



**Yosemite Chapter International Code Council**  
**P.O. Box 1525**  
**Modesto, CA 95353-1525**



## **CODE INTERPRETATION COMMITTEE MEETING SUMMARY**

**Date:** February 16, 2017

**Attendance:**

John Schweigerdt, City of Stockton  
Richard Hicks, City of Lathrop  
Bill Aiken, 4Leaf  
Oscar Diaz, City of Modesto

**Items Discussed:**

1. **ALL-GENDER RESTROOM FACILITIES:** We discussed all-gender restroom facilities as related to compliance with the California Plumbing Code. The example we had for discussion was a proposed renovation to the University of the Pacific Conservatory of Music building. The proposal is to provide only all-gender multiple accommodation restroom facilities in lieu of separate facilities for each sex. The restroom design would feature a common hand wash area with multiple separate single user toilet compartments.
- 1.1 **APPLICABLE CODES AND REGULATIONS:** 2016 California Building Code, 2016 California Plumbing Code, Assembly Bill 1732.
  - **"CPC 422.2 Separate Facilities.** Separate toilet facilities shall be provided for each sex." (Exceptions: not applicable)
  - **"CBC 11B-213.2 Toilet rooms and bathing rooms.** Where toilet rooms are provided, each toilet room shall comply with *Section 11B-603*. Exception 4 – Where multiple single user toilet rooms are clustered at a single location, 50 percent, *but no fewer than one*, of the single user toilet rooms for each use at each cluster shall comply with *Section 11B-603*."
  - **AB 1732. Health and Safety Code Section 118600 requires:** "All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use."
- 1.2 **DISCUSSION:** It is clear that the allowance of only all-gender restroom facilities will not meet the exact model code language of Section 422.2 of the CPC however, as evidence by the passing of AB 1732, the trend appears to support these types of facilities. DSA has issued a bulletin, BU 17-01, as an aid to comply with AB 1732 relating to the signage requirements for these facilities. The consensus from the group discussion in the main meeting was that these types of designs may be acceptable provided at least the minimum number of required plumbing fixtures for both sexes be provided. One method of approval for building departments could be through an alternate materials, methods, and design request. Because approval of these designs would conflict with model code language it was determined that acceptance of all-gender restroom facilities be handled by the Authority Having Jurisdiction. Future discussion with the Chapter for uniform enforcement is recommended.
2. **ACCESSIBLE ROUTE TO THE PUBLIC WAY IN SHARED ACCESS FACILITIES:** We discussed the path of travel obligations of individual tenants in shared access facilities (i.e. shopping center, office complex), specifically the requirement to provide an accessible route from the public streets and sidewalks to the accessible entrance. The example we had for discussion was an office complex with five separate parcels where the tenant improvement triggering the path of travel upgrades was to the rear of the complex. Providing an accessible route would require improvements across property lines.



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- 2.1 APPLICABLE CODES AND REGULATIONS:** 2016 California Building Code, 2010 ADA Standards for Accessible Design.
- **“CBC 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.”*
  - **“CBC 11B-206.2.1 Site arrival points.** At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. *Where more than one route is provided, all routes must be accessible.”*
- 2.2 DISCUSSION:** It is not uncommon for a tenant improvement in one tenant space of a multiple tenant facility to trigger the path of travel requirements including the accessible route to the public way. The determination of who’s responsible for which portions of the triggered improvements is a private matter between the tenants and property owners. Due to the fact that these types of facilities typically have reciprocal access agreements in place the presence of multiple parcel lines does not automatically relieve the tenant of their path of travel obligations. Further, all property/business owners are required to be in compliance with section 11B-206.2.1 regardless of any proposed alterations, additions, or structural repairs. These types of cases should be reviewed on a case by case basis by the Authority Having Jurisdiction pending further clarification from DSA.