-707.3 Operable parts.** Operable parts shall comply with *Section 11B-309*. Unless a clear or correct key is provided, each operable part shall be able to be differentiated by sound or touch, without activation.

**Exception: Exceptions:**

1. Drive-up only automatic teller machines and fare machines shall not be required to comply with *Sections 11B-309.2 and 11B-309.3*.

2. Where point-of-sale devices do not require compliance with 11B-707.2, compliance with 11B-309.2 and 11B-309.3 shall not be required.

**REASON:** DSA-AC is proposing to amend this section to clarify the requirements for point-of-sale devices. A new exception is being added to identify when compliance with clear floor space and reach range provisions is not required in coordination with related amendments proposed for *Sections 11B-220.2*. This amendment will provide clarity and consistency for code users.

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**ITEM 11B.XX – RELATED CODE AMENDMENT**  
**DIVISION 7: COMMUNICATION ELEMENTS AND FEATURES**

**11B-707.9 Point-of-sale devices.** Point-of-sale devices shall comply with *Section 11B-707.9*.

~~**11B-707.9.1 General.** Where point-of-sale devices are provided, all devices at each location shall comply with *Sections 11B-309.4, 11B-707.3, and 11B-707.2*. In addition, point-of-sale Point-of-sale systems that include a video touch screen or any other non-tactile keypad shall be equipped with either of the following:~~

~~**11B-707.9.1.1 Tactilely discernible numerical keypad. ...**~~

~~**11B-707.9.1.2 Other technology. ...**~~

~~**11B-707.9.2 Point-of-sale devices at check stands and sales or service counters.** Where point-of-sale devices are provided at check stands and sales or service counters, they shall comply with *Section 11B-707.9.1*, and shall also comply with *Sections 11B-707.2, 11B-707.3 and 11B-707.4*.~~



**REASON:** DSA-AC is proposing to amend this section to clarify the requirements for point-of-sale devices. Consistent with model code format, duplicative scoping language located within this technical requirements section is being repealed in coordination with related amendments proposed for Section 11B-220.2. These amendments will provide clarity and consistency for code users.

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**ITEM 11B.XX**

**DIVISION 5: GENERAL SITE AND BUILDING ELEMENTS**

**11B-502 Parking spaces**

**11B-502.6 Identification.** Parking space identification signs shall include the International Symbol of Accessibility complying with Section 11B-703.7.2.1 *in white on a blue background*. Signs identifying van parking spaces shall contain *additional language or an additional sign with the designation "van accessible."* Signs shall be 60 inches (1524 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

*Exception: Signs located within an accessible route shall be a minimum of 80 inches (2032 mm) above the finish floor or ground surface measured to the bottom of the sign.*

**REASON:** DSA-AC is proposing to amend this exception to correct an inadvertent error in the drafting of the 2013 CA Building Code. The language of 2010 CA Building Code, Section 1129B.4 specifying the color of parking space identification signs displaying the International Symbol of Accessibility as white on a blue background was omitted. Currently, the International Symbol of Accessibility on the parking space identification sign must comply with Section 11B-703.7.2.1 which calls for white on a blue background, but provides an exception for the use of other colors which were not allowed in the 2010 or prior codes. Amending this section to require "white on a blue background" without exception will provide specificity and consistency for code users.

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**Notation**

**Authority:** Government Code Section 4450.

**References:** Government Code Sections 4450 through 4461, and 12955.1(c) and Health and Safety Code Sections 18949.1, 19952 through 19959.

