



MOD Plan Review Guidelines for RAD Phase 2 projects

Overview

The Rental Assistance Demonstration (RAD) projects are renovations of existing publicly funded housing sites. The Mayor's Office on Disability will be reviewing the projects for accessibility compliance. The specific disability access code sections that apply will be found in both Chapter 11B (because the projects are "Publicly Funded" as defined in Section 202 of the CBC) and Chapter 11A of the California Building Code. To a large degree the 2010 ADA Standards have been incorporated into Chapter 11B of the CBC so compliance with the California Building Code generally means compliance with the ADAS. There are however very limited provisions in the 2010 ADAS and UFAS that were not adopted in the CBC that will still apply.

The level of disability access required at the RAD sites will be dependent on the following:

- The type of buildings; those with or without elevators;
- The extent and location where the improvements will be made;
- The site features serving the dwelling units including path of travel elements like walks, ramps and elevators;
- Amenities including trash rooms and mail boxes, and laundry facilities, community rooms and parking (structured and non-structured), the conditions of the aforementioned amenities and the extent of the alterations planned for these amenities, when provided.

The RAD projects must provide:

- Per CTCAC 2015 Qualified Allocation Plan (QAP) adopted Minimum Construction Standards (Section (7)(K)), requires **10% Mobility units** unless a waiver is requested and approved by TCAC; and
- Per CTCAC 2015 Qualified Allocation Plan (QAP) adopted Minimum Construction Standards (Section (7)(K)), all RAD projects must meet the adopted Minimum Construction Standards as they apply, which require **4% communication units**.
- When it is not feasible to meet the 10% Mobility unit requirement, and a waiver to the CTCAC regulations has been obtained from CTCAC, the Code required **minimum of 5% Mobility units** must still be provided in accordance with both the 2010 ADAS and the 2013 CBC.

- An accessible path of travel to the Mobility units from all site arrival points and connecting the units to on-site amenities.
- The level of access required in other renovated dwelling units will be dependent upon the item by item feature that is renovated or replaced.

How to Use these Guidelines

Unit Count and Dispersal:

UNIT DISPERSAL MATRIX (Sample Only)					
	Unit Size	# of Units	# of Units w/ Mobility features	# of Units w/Communication features	# of Units w/Visitable features
SINGLE-STORY UNITS (FLATS)					
Flats on Ground Floor of Building with no elevator or throughout a Building with elevator	Studio	5		1	
	1 BR	6	3		
	2 BR	8	3		
	3 BR	3	2		
	4 BR	3	1		
Flats on Upper Level of Building with no elevator	1BR	12		1	
	2BR	16			
	3BR	6			
SUB-TOTAL - Single Story Units (F)		59	9	2	
MULTI-STORY UNITS (TOWN HOMES)					
Townhomes at Ground Floor or at Ground Floor above grade (with access)	2 BR	8		1	2
	3 BR	5			1
	4 BR	2			
Townhomes at Upper Level (no elevator access)	3BR	10		1	
	4BR	4			
SUB-TOTAL - Multi-Story Units (T)		29		2	3
TOTAL - units on site (F+T)		88	9	4	3
Required %age of units			10% of (F+T)	4% of (F+T)	10% of T
Required # of units			9	4	3

Step 1- Create a table that lists all of the dwelling units on the site. See sample above. (To access Excel version of table, click on Matrix table). The table should identify the units by unit type (single story units or flats, versus multi-story units or townhomes) and unit size (studio, one bedroom etc.), and whether or not there is an elevator.

Step 2- Use this table to calculate the number of:

- The required Mobility units = 10% of the total number of units or evidence of a waiver from CTCAC. Minimum of 5% of Mobility units are required by Code even when a waiver is obtained..
- The required communication units =4% of the total number of units; and
- The required number of visitable town homes. Note: Only 10% of the total number of townhome units must meet this standard on an item by item basis.

Step 3-Use this table to select the dispersal of Mobility units. 5% of the Mobility units shall be dispersed amongst all unit sizes but they can only be located in flats that are either on the ground floor of non-elevator buildings, or throughout an elevator building. When choosing the Mobility units, only select ones that will have a fully complying accessible path of travel from the arrival points to the unit and connecting the unit with all of the amenities on the site.

Step 4-Use this table to select the dispersal of communication units (4%). The communication units shall be dispersed amongst all unit types. This may include multi-story or townhouse units when applicable.

How to Use these Guidelines

Describing Scope of Work:

UNIT SCOPE OF WORK MATRIX (Sample Only)														
11B-809.2 thru 11B-809.5				UNITS SUBJECT TO 1102A.3.1; 1104A, 1128A thru 1136A in area of remodel only										
UNIT #	UNIT TYPE	FEATURES PROVIDED		UNIT #	SCOPE OF WORK IN UNITS WITH ADAPTABLE FEATURES									
		Chapter 11B			Chapter 11A		KITCHEN		BATHROOM					
		809.2	809.5		1102A	1104A	(N) CABINETS	(N) FAUCET & SINK WITH REMOVABLE BASE CABINET	(N) RECEPTACLE OUTLETS WITHIN ACCESSIBLE REACH RANGES	(N) LAVATORY CABINET WITH ADAPTABLE KNEE & TOE SPACE	(N) MEDICINE CABINET WITH MIRROR	(N) WATER CLOSET FIXTURE	(N) WALL FINISHES & GRAB BAR BACKING	(N) TUB SURROUND & GRAB BAR REINFORCEMENT
		MOBILITY "M"	COMMUNICATION "C"											
2ND FLOOR				2ND FLOOR										
201	1-BED		C	201										
202	STUD			202		A								
203	STUD			203										
204	1-BED			204		A								
205	1-BED	M		205			Features comply with relevant sections of Chapter 11B							
206	2-BED			206	V									

Step 1- Create a table or matrix that lists every unit on the site, and clearly identifies the scope of work that will be performed in each of the units. See sample above. To access Excel version, click on Matrix table. The matrix should list the unit number, unit type, the accessibility or adaptability status with the following legend.

- "M" for Mobility;
- "C" for communication; or

- “A” for units with adaptable features.
- “V” for visitable

The scope of work matrix should clearly explain the limited work to be performed in the units with adaptable features. This matrix will be used during plan check to verify that all altered elements meet the accessibility requirements for the specific feature.

Step 2-Prepare a list all of the site common use amenities.

Step 3-Prepare a Site plan that clearly depicts:

- The path of travel that will connect all of the arrival points;
- The route to the Mobility units; and
- The routes from the Mobility units to the site common use amenities.
- Provide adequate detail to demonstrate whether the existing paths are accessible, or if upgrades will be required.

Step 4-For all other paths to and from non-Mobility units, identify existing features such as stairs that make them inaccessible, and for those that are not and cannot be improved, provide a short narrative describing these existing conditions such as slope, cross slopes, narrow paths, stairs. Photographs of these conditions should be included and the location of the photos identified in caption.

Undue Burden: When is the Documentation Required?

As noted earlier, the RAD sites are existing publically funded housing most of which were first occupied before the current accessibility standards came in to effect. Under the ADA, when existing publicly funded sites are altered, certain features must be fully accessible unless the local government entity can document that an Undue Burden exists. This form is to be used to document deviations from the 2010 ADA Standards, as incorporated into Chapter 11B of the 2013 CBC.

Examples of possible Undue Burden:

- Dispersal of Unit Size/Type. The building may have physical constraints that make it difficult to fully disperse the Mobility units and communication units across the different unit sizes.
- Dispersal within Site or Project – The size or topography of a project may have physical constraints that make it difficult to fully disperse within each site, but dispersion may be proposed across a project to provide “Programmatic equivalent access.”

These constraints must be clearly documented using the **MOD Undue Burden Form** and the form must be accompanied by a narrative that describes the code requirement (for example dispersal), the constraint (none of the larger units are located on the ground floor, and the building lacks an elevator), and last of all the proposal for equivalent facilitation (although we could not provide any Mobility units in studios, someone wishing to rent a studio can rent a one bedroom at the studio rate).

Please do not use the Undue Burden form for conditions inside of the “A” dwelling units with adaptable features.

Technical Infeasibility: When is the Documentation Required?

The RAD projects will trigger path of travel improvements to serve the Mobility units. Both the CBC and the 2010 ADAS require compliance with the prevailing code for the path of travel to the maximum extent, unless compliance would be technically infeasible.

CBC Chapter 2 Section 202 has the following definition:

Technically Infeasible. *An alteration of a building or a facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.*

Examples of possible Technical Infeasibility:

- The existing elevator cab size does not meet current code
- The existing parking garage structure lacks 8' 2" headroom
- The existing structural conditions (including concrete or shear walls, columns, etc.) prohibit full compliance with openings or passageway / hallway widths.

These constraints must also be clearly documented using the **DBI Technical Infeasibility Request** and the form must be accompanied by a narrative that describes the code requirement (elevator cab size), the constraint (would require reconstruction of elevator shaft or relocation of shear wall or other structural component), and the proposal for equivalent facilitation (existing cab is usable. All other elements such as control placement will be upgraded).

Please do not use the Technical Infeasibility Request form for conditions inside of the "A" dwelling units with adaptable features.

Definitions and Minimum Accessibility Requirements for RAD Projects

1. A **Mobility unit** is one that meets the more restrictive requirements scoped in CBC 11B-233 and described in CBC 11B-809.2 through 809.4. By reference, requirements in CBC 11B-304, 11B-804, 11B-603 through 610, etc. that call for additional features, primarily in kitchens and bathrooms, must also be provided. and include (but are not limited to) the following key features:
 - a. Accessible doorway and landing clearances per CBC 11B-404
 - b. Turning space complying with Section 11B-304 within the bathroom (CBC 11B-603.2.1). Please also note CBC 11B-604.3.2 that allows overlap of water closet clearance in residential dwelling units.
 - c. Kitchen work surface at 34" inches maximum above the finish floor or ground (CBC 11B-804.3.2). Please note that a 36" high range oven with accessible controls will be acceptable.

- d. Kitchen sink with a clear floor space complying with Section 11B-305, positioned for a forward approach, and knee and toe clearance complying with Section 11B-306 and CBC 11B-804.4, unless a removable cabinet is provided and complies with CBC 11B-606.2, Exception 3.
 - e. Ovens shall have work surface required by Section 11B-804.3 positioned adjacent to one side of the door (CBC 11B-804.6.5.2)
 - f. At least 50 percent of kitchen's shelf space in storage facilities shall comply with Section 11B-811 (CBC 11B-804.5).
 - g. Electrical outlets, switches, range hood controls and/or other devices above kitchen countertops/cabinets shall be within 24" as measured from the front edge of the counter. See CBC 11B-205 and CBC 11B-308.3.2
 - h. Electrical service panels provided within the dwelling unit shall be within the 48" maximum reach range.
 - i. Provide product literature for kitchen appliances to demonstrate accessibility compliance.
 - j. A **Mobility unit** may be any unit in an elevator building (because there is an accessible path of travel) or it may be one of the ground floor units in a non-elevator building.
 - k. A **Mobility unit** is never allowed in a townhouse or multi-story unit unless the unit has its own internal elevator connecting all living levels.
 - l. As stated earlier, RAD projects must provide a **minimum of 10% Mobility** units unless a waiver has been obtained from CTCAC, in which case 5% is the minimum required.
2. A **Communication unit** is one that meets all the requirements in CBC 11B-809.5 for both visual and audible fire alarm, smoke and co detectors, hard wired door bells with visual notifier or strobe etc. Communication units may be located on any floor, in buildings with or without elevators, and they are allowed in multi-story units. Communication units shall not be combined with Mobility units: they must be separate and distinct.. As stated earlier, RAD projects must provide a **minimum of 4% Communication** units.
3. A **Unit with Adaptable Features** is one that is located either on the accessible ground floor of a multi-family building that doesn't have an elevator, or one that is located on any floor in a building served by an elevator.

Because of their importance in the affordable housing portfolio in San Francisco and the populations they serve (predominantly Senior and Disabled), the RAD projects shall provide adaptable features in non-Mobility units whenever altered on an item by item basis. This is met utilizing the following strategies:

- a. When replacing kitchen cabinets, provide removable base cabinet(s) to provide an adaptable front approach to the kitchen sink complying with CBC 11B-606,
- b. When replacing or relocating electrical devices such as outlets, switches and environmental controls, ensure that they are located within required reach ranges.

- c. When exposing the wall frame behind Bathroom tub/shower surrounds, grab bar blocking meeting current Code shall be installed behind new materials, and grab bars shall be installed when this work occurs in buildings constructed for Senior and/or Disabled populations.

4. A Visitable unit is a multistory unit (townhouse). In 10% of the multi-story units, upgrades shall be made on an item by item basis using the strategy outlined in item 3 for Adaptable units. Only the features that are being renovated must be upgraded for accessibility. Furthermore, there will be no obligation to build a powder room or bathroom on the ground floor if one does not already exist. All other multistory units on the site are exempt from any access requirements

5.A site is a parcel of land bounded by a property line or a designated portion of a public right-of-way.

Resources

For **MOD forms** including **Undue Burden**, sample narratives to document Undue Burden and Technical Infeasibility, **inspection matrices**, **reasonable accommodation notices** etc, please visit the MOD web page at <http://sfgov.org/mod/architectural-access-plan-check>.

2010 ADA Standards for Accessible Design:

http://www.ada.gov/2010ADASTandards_index.htm

2013 California Building Code: <http://www.bsc.ca.gov/codes.aspx>

Joint statement from US Department of Fair Housing and Urban Development and US Department of Justice; Accessibility (Design and construction) requirements for covered multifamily dwellings under the Fair housing Act

<http://portal.hud.gov/hudportal/documents/huddoc?id=JOINTSTATEMENT.PDF>