

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT (DSA-AC)  
REGARDING THE 2025 CALIFORNIA BUILDING CODE & 2025 CALIFORNIA  
EXISTING BUILDING CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 2 & 10  
(DSA-AC 01-24)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Division of the State Architect has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

The Division of the State Architect has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

The proposed amendments clarify existing accessibility requirements of the California Building Code.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from July 26 until September 9, 2024. Comments were received from two participants. No additional comment periods were required.

### **ITEMS 1 through 3**

#### **Chapter 2 DEFINITIONS, Section 202 MULTI-BEDROOM HOUSING UNITS Chapter 11B ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS, COMMERCIAL BUILDING AND PUBLIC HOUSING, Section 11B-213.2 Toilet rooms and bathing rooms and Section 224 Transient lodging guest rooms, housing at a place of education and social service center establishments**

##### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve

##### **Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendments.

### **ITEM 4**

#### **Chapter 11B, Section 11B-288.3.2 Minimum number.**

DSA-AC proposes to amend the exceptions in Section 11B-228.3.2 for minimum number of EVCS which are not clear to code users and enforcement entities, leading to variant interpretations and enforcement.

##### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation for further study. DRC states the edits provide useful clarification but does not resolve the problem of the exceptions being unlawful as a denial of program access. As such, DRC is opposed to the exceptions. DRC notes that disabled residents of public housing need access to EVCS, the same as non-disabled residents. DRC proposed language covering employee accommodations for designated commercial EVCS.

##### **Agency Response:**

DSA-AC thanks the commenter for their comments to the proposed amendments. DSA-AC respectfully declines to amend its proposal in response to these comments. DSA-AC notes that Section 11B-208.1 exc. 2 allows EV chargers to be installed at an accessible parking space assigned to the resident. Under the FHA reasonable modification requirements, a facility owner would need to permit a charger to be installed in an assigned accessible space if the resident needed one, resulting in access to EV charging equal to other residents. DSA-AC does not have the authority to address, through building standards, ADA Title II accommodations.

### **ITEMS 5 through 8**

#### **Chapter 11B, Section 11B-233.3 Public Housing facilities, Section 11B-233.3.1.2.6.1**

**Single building with one common (lobby) entrance, Section 11B-233.3.1.2.6.5  
Additional requirements and Section 11B-603.6 Guest room toilet and bathing rooms**

**Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve

**Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendments.

**ITEM 9**

**Chapter 11B, Section 11B-705.1.2 Location**

DSA-AC proposes to clarify requirements for detectable warning surfaces at blended transitions that are lengthy and continuous.

**Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve, and also recommends that DSA-AC provide guidance on what entails the “entirety of the transition” as it is not defined.

**Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendment. DSA is proposing no further changes to this section in response to these comments. DSA respectfully declines further changes to these sections in response to the comments. CBC Section 201.4 allows for undefined terms for the ordinary accepted meanings as defined in the collegiate dictionary to be applied.

**ITEM 10**

**Chapter 11B, Section 11B-806.2.3.1 Personal lift device floor space**

DSA-AC proposes to amend the technical requirements for personal lift device clear floor space to clarify that this requirement is applicable to transient lodging where many hotel owners block the underside of the bed.

**Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve, and also recommends that DSA-AC make minor text edits.

**Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendment. DSA is proposing no further changes to this section in response to these comments. DSA notes the proposed edits appear to be grammatical in nature with no effective change to the regulation.

## ITEM 11

### Chapter 11B, Section 11B-806.2.4 Toilet and bathing facilities.

DSA-AC proposes to include both the terms “bathrooms” and “toilet or bathing rooms” to clarify applicability in both transient lodging and housing at a place of education.

#### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve.

#### **Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendment.

## ITEM 12

### Chapter 11B, Section 11B-809 Residential dwelling units.

DSA-AC proposes to amend Section 11B-809.1 to add a reference for residential units with adaptable features. Also proposed is the addition of subsections Section 11B-809.1.1 to clarify door signal devices in buildings, Section 11B-809.1.2 viewing devices to include a lower viewing device where viewing devices are provided, and Section 11B-809.1.3 to require units with mobility features to provide one of each type of washing machines and clothes dryers within the unit, where such appliances are provided.

#### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, supports with minor amendments. In Section 11B-809.1.1 Ms. Muller suggests removing proposed language listing the type of door signal devices since they are not defined in the code and replacing them with a reference to requirements for units required to provide communication features. In Section 11B-809.1.2 recommends viewing device be installed centered, 40 inches minimum above finish floor, and insert the word “each” at the start of the sentence requiring viewing device to have a minimum 180-degree range of view, to regulate both the standing and lower viewing device. DRC also recommends adding language at Section 11B-809.1.3 stating when units without mobility features lack a washer and dryer, mobility units are to provide a washer and dryer; allowing a combination washer/dryer to be provided as an alternate at efficiency units.

#### **Commenter(s) and Recommendation:**

Gene Lozano, California Council of the Blind, supports with a minor amendment adding the word “all” and pluralize the word “devices” in the sentence requiring viewing devices to have a minimum 180-degree range of view, to regulate both the standing and lower viewing devices.

#### **Agency Response:**

DSA-AC thanks the commenters for their support of the proposed amendment. DSA-AC declines to cross reference the requirement for viewing devices at residential units with mobility features to the requirements for residential units with communications features, as this will lead to further confusion regarding what is required at each distinct type of unit. DSA-AC declines to amend proposed language to measure to the center of a viewing device as it is challenging to construct. The requested lower height was not

supported by additional documentation by the commenter. DSA-AC declines to amend language for the standing person viewing device as DSA-AC does not have authority to regulate items not required to be accessible. Standing persons who have a disability-related need for the 180-degree feature would be accommodated in a residential dwelling unit with communication features. DSA-AC also declines to amend proposed language for washers and dryers. The proposed reference to Section 11B-611 provides the needed technical requirements. The suggestion to require washers and dryers in all units required to provide mobility features, even when comparable non-mobility units do not provide such appliances, is an expansion of the proposed regulation, which is a substantive change prohibited at this point in the regulatory process.

### **ITEMS 13 through 15**

#### **Chapter 11B, Section 11B-809.6 Residential dwelling units with adaptable features, Section 11B-809.8 Doors and Section 11B-809.10 Bathrooms and powder rooms**

##### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve.

##### **Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendments.

### **ITEM 16**

#### **Chapter 11B, Section 11B-809.10.6 Showers.**

DSA-AC proposes to amend Section 11B-809.10.6.1 Item number 1 to reference the applicable requirements specific only to the shower size requirements.

##### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve. DRC recommends DSA-AC revisit shower standards in the 2025 Intervening cycle.

##### **Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendment. DSA-AC is proposing no further changes to this section in response to these comments.

### **ITEM 17**

#### **Chapter 11B, Section 11B-809.10.6.3**

DSA-AC proposes to amend Section 11B-809.10.6.3 to increase the clear floor space width from 30 inches to 36 inches at showers in residential dwelling units with adaptable features, along with a figure to illustrate the position of the clear floor space relative to the control wall of the shower.

##### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve. DRC recommends DSA-AC revisit shower standards in the 2025 Intervening cycle.

**Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendment. DSA is proposing no further changes to this section in response to these comments.

**ITEMS 18 and 19**

**Chapter 11B, Section 11B-902.2 Clear floor or ground space and Section 1511.9.6 Accessibility and egress**

**Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Recommendation to approve.

**Agency Response:**

DSA-AC thanks the commenter for the support of the proposed amendments.

**2025 CALIFORNIA EXISTING BUILDING CODE, Part 10**

**ITEMS 20 through 21**

**ITEM 20**

**Chapter 3 PROVISIONS FOR ALL COMPLIANCE METHODS, Section 306 Accessibility for Existing Buildings (Not adopted by HCD or OSHPD)**

DSA-AC proposes to remove the text of CEBC Section 306 et seq. and amend the banner to state that public buildings, public accommodations, commercial facilities, and public housing are required to comply with Chapter 11B. DSA-AC proposes not to print Sections 306.1 through 306.7.18.7.

**Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, supports item 20 with the exception of deletion of CEBC 306.1-306.3 where further study is suggested. DRC supports amending the banner stating the areas of public accommodation that shall comply with Chapter 11B. DRC opposes removal of references to the CEBC code sections as those sections impact access compliance codes. Instead, DRC recommends DSA-AC produce a resource such as a Bulletin (BU), Guideline (GL), or Interpretation of Regulation (IR) to address confusion by code users. DRC is not opposed to deletion of CEBC 306.1-306.3 if DSA-AC incorporates the applicable CEBC language into the CBC 11B-108.

**Agency Response:**

DSA-AC thanks the commenter for the support of a portion of the proposed amendment. DSA-AC respectfully declines further changes to this section in response to these comments. DSA-AC does not adopt ANSI A117.1 as its model accessibility standard; therefore, the sections proposed to be stricken are not applicable to construction in California, because the requirements are in California Building Code Chapter 11B. DSA-AC published resources are applicable only to projects under DSA-AC authority, which are public schools, community colleges, and state funded construction.

## ITEM 21

### Chapter 16 REFERENCED STANDARDS, Section ICC

DSA-AC proposes to amend the referenced standard provided in Chapter 16 of the ICC Existing Building Code (IEBC), eliminating the Section 306 subsections that reference ICC A117.1. DSA-AC does not propose to strike the remaining sections; Sections 502.6, 503.18, 1011.4 and 1101.6 related to general room acoustics.

#### **Commenter(s) and Recommendation:**

Kendra Muller, Disability Rights California, Opposes Item 21. DRC states DSA-AC does not adopt CEBC Chapter 16 and DSA-AC may not strike sections of the code they do not have jurisdiction over or adopt.

#### **Agency Response:**

DSA-AC thanks the commenter for their comments for the proposed amendment. DSA-AC is proposing no further changes to this section in response to these comments. DSA-AC notes that Government Code Section 4450 provides DSA-AC with the authority to promulgate building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities, which includes alterations to existing buildings and facilities.

### **DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The Division of the State Architect has not identified any reasonable alternative to the proposed action. No adverse impact to affected private persons due to these changes is expected.

### **REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

No alternatives were identified to lessen the adverse economic impact on small business. DSA has determined that the proposed regulations will have no adverse economic impact on small businesses.