

ORDINANCE NO. 2450A

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS
ADDING ARTICLE 18.10 TO CHAPTER 18 OF THE DAVIS MUNICIPAL CODE
ESTABLISHING REQUIREMENTS OF UNIVERSAL ACCESS IN
SINGLE FAMILY HOUSING UNITS**

WHEREAS, the California Building Code does not require any accessible or visitable features in single-family housing;

WHEREAS, the City identified a need for visitable and accessible housing as part of its past three Housing Elements and took steps to create local requirements as a means for supporting goals of community integration and allowing for aging in place;

WHEREAS, the City Council adopted a resolution on September 19, 2006 and subsequently a general plan policy on July 24, 2007 supporting the goal of one-hundred percent visitability in market rate units and one-hundred percent first-floor accessibility in affordable units;

WHEREAS, the policy adoption included direction to complete a policy review after 2010, when the policy had been applied to a variety of projects;

WHEREAS, the policy was reviewed, including input from the community, local developers, the Social Services Commission and Senior Citizen Commission;

WHEREAS, consensus was reached that use of an ordinance instead of a policy would create clearer expectations for new development and provide a more consistent level of access in new housing; and

WHEREAS, the City Council adopted a resolution in November 2012 directing staff to draft a Universal Access ordinance for consideration and action, and directing staff to require the features of Universal Access in all projects requiring legislative approval in the interim.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby adopts the recitals of this Ordinance as true and correct and such recitals are hereby incorporated by reference as though fully set forth in the text of this Ordinance.

SECTION 2. Article 18.10 is hereby added to the City of Davis Municipal Code to read in full as set forth in the attached Exhibit "A," incorporated herein by this reference.

SECTION 3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the

validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law.

SECTION 5. This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

INTRODUCED on the 21th day of April, 2015, and PASSED AND ADOPTED by the City Council of the City of Davis on this 26th day of May, 2015, by the following vote:

AYES: Davis, Frerichs, Lee, Wolk, Krovoza

NOES: None



Daniel M Wolk
Mayor

ATTEST:



Zoe S. Mirabile, CMC
City Clerk

EXHIBIT "A"

ARTICLE 18.10 Universal Access

18.10.01 Definitions.

For the purposes of this Article, the following words and phrases shall have the following meanings:

Accessible Route means a continuous and unobstructed path connecting all accessible elements and spaces in a building or within a site that can be negotiated by a person with a disability using a wheelchair, and that is also safe for and usable by persons with other mobility impairments.

Bathroom means a room which includes a water closet (toilet), lavatory (sink), and a bathtub and/or a shower. It does not include single-fixture facilities or those with only a water closet and lavatory. It does include a compartmented bathroom. A compartmented bathroom is one in which the fixtures are distributed among interconnected rooms. A compartmented bathroom is considered a single unit and is subject to the requirements of this chapter.

Carriage Unit means a dwelling unit with living space on one or more floors immediately above a private garage or garages. The footprint of the garage or garages is used as the footprint for the remaining floor or floors of the units above and the garage level contains no habitable space. Note: Dwelling units located over a common garage shall not be considered carriage units.

Common Room means a room that is typically used by all occupants such as a living room, dining room, den or other similar rooms.

Core Area means the land area defined by the boundaries used on the map for the City of Davis Core Area Specific Plan.

Dwelling Unit/ Unit/ Housing Unit means a single unit of residence for a household or one or more persons.

Ground Floor means the floor of a building with a building entrance on an accessible route that includes a low or zero threshold entry. A unit may have one or more ground floors.

Newly Constructed means a building that has never before been used or occupied for any purpose.

Path of Travel means a passage that may consist of walks, sidewalks and other improved areas or a necessary combination thereof, which provides free and unobstructed access to and egress from a particular area or location for pedestrians and/or wheelchair users. A "path of travel" includes a continuous, unobstructed way of pedestrian passage by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach, an entrance to the dwelling, and other parts of the dwelling.

Powder Room/Half-bath means a room containing only a water closet (toilet) and lavatory (sink).

Slope means the relative steepness of the land between two points and is calculated based on the horizontal distance and elevation change between the two points. The difference in elevation is divided by the distance and the resulting fraction is multiplied by 100 to obtain the percentage.

Three-quarters bath means a room containing a water closet (toilet), shower, and lavatory (sink).

Universal Access means the city-adopted standards required in the development of new single-family units that are being included to enhance a unit's overall accessibility, promote aging in place, and support the principles of universal design for the unit's owners, renters, and visitors alike.

Words and phrases not otherwise defined in this Article shall be interpreted based on the definitions found within Chapter 8: Buildings of the City Municipal Code.

18.10.02 Applicability of Requirements

All single-family units and units not otherwise subject to multi-family building code requirements shall be subject to these requirements, unless otherwise stated in Section 18.10.05 Exempt Units.

18.10.03 Universal Access Components

All new housing units deemed subject to the requirements of this Article shall, at minimum, include the following components of accessibility in the development of said units:

- (a) Low threshold entry. One low threshold entry at either the front door or from the garage to the house. The door shall have a minimum 32-inch clear opening, the threshold shall be no higher than $\frac{1}{2}$ inch and comply with the following:
 - (1) Thresholds with a change in height of not more than $\frac{1}{4}$ inch (6.35 mm) may be vertical.
 - (2) Thresholds with a change in height between $\frac{1}{4}$ inch (6.35 mm) and $\frac{1}{2}$ inch (19.05 mm) shall be beveled with a slope no greater than 1 unit vertical in 2 units horizontal (50-percent slope).
- (b) Exterior accessible route. Exterior zero-step walkway to low threshold entry at least 36 inches wide, without any steps, which is provided from driveway into house or an alternative path. It is not the intention of this ordinance to require a fully accessible route in compliance with State and or Federal accessibility regulations from the public right of way to the dwelling.

- (c) Interior accessible route. A no step interior accessible route on ground floor with interior doorways having at least a 32-inch clear opening and hallways at least 36-inch wide throughout.
- (d) Bathrooms and half bathrooms. One accessible bathroom or three-quarters bath on the floor accessible from the interior and exterior paths of travel. This shall include required installation of a shower and adequate space to allow for future retrofit of the shower into one measuring a minimum of 42 inches wide by 48 inches deep, with an entrance opening of at least 36 inches. Adequate space for future renovation could be a closet or other space that would require minimal alteration to retrofit; and All bathrooms, three-quarters bath, and half bath/powder rooms with installation of reinforcement for grab bars within walls. Reinforcement for grab bars shall be installed as follows:
 - (1) Reinforcement for grab bars at the water closet shall be installed on both sides or one side and the back. If reinforcement is installed at the back, it shall be installed between 32 inches and 38 inches above the floor. The grab bar reinforcement shall be a minimum of 6 inches nominal in height. The backing shall be a minimum of 40 inches in length. Reinforcement installed at the side of the water closet shall be installed 32 inches to 38 inches above the floor. The reinforcement shall be installed a maximum of 12 inches from the rear wall and shall extend a minimum of 26 inches in front of the water closet. The grab bar reinforcement shall be a minimum of 6 nominal in height.
 - (2) Reinforcement for grab bars at the bathtub shall be located on each end of the bathtub, 32 inches to 38 inches above the floor, extending a minimum of 24 inches from the front edge of the bathtub toward the back wall of the bathtub. The grab bar reinforcement shall be a minimum of 6 inches nominal in height. Grab bar reinforcement shall be installed on the back wall of the bathtub a maximum of 6 inches above the bathtub rim extending upward to at least 38 inches above the floor. Grab bar backing shall be installed horizontally to permit the installation of a 48-inch grab bar with each end a maximum of 6 inches from the end walls of the bathtub. The grab bar reinforcement shall be a minimum of 6 inches nominal in height.
- (e) Common room. An accessible common room with no steps that is connected to the 36-inch wide interior accessible route.
- (f) Stairs accommodation. In two or more story units, one or more of the following shall be included:
 - (1) Electrical outlets at stairs to accommodate future stair chairlift installation; or
 - (2) Placement of stacked closets to accommodate future home elevator installation, including adequate dimensions and electrical access.

- (g) Electrical panel. An accessible electrical panel on the interior of the unit that is accessible from the interior accessible route and is no greater than 54 inches above the floor and no lesser than 15 inches above the floor, as measured from the outer edges of the panel.
- (h) Switches and fixtures. Use of rocker light switches and single lever door fixtures throughout the unit. Other types of accessible switches and fixtures may be approved by the Chief Building Official.

18.10.04 Ability to Appeal

The applicant proposing the development of housing units deemed subject to this article has the option to appeal infeasible items based on project characteristics, terrain, or due to an alleged taking to the Community Development Director. When there are multiple product types within a development, the Community Development Director will work to ensure that, to the greatest extent feasible, many of the product types will include these accessible features.

18.10.05 Exempt Units

Carriage units, second/accessory units, and projects in the Core Area of fifteen units or fewer shall not be subject to these requirements, but are encouraged to incorporate accessible features voluntarily.