
*Accessibility Detail Requirements on
Tenant Improvement Plans*

PURPOSE

Section 1134B of the California Building Code contains the requirements for accessibility when work is performed on existing non-residential structures. This procedure establishes the requirements for details of access features which must be included on tenant improvement plans.

GENERAL

- A. When alterations, structural repairs or additions are made to existing buildings or facilities, the primary entrance, path of travel, sanitary facilities, drinking fountains, signs, public telephones, and the area of remodel shall comply with the current accessibility standards. This requirement establishes a very low threshold for compliance.
- B. A hardship exception can be granted under certain conditions. Refer to Permit & Resource Management Department (PRMD) Form BPC-015 *Application for Unreasonable Hardship Determination for Accessibility Upgrades - Under Valuation Threshold* and BPC-032 *Application for Unreasonable Hardship Determination for Accessibility Upgrades - Over Valuation Threshold*.
1. Based on a detailed application which demonstrates that the required accessibility upgrades constitute an unreasonable hardship and that the value of the project is less than the valuation threshold set by the California Building Code (annually updated based on the ENR Construction Cost Index).
 - a. When an unreasonable hardship exception is approved, 20% of the project budget must be spent on accessibility upgrades. Section 1134B establishes a priority order for these upgrades.
 2. Based on a detailed application which demonstrates that the required accessibility upgrades constitute an unreasonable hardship and that the value of the project is more than the valuation threshold set by the California Building Code (annually updated based on the ENR Construction Cost Index).
 - a. When compliance with the standards would make the specific work of the project affected by the building standard unfeasible based on an overall evaluation of the following factors:
 - i. The cost of providing access.
 - ii. The cost of all construction contemplated.
 - iii. The impact of proposed improvements on financial feasibility of the project.
 - iv. The nature of the accessibility which would be gained or lost.
 - v. The nature of the use of the facility under construction and its availability to persons with disabilities.

- C. Section 1134B contains a list of work where the accessibility requirements are limited to the actual work of the project. Most of these items are accessibility items, so that an upgrade of a bathroom to meet accessibility requirements does not “trigger” full compliance for parking, path of travel, etc.
- D. Projects not considered alterations for the purpose of this section that do not trigger compliance are:
1. Projects which consist only of heating, ventilation, air conditioning, reroofing (for the purposes of this policy, roof sheathing, fascia boards and rafter tails that are replaced as a matter of required maintenance shall be considered included in the scope of re-roofing) or electrical work not involving the placement of switches and receptacles.
 2. Cosmetic work that does not affect items regulated by the code, such as painting.
 3. Equipment not considered to be part of the architecture of the building or area, such as computer terminals, office equipment, etc.
- E. To meet code requirements and fulfill our responsibilities to the disabled community, Building Plan Checkers must identify the necessary required upgrades during the plan review process. For this reason, the details of existing accessibility features must be shown on the plans for all tenant improvements not excluded by items C or D above.

AUTHORITY

1. California Building Code, Section 1134B
2. California Building Code, Section 106.3

FORMS

- iv. *BPC-015 Application for Unreasonable Hardship Determination for Accessibility Upgrades – Under Valuation Threshold*
(S:/Handouts/BPC/BPC-015 Application for Unreasonable Hardship Determination for Accessibility Upgrades – Under Valuation Threshold)
- v. *BPC-032 Application for Unreasonable Hardship Determination for Accessibility Upgrades – Over Valuation Threshold*
(S:/Handouts/BPC/BPC-032 Application for Unreasonable Hardship Determination for Upgrades – Over Valuation Threshold) Accessibility

PROCEDURE

- A. Plan requirements for work to existing non-residential structures, unless excluded

from this requirement by items C or D above, must include the following:

1. Details of the existing accessible parking, including striping, signs, curb cuts and ramps, showing dimensions, slopes and cross slopes.
2. Path of travel to the structure, showing dimensions, slopes and cross slopes, including the details of an accessible entrance(s).
3. Details of existing accessible bathrooms.
4. Details of compliance in the area of remodel.
5. Details of compliance for water fountains and telephones.

B. Hardship Exemption

1. During the investigation of existing conditions or as a response to plan check comments, it may become apparent to the plan preparer that the current accessibility requirements are not met, that the project has a value LESS the valuation threshold set by the California Building Code (annually updated based on the ENR Construction Cost Index), and that the cost of full accessibility compliance is excessively high relative to the cost of the project. In this case the permit application should include an application for hardship exemption, form BPC-015, with the appropriate justifying information.
2. During the investigation of existing conditions or as a response to plan check comments, it may become apparent to the plan preparer that the current accessibility requirements are not met, that the project has a value MORE than the valuation threshold set by the California Building Code (annually updated based on the ENR Construction Cost Index), and that the cost of full accessibility compliance is excessively high relative to the cost of the project. In this case the permit application should include an application for hardship exemption, form BPC-032, with the appropriate justifying information.
3. The total construction cost of the alteration does not include the cost of items not considered alterations for the purpose of accessibility. These items are listed in CBC Section 1134B.2.1 Exception 4, and include heating, plumbing not including fixtures, ventilation, air conditioning, reroofing, electrical work not including the placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as such as painting, equipment not considered to be part of the architecture of the building, such as computer terminals, office equipment, etc.
4. The hardship exemption does not apply to the area of remodel, but to the parking, accessible entrance, path of travel, sanitary facilities, public phone and drinking fountain requirements to or serving the area of remodel. The area of remodel must always be made accessible

ATTACHMENT

None

Approved by:

/s/ Pete Parkinson

Pete Parkinson, Director

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