Historic Neighborhood Commercial Storefronts ADA & Seismic Upgrade Design Guidelines



Pending Review by Planning Department Advisor's Group

Prepared by the San Francisco Planning Department

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I. DESIGN GUIDELINES

INTRODUCTION

In October 2012 the Planning Department received a Certified Local Government grant from the California Office of Historic Preservation (OHP) to prepare a Historic Context Statement (HCS) about the development of San Francisco's neighborhood commercial districts. In addition to the HCS, the Planning Department convened a working group of experts to develop design guidelines for accessibility and seismic upgrades to historically significant neighborhood commercial buildings. The historic design guidelines along with the HCS will provide the owners, tenants, and city agencies a better understanding of what architectural elements should be retained and the materials and styles that should be considered for alterations to existing storefronts.

The purpose of this document is to provide guidance for work to historic buildings subject to the Mandatory Soft Story Retrofit Ordinance and assistance with developing an accessibility strategy for compliance with the Americans with Disabilities Act (ADA) of 1990.

The Mandatory Soft Story Retrofit Ordinance, signed into law in 2013 by Mayor Ed Lee, is an amendment to Chapter 34B of the San Francisco Building Code requiring the evaluation and retrofit for "multi-unit soft-story buildings." For the purpose of the Ordinance, "soft story" buildings are defined as wood-frame structures, containing five or more residential units, having two or more stories over a "soft" or "weak" story, and permitted for construction prior to January 1, 1978. It is estimated that there are approximately 3,000 buildings in San Francisco that meet these criteria and approximately 1,500 of those with ground-floor commercial space. These buildings will be placed into a four-phase tiered compliance timeline. This tiered approach will allow work to be phased and account for many of the conditions present within this subset of San Francisco's unique building stock. [1]

In addition, lawsuits alleging violations of the Americans with Disabilities Act (ADA) of 1990 are a serious matter for small businesses. The ADA requires business and property owners to continually remove architectural barriers to accessibility until a space is completely accessible, even if no other construction work is being performed. Whether barrier removal is considered to be "readily achievable" will vary from business-to-business and building-to-building.[2]

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[1] See San Francisco Office of the City Administrator website at http://www.sfgsa.org to learn more about the Mandatory Soft Story Retrofit Ordinance. See "Earthquake Safety Implementation program" under Program, Projects. For information regarding timeline, see "Soft Story" on the website.

[2] According to the 2010 ADA Standard Requirements for Readily Achievable Barrier Removal, Alterations and Historic Buidlings Alterations, "readily achievable" is defined as easily accomplishable and able to be carried out without much difficulty or expense.

Compliance with the Soft Story Retrofit Ordinance is another opportunity to make improvements under the Americans with Disabilities Act (ADA) of 1990.

Many business owners believe that since their building predates ADA, is historic, or since they have not performed any recent construction work, they are "grandfathered" under ADA and exempt from improvements. That is not the case, and this misunderstanding can be costly. Hundreds of lawsuits alleging ADA violations have been filed against San Francisco small businesses in recent years. It is difficult to calculate precisely how many, but some experts have identified at least 300 lawsuits from 2005-2012. With settlements generally ranging from $20,000 to $40,000, businesses can scarcely afford to postpone taking preventive steps. While inspections and legal services are not inexpensive, their costs are small relative to those involved with an ADA lawsuit.[3]

Many of the buildings subject to these ADA and Soft Story retrofit requirements contribute to San Francisco's unique architectural character. Character-defining features are the visual aspects and physical elements of the building or property that are significant to its historical, architectural and cultural values, including the overall shape of the historical building or property, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment. Compliance with life-safety and accessibility requirements can all be in conformance with the Secretary of the Interior's Standards, the framework used by the City & County of San Francisco for evaluating alterations to historic buildings.

In the spring of 2013 the Department convened a working group of representatives from various city agencies and professionals in the fields of architecture, engineering, historic preservation, and accessibility to:

- Identify key issues related to the topics and relevant local, state, and federal requirements;
- Identify and analyze the challenges and successes of local case studies.
- Develop recommended best practices that balance the goals of historic design guidelines for broad application by owners, tenants, design professionals, and engineers, as well as inter-departmental and agency application; and
- Identify financial and process-related incentives to promote use of the historic design guidelines.

These guidelines, as well as the recommendations for further study and effort to improve, support, and promote neighborhood businesses, public safety, accessibility, and historic preservation, are the outcome of the working group. The guidelines were developed to provide general guidance and technical case studies to demonstrate how property owners, tenants, architects, and engineers can maintain the historic character

[3] Christian Murdock, Business Case Manager, San Francisco Office of Small Business (personal communication, July 2, 2013).

of a building when conducting seismic and accessibility upgrades. The guidelines are also intended to support and complement programs of City departments and agencies to provide accountability and a reasonable expectation to the public that if the guidelines are followed, the City's various review processes may be greatly streamlined and costly delays reduced.

HOW TO APPLY FOR A STOREFRONT ALTERATIONS AND/OR SEISMIC UPGRADES PERMIT

The following information is provided to assist in the process of obtaining a storefront alteration and/or seismic upgrade permit. Applications are reviewed on a case-by-case basis. Please review following information before embarking on a storefront alteration and/or a seismic upgrade to your property. In some instances City agencies staff may request additional information.

A QUICK SUMMARY

1. **Visit the Planning Department.**
    a. *Inquire with a Preservation Planner about the property's historic status and determine what you need to know about Department requirements and review.*
    b. *Learn about all other Planning Code requirements and if entitlements are required for your project, including neighborhood notification.*
    c. *Find out what documents need to be submitted to ensure that your permit application is complete.*
2. **Consult a Certified Access Specialist (CASp).**
    a. *Learn how a CASp evaluation and report can help protect your business.*
    b. *Get a full evaluation of your property to determine what architectural barriers can be readily removed to meet accessibility.*
3. **Visit the Department of Building Inspection (DBI).**
    a. *Find out what the current requirements are for accessibility and seismic upgrades for your property.*
    b. *Learn about the California Historical Building Code and Unreasonable Hardship Requests and how they can help you with your project.*
    c. *Find out what resources are available to you such as Administrative Bulletins and incentives to expedite your project.*
    d. *Learn about the different approaches are for seismically upgrading your building.*
4. **Visit the Department of Public Works (DPW).**
    a. *Learn about the technical requirements for compliance with the Public Works Code and DPW Standards.*

b. If needed, determine the approval process to modify the sidewalk such as raising the sidewalk or adding a ramp for accessibility.

5. **Access Appeals Commission (AAC)**
   a. Learn about your options for appeal and the process for Access Appeals Commission if DBI has denied an Unreasonable Hardship Request.
6. **Visit the Office of Small Business.**
   a. Visit the Office of Small Business for guidance on how to obtain a CASp evaluation.
   b. Learn about the many incentives available to small businesses including grant funds for CASp evaluations.
7. **Visit the Office of the City Administrator.**
   a. Learn about the Mandatory Soft Story Retrofit Ordinance
8. **Visit the Mayor's Office on Disability.**
   a. Learn about the Americans with Disabilities Act (ADA)

PLANNING DEPARTMENT

Your first stop should be the Planning Department to determine the historic status of the property in question and if there are any entitlements required for the proposed storefront alteration and/or seismic upgrade. The information listed below can assist an owner or tenant in determining if proposed storefront alterations and/or seismic approaches are appropriate for their property. If the building sis determined to be a historic resource, a Preservation Planner at the Planning Information Center (PIC) can answer questions regarding storefront alterations and/or seismic upgrade, the review process, and any required preservation entitlements.

- **Is the building a historic resource?** A Preservation Planner can help you determine if your building is historic and the review process for the proposed storefront alteration. Only City Landmarks (Article 10) and buildings designated as part of the Downtown Plan (Article 11) may require a preservation entitlement application. A Preservation Planner can determine if this is required to be submitted with your building permit application.

- **Is a preservation entitlement required? Where can I get an application?** Projects that propose exterior alterations to historic buildings require review by a Preservation Planner. If the proposed project is limited to the building interior, a Preservation Planner is required to review the project only for transparency requirements such as the placement of structural members and/or fixtures within the commercial ground floor display window areas.

- **What are character-defining features of the building?** A Preservation Planner can help you identify the character-defining features of the building such as display windows, transom, doors, bulkhead, recessed entryway, decorative soffit, tiled flooring, storefront configuration,

etc. If removal of character-defining features is required, thoroughly document either through photos or drawings and investigate the structural and architectural detailing of the building and storefront and seek appropriate professional consultation.

- **Does this project require advanced environmental review? What can I do to avoid this review?** Some projects require advanced environmental review. A project that proposes the removal or alteration of character-defining features may require trigger this additional environmental review. A Preservation Planer can help you determine if your proposed project requires an Environmental Evaluation Application (EEA). This review must be complete prior to approval of a building permit application or entitlement.

- **Are there other Planning Code requirements?** All projects will be reviewed for compliance with the Planning Code. Storefront alteration projects are typically reviewed for compliance with transparency, change of use, such as an office space to a café, in some zoning districts may require impact fees if they are over a specific gross square fee area.

- **What do I need to submit with the building permit application?** It is recommended that you visit a Preservation Planner in advance of submitting your building permit application to determine all required submittals for your project. Submittals may include, but are not limited to entitlement applications, photographs including existing conditions and historic if any, as well as drawings including plans, elevations, and details that show existing and proposed for all items. If you are proposing to repair, remove, and/or replace character-defining features, provide details on how you intend to treat these elements. A Preservation Planner may require technical specifications to review the proposed treatment.

Learn More At:

Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
415-558-6378
www.sf-planning.org

Planning Information Center
1660 Mission Street
San Francisco, CA 94103
415-558-6377

CERTIFIED ACCESS SPECIALIST (CASp)

A Certified Access Specialist (CASp) can help determine if removing barriers to accessibility is "readily achievable" through a full evaluation of your property. Having a CASp inspection and report provides benefits such as the eligibility to request a window sign stating that the facilities have been CASp inspected. A sign like this shows that the business has taken proactive steps to comply with accessibility standards and serves to protect the building or business owner from ADA lawsuits.

- **What is CASp?** In 2003, a senate bill required the State Architect to establish and publicize a program for voluntary certification (Voluntary Certified Access Specialist (CASp) program) by the State of any person who meets the specified criteria as a certified access specialist (CASp). The program meets the needs of the public for experienced, trained, and tested individuals who can provide opinions as to the compliance of buildings and properties with the State of California codes and regulations and Americans with Disabilities Act (ADA) for accessibility. A list of CASp is available on the Division of the State Architect website at www.dgs.ca.gov

- **What is barrier removal?** The ADA requires business and property owners to continually remove architectural barriers to accessibility until a space is completely accessible, even if no other construction work is being performed. Barrier removal considered to be readily achievable will vary from business-to-business and building-to-building.

- **What are the benefits of a CASp evaluation and report?** A trained and experienced CASp can conduct an evaluation of your property to determine if removal of architectural barriers is "readily achievable." Obtain a report that shows that the property was fully evaluated and in which areas are out of compliance with access standards, codes, and regulations. A CASp report will be eligible to request a 90-stay of the lawsuit and an early evaluation conference under Senate Bill 1608. A CASp report also grants eligibility to request a window sign stating that the facilities have been CASp inspected.

- **How do I find out more about my legal obligations?** Consulting an attorney familiar with the ADA can also help inform what your rights are when making accessibility upgrades and ways to protect yourself from lawsuits.

- **What is the cost of a CASp evaluation and report?** While inspections and legal services are not inexpensive, their costs are small relative to those served with an ADA lawsuit.

Learn More At:
Small Business Assistance Center
City Hall, Room 110
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
415-554-6134
http://sfgsa.org/index.aspx?page=3805

DEPARTMENT OF BUILDING INSPECTION (DBI)

Consult the Department of Building Inspection (DBI) to determine current requirements for your storefront alteration and/or seismic upgrade. DBI is responsible for enforcing the California Building Code and ensuring that construction work undertaken for storefront alteration is compliant with this building code and DBI standards. They issue building permits and conduct inspections of your building and construction project. Refer to DBI for building permit applications and DBI standards (e.g. Administrative Bulletins) as well as review and approvals for proposed projects. DBI also reviews and approves requests for the use of the California Historical Building Code (Part 8 of the CHBC). DBI actions can be appealed to the Access Appeals Commission.

- **What is the California Historical Building Code (CHBC)?** The CHBC provides alternate minimum acceptable standards in order to preserve the integrity of historic buildings. Use of the CHBC requires review and approval by DBI. If DBI denies use of the CHBC, you can appeal to the Access Appeals Commission or directly to the State Historical Building Safety Board.

- **Is a ramp required to make the main entry accessible?** Compliance with accessibility requirements is reviewed on a case-by-case basis. Generally, a ramp should be installed as close to the main public entrance and in a location that will preserve the building's historic character

while meeting all width, length, and slope requirements. Ramps should also have adequate landings and the appropriate edge and railing for wheelchair users and visually impaired persons.

- **Can I file an unreasonable hardship request?** The Unreasonable Hardship Request form is required for review and approval of exceptions to the accessibility requirements in the California Building Code and the San Francisco Building Code. All UHRs must first be reviewed by DBIs Plan Check Division before they can be appealed to the Access Appeals Commission. The UHR form must be filed with a building permit application and plans.

Learn More At:
San Francisco Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103
415-558-6088
http://www.sfdbi.org

DEPARTMENT OF PUBLIC WORKS (DPW)

Merchants, Residents or Businesses who want to perform work on city streets or sidewalks should get a permit from DPW first. DPW issues permits to construct, improve, work on or occupy the city's sidewalks and roadways. DPW's permit types include permits for banners, tree planting and removal, driveway cuts, general excavation, landscaping and others.

- **What is considered an encroachment?** Work outside of the property line or within the public right-of-way, such as ADA level landings, is considered encroachment and will require review by DPW.

Learn More At:
San Francisco Department of Public Works
1155 Market Street (between 7th and 8th Streets)
San Francisco, CA 94103
415-554-5810
http://www.sfdpw.org/

EARTHQUAKE SAFETY IMPLEMENTATION PROGRAM (ESIP)

The Earthquake Safety Implementation Program (ESIP) is a thirty year plan to implement the recommendations of the CAPSS study, completed in 2010. ESIP began in late 2011 under the City Administrator's office and continues on today to make San Francisco a more prepared, safer, and

resilient city. Earthquake Safety Implementation Program as well as a resource for residents seeking information on ESIP's various programs or looking to become better prepared. Refer to ESIP for more information on the Soft Story Retrofit Program.

Learn More At:
Earthquake Safety Implementation Program
City Hall, Room 362
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
415-554-4925
http://www.sfgsa.org/index.aspx?page=6044

MAYOR'S OFFICE ON DISABLITY (MOD)

The mission of the Mayor's Office on Disability (MOD) is to ensure that every program, service, benefit, activity and facility operated or funded by the City of San Francisco is fully accessible to, and useable by, people with disabilities. MOD is responsible for overseeing the implementation and local enforcement of the City's obligations under the Americans with Disabilities Act as well as other federal, state and local access codes and disability rights laws.

- **What is the Americans with Disabilities Act (ADA)?**
  The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities.

Learn More At:
Mayor's Office on Disability
1155 Market Street, 1st Floor
San Francisco, CA 94103
415-554-6789
www.sfgov.org/sfmod

II. HISTORIC CONTE T STATEMENT

NEIGHBORHOOD COMMERCIAL BUILDINGS DEVELOPMENT

The San Francisco Planning Department developed the *Neighborhood Commercial Buildings, 1865–1965, Historic Context Statement* in order to provide the framework for consistent, informed evaluations of neighborhood commercial buildings and storefronts. The *Neighborhood Commercial Buildings, 1865–1965, Historic Context Statement* documents the evolution of retailing, shop window display, new materials and technologies, and the changes to consumer culture that impact the distribution, form, and design of neighborhood storefront spaces. It identifies the primary architectural styles and character-defining features of San Francisco's historic storefronts and commercial buildings and provides a guide for property evaluation. It links a specific commercial property types to identified themes, geographic patterns, and time periods, and provides an overview of significance, criteria considerations, and integrity thresholds. Its focus is limed to neighborhood commercial buildings, primarily retail and service-oriented businesses, located outside of the Downtown commercial core.

Objectives include:

- Provide property owners and commercial tenants a broader understanding of historic significance and character-defining features
- Inform development of the Neighborhood Commercial Design Guidelines by identifying essential historic features to protect when rehabilitating storefronts to meet seismic and accessibility requirements
- Provide the necessary contextual information to guide future environmental evaluations
- Document an overview of character-defining features to assist with federal tax credit rehabilitation projects
- Foster an appreciation of the relevance and significance of San Francisco's neighborhood commercial forms, styles, and history
- Provide recommendations for future efforts to aid in the identification, rehabilitation and recognition of significant historic resources.

PERIODS OF DEVELOPMENT

The *Neighborhood Commercial Buildings, 1865–1965, Historic Context Statement* identified three key periods of development as summarized below.

Early Neighborhood Commercial Development (1865-1905)

This period is characterized by expansion of residential suburbs and related commercial corridors beyond the downtown commercial core. Commercial strips emerged typically along the flatter sections of what was often hilly topography. Clusters of commercial blocks expanded perpendicular from the spine of major transit corridors, and scattered examples of commercial spaces emerged within purely residential blocks. Storefronts from this era reflect the dominant Victorian- era styles including Queen Anne, Italianate, Stick/Eastlake, and the neoclassical forms of the Edwardian-era. Storefronts are typically wood-clad and feature recessed vestibules, low-bulkheads, and divided light transom windows. Window displays featured screened back walls which prevented a clear view of the store's interior. Due to the widespread destruction of the 1906 earthquake and subsequent modernization efforts, there are very few examples of intact storefronts from this period of development.



Figure 1. An Early Neighborhood Commercial Development storefront.

Neighborhood Commercial Expansion (1906-1929)

Key themes associated with this period include the Reconstruction-era that followed the 1906 earthquake and fire, which resulted in denser residential and commercial districts; the expansion of residence parks and streetcar suburbs and related commercial cores; and the construction boom of the mid-1920s. Clusters of commercial blocks often grew adjacent to rather than within the new residence parks developing in the western and southern areas of the City. This period also witnessed a major shift from Victorian- and Edwardian-era styles to emerging styles such as Storybook, Mediterranean Revival, Tudor Revival, and Exotic/Gothic Revival. Newer cladding materials including stucco, terra cotta, polychromatic glazed tiles, and Spanish clay tile largely replaced the wood paneling, cladding, and ornamentation associated with earlier styles.

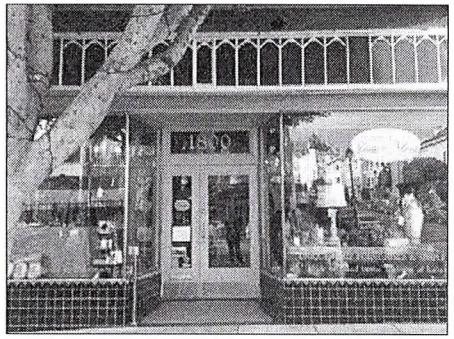


Figure 2. A Neighborhood Commercial Expansion period storefront.

Modernizing Neighborhood Storefronts (1930-1965)

This period is characterized by radical shifts in retailing concepts and forms, focused efforts to remodel older storefronts, the influence of New Deal era programs to stimulate the construction industry, and the introduction of Modern designs and materials. In general, it was more common for the storefront of an older building to be have remodeled during this period rather than a new commercial building constructed. As a result of storefront modernization efforts, this era is more likely to produce buildings with notable differences between the design of storefront and upper story. New storefront forms and materials included luminous structural glass cladding, curved glass display windows, glass block, elongated Roman brick, extruded aluminum fittings, neon signs, integrated planter boxes, and deeply recessed vestibules. Storefront systems introduced in the postwar era include the fully glazed "Visual Front" system which allowed visual access to the store's interior and the "Billboard Front" which converted the upper story(s) into a blank canvas for signage and advertising. Storefronts and commercial buildings often were designed in emerging Modern styles including Art Deco, Streamline Moderne, Midcentury Modern, Googie, and New Formalism.



Figure 3. A Modernizing Neighborhood period storefront.

STOREFRONT CHARACTER-DEFINING FEATURES

Refer to the *Neighborhood Commercial Buildings, 1865-1965, Historic Context Statement* for a detailed discussion of specific character-defining features as they relate to the three identified periods of development. When present, character-defining features may include design elements or materials associated with the storefront and/or upper stories. Character-defining features may be associated with the original building and/or with storefront alterations that have gained significance in their own right. Additional character-defining may be identified on a case-by-case basis when evaluating individual buildings and commercial corridors. Storefront character-defining features may include:

- Vestibule shape and paving material (e.g., wood, paved hexagonal tiles, or terrazzo)
- Bulkhead shape, height and cladding material (e.g. wood paneled, ceramic tile, structural glass facing)
- Display windows and sash (e.g. fixed, beveled, jointed, or rounded)
- Raised window display area (typically an interior platform the height of the bulkhead)
- Visual front storefronts feature glass windows that extend nearly to the ground
- Transom window shape, material, and ornamentation (e.g. arched openings, hinged operation, or prismatic glass)
- Entry door and transom configuration and materials material (e.g. wood or metal sash, stained glass or jalousie transom ventilator)
- Design elements, materials, and ornamentation associated with a particular style
- Signage, including stand-alone signage lettering, projecting blade signs, and illuminated signs

III. RECOMMENDATIONS & CASE STUDIES

RECOMMENDATIONS

The following recommendations include best practices for rehabilitating neighborhood historic storefronts and buildings to meet accessibility and seismic requirements. They serve as general guidelines to what should be considered when undertaking an alteration project and methods for sensitively respecting the existing historic building, storefront, and character-defining features.

In general, the intent of the guidelines is to balance accessibility and seismic requirements with the preservation of historic buildings and/or storefronts. The goal is to minimize the impact by retaining as much of the character-defining features of the building and/or storefront. Character-defining features contribute to the historic significance of the building.

These guidelines are not inclusive of all challenges and recommendations. Each property and project should be reviewed on a case-by-case basis to determine the best approach for meeting current ADA and seismic codes, based on the amount and quality of existing historic fabric. Please consult the Planning Department to review your proposed project for design feedback if your design approach is not found in the following guidelines.

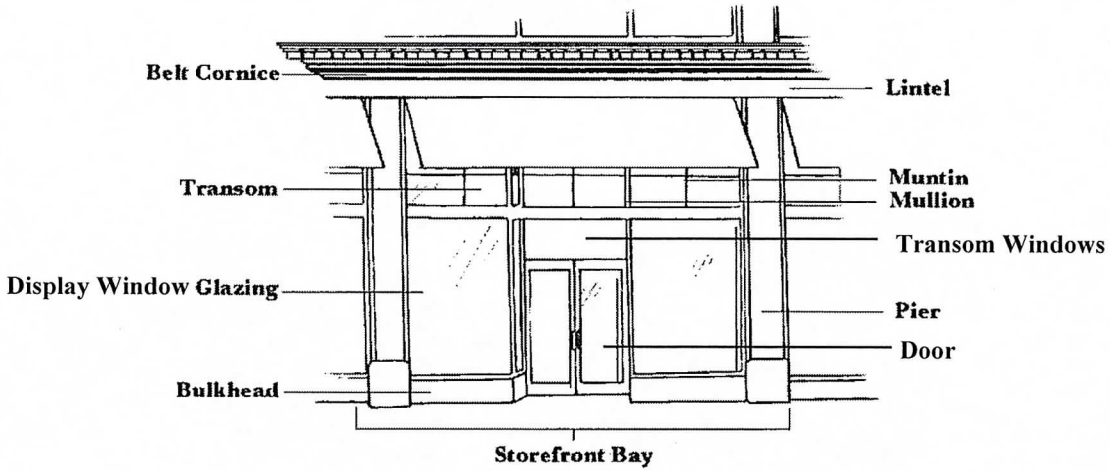


Figure 4. This elevation shows the typical components of a historic storefront.

Documentation

- Prior to start of design work, record the conditions of the existing storefront through photo documentation. Photographs should include: the entire building with the existing storefront system taken from across the street for context, the storefront system in its entirety to include all character-defining features, detail photos of character-defining features, and any interior photographs to provide the existing space and layout.

- A hand drawing can also be useful to document the storefront and any specific conditions photographs cannot capture. Adding notes to the drawing can identify existing materials, conditions or issues that need to be addressed.

- Record character-defining-features such as tile flooring, paneled wood soffit, paneled door, and a tiled bulkhead through photos or hand written notes.

- Documentation should also occur during construction when character-defining features are removed temporarily for their protection and/or for their restoration. Elements removed should be documented, protected, and salvaged. Documentation typically consists of photographs of existing elements, a drawing showing their original location, a tag for each removed element, and an artifact log that shows their original location, their existing condition, and where they are stored during salvage. The artifact log allow for the removed element to be reinstalled in its original location once work has been undertaken. Elements that remain during construction should be stabilized and protected to prevent damage. Removal of historic character-defining features for installation of seismic framing and/or for storefront alterations requires review and approval by a Preservation Planner.

- Fully document not only the building and/or storefront components, but also the existing sidewalk if undertaking a project that may require modifying the sidewalk. Document the conditions of all elements including the sidewalk and sub-sidewalk areas that may become potential issues during construction. The more unique a project site, the more challenges and likely more costly the work. Consult the Department of Public Works to learn more about how to evaluate an existing sidewalk.

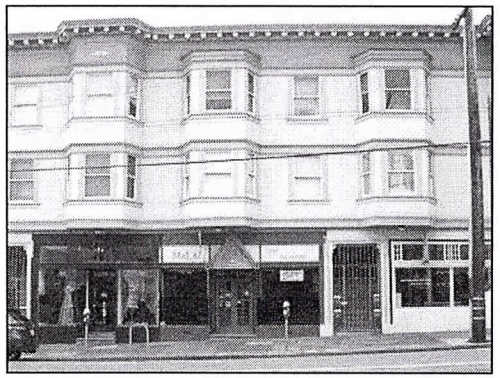


Figure 5. Photo showing the building and storefront together for context.

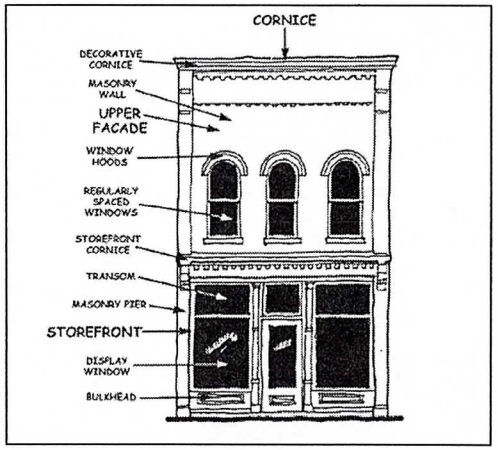


Figure 6. Hand drawing documenting the elements found on the building and storefront.



Figure 7. Detailed photo showing recessed entryway with a mosaic tile flooring, terrazzo step, and thin mullions at display windows. Documentation should include noting that doors and bulkhead finish do not appear historic.



Figure 8. Detailed photo showing recessed entryway with a tile flooring, marble transition step, tiled bulkhead, thin mullions at display windows, and framed door with lite at center. Documentation should include noting the graffiti on flooring and crack at marble.



Figure 9. Salvaged doors tagged to indicate their original location for future reinstallation.

Protection of Historic Finishes

- Prior to start of construction, stabilize, support, and protect surrounding historic materials to prevent damage by construction activities.

- Protection should be constructed of durable materials resistant to impact, fire, and water. The majority of buildings in San Francisco are wood-framed and fires that occur during construction typically cause great deal of damage to historic features when not properly protected.

- Protection assemblies should not be attached directly to historic character-defining features. Elements used for stabilizing and supporting remaining elements should also not be attached directly to historic character-defining features.

- Consider temporarily removing elements such as doors and windows that are areas that may be damaged during construction for reinstallation at the end of the project. Elements removed should be documented, protected, and salvaged. Documentation typically consists of photographs of existing elements, a drawing showing their original location, a tag for each removed element, and an artifact log that shows their original location, their existing condition, and where they are stored during salvage. The artifact log allow for the removed element to be reinstalled in its original location once work has been undertaken. Elements that remain during construction should be stabilized and protected to prevent damage. Removal of historic character-defining features for installation of seismic framing and/or for storefront alterations requires review and approval by a Preservation Planner.

- A "protection of historic elements" specification can be a useful tool for owners to protect elements to provide specific directions to contractors in how to protect, remove, and salvage historic elements during construction. Consult a Preservation Planner for more information.

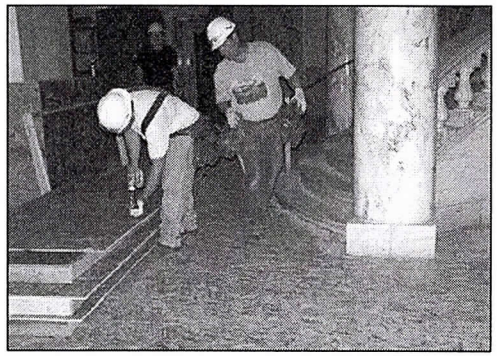


Figure 10. Plywood panels used as protection for the historic flooring.

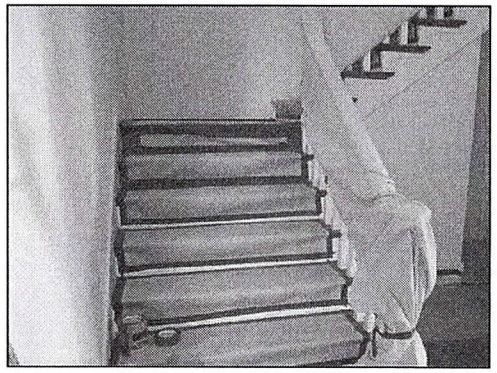


Figure 11. Character-defining features such as stairs and handrails should be protected to prevent damage during construction.

Storefront Configuration

- Door entrances should remain in their existing locations to retain the original configuration and entry rhythm of historic storefronts. For larger buildings with multiple entrances, doors should be fixed in place and hardware removed instead of removing doors and infilling existing door locations with new storefront. Historic storefront assemblies are integrated with the rest of the building and share elements such as columns that come down to the ground floor level as vertical design elements in the storefront system. Additionally, the rhythm of storefront openings is typically reflective of the window openings above.

- Where existing storefront must be modified and moved to provide clearance, retain scarring at entryway to provide evidence of original entry sequence. Use differentiated but compatible infill materials for these scarring areas. These include original soffits, flooring, and bulkhead locations. For example, use a new compatible tile in the area where the entry was widened.

- Design modifications to storefront assembly should be referential and compatible to the existing historic system. For example, do not replace a portion of an existing butt-glazed display window system with a framed system.

- Modify storefront assemblies in a manner that minimizes the loss of historic materials. If during construction materials are damaged or found to be beyond repair, then replace the existing element in-kind to match existing in material, size, shape, profile, and finish.

- If character-defining features must be removed, catalogue and salvage for reinstallation should a future reversal of the alteration occur.

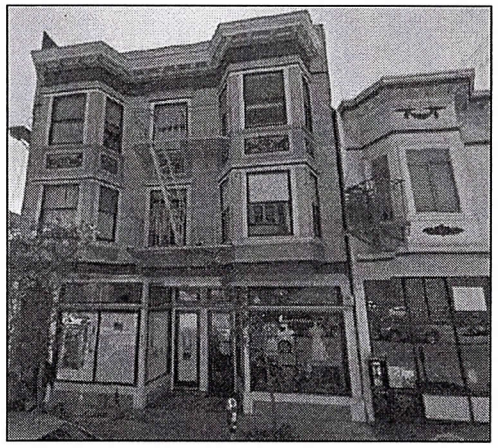


Figure 12. New storefront system integrated with the rest of the building.



Figure 13. Existing storefront configuration modified to widen the entryway; scarring at concrete flooring. To improve this alteration, the flooring, bulkhead, and storefront system materials should be more referential to the historic building.

Door Repair & Rehabilitation

- Doors should be repaired rather than replaced. In general, wood elements including doors can repaired through consolidation, epoxy repair, and/or Dutchman repair. Consolidation consists of coating the wood with a material to stabilize the wood. The wood can also be treated with a biocide to stop biological growth. Once the existing wood is stabilized, the wood door can be repaired through epoxy injection or Dutchman repair. Epoxy injection fills cracks and other voids to join existing wood. Dutchman repair is the in-kind replacement of the deteriorated portion of the door with wood to match the existing in material, dimension, profile, and finish so that the majority of the original historic door can be reused. Metal doors should also be repaired rather than replaced. Repairs include removal of coatings and corrosion, correcting deformations, and/or Dutchman repaired with new material to match existing in material, dimension, profile, and finish. To prevent galvanic action and damage to the existing door, the new metal should match existing in-kind.

- If the existing door is beyond repair and replacement is required, provide a new door that matches the existing in design, material, size, shape, profile, and finish.

- If new hardware is required, new hardware should match existing hardware in material and finish. New hardware design should be compatible and referential to existing hardware and/or the storefront assembly.

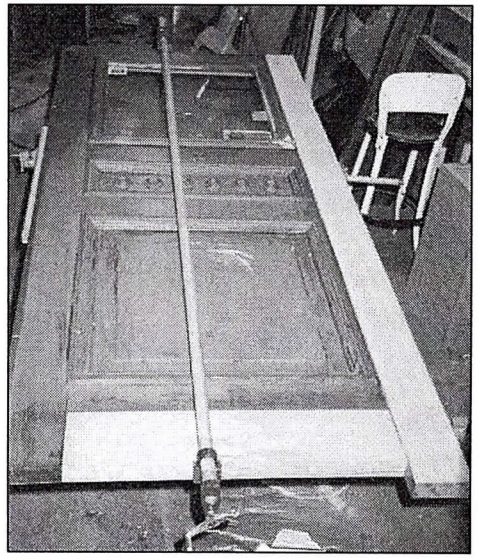


Figure 14. A Dutchman door repair is used to restore the original wood door.



Figure 15. Epoxy repair of a deteriorated wood element.

Barrier Removal

- Remove "readily achievable" architectural barriers without destroying the significance of historic properties. Some accessibility solutions can be implemented easily and without a lot of cost.

- Readily achievable barrier removal may include providing an accessible route from a parking lot to the business's entrance, installing an entrance ramp, widening a doorway, installing accessible door hardware, repositioning shelves, or moving tables, chairs, display racks, vending machines, or other furniture.

- Barrier removal may require altering the entrance and the removal of character-defining features, which may trigger preservation issues. Consult a Preservation Planner to determine if the proposed changes trigger preservation issues.

- Removing barriers, such as a step to an entrance, is required when readily achievable.

- When removing barriers, comply with accessibility standards to the extent possible. For example, where there is not enough space to install a ramp with a slope that complies with accessibility standards, installation of a ramp with a slightly steeper slope may be possible. However, any deviation from the Standards must not pose a significant safety risk. Refer to alternative slopes in the California Historical Building Code. Deviations from current building code requirements require review and approval by DBI. Deviations from current public work requirements such as modifications to the sidewalk require review and approval by DPW. If a request is denied by DBI, an appeal can be made to the Access Appeals Commission for review and approval.

- When barrier removal is not possible, alternatives such as curbside service should be provided. For example, a restaurant that cannot afford to install a ramp or a lift must provide its services in another way such as providing takeout service. Businesses should train staff alternatives and publicize them so customers with disabilities know of their availability and how to access them.

- Signage is required to indicate the direction to the accessible building entrance. Required signage should be installed on non-historic surfaces whenever possible. Signage should be installed in a manner that is reversible to prevent damaging the building and/or storefront or any character-defining features.



Figure 16. Providing a counter that accommodates wheelchairs is an example of barrier removal.

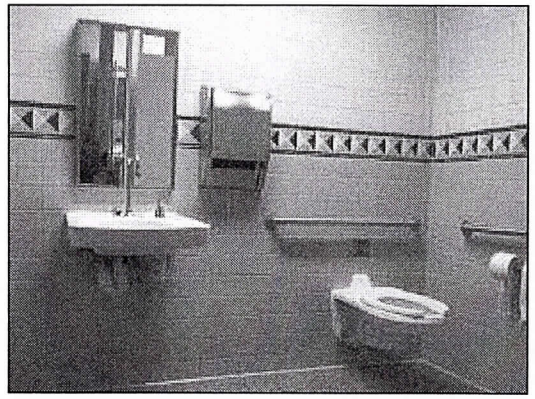


Figure 17. An accessible restroom with required elements installed at proper heights including toilet, lavatory, grab bars, and accessories as well as clear area and hardware.

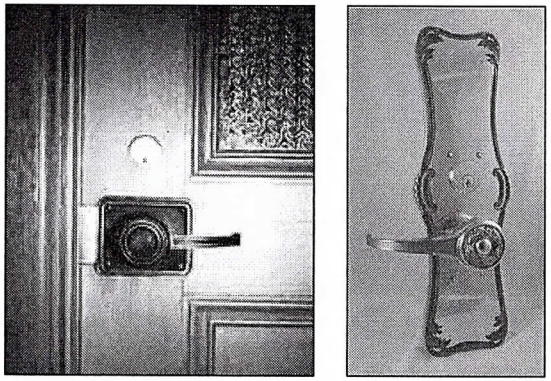


Figure 18. Existing door hardware rehabilitated with added lever to meet accessibility (left). New accessible door hardware made to match original hardware (right).

Accessible Entrances and Locations

- Access should be provided through the primary public entrance wherever possible.
- Consider alternate entrances to the space that are within 200 feet and also used by the general public if upgrading the primary entryway would result in loss of significant character-defining features. Typically, one entrance to a space must be accessible. Delivery-only or utility entrances do not comply.
- Existing door entryways can be widened without compromising the integrity of the historic building and/or storefront. Sensitive alterations such as moving the line of the primary entryway forward to widen the door opening maintains the storefront configuration and design while minimizing changes to the materials and character-defining features.
- Entrances should meet current code requirements for threshold heights at transitions.
- Level changes such as a step between the sidewalk and storefront can sometimes be altered depending on site conditions. Alterations may include removing a step, building up the entryway and/or sidewalk and providing a new level landing. New entryway flooring should be referential to original flooring materials and design. Accessible entrances can also continue into the storefront interior.
- Ramps should be designed and located in a manner that minimizes loss of historic character-defining features.
- If railings are required, provide railings that are in character with the building and that do not detract from the historic building. Railings should be compatible and differentiated from the building to distinguish it from the original storefront and/or building. Railing materials should be referential to materials found at the storefront and/or building and installed in a manner that does not damage the historic building if removed in the future.
- If modification of the sidewalk is necessary to provide an accessible entrance, consult DPW for technical requirements, review and approval. Consider the width of the existing sidewalk, as well as the maximum allowable curb height.
- If modification of the sidewalk is required but not an option, consult the Access Appeals Commission. For example, modifying a very narrow sidewalk can present many challenges and may require a special solution.

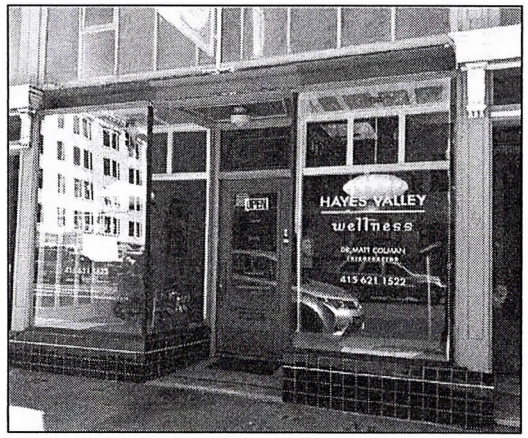


Figure 19. Existing mosaic tiles at entryway landing and terrazzo nosing at one-step transition to storefront.

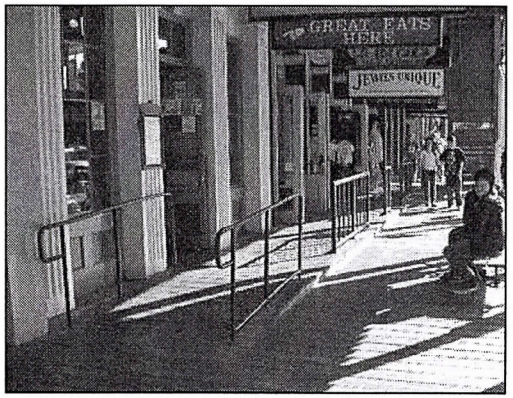
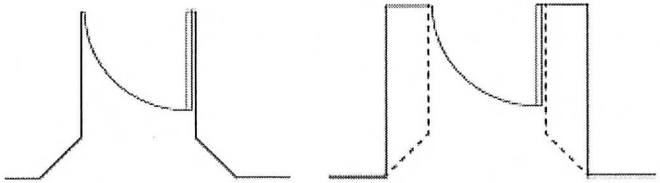
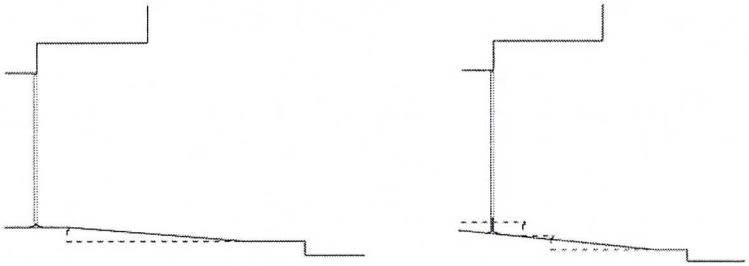


Figure 20. A ramp installed along edge of storefront to provide an accessible entrance to the primary entrance.



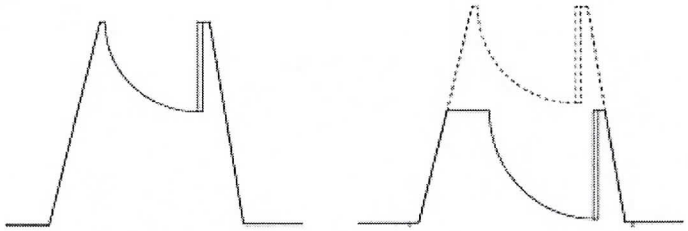
BEFORE AFTER

Figure 21. Drawings above show an altered primary entryway. On the left is the original very narrow entryway. On the right is the widened entryway by moving the recessed entry walls.



OPTION 1 OPTION 2

Figure 22. Drawings above show an altered primary entryway. On the left is a new accessible entryway with a built up entryway and sidewalk. On the right is a new entryway that continues into the storefront.



BEFORE AFTER

Figure 23. Drawings above show an altered primary entryway. On the left is the original very narrow entryway. On the right is the widened entryway by moving the line of existing door towards the street.



Figure 24. Existing storefront chamfered wall moved to widen the entryway and provide adequate strike-side clearance.

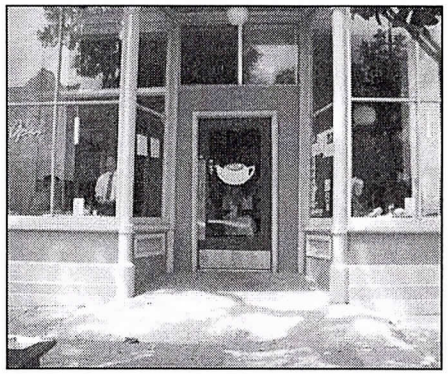


Figure 25. Step removed at recessed entryway. New entryway and sidewalk built up to provide an accessible entrance.

Power Door Operators and Push Buttons

- Power-assist door operators can address door width clear requirements, strike-side clearance, and door-opening forces.
- Improve accessibility by retaining historic doors and narrow entrances/doorways through the use of clear swing hinges and power-assist door operators.
- Use wireless power assist door operators and push buttons and install them in a manner that is reversible and avoids damage to historic materials.
- Install wireless push buttons on non-historic walls and finishes whenever possible. If the entire storefront is historic, install wireless push buttons to the display window and bulkhead. If installation on existing storefront will damage the storefront, consider using a small freestanding vertical actuation bar located within the recessed entryway.
- Install power door closers in locations above existing doors that do not obscure transoms or other ornamental elements. Explore use of an in-floor swing power door operator concealed in the floor if installing above existing doors is not possible. In-floor door operators require special requirements below flooring.
- Locate power door operator controls are in an area as level as reasonable based on the existing topography and path-of-travel layout.
- Install door operation devices outside the swing of the operated door.
- Install push buttons on the strike side of the door.
- Provide a clear floor space of 30" x 48" adjacent to each door operator button.
- Use the alternatives in the California Historical Building Code to retain historic character-defining features such as narrow doors and original entryway flooring that do not meet current code requirements.

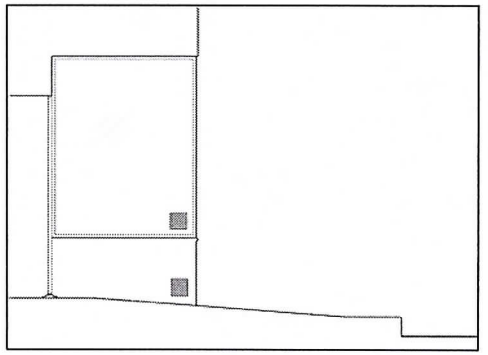


Figure 26. Wireless push buttons installed on the display window and bulkhead.

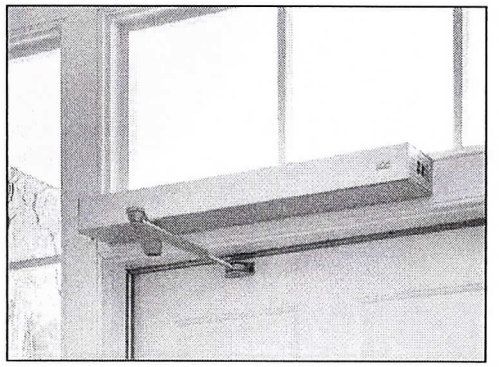


Figure 27. Power door closer installed over existing door without obscuring the transom above.

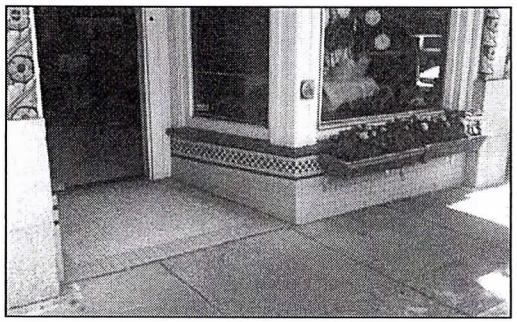


Figure 28. Wireless ADA push button integrated into new storefront design.

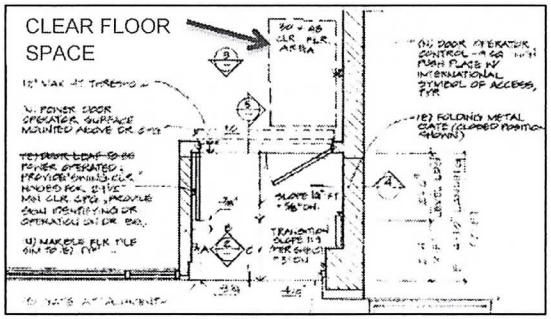


Figure 29. Clear floor space provided adjacent to door operator button.

Entryway Flooring & Bul head Material

- Salvage and reinstall historic floor tiles, mosaic tiles, terrazzo, or other historic flooring material when any steps are removed to provide a ramp or a level landing
- If historic flooring materials cannot be salvaged or are beyond repair, photo document the existing flooring configuration, design and material in its existing condition and install new flooring that draws from the material and design of the original flooring or elements that characterize the property.
- If existing flooring does not meet the nonslip requirement, consider use a clear nonslip coating that does not alter the appearance of existing flooring.
- Bulkheads should be protected during removal of existing step or flooring.
- Existing bases along the bulkhead or entryway that interfere with the construction of the new entryway should be removed and salvaged for reinstallation. If reinstallation is not possible, install a new base or bulkhead material that matches the existing in material and appearance. If an exact match is not possible, select a material that is compatible with the character of the storefront and historic building.



Figure 30. Existing mosaic tiles at entryway landing and terrazzo nosing at one-step transition to storefront.

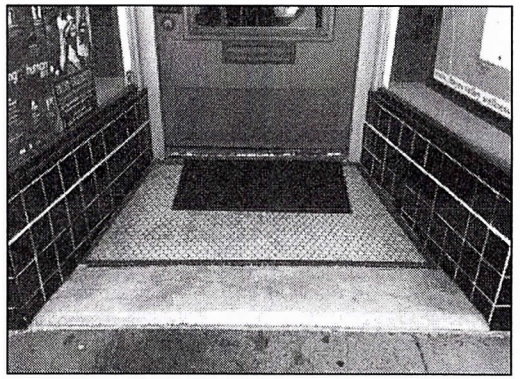


Figure 31. Mosaic tile flooring and marble transition to concrete sidewalk used in a new entryway landing after step removal.

BEFORE



Figure 32. Existing tile flooring and terrazzo transition strip to concrete sidewalk at corner storefront.



Figure 33. Existing mosaic tiles at entryway landing and terrazzo nosing at one-step transition to storefront.

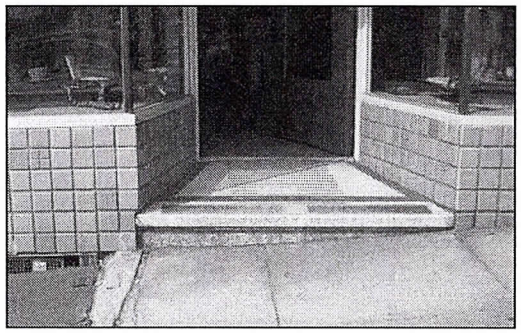


Figure 34. If step is to be removed to make an accessible entrance, consider retaining terrazzo flooring and nosing as a transition to the new sloped sidewalk.

AFTER



Figure 35. New tile marble tile flooring and transition strip to sidewalk used for the new level landing and accessible entryway.

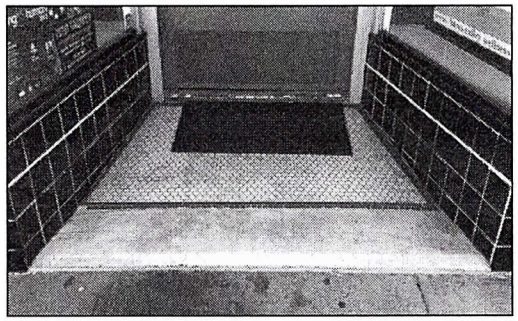


Figure 36. Mosaic tile flooring and marble transition to concrete sidewalk used in a new entryway landing after step removal.

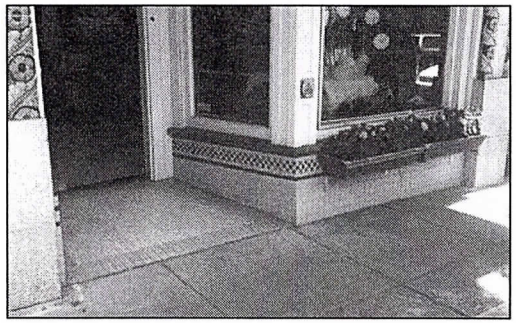


Figure 37. New tile flooring relates to pattern of tiled bulkhead. Perimeter band around entryway flooring is typical of historic entrances.

Note: Before and after photographs above are not of the same property. They show the various different flooring and bulkhead materials typically found at historic properties and examples of new flooring and treatment of bulkhead at storefront entrances that are sensitive to historic buildings.

Seismic

- Historic materials should be preserved and maintained to the greatest possible extent and not replaced wholesale in the process of seismic strengthening.
- New seismic upgrade systems, whether hidden or exposed, should respect the character and integrity of the historic building and be visually compatible with its design.
- New structural elements should be installed in locations to minimize disturbance to character-defining features. To meet Planning Department ground floor transparency requirements, new structural elements should not obscure storefront display windows. If a window must be blocked, it should be limited and located in a discrete area of the storefront and have appropriate glazing.
- Seismic work should be "reversible" to the greatest possible extent to allow for its removal in the future should an improved seismic system be available and replace the existing system. This would allow for the traditional repair of remaining historic materials.
- Consider all available seismic solutions such as moment frames, braced frames, shotcrete walls, FRP (Fiber Reinforced Polymer), and center-coring to determine which approach is the most appropriate. Each project will be reviewed on a case-by-case basis to determine if the selected solution is appropriate for the building while minimizing its impact to the historic building. Every effort should be made to avoid obscuring storefront openings by placing new structural members in locations away from windows, doors, and display windows. Consult a structural engineer experienced with seismic upgrades of historic buildings. An experienced engineer will understand how to use the California Historical Building Code when evaluating and designing the upgrade.
- Consider the use of Performance-Based Engineering (PBE), a method of determining the most economical engineering approach based on quantified performance levels and objectives. This can take into consideration the strength of the existing building materials of your building. Most engineers today discount the existing strength of historic buildings which results in larger structural members. Consult a structural engineer with PBE experience used on historic buildings.
- Incorporate seismic elements into the interior design of the building. For example, paint the surface of a steel moment frame post and use it as a café menu or use it as a bulletin board for local community events and announcements.
- Existing furnishings and fixtures such as shelving, and equipment should be kept away from existing display windows to allow for activity within the first few feet of the storefront. Planning Department requires that any fixed element over 3 feet tall must be setback a minimum of 10 feet from the display window and if temporary, must be transparent in design and construction.

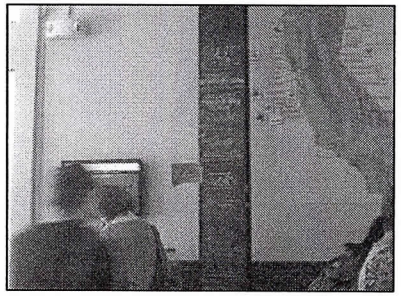


Figure 38. Moment frame used as a menu. (J. Luu, 2013).

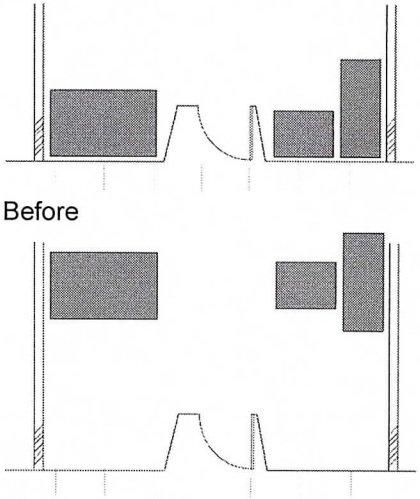


Figure 39. Drawings shows moving existing furnishings away from existing display windows.



Figure 40. Steel moment frame installed several feet back from the storefront. (J. Luu, 2013)

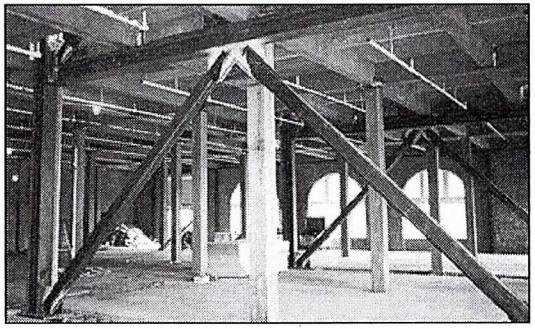


Figure 41. Braced frames located in locations away from existing windows. (Forrell/Elsesser Engineers, n.d.).

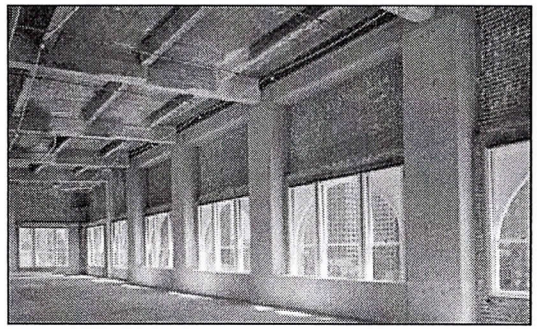


Figure 42. Concrete moment frames installed at existing columns and do not obscure window openings. (Forrell/Elsesser Engineers, n.d.).

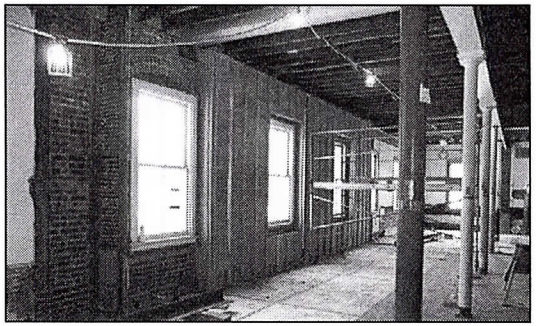


Figure 43. Shotcrete walls installed at face of unreinforced masonry walls. (K. Wong, 2011)

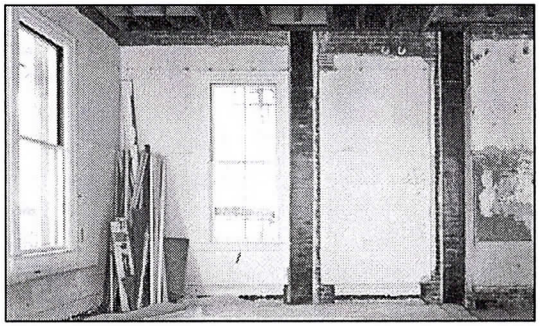


Figure 44. Fiber Reinforced Polymer used to minimize removal of interior finishes. (Holmes Culley Structural Engineering, 2012).



Figure 45. Center coring unreinforced masonry walls from above. (K. Wong, 2011)

III. RECOMMENDATIONS & CASE STUDIES

CASE STUDIES

The first set includes three storefront examples with some typical configurations and challenges found in neighborhood commercial districts. The second set includes four successful storefront alteration projects that can be used as a guide for addressing accessibility and seismic challenges.

Case Studies Set I: Challenges Examples

#	Address	Example of
1	3189 16th Street	One Step Entrance
2	895 Vallejo Street	Corner Entrance
3	2656 San Bruno Avenue	Very Narrow Door Opening

Case Studies Set II: Successful Examples

#	Address	Example of
1	240 California Street	Step up
2	2901 Mission Street	Moment frame
3	1500 Church Street	Step up

Set I. Case Study 1: 3189 16th Street



Figure 46. Building elevation at 3189 16th Street, a typical example of a storefront with a one-step entry. (J. Luu, 2013)

Set I. Case Study 1: 3189 16th Street

Date of Construction: 1907

- **Preservation Considerations**
  - ***Storefront composition and configuration.*** Display windows flank a centrally, recessed entryway. Transoms above are still extant but have been covered by opaque material and signage. Composition and configuration should be retained.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building should be documented, retained, and used a design reference for the new storefront alteration. Features include the mosaic tile and terrazzo finish entry step, the wood coffered soffit at the entryway, the thin metal corner frame and large spans of glass at display windows, stucco finished bulkheads, and decorative metal vent grills.

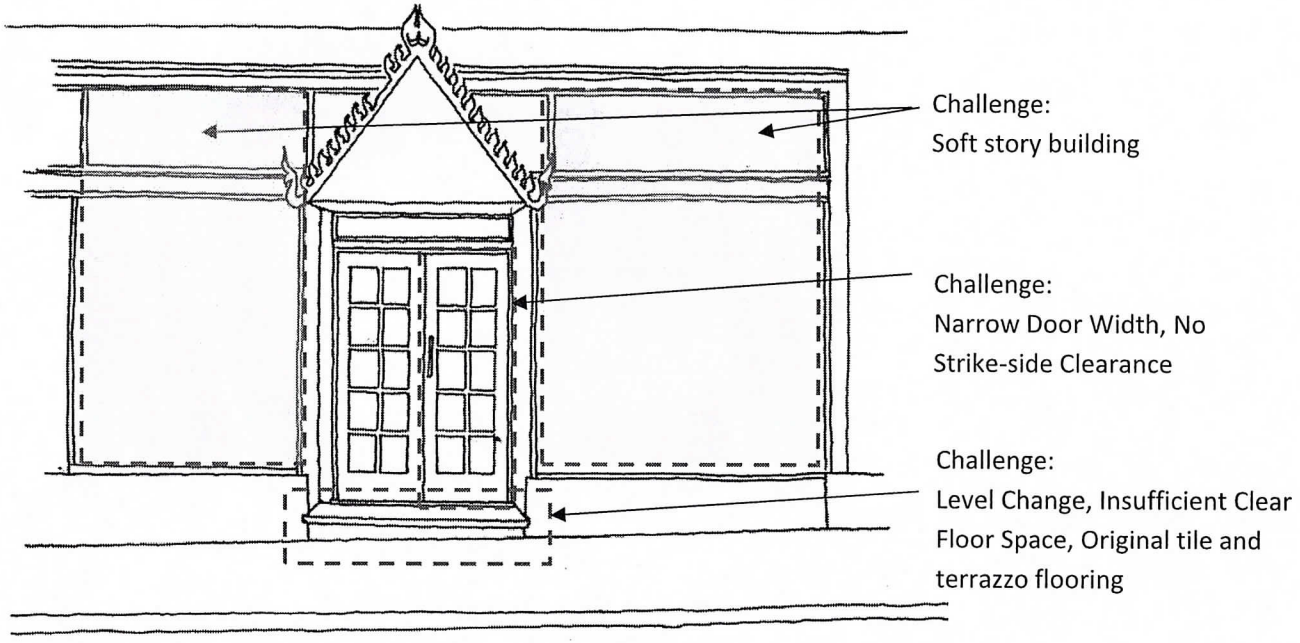


Figure 47. Sketch of storefront elevation at 3189 16th Street. (K. Wong, 2013)

- **Challenges & Solutions**
  - ***Character-Defining Features.*** Existing character-defining features should be retained and restored to the extent possible.
  - ***Level Change.*** To address the level change, the existing entryway step would need to be removed and rebuilt to a level landing and a code-compliant slope. The sidewalk would also require rebuilding to allow for the new entryway to meet the sidewalk at an allowable slope to make the entryway accessible. Minimize impact to existing conditions by using the alternatives provided in the California Historical Building Code (CHBC). Use of the CHBC requires review and approval by DBI. Modifications to the sidewalk require review and approval by DPW.
  - ***Entryway Flooring.*** Retain the existing entryway mosaic tile and terrazzo flooring. If retaining the existing flooring is not possible, provide a new tile entryway flooring and perimeter band that is referential to the original flooring and design.
  - ***ADA Push Buttons and Power Door Operator.*** An ADA push button can be installed on the glass and bulkhead to address strike-side clearance and door width requirements if the door is too narrow. A freestanding stand with buttons can also be installed in the recessed entryway. A power door operator can be installed over the existing door without obscuring any character-defining features such as the transom above.
  - ***Seismic Solutions.*** There are several approaches to upgrading this soft story to meet seismic codes. The goal is to place new structural members in locations where they do not obscure display windows so that the storefront remains transparent and open as originally designed.



Figure 48. Mosaic tile and terrazzo flooring with perimeter band at entryway, bulkhead, and slim mullions at display windows should be retained.

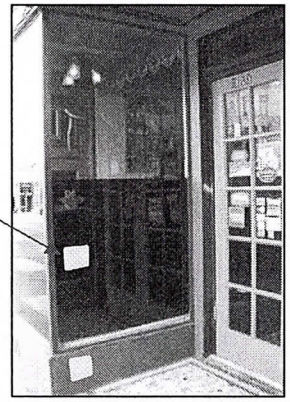


Figure 49. Proposed locations of ADA push buttons at the recessed entryway.

Set I. Case Study 2: 895 Vallejo Street



Figure 50. Building elevation at 895 Vallejo Street, a typical example of a corner storefront. (J. Luu, 2013)

Set I. Case Study 2: 895 Vallejo Street

Date of Construction: 1907

- **Preservation Considerations**
  - ***Storefront composition and configuration.*** A corner storefront with recessed entryway flanked by display windows. Door is angled and faces the corner column. Transoms above are still extant with one elevation covered. Composition and configuration should be retained.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building should be documented, retained, and used a design reference for the new storefront alteration. Features include a paneled soffit, transom, thin metal corner frame and large spans of glass at display windows, single light door, corner post, and tiled flooring.

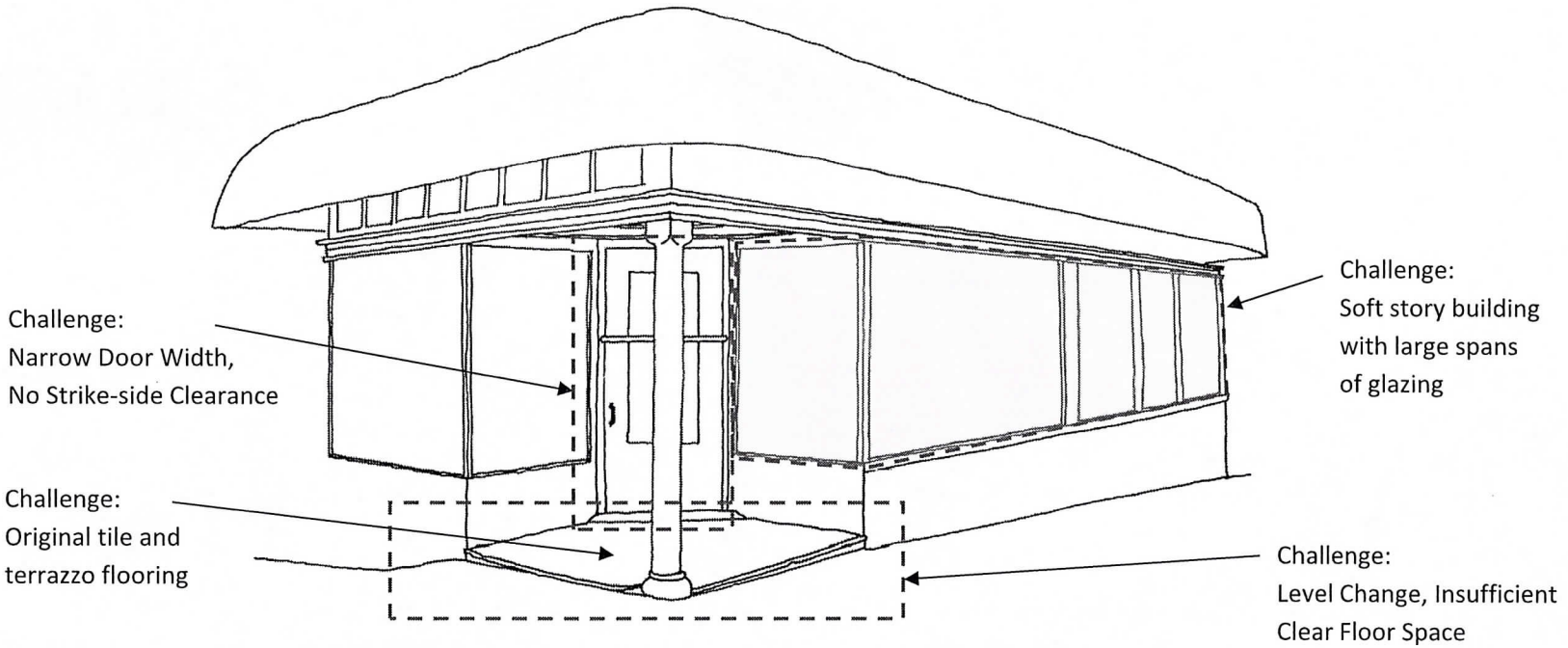


Figure 51. Sketch of storefront elevation at 895 Vallejo Street. (K. Wong, 2013)

- **Challenges & Solutions**
  - This corner storefront has several challenges. It has a level change from the entryway to the sidewalk, insufficient clearance in front of the door, and door that is too narrow, and likely a soft story condition that needs to be seismically upgraded.
  - ***Character-Defining Features.*** Existing character-defining features should be retained and restored to the extent possible. Portions of the storefront that appear to be altered, such as the bulkhead, should be replaced with one compatible with the building. To further improve this storefront, the existing awning and boards covering existing transoms should also be removed.
  - ***Level Change.*** To address the level change, the existing entryway step would need to be removed and rebuilt to a level landing and a code-compliant slope. The sidewalk would also require rebuilding to allow for the new entryway to meet the sidewalk at an allowable slope to make the entryway accessible. Only one side of the corner entryway is required to be accessible. Select the side that minimizes modification to the storefront and/or sidewalk. The sidewalk appears to be wide enough to accommodate modifications required to make the entrance accessible but requires review and approval by DPW.
  - ***Entryway Flooring.*** The new entryway flooring should have new tile flooring with a perimeter band to be referential to the original flooring design.
  - ***Door Width.*** If the door is too narrow and does not meet door width requirements, one option would be to move the line of the door out towards the column and street. However, consideration should be given to the amount of space required for door swing and clear floor area.
  - ***ADA Push Buttons and Power Door Operator.*** An ADA push button can be installed on the glass and bulkhead to address strike-side clearance. A power door operator can be installed over the existing door without obscuring any character-defining features.
  - ***Seismic Solutions.*** There are several approaches to upgrading this soft story to meet seismic codes. One option is to place new structural members further back from the storefront to prevent obscuring display windows. Another option would be to place new structural members along a portion of the larger area of display windows that is further back and away from the entrance. This would require display windows to still be glazed but using obscure glazing to keep the character of the storefront intact and minimize view of the new structural member from the public rights-of-way.

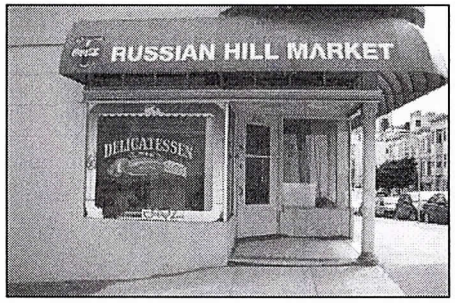


Figure 52. Existing storefront elevation showing sloped topography.

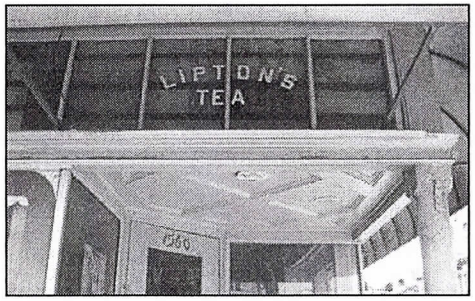


Figure 53. Existing paneled soffit and transoms should be retained and restored; and the awning removed.

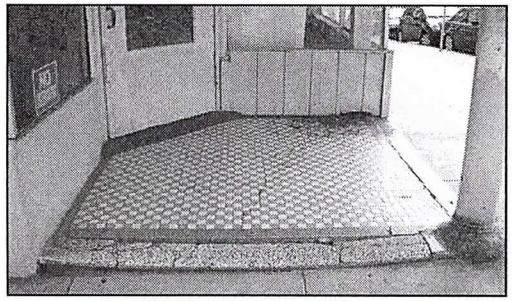
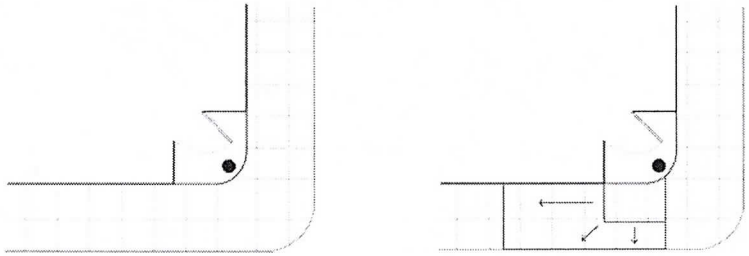


Figure 54. Existing tile flooring and terrazzo transition to sidewalk. Note deteriorated condition of existing non-historic bulkhead.



BEFORE AFTER

Figure 55. Drawing on left shows existing condition. Drawing on right shows possible new entryway and sidewalk modified to provide an accessible entrance.



Figure 56. Example of a new accessible corner entryway using a tiled flooring with perimeter band that is compatible with the historic storefront and building.

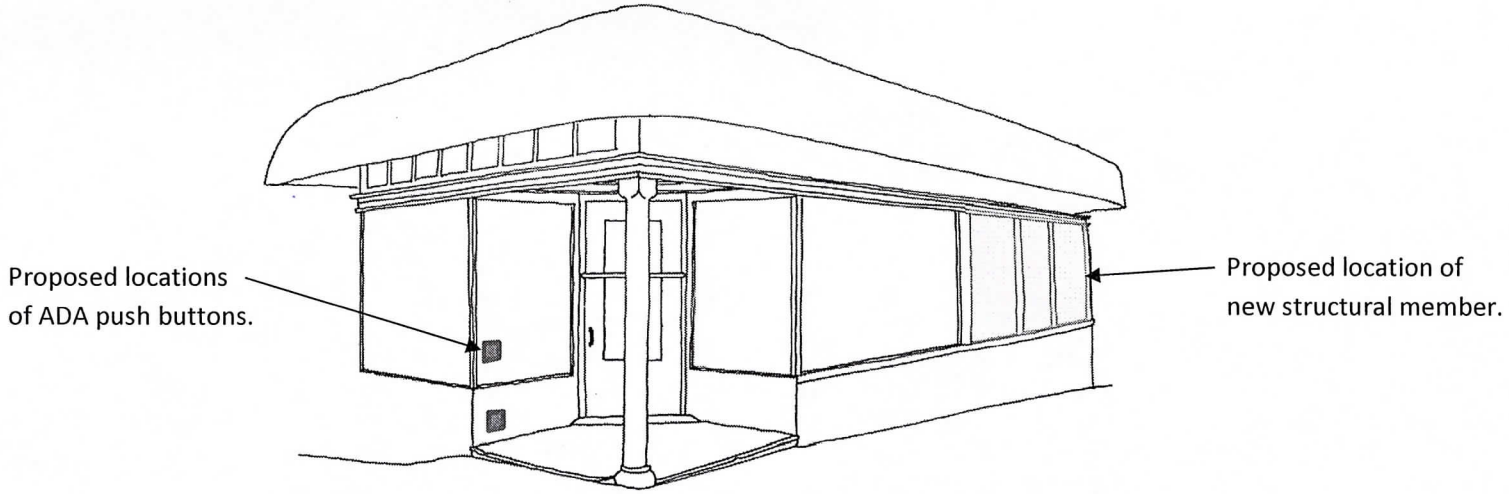


Figure 57. If seismic bracing is required to be located near the face of display windows, place new elements away from the entryway. Shaded area above shows a location where structural members would be appropriate.

Set I. Case Study 3: 2526 San Bruno Avenue



Figure 58. Building elevation at 2526 San Bruno Avenue, a typical example of a storefront with a narrow entry. (J. Luu, 2013)

Set I. Case Study 3: 2526 San Bruno Avenue

Date of Construction: 1927 (building)

- **Preservation Considerations**
  - ***Storefront composition and configuration.*** Display windows flank a centrally, very narrow recessed entryway. Symmetrical composition and configuration should be retained.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building should be documented, retained, and used a design reference for the new storefront alteration. Features include the hexagonal tiled flooring, single light wood door with transom, paneled soffit, ceiling-mounted light fixture, and butt-glazed display windows with bulkhead.



Figure 59. Existing storefront elevation showing the narrow recessed entryway, chamfered corners at storefront, original door with arched lite at center, and transom above.

- **Challenges & Solutions**

- ***Character-Defining Features.*** Existing character-defining features should be retained and restored to the extent possible. Retain existing hexagonal tile flooring and perimeter band, original door and transom, paneled soffit and light fixture. To restore the existing storefront back to its original appearance, the mullions at the left display windows should be replaced with butt glazing to match the original. Existing character-defining features should be cleaned and restored to its original appearance. A test area to remove the paint at the bulkhead should be undertake to determine the original material below.
- ***Entryway and Door Width.*** The very narrow entryway can be widened by removing the chamfered corners with return walls that are perpendicular to the face of the existing storefront. This would preserve the face of the original storefront, keep a similar recessed entryway configuration, and possibly allow the original door to be reused.
- ***ADA Push Buttons and Power Door Operator.*** An ADA push button can be installed on the glass and bulkhead to address strike-side clearance. A power door operator can be installed over the existing door without obscuring any character-defining features.
- ***Seismic Solutions.*** If this building requires an upgrade to meet current seismic codes, new structural members should be installed in locations away from the storefront display windows.

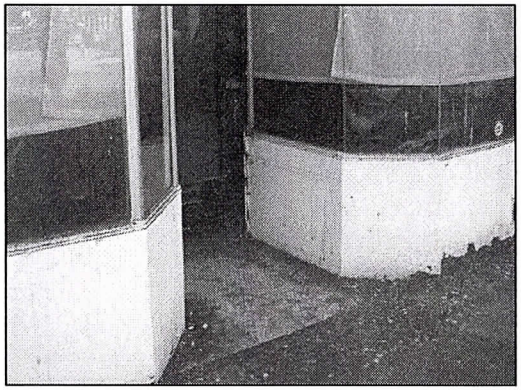


Figure 60. Chamfered corners of original storefront system are character-defining features. Note difference in storefront system – on right is the original butt glazed storefront system and on left is an alteration with added mullions.



Figure 61. Original hexagonal tile flooring with band around the perimeter should be retained. If entryway is widened, then a new tile should be used to indicate the original storefront configuration.

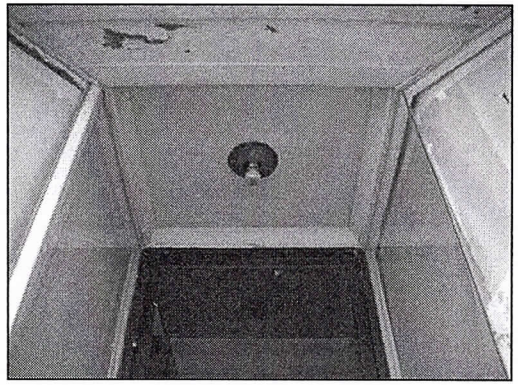


Figure 62. Original paneled soffit, base of an original light fixture, and transom. All elements should be retained and restored.

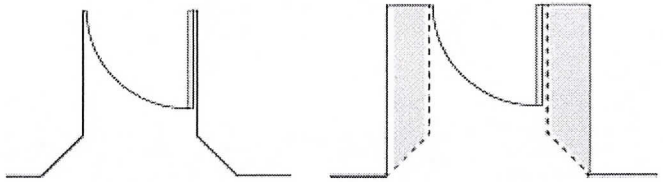


Figure 63. A possible approach to making this very narrow entryway accessible is to remove chamfered corners and make return walls perpendicular to the face of the storefront. *Note: The new corner should be chamfered, which is different from what is shown in the graphic above.* This would widen the door opening and provide more space to maneuver in and out of the building. Shaded areas indicate where new compatible tiles should be installed to indicate the original storefront configuration.



Figure 64. Possible locations for ADA push buttons (in blue). On left wireless push buttons are installed on the glazing and on the bulkhead. On right is a freestanding stand installed within the recessed entryway.

Successful Example
Set II. Case Study 1: 240 California Street



Figure 65. Building elevation at 240 California Street, a typical example of a storefront with an accessible entry. (J. Luu, 2013)

Successful Example
Set II. Case Study 1: 240 California Street

Date of Construction: 1909

- **Preservation Considerations**
  - ***Storefront composition and configuration.*** A central display window is flanked by a pair of doors on the east side and single paneled door to the west. Transom above is still extant. Composition and configuration should be retained.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building should be documented, retained, and used a design reference for the new storefront alteration. Original features included wood paneling, marble base, copper lined door, cast iron door pediments and storefront surround, and marble bulkhead.



Figure 66. Storefront entry elevation at 240 California Street. (K. Wong, 2013)

- **Challenges & Solutions**
  - This storefront is an example of a sensitive storefront alteration that minimally impacts the existing historic storefront and building. The majority of the work was isolated to the entryway and sidewalk.
  - ***Character-Defining Features.*** Existing character-defining features such as the included wood paneling, marble base, copper lined door, cast iron door pediments and storefront surround, and marble bulkhead were all retained and protected during construction.
  - ***Level Change.*** To address the level change, the existing entryway was built up to a level landing and a code-compliant slope. The sidewalk also required rebuilding to allow for the new entryway to meet the sidewalk at an allowable slope to make the entryway accessible. The majority of the sidewalk in front of this building was modified to make the entrance accessible.
  - ***Entryway Flooring.*** A new marble base to match existing was installed at the new entryway. No other character-defining feature was removed during the rebuilding of the new entryway flooring.
  - ***Clear Floor Area.*** A clear floor area was provided adjacent to the push button. A new marble base that matches the existing base was installed after the new entryway was constructed.
  - ***ADA Push Buttons and Power Door Operator.*** An ADA push button was installed on the concrete column within the recessed entryway to address strike-side clearance and a narrow door width. A power door operator was installed over the existing door without obscuring the transom above. Swing clear hinges were also used to provide the greatest opening width possible.
  - ***Seismic Solutions.*** The project did not include a seismic upgrade to the building.

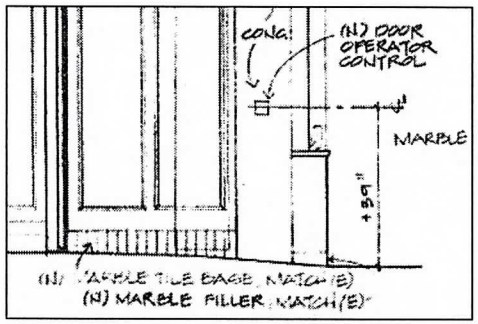


Figure 67. Drawing showing that a new marble base to match existing should be installed. See also ADA push button installed on concrete column. (Lerner + Associates Architects, 1998)



Figure 68. New marble base installed below existing wood paneling at new recessed entryway. (Lerner + Associates Architects, 1998)

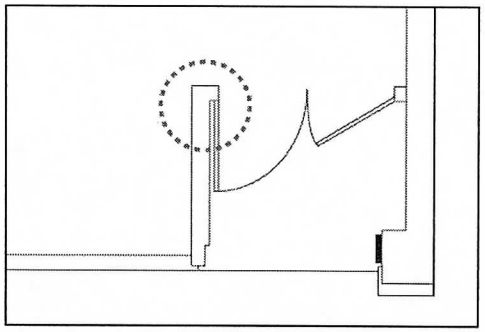
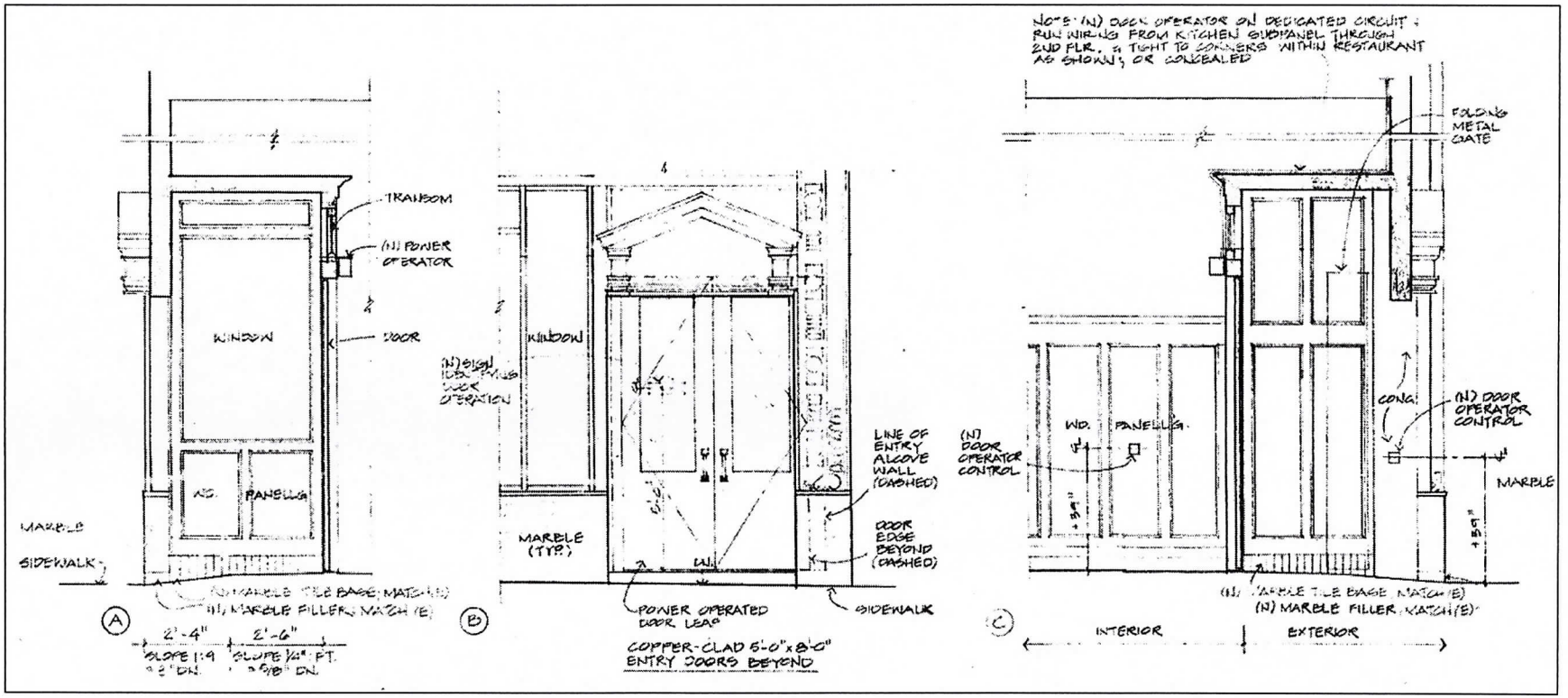


Figure 69. No strike-side clearance at existing doors. (Lerner + Associates Architects, 1998)



SIDE ELEVATION + SECTION FRONT ELEVATION SIDE ELEVATION + SECTION

Figure 70. Entrance elevations of 240 California Street. (Lerner + Associates Architects, 1998)

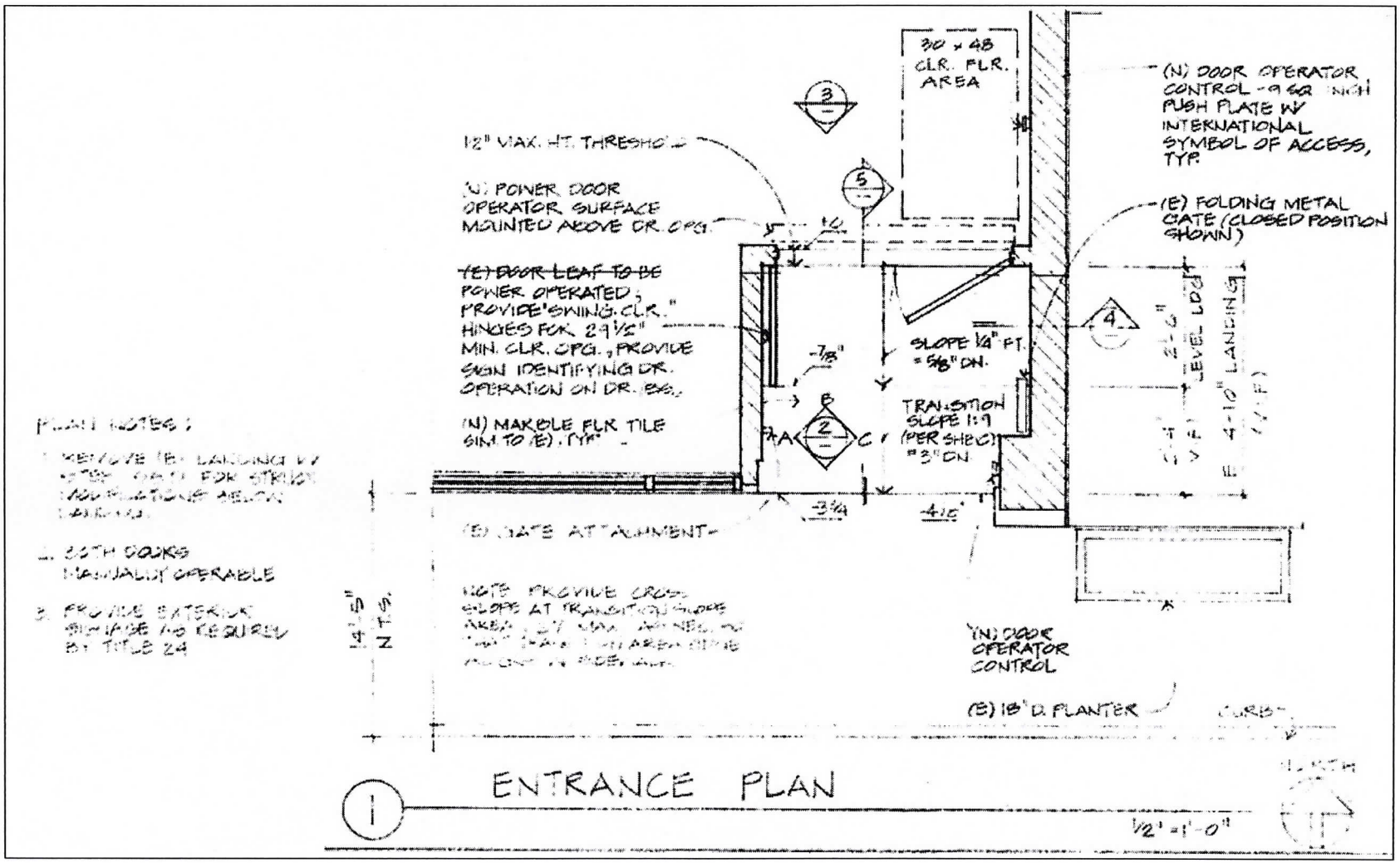


Figure 71. Entrance plan of 240 California Street. (Lerner + Associates Architects, 1998)

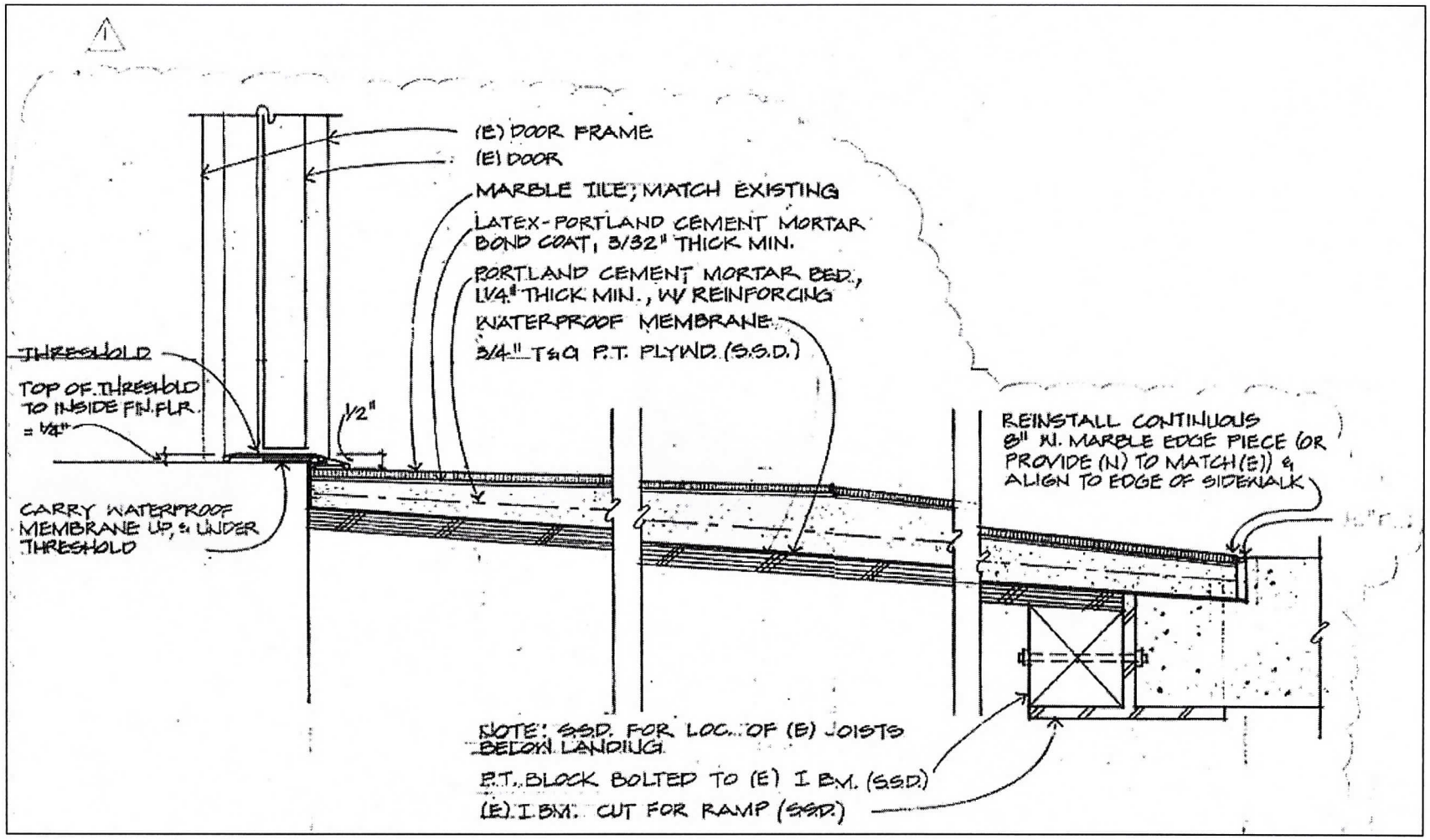


Figure 72. Section detail of floor at 240 California Street. Note existing I-beam below sidewalk that required coordination when altering the sidewalk. (Lerner + Associates Architects, 1998)

Successful Example
Set II. Case Study 2: 2901 Mission Street



Figure 73. Building elevation at 2901 Mission Street, a typical example of a storefront with a moment frame. (J. Luu, 2013)

Successful Example
Set II. Case Study 2: 2901 Mission Street

Date of Construction: 1924

- **Preservation Considerations**
  - ***Storefront composition, configuration, and transparency at display windows.*** A central recessed door opening flanked by large display windows. Maintaining the original storefront composition and configuration, as well as transparency at display windows is important to the character of the building.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building include original hopper transom windows and established proportions of the newer awning casing band below transoms, display windows, recessed opening, paneled soffit, and bulkhead.

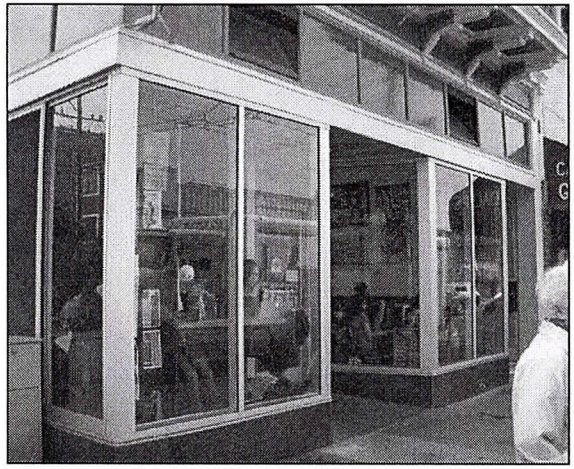


Figure 74. Storefront display windows remain open and transparent. (J. Luu, 2013)

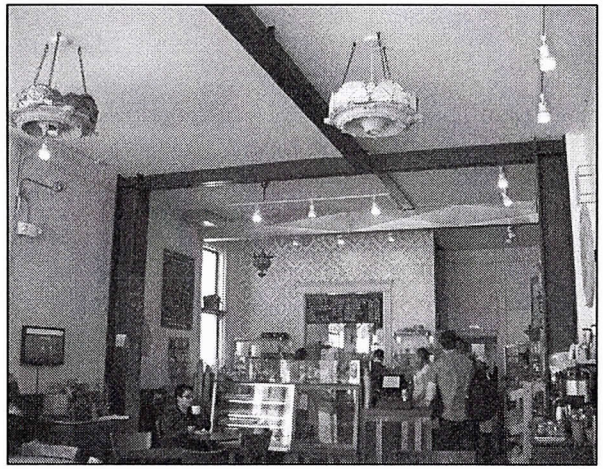


Figure 75. View of moment frame from within the storefront interior. (J. Luu, 2013)

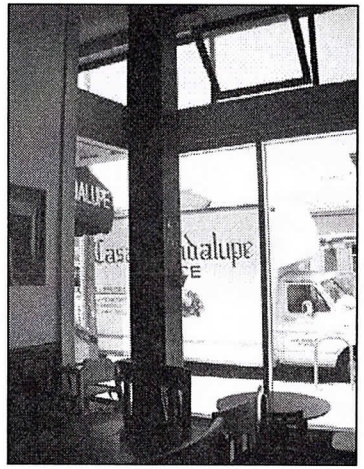


Figure 76. Moment frame post at corner of storefront. (J. Luu, 2013)

- **Challenges & Solutions**
  - ***Seismic Solution.*** This soft story building was seismically upgraded to meet current code. A moment frame was selected instead of a braced frame since it minimally impacts the historic building and would not obscure display windows like a braced frame. The moment frame system required sets of frames to be installed along the storefront and further back, as well as elements further back behind the store, as well as the basement. The new moment frame posts are also used both as design features and functional elements. Posts closer to the service counter are written on with chalk and serve as a menu.
  - ***ADA Push Buttons and Power Door Operator.*** An ADA push button was installed on the new storefront corner without obscuring any character-defining features.
  - ***Character-Defining Features.*** Existing character-defining features such as the recessed opening, and paneled soffit were retained and restored. The new storefront system retains the configuration, design and rhythm of the building with large display windows, a moderate bulkhead height, a recessed opening, and framed door and transom above.

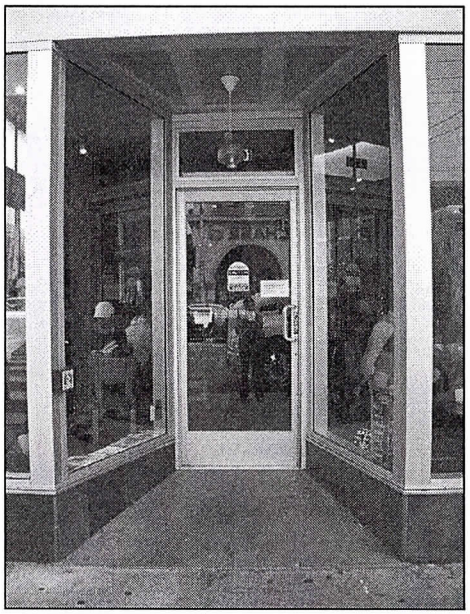


Figure 77. Recessed entry and original soffit are retained at this new storefront alteration. (J. Luu, 2013)

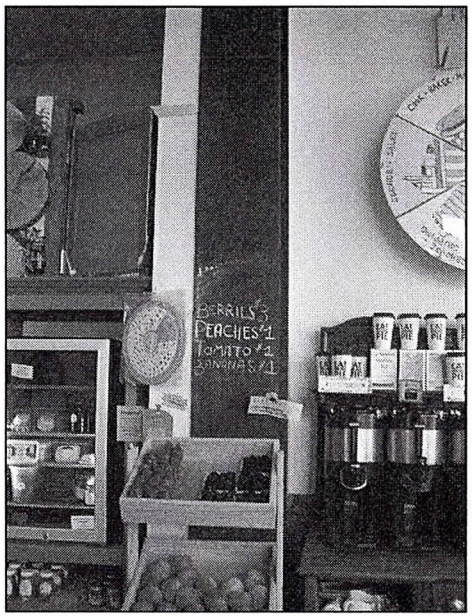


Figure 78. New moment frame post used as a decorative and functional element. (J. Luu, 2013)

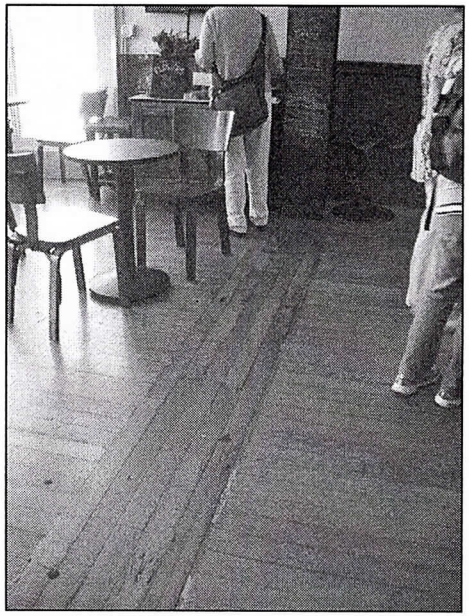


Figure 79. The new moment frame system required minimal removal of existing wood flooring. (J. Luu, 2013)

Successful Example
Set II. Case Study 3: 1500 Church Street



Figure 80. Building elevation at 1500 Church Street, a typical example of a storefront with an accessible entry. (J. Luu, 2013)

Successful Example
Set II. Case Study 3: 1500 Church Street

Date of Construction: 1900

- **Preservation Considerations**
  - ***Storefront composition and configuration.*** A central recessed door opening flanked by large display windows.
  - ***Character-Defining Features.*** Existing features that contribute to the historic character of the building includes columns at corners of display windows, thin mullions at display windows, panels at storefront bulkhead, and transom over door.

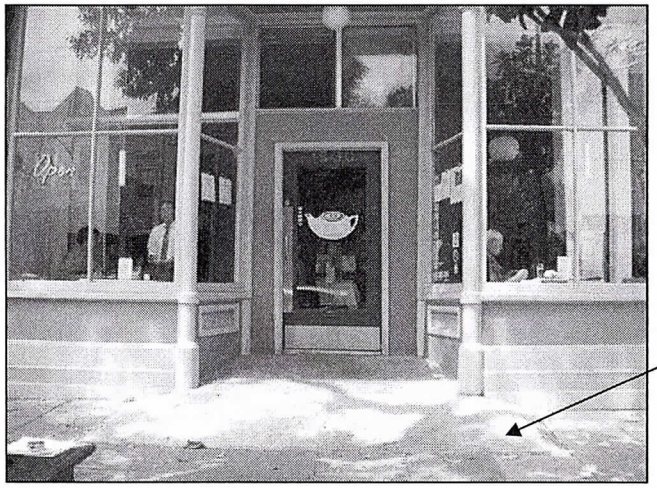


Figure 81. Storefront elevation at 1500 Church Street. (J. Luu, 2013)

- **Challenges & Solutions**
  - ***Level Change.*** An accessible entryway is provided by removing a step, building up the entryway and sidewalk, and sloping the new entryway to meet the existing sidewalk. This alteration sensitively preserves the existing storefront and only minimally impacts the bulkhead, recessed entryway, and door.
  - ***Character-Defining Features.*** Existing character-defining features such as the original bulkhead and recessed entry, panels and entryway walls, transom and light fixture were all retained. The recessed entry likely had tiled flooring. One way to improve this project would have been to retain the tile entry or to replace the tile entry with a similar material in keeping with the character of the building.

IV. COMPLIANCE & APPEALS

When compliance with the disabled access laws is not possible due to financial, physical, and/or other constraints (such as the removal of character defining material on a historic building), a property or business owner can submit an Unreasonable Hardship Request (UHR) along with their building permit application to the Department of Building Inspection (DBI) for review and approval. An unreasonable hardship approval is granted on a case-by-case basis only. If DBI denies an UHR, the property owner or business owner can make an appeal to the Access Appeals Commission to hear enforcement actions by DBI to meet the provisions of the California Building Code and San Francisco Building Code for meeting accessibility requirements.

Department of Building Inspection

The Department of Building Inspection has a *Disabled Access Upgrade Compliance Checklist Package (For Existing Buildings only)* that should be filled out and included with the building permit application. The package includes instructions for filling out the package, as well as forms for projects and buildings owned or leased by the City of San Francisco (known as City projects), as well as the Disabled Access (D.A.) Checklist, the Disabled Access 20% Rule form, the form for Projects that consist only of Barrier Removal, Notice of Accessibility Violation (NOV) Compliance, or Exempted Work, and the Unreasonable Hardship Request form.

All City projects must be reviewed and approved by either the Department of Public Works (DPW) Disability Coordinator or the Mayor's Office on Disability (MOD). Additionally, a signed copy of the DPW City Projects form or MOD Disability Access Compliance form should be included on the cover sheets of the permit drawings.

According to DBI Disabled Access Requirements, in choosing which accessible elements to provide, priority shall be given in the following order:

- An accessible entrance;
- An accessible route to the altered area;
- At least one accessible toilet for each sex;
- Accessible drinking fountains; and
- Additional features such as parking, storage, and alarms.

An unreasonable hardship request can also be made when altering an existing building and the cost of work is below the "valuation threshold" amount. However, the following five factors should be taken into consideration when making this request:

- Cost of providing access;
- Cost of all construction contemplated;

- Impact of access work on financial feasibility of the project;
- Nature of the accessibility which would be gained or lost; and
- Nature of the use of the facility under construction and its availability to persons with disabilities.

Consult the Department of Building Inspection for more information.

The Access Appeals Commission

The Access Appeals Commission (AAC) is a five-member government commission that hears written appeals brought by any person regarding actions taken by the Department of Building Inspection in the enforcement of the requirements for Access to Public Accommodations by Physically Handicapped Persons, as well as action taken by the Department in the enforcement of the disabled access and adaptability provisions of this code.[1] The commission either approves or disapproves of DBI's recommendation and enforcement actions. The purpose of the AAC is to enforce regulations and curb violations.

The AAC:

- ❑ Either approves or disapproves of Unreasonable Hardship Request (UHR)
- ❑ Either approves or disapproves of DBI's interpretations of the disability access code requirements and the actions taken by DBI to enforce these requirements
- ❑ Either approves or disapproves DBI decision on use of the CHBC.
- ❑ Alternative forms of facilitation for disabled access
    - Portable ramps (requires review and approval by DPW), assistance bell, signs, wheelchair lifts, etc.

Typical examples of appeals made to the AAC due to costs, legal or physical constraints include: extremely small restaurants or commercial spaces where accessible toilets cannot be reasonably constructed; buildings where floors are raised above the sidewalk levels; and basement parking garages without vertical clearance due to building height limitations.

It is important to consider "equivalent facilitation" or alternate methods of achieving accessibility when making an appeal. A few common alternatives include providing alternate building entrances; special access lifts; signage to direct people with disabilities; and street "blue zone" parking for tall vans.

[1] San Francisco Building Inspection Commission Codes Section 105A.3.1.

However, use of temporary means of accessibility such as portable ramps, assistance bells, and signs should only be considered only as a last resort when no other equivalent facilitation is possible because of existing conditions at the property.

Further Information

See Appendix D for the Appeals filing process and forms.

Disabled Access Upgrade Compliance Checklist Package (For Existing Buildings only)
See Appendix C.

For more information on the AAC and instructions on how to file for an appeal: http://www.sfdbi.org/index.aspx?page=26
http://www.sfdbi.org/ftp/uploadedfiles/dbi/Key_Information/19_AccessAppealsComm0805.pdf

For appeals forms, please visit
http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=607

For a copy of DBI AB-013, please visit http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=889

To contact the DBI Representative:

Secretary Thomas Fessler, Building Inspector
1660 Mission Street
San Francisco, CA 9410
Office: (415) 575-6923
Fax: (415) 558-6401
sfdbi.org

V. INCENTIVES

Summary of Incentives for ADA & Seismic Improvements

Several financial and time/process-based incentives exist to help streamline and defray the cost of performing disabled access and seismic improvements. While improvements can sometimes cost upwards of tens of thousands of dollars, these incentives can help ease the financial burden on small businesses.

Disabled Access Credit

An annual tax credit of up to $5,000 is available for access improvements made by small businesses that, during the preceding tax year, had gross receipts not exceeding $1 million or had no more than 30 full-time employees. The credit is factored at 50% of actual expenses from $250 to $10,250. Qualifying businesses must incur costs related to eligible activities, which are those activities intended to comply with the Americans with Disabilities Act of 1990.

Eligible activities include: a) removing barriers that prevent a business from being accessible to or usable by individuals with disabilities; b) providing qualified interpreters or other methods of making audio materials available to hearing-impaired individuals; c) providing qualified readers, taped texts, and other methods of making visual materials available individuals with visual impairments; or, d) acquiring or modifying equipment or devices for individuals with disabilities.

See *Internal Revenue Service (IRS) Form 8826* for more information.

Architectural Barrier Removal Tax Deduction

An annual tax deduction of up to $15,000 is available to businesses of all sizes for costs incurred to remove architectural barriers in compliance with the Americans with Disabilities Act of 1990. This deduction may be used in conjunction with the Disabled Access Credit for improvements satisfying the requirements of both provisions (note: interpreters, accessible equipment, and other non-barrier removal activities are not eligible expenses under this deduction). When using both the credit and deduction, the deduction is equal to the difference between the total expenditures and the amount of the credit claimed.

See *IRS Publication 535* for more information.

Non-profit Loans for Small Business ADA Compliance

The non-profit organization *Opportunity Fund* offers loans ranging from $1,000 to $50,000 to small businesses performing disabled access improvements. A business may qualify if it has operated at least one year and generates a profit. Other terms and conditions apply.

Contact *Opportunity Fund* for more information at (408) 516-4695.

SF Shines Fa ade Improvement Grant

The City and County of San Francisco, through its SF Shines Program, offers project management, architectural, and other services to enable façade and disabled access upgrades for eligible businesses. Grants are available for most aspects of an SF Shines project, with up to $30,000 available for accessibility improvements. Recipients must provide a 25 percent funding match and pay all permit fees. Other requirements also apply.

Contact Vivian Hopkins with the Office of Economic and Workforce Development for more information at (415) 554-6969.

ADA Small Business Assessment Program

Businesses located in certain Invest in Neighborhoods (IIN) corridors may be eligible for the City and County of San Francisco's ADA Small Business Assessment Program. This program grants funds for eligible small businesses to conduct Certified Access Specialist (CASp) inspections. CASp inspections are the best way to identify accessibility barriers within a business, and can provide certain legal protections under California law. The program is subject to funding limitations, and is currently being implemented on a trial basis in select IIN corridors. Contact the Office of Small Business to determine your eligibility.

Contact the Office of Small Business for more information at (415) 554-6134.

For more information, please visit http://www.lao.ca.gov/ballot/1996/prop192_3_1996.html
For text of the Act, please visit http://www.lao.ca.gov/ballot/1996/prop192_3_1996.html

Mills Act

The Mills Act is a state-sponsored economic incentive program that allows owners of qualified historic properties to receive up to a 50% reduction in property taxes and use them towards the costs of rehabilitation, restoration or maintenance of these historic properties. The Mills Act program is currently administered by the San Francisco Planning Department. For more information, please refer to the Planning Department's *Preservation Bulletin No. 8: The Mills Act Program.*

Contact Susan Parks with the Planning Department for more information about the Mills Act Program at (415) 575-9101.

For more information, please visit the San Francisco Planning Department website:
http://www.sf-planning.org/index.aspx?page=1825

Preservation Bulletin No. 8: The Mills Act Program
http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=5078

Prop N Rebate

The Prop N rebate program, offered by the City & County of San Francisco, provides a reduction of up to one third (1/3) of any Real Property Transfer Tax if: 1) it (the deed, instrument or writing ?) transfers an interest in real property used as a residence and 2) the transferor has made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, after January 1, 2009. This also applies if the transferor has installed an active solar system.

For more information, please visit: http://www.sfassessor.org/modules/showdocument.aspx?documentid=1200

For more information, please visit http://www.spur.org/goodgovernment/ballotanalysis/Nov2008/propn or
http://www.spur.org/goodgovernment/ballotanalysis/Nov2010/propn

Soft Story Ordinance

The Mandatory Soft Story Retrofit Ordinance, requiring the evaluation and retrofit of multi-unit soft-story wood-framed buildings constructed before January 1, 1978 with five or more residential units or having two or more stories over a "soft" story, provides incentives to qualified "soft story" buildings that undertake retrofit work listed in Administrative Bulletin AB-094 such as waiving portions of the plan review fees.

For more information, please visit: www.sfcapss.org/softstory

For Frequently Asked Questions, please visit: http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=165

Administrative Bulletin AB-094 SF Voluntary Retrofit Program: http://sfdbi.org/Modules/ShowDocument.aspx?documentid=919

Mandatory Seismic Retrofit Program Ordinance:
http://www.sfgsa.org/modules/showdocument.aspx?documentid=10118

For more information, see Regulatory Frameworks chapter or visit:
http://www.sfgsa.org/index.aspx?page=6048

Federal Historic Preservation Tax Incentives

The Federal Historic Preservation Tax Incentives program offers a 20% income tax credit for the rehabilitation of historic, income-producing buildings that are determined by the National Park Service to be a qualified historic structure. The program requires that the proposed work is reviewed the State Historic Preservation Office and the National Park Service for compliance with the Secretary of the Interior's Standards for Rehabilitation to qualify for the credit. The Internal Revenue Service determines the rehabilitation expenses that qualify for credit.

For more information, please visit:
http://www.nps.gov/tps/tax-incentives.htm

Historic Preservation Tax Incentives brochure:
http://www.nps.gov/tps/tax-incentives/taxdocs/about-tax-incentives-2012.pdf

VI. CONCLUSION

Future Recommendations

At the final Design Guidelines Roundtable meeting with key agency stakeholders and deisgn professionals, there were several recommendations identified within the group to further refine the document to make it more useful for City permitting agencies and the public. Additionally, there were several other recommendations that were made because they were beyond the scope of this report. The Department will seek future funding to fulfill these recommendations.

- An analysis on which buildings are historic resources that this document applies to. Currently, the City has not completed a city-wide survey and review of historic resources is on a case-by-case basis.
- A brochure that discusses seismic upgrades and historic buildings and what owners and tenants need to know.
- A more detailed guidelines document with best practices of seismic retrofits for historic buildings.
- A two-page checklist for accessibility and seismic requirements for historic buildings, including process.
- An Administrative Bulletin produced by the Department of Building Inspection pertaining to the process of doing an accessibility upgrade.
- Training of all City permit reviewing staff on these guidelines.

APPENDICES

Appendix A. **The Secretary of the Interior's Standards for Rehabilitation & Guidelines**
Article 10 & 11 of the San Francisco Planning Code

Appendix B. **Regulatory Framewor**

Appendix C. **Disabled Access Upgrade Compliance Chec list Pac age (For Existing Buildings)**

Appendix D. **Access Appeals Commission Brochure, Information Guide and Appeal Forms**

Appendix E. **Glossary of Terms**

Appendix A. The Secretary of the Interior's Standards for Rehabilitation & Guidelines

The Secretary of the Interior's Standards, also known as the Standards were developed by the United States Department of the Interior - National Park Service and are a nationally recognized tool for preservation, rehabilitation, and maintenance of historic buildings in the United States. The Standards have become the accepted level of standard used by city local governments for evaluating proposed alterations to historic properties. The City of San Francisco Planning Department uses the Standards for their review of proposed changes to historic properties. The following are the ten standards applied to rehabilitation projects that the Planning Department will use to evaluate if the proposed alterations are acceptable.

The Secretary of the Interior s Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

For more information, please visit the National Park Service, The Secretary of the Interior's Standards for the Treatment of Historic Properties website at:
http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm

Article 10 & 11 of the San Francisco Planning Code

Article 10

Since its adoption in 1967, the provisions for the recognition and protection of San Francisco's important historic and cultural resources reside in Article 10 of the Planning Code. The current list of designated City Landmarks and Landmark Districts includes iconic architectural masterpieces, the works of important builders, monuments to historic events, and places associated with the cultural legacies and social movements that define our city.

Article 11 Designated Conservation Districts

In 1985, the Downtown Area Plan determined that in order to maintain the high concentration of commercial, office, restaurant and retail uses in the area, the area must retain its historic intimacy, compactness, and walkability. Historic preservation was an essential component of the plan which identified 6 Conservation Districts.

During the survey process, buildings were documented as either significant or contributory and further classified into one of five categories according to architectural design, age and its overall relationship Downtown. Much of downtown was constructed in complementary architectural styles between 1906 and 1930. In order to maintain this unified and coherent appearance, the Downtown Area Plan created design guidelines to better gauge the compatibility of a new construction project against its neighboring buildings and the existing historic context.

Entitlement applications required for proposed alterations at Article 10 or 11 properties. Visit the Planning Department website for more information: http://www.sf-planning.org/

Article 10

- Administrative Certificate of Appropriateness
- Certificate of Appropriateness

Article 11

- Minor Permit to Alter
- Major Permit to Alter

Visit the San Francisco Planning Code online at:
http://www.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1

Appendix B. Regulatory Framewor

AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA), enacted in 1990, is a federal civil rights law that grants protection to those with disabilities. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, telecommunication, and other miscellaneous provisions. ADA is an integral part to these design guidelines because it guides the provisions of accessibility that must be provided.

For more information, please visit: http://www.ada.gov/

CALIFORNIA BUILDING CODE (CBC)

The California Building Code (CBC), maintained by the California Building Standards Commission, is the building code of California and is based on the International Building Code (IBC). The code is a set of rules and regulations outlining the minimum satisfactory level of safety for construction projects. The main purpose of building codes is to protect public health, safety and general welfare in terms of construction. The CBC consists of twelve parts: Building Standards Administrative Code, (Residential) Building Code, Electric Code, Mechanical Code, Plumbing Code, Energy Code, Historical Building Code, Fire Code, Existing Building Code, Green Building Code, and Reference Standards Code.

According to the California Building Code, if the cost of your project is below the "valuation threshold" -- a dollar amount set annually using the ENR 20 Cities Construction Cost Index – you are required to provide additional access work of at least 20% of your entire construction cost (excluding accessibility upgrades). If the cost of your project is above the "valuation threshold," then you are required to fully comply with accessibility requirements. The "valuation threshold" amount continues to increase every January.

Construction Cost	Amount required to be made accessible
Below valuation threshold	20% minimum (additional amount over construction cost excluding accessibility upgrades)
Above valuation threshold	100% of all supporting elements that can be made accessible

For more information, please visit the California Building Standards Commission website at: http://www.bsc.ca.gov/
For a copy of the codes, please visit: http://publicecodes.cyberregs.com/st/ca/st/

CALIFORNIA HISTORICAL BUILDING CODE

The California Historical Building Code (CHBC), created in 1975, is the eighth of twelve parts of the California Building Code (CBC), and its regulations have the same authority as state law. The CHBC grants the State Historical Building Safety Board powers to write regulations, and have consultation, review and appellate functions for code and regulation issues in relation to qualified historic buildings, structures and properties.

The provisions of the CHBC are used by enforcing agencies in permitting repairs, alterations and additions for the preservation, rehabilitation, relocation, and related construction, change of use or continued use of a qualified historic building. The CHBC also provides alternate building regulations for CBC requirements (i.e. requesting hardships; see Compliance and Appeals section). It allows for these equivalences in order to preserve the integrity of a historic building. The CHBC's intent is to preserve California's architectural heritage by recognizing and dealing with the unique construction problems in historic buildings.

For a copy of the CHBC, please visit:
http://www.documents.dgs.ca.gov/bsc/Title_24/documents/2010/Part%202-8-10/2010-CA-Historical-Bldg.pdf

SENATE BILLS (1186)
Senate Bill (SB) 1186 was a bill signed into law in September 2012 by Governor Jerry Brown. The law was designed to restrain the filing of frivolous lawsuits under the Americans with Disabilities Act. Some of the bills main provisions are ending demands for money on businesses that have an infraction, a reduction on fines for businesses that have undergone CASp inspection (an inspection by a certified access specialist to evaluate a building's disabled accessibility), time granted to fix an infraction, and numerous other provisions that aim to provide incentives for business owners to fix the violations and enhance accessibility as oppose to just paying fines.

For more details, please visit the Official California Legislative Information website at: http://www.leginfo.ca.gov/
Search Bill Information.

SEISMIC ORDINANCE
On the 107th anniversary of the 1906 San Francisco Earthquake, Mayor Ed Lee signed into law the Mandatory Soft Story Retrofit Ordinance. This amendment to Chapter 34B of the San Francisco Building Code requires the evaluation and retrofit for "multi-unit soft-story buildings," defined as: wood-frame structures, containing five or more residential units, having two or more stories over a "soft" or "weak" story, and permitted for construction prior to January 1, 1978. This ordinance provides incentives to upgrade soft story buildings through plan review fee waivers and permit processing expediting, while long-range strategies to address the vulnerabilities of soft-story buildings are developed for future implementation. Buildings within the scope of the program that have completed work to the standards of the ordinance, have completed an AB-094 voluntary retrofit, or that are outside of the scope of the will be able to opt-out of the program and its requirements using the optional evaluation form or the screening form respectively. Both forms must be completed by a licensed engineer or architect, except in cases where AB-094 work was completed. (Until the passage of the ordinance, all wood-framed soft story buildings were eligible to take advantage of the incentives offered by SFBC Administrative Bulletin 094 which exempted permit applicants from the DBI plan review fee and offered expedited plan review.) The ordinance will be in effect in fall 2013.

For more information, please see Appendix or visit www.sfcapss.org/softstory
For FAQs, please visit http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=165
For a copy of DBI AB-094, please visit http://sfdbi.org/Modules/ShowDocument.aspx?documentid=919

DEPARTMENT OF BUILDING INSPECTION ADMINISTRATIVE BULLETINS

The Department of Building Inspection (DBI) is a city and county government agency that enforces the California Building Code. Consult DBI for more information regarding available Administrative Bulletins.

For more information on DBI, please visit http://www.sfdbi.org/
For copies of DBI AB's, please visit http://www.sfdbi.org/index.aspx?page=68

DEPARTMENT OF PUBLIC WORKS DIRECTOR'S ORDERS

The Department of Public Works (DPW) is a city and county government agency whose objective is to "design, build, operate, maintain, clean, green, and improve the city's infrastructure, public rights-of-way, and facilities with skill, pride, and responsiveness, in partnership with the San Francisco community." Consult DPW for more information regarding available Director's Orders.

For more information, please visit http://www.sfdpw.org/

COMPLIANCE & APPEALS

The Access Appeals Commission

"The Access Appeals Commission (AAC) is a five-member government commission that hears written appeals brought by any person regarding actions taken by the Department of Building Inspection in the enforcement of the requirements for Access to Public Accommodations by Physically Handicapped Persons, as well as action taken by the Department in the enforcement of the disabled access and adaptability provisions of this code." The commission either approves or disapproves of DBI's recommendation and enforcement actions. The purpose of the AAC is to enforce regulations and curb violations.

For more information on the Access Appeals Commission and instructions on how to file for an appeal, please visit
http://www.sfdbi.org/index.aspx?page=26
or http://www.sfdbi.org/ftp/uploadedfiles/dbi/Key_Information/19_AccessAppealsComm0805.pdf
For appeals forms, please see
http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=607
For a copy of DBI AB-013, please visit http://www.sfdbi.org/Modules/ShowDocument.aspx?documentid=889

Appendix C. Disabled Access Upgrade Compliance Chec list Pac age

DISABLED ACCESS UPGRADE COMPLIANCE CHECKLIST PACKAGE (For Existing Buildings only)

This package contains:

1. Instructions
2. Important Notification
3. City Projects – Department of Public Works
4. City Projects – Mayor's Office on Disability
5. Disabled Access (D.A.) Checklist (2 pages)
6. Form C: Disabled Access 20% Rule
7. Form F: Projects that consist only of Barrier Removal, Notice of Accessibility Violation (NOV) Compliance, or Exempted Work.
8. Unreasonable Hardship Request Form

Note: This checklist is available in MS-Word & PDF format at our website: http://www.sfdbi.org→ Most Requested → Forms & Handouts

Disabled Access Compliance Checklist

Instructions

Step 1: Completely fill out both pages of the Disabled Access (D.A.) Checklist & check all appropriate boxes.

Also, fill out any additional forms as specified on the D.A. Checklist. If you are submitting a revision to a previously approved permit, then fill out p. 1 of the D.A. Checklist only (Note: a revision is considered to be a slight modification to the original approved permit drawing set, not new or additional work). The original approved plans (or a copy of the original) are required to be brought back for reference in addition to 2 sets of the proposed revisions.

Step 2: Filing an Unreasonable Hardship Request (UHR)

The UHR is required to be filled out if there are still areas that will not be in compliance with the disabled access laws at the end of your project due to financial, physical, &/or other constraints that create unreasonable costs in proportion to the scope & estimated construction cost of your proposed project. The UHR is a request only and can be denied. If an Unreasonable Hardship Request is not required to be filed, skip to Step 3. Submit a new Unreasonable Hardship Request with each new application. **It must be reproduced on the plans**. If the request necessitates an appeal before the Access Appeals Commission, then a copy of the Notice of Decision must be submitted after the appeal process is complete. An unreasonable hardship approval is granted on a permit-by-permit basis only.

Step 3: Is This a City Project?

If the project is not a City project and is not publicly funded, skip to Step 4. City projects are buildings owned or leased by the City of San Francisco. Such projects must be reviewed and approved by either the DPW Disability Access Coordinator or the Mayor's Office on Disability. A signed copy of the DPW City Projects form or the MOD Disability Access Compliance Approval form shall be reproduced on the cover sheet of the plans. Plans will not be accepted without proper review from the appropriate department and the completed form reproduced in the drawing set. If you have questions about a City Project, or want to know whether DPW or MOD will be responsible for the accessibility review, please contact MOD at MOD@SFGOV.org or review the MOD plan check procedures at www.sfgov.org/mod.

Step 4: Submittal

Be sure to clearly describe all work on the permit application and follow all instructions as above. Submit permit application and plans to the Department of Building Inspection.

IMPORTANT NOTIFICATION

I. Construction Cost - Field Conditions

1. Construction cost shall be based on the Marshall & Swift Construction Cost Index. DBI may accept bona-fide contract prices upon review and approval.
2. The cost is used to determine the level of disabled access upgrade. In general, projects with construction costs (excluding accessibility upgrades) above the valuation threshold (based on the ENR US 20 Cities Average Construction Cost Index) are required to fully comply, while costs below the threshold are required to be upgraded to a certain level not exceeding 20% of the project cost. Upgrades are required only to the area of remodel, including entrances, path of travel, restrooms, etc. serving the area of remodel. There are limited exceptions to the required full compliance for projects over the threshold (for example, see 1134B.2.1 Ex. 2 and SFBC Administrative Bulletins for equivalent facilitations).
3. Construction cost will be verified during plan check and inspection stages by DBI. In the event that the cost has to be adjusted above the valuation threshold, then the design may be required to provide full disabled access compliance.
4. The design professional shall verify existing field conditions and confirm that the information provided on the plans is accurate to the best of his/her knowledge. A DBI Field or District Inspector will issue a Stop Work Order or Correction Notice if the plans do not reflect the actual field conditions.

II. Americans With Disabilities Act (ADA)

Two federal laws, the Americans with Disabilities Act (ADA) and the federal Fair Housing Act, are currently in effect. They impose new federal disability access requirements on construction projects. DBI does not enforce federal law and will not be checking plans for compliance with these requirements. It is your responsibility to make sure that your plans are in conformance with federal law.

For information concerning the ADA, contact the Architectural Transportation Barrier Compliance Board at 1-800-872-2253 or the Department of Justice at 1-800-514-0301.

For information concerning the Fair Housing Act, contact HUD at 1-415-436-6551.

III. Curb Ramps, Sidewalks, or Other Work Within the Public Way

If the project includes the reconstruction of sidewalk, a curb ramp may be required. Curb ramps shall be constructed at each corner of street intersections and where a pedestrian way crosses a curb. In the event that the project triggers requirements for a curb ramp, the permit application will be routed to the Department of Public Works, Bureau of Engineering (DPW). Under certain circumstances, a minor sidewalk encroachment may be required. A Certificate of Final Completion will not be issued for the project until DPW confirms that required curb ramps have been completed. Contact DPW at (415) 558-6060.

DEPARTMENT OF PUBLIC WORKS

Office of the Disability Access Coordinator
30 Van Ness Avenue, 5th floor
San Francisco, CA 94102-6020
(415) 557-4685

City Projects

CITY PROJECTS (All City owned or sponsored projects managed by the Department of Public Works must complete the items listed below.)

☐ The owner of this project is the City and County of San Francisco and is responsibly charged by

_____

(Department / Agency)

TO: _____, Project Manager

FROM: Kevin Jensen, Disability Access Coordinator

SUBJECT: DISABILITY ACCESS QUALITY ASSURANCE REVIEW

PROJECT: _____

CLIENT DEPARTMENT: _____

DATE: _____

THIS MEMO IS TO CONFIRM THAT I HAVE REVIEWED THE CONSTRUCTION DOCUMENTS AND THE APPLICABLE FEDERAL AND STATE REQUIREMENTS FOR ACCESSIBILITY FOR THE ABOVE NOTED PROJECT.

Sincerely,

Kevin Jensen
Disability Access Coordinator
Department of Public Works

Mayor's Office on Disability

DISABILITY ACCESS COMPLIANCE APPROVAL

Edwin M. Lee
Mayor

Carla Johnson
Interim Director

PROJECT (Name): _____

Project Address: _____

THE MAYOR'S OFFICE ON DISABILITY HAS REVIEWED AND APPROVED:

___ Site Permit Plans
___ Final Construction Plans

ACCESSIBILITY COMPLIANCE AT THE SITE HAS BEEN APPROVED IN THE FOLLOWING FORM:

___ Temporary Certificate of Occupancy (TCO)
___ Final Signoff
___ Certificate of Final Completion (CFC)

_____ _____

By: Jim Whipple/Carla Johnson Date:

401 Van Ness Avenue, Suite 300, San Francisco, CA 94102 415.554.6789 415.554.6799 TTY 415.554.6159 Fax MOD@sfgov.org

D.A. CHECKLIST (p. 1 of 2):

The address of the project is _____

For ALL tenant improvement projects in commercial use spaces, this checklist is required to be reproduced on the plan set and signed.

1. The proposed use of the project is _____ (e.g. Retail, Office, Restaurant, etc.)

2. Describe the area of remodel, including which floor: _____

3. The construction cost of this project *excluding* disabled access upgrades is **$**_____, which is *(check one)* ☐ more than / ☐ less than the Accessibility Threshold amount of **$139,934.96** based on the "2012 ENR Construction Cost Index" (The cost index & threshold are updated annually).

4. Is this a City project and/or does it receive public funding? *Check one:* ☐ Yes / ☐ No Note: If Yes, then see Step 3 on the Instructions page for additional forms required.

Conditions below must be fully documented by accompanying drawings

5. Read **A** through **G** below carefully and check the most applicable box **(one box only):**

☐	**A:** All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required.
☐	**B:** All existing conditions serving the area of remodel that do not fully comply with access requirements will be fully upgraded with this project.
☐	**C:** Proposed project *(check one)* ☐ is less than the threshold / ☐ is over the threshold & ☐ falls under CBC 1134B.2.1 Ex. 2 ; Partial upgrades, including Equivalent Facilitation will be provided up to 20% of the project value as itemized on Form C. Priority of upgrades is to be considered in the order listed on p. 2 of the D.A. Checklist. Fill out Hardship request form(s) for non-fully complying items, including for Equivalent Facilitation items. Checking box C means there are still non-complying items serving the area of remodel.
☐	**D:** Access features will either fully comply or be provided with Code defined Equivalent Facilitation. Submit an Unreasonable Hardship Request (UHR) for the Equivalent Facilitation items.
☐	**E:** Hardship appeal to be filed with Access Appeals Commission (AAC). Note: Plan check of items not under AAC consideration will continue while resolution of AAC decision is sought.
☐	**F:** Consisting only of Barrier Removal, Notice of Accessibility Violation (NOV) Compliance or Exempted Work; Fill out Form F.
☐	**G:** Minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previous approved permit application here: _____ Description of revision: _____ _____

D.A. CHECKLIST (p. 2 of 2):

Check all applicable boxes and specify where on the drawings the details are shown:

Note: upgrades below are listed in priority based on CBC 1134B.2.1 Ex1	Existing Fully Complying	Upgrade to Full Compliance	Partial Upgrade / Hardship	Equivalent Facilitation/ Hardship	Hardship	None existing & not req'd by Code	Access Appeals Commission	Barrier Removal/ NOV	Location of detail(s)-include detail no. & drawing sheet *(do not leave this part blank!)*. Also clarification comments can be written here.
1. One accessible entrance serving the area of remodel. Note: This should be a primary entrance. Add'l upgrade may be required if it is not.	☐	☐	☐	☐	☐	☐	☐	☐	
2. An accessible route to the area of remodel									
2a. path of travel	☐	☐	☐	☐	☐	☐	☐	☐	
2b. ramps	☐	☐	☐	☐	☐	☐	☐	☐	
2c. elevator	☐	☐	☐	☐	☐	☐	☐	☐	
2d. stairs (if no elevator)	☐	☐	☐	☐	☐	☐	☐	☐	
2f. other:_____	☐	☐	☐	☐	☐	☐	☐	☐	
3. At least one accessible restroom for each sex serving the area of remodel.	☐	☐	☐	☐	☐	☐	☐	☐	
4. Accessible public pay phone.	☐	☐	☐	☐	☐	☐	☐	☐	
5. Accessible drinking fountains (hi-low).	☐	☐	☐	☐	☐	☐	☐	☐	
6. Signage.	☐	☐	☐	☐	☐	☐	☐	☐	
7. Visual Alarm.	☐	☐	☐	☐	☐	☐	☐	☐	
8. Others: Parking	☐	☐	☐	☐	☐	☐	☐	☐	
path from parking area	☐	☐	☐	☐	☐	☐	☐	☐	
Shower	☐	☐	☐	☐	☐	☐	☐	☐	
_____	☐	☐	☐	☐	☐	☐	☐	☐	

If details are provided from a set of City approved reference drawings, provide its permit application number here:_____

Form C: DISABLED ACCESS 20% RULE

This form is only required when box "C" is checked off on the D.A. Checklist and is for providing an itemized list of the estimated costs for the expenditures used for disabled access upgrades for this project. Reproduce this form along with the D.A. Checklist and the Unreasonable Hardship Request form(s) on the plans.

Based on CBC 1134B.2.1, Exception 1, only projects with a construction cost less than the valuation threshold (current ENR Construction Cost Index Amount) are eligible for the 20% rule, where the project must provide disabled access upgrades up to 20% of the cost of construction in the required priority as listed on p. 2 of the D.A. Checklist. In general, projects valued over the threshold are not eligible for the 20% rule (see CBC 1134.2.1 Exception 2 for a possible exception).

CBC 1134B.2.1 Exception 2 *(abbreviated):* In alteration projects involving buildings & facilities previously approved & built without elevators, areas above & below the ground floor are subject to the 20% disproportionality provisions described in Exception 1, even if the value of the project exceeds the valuation threshold in Exception 1. Refer to the Code for the types of buildings & facilities that qualifies for this 20% disproportionality provisions when project valuation is over the threshold.

	Contractor's Estimated Cost	DBI Revised Cost
A) Cost of Construction: (Excluding accessibility upgrade)	$	$
B) 20% of A) :	$	$

List the Upgrade Expenditures and their respective construction cost below:

1.	$	$
2.	$	$
3.	$	$
4.	$	$
5.	$	$
6.	$	$
7.	$	$
8.	$	$
9.	$	$
Total Upgrade Expenditures Must approximately equal to Line B	$	$

Form F: Consisting Only of Barrier Removal, Notice of Accessibility Violation Compliance, or Exempted Work

Reproduce this Form on the plan set. Check box I, II, or III. If checking box I, check all other appropriate boxes in section I.

☐ **I. Barrier Removal Work (Section 1134B.2.1, Exception 3) only.**

Note: Barrier removal only projects do not necessarily constitute a fully complying disabled access condition or equivalent facilitation, unless the barrier(s) removed meet Code standards for a fully complying condition or equivalent facilitation. The determination can only be considered on a case-by-case basis.

This barrier removal only project *(check one):* ☐ is / ☐ is not intended to bring the area of remodel to full accessibility compliance or equivalent facilitation.

Alterations, structural repairs, or additions consisting of one or more of the following shall be limited to the actual work of the project *(check all that applies):*

☐ Altering one building entrance to meet accessibility requirements.

☐ Altering one existing toilet facility to meet accessibility requirements.

☐ Altering existing elevators to meet accessibility requirements.

☐ Altering existing steps to meet accessibility requirements.

☐ Altering existing handrails to meet accessibility requirements.

☐ Alteration solely for the purpose of removing barriers undertaken pursuant to the requirements of Sections 36.402 and 36.404 through 36.406 of Title III of the Department of Justice regulations promulgated pursuant to the Americans with Disabilities Act (Public Law 101-336, 28 C.F.R. Section 36.402, 28 C.F.R. Section 36.404, 28 C.F.R. Section 36.405, 28 C.F.R. Section 36.406), included but not limited to:

1) Installing ramps
2) Making curb cuts in sidewalks and entrances
3) Repositioning telephones
4) Adding raised markings on elevator control buttons
5) Widening doors
6) Installing grab bars in toilet stalls
7) Rearranging toilet partitions to increase maneuvering space
8) Creating designated accessible parking spaces
9) Others upon approval of building official
   Description of others:

_____

_____

_____

☐ **II. Submittal for Compliance to Notice of Accessibility Violation**
This project consists of corrective work per Notice of Violation No. _____ (Attached).

☐ **III. Exempted Work (Section 1134B.2.1, Exception 4)**
"Projects which consist only of heating, ventilation, air conditioning, re-roofing, electrical work not involving the placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, carpeting, etc., are not considered alteration projects for the purposes of accessibility for persons with disabilities and shall not be subject to this code."

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

EDWIN M. LEE, MAYOR
TOM C. HUI, S.E., C.B.O., ACTING DIRECTOR

UNREASONABLE HARDSHIP REQUEST

For Exceptions to Disabled Access Regulations, Title 24

1. Site Address: _____ 2. Floor: _____
3. Permit Application No.: _____ 4. Hardship Request No.: _____
5. Existing Use: _____ 6. Proposed Use: _____
7. Existing Occupancy: _____ 8. Proposed Occupancy: _____
9. Description of proposed work which triggers access compliance upgrades: _____

_____

_____

CBC 1103B.1 – Accessibility to buildings or portions of buildings shall be provided for all occupancy classifications except as modified or enhanced by this chapter (11B). Occupancy requirements in this chapter may modify general requirements, but never to the exclusion of them. When a building or facility contains more than one use, the occupancy specific accessibility provisions for each portion of the building or facility shall apply.

We request that this project be granted an exception from the following specified requirements of Title 24 Part 2 of the California Code of Regulations because compliance would create an unreasonable hardship as defined in Section 202 of Title 24.

10. A. The access feature(s) that will not be provided is (are):
    - ❑ Primary Accessible Entrance
    - ❑ Path of Travel (includes path from parking)
    - ❑ Other: _____
    - ❑ Sanitary Facilities
    - ❑ Parking

    B. The code section(s) that requires (require) the specific accessible feature(s) is (are): _____

    _____

11. Detailed description of the accessible feature(s) that will <u>not</u> be provided. What is the condition now? Note location on the plans or provide attachments if necessary. _____

    _____

    _____

12. Total cost of the project excluding this (these) accessible feature(s): _____

13. A. Cost of the accessible feature(s), which will not be provided: _____

    B. Percentage of total cost shown on Line 12 (divide line 13 by line 12): _____

14. Choose either "A" or "B":

    A. ❑ Equivalent facilitation is provided according to Code Section(s): _____
    Description of equivalent facilitation & why full compliance cannot be achieved: _____

    _____

    _____

    _____

UNREASONABLE HARDSHIP REQUEST

B. ❑ Equivalent facilitation is not provided because of the following:
❑ Cost constraints ❑ Physical constraints ❑ Legal constraints ❑ Other constraints _____
Description of constraint (Unreasonable Hardship). Provide attachments as needed.

_____

_____

Note: Ratification by the Access Appeals Commission is generally required for Unreasonable Hardship Requests when the work is valued over the threshold amount based on the ENR Construction Cost Index for the year 2012, **$139,934.96**, and no equivalent facilitation is provided. Refer to the California Code of Regulations, Title 24 part 2, Section 1.9.1, Section 202 and Section 1134B.

16. Applicant's Name (Print):_____
❑ Owner ❑ Tenant ❑ Agent

Applicant's Signature: _____

17. Applicant's Address: _____

FOR THE DEPARTMENT OF BUILDING INSPECTION STAFF USE ONLY

This exception for unreasonable hardship is:
❑ ***GRANTED FOR THIS PERMIT ONLY*** ❑ ***DENIED**** ❑ ***REQUIRES AAC RATIFICATION****

Based on Section(s): _____ of the San Francisco Building Code, 2010 Edition

Plans reviewed by (print name): _____

Signature of the Plans Examiner: _____ Date: _____

Denied for the following reason(s): _____

_____

_____

_____

_____

_____

*Signature of the Group Supervisor: _____ Date: _____
(needed only when denied or requires AAC Ratification)

If your Unreasonable Hardship Request is to be denied, the plans examiner shall inform you of the reasons for denying that request. In addition, the plans examiner's group supervisor shall provide you with a second opinion regarding the denial.

To file an appeal with the Access Appeals Commission (AAC), please pay a filing fee of $374.00 and submit a document package consisting of eight individually bound notebooks. Please refer to the Access Appeals Commission Information Guide, available at the Customer Services desk, for more complete information. These appeal copies will be distributed by the Secretary of the AAC to each of the Commissioners. One copy is kept on file with the Secretary to the Commission for review as requested by any member of the public.

Please submit appeals in person to:

Secretary, Access Appeals Commission
1660 Mission Street, 3rd Floor
San Francisco, CA 94103
(415) 558-6168

Appendix D. Access Appeals Commission Brochure, Information Guide and Appeal Forms

WHAT IS THE BENEFIT OF HAVING A CASE HEARD BY THE ACCESS APPEALS COMMISSION?

The AAC is empowered to approve or disapprove DBI's interpretations of the disability access and adaptability requirements of the code and the actions taken by DBI to enforce these requirements and abate violations. Appellants may ask the Commission to consider various issues such as: alternative forms of equivalency facilitation for disabled access; approval or ratification of UHR's for buildings that can only provide limited or no specific disabled access features; and modification of Orders of Abatement pertaining to disabled access violations. Discussion with plan checkers and the Secretary of the AAC may identify additional issues that the AAC may consider.

This brochure is available in large type, braille and audiotape.

SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103-2414

Want a DBI Pro to brief your community / organization on permits and inspection issues? Please contact us at 415-558-6089 or DBI-CommunityOutreach@sfgov.org and we will make it happen.

Minimum 30% post consumer recycled

THE ACCESS APPEALS COMMISSION

What You Should Know About

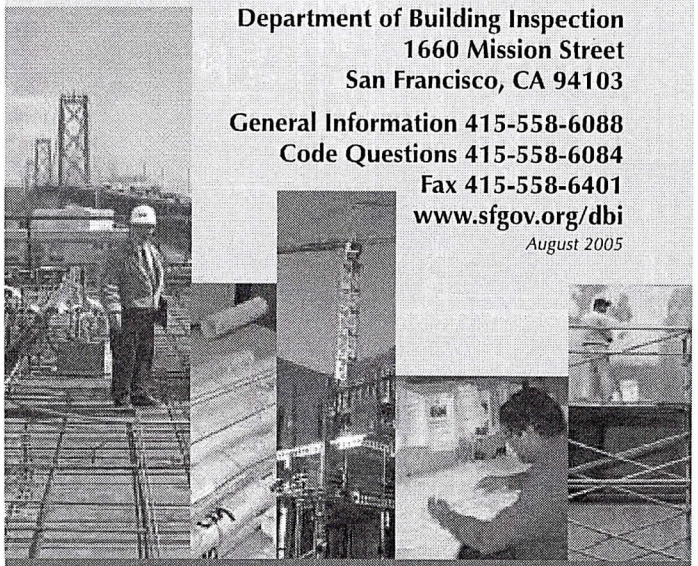
The Access Appeals Commission

SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

General Information 415-558-6088
Code Questions 415-558-6084
Fax 415-558-6401
www.sfgov.org/dbi

August 2005



WHAT IS THE ACCESS APPEALS COMMISSION?

The Access Appeals Commission (AAC) hears written appeals of actions by the Department of Building Inspection (DBI) regarding the enforcement of disabled access and adaptability provisions of the California Building Code (CBC) and San Francisco Building Code (SFBC) under the authority of the Health and Safety Code of the State of California, Sections 19955-7, and SFBC section 105.3. **(Additional references: AAC Information Guide, Rules of the AAC, www.sfgov.org/agencies/access appeals commission)**

WHO ARE THE COMMISSIONERS?

There are five AAC commissioners appointed by the Building Inspection Commission: two must be persons with disabilities, two are experienced in construction, and one is a public member.

WHAT DOES THE COMMISSION HEAR?

The Commission conducts hearings regarding any action by DBI in the enforcement and interpretation of disability access and adaptability provisions of the code, such as: denial of Unreasonable Hardship Requests (UHR), requests for ratification of UHR's under CBC Section 101.17.11.5, and appeals of Orders of Abatements issued by the Director of DBI for violations pertaining to disability access.

WHO MAY FILE AN APPEAL?

An appeal may be brought by property owners, their agents, Architects, Engineers, commercial tenants or others.

HOW LONG AFTER AN APPEAL IS FILED IS THE MATTER HEARD?

Appeals must be filed nineteen (19) days in advance of a meeting date, by 12 noon. Regular meetings of the AAC are scheduled for the 2nd and 4th Wednesday of every month at 1 PM in City Hall. A schedule of **AAC Meeting and Submittal Dates** is included with the **AAC Information Guide**.

HOW CAN I FILE AN APPEAL?

Appeals must be filed at the AAC office on the 3rd floor of DBI at 1660 Mission Street. Appeal procedures, filing details and forms are available in the **AAC Information Guide.** Questions regarding the filing of an appeal can be answered by contacting the Secretary to the AAC at 558-6014 or on the 3rd floor of DBI at 1660 Mission St. **Unreasonable Hardship Request** forms are available through the Plan Review Services Division on the 2nd floor of 1660 Mission St. or you may download them off our website at http://www.sfgov.org/dbi. Note: UHR's require the review of Plan Check staff prior to filing of UHR-related appeals.

WHEN AND WHERE DOES THE ACCESS APPEALS COMMISSION MEET?

The AAC schedules regular meetings on the 2nd and 4th Wednesday of every month, (except holidays) in City Hall at 1 PM. Meeting notices and agendas are posted in City Hall, the Public Library and are available through the internet at www.sfgov.org/agencies/access appeals commission. Meeting are canceled if there are no items to consider.

HOW MUCH DOES AN APPEAL COST?

The filing fee for an appeal is $350.00. The fee can be waived for appellants who declare themselves indigent.

WHAT HAPPENS AFTER AN APPEAL IS FILED?

Upon filing of an appeal, the Secretary to the AAC agendizes the appeal, issues a Notice of Regular Meeting and prepares a Summary of the Appeal for the Commission. At the appeal hearing, the Summary is presented and the appellant and/or their representatives address the Commission. Members of the public can address the Commission on appeal items and on items of interest to the public that are within the subject matter jurisdiction of the Commission. Presentation of testimony and public comment is governed by the **Rules of the AAC**. Written Notices of Decisions are issued within a few days of a ruling by the AAC.

City and County of San Francisco
Department of Building Inspection

Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

ACCESS APPEALS COMMISSION

Information Guide and Appeal Forms

Effective: 11/10/10

Arnie Lerner, AIA - President
William Scott Ellsworth, AIA - Vice-President
Alyce G. Brown - Commissioner
Walter Park - Commissioner
Dr. Ron Vernali - Commissioner

Access Appeals Commission
San Francisco Permit Center
1660 Mission Street, 3rd Floor
San Francisco, CA 94103
Tel. (415) 558-6014 FAX (415) 558-6474
Web site: http://www.sfdbi.org

Secretary to the Access Appeals Commission
Thomas Fessler, Building Inspector

The Commission

The Access Appeals Commission (AAC) hears written appeals of action taken by the Department of Building Inspection (DBI) in their enforcement of disabled access and adaptability provisions of the California Building Code (CBC) and San Francisco Building Code (SFBC). These appeals include decisions made by DBI regarding Unreasonable Hardship Requests, Orders of Abatement pertaining to disabled access regulations, and DBI interpretations regarding disabled access and adaptability. For detailed information regarding the Commission refer to SFBC Section 105.3 and the Rules of the AAC.

The Commission is composed of five members appointed by the Building Inspection Commission. Two are persons with a physical disability, two are persons experienced in construction, and one is a member of the public.

Appeal Forms and Filing information (see attachments 1 and 2)

1). ***Notice of Appeal*** Appeals of decisions regarding Unreasonable Hardship Requests (UHR) and Department of Building Inspection interpretations concerning disabled access issues;

2). ***Notice of Appeal - Director's Order of Abatement*** Appeal of an Order of Abatement related to disabled access regulations.

The attached appeal forms and filing information packages include a detailed description of each appeal form, meeting times, location of hearings, deadlines for filing appeals, fees, appeal package instructions, required documentation, and other relevant information. Contact the Secretary to the AAC if you have any questions.

Department Representatives:
Secretary – Thomas Fessler, Building Inspector (415) 575-6923

City and County of San Francisco
Department of Building Inspection

Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

ACCESS APPEALS COMMISSION

1. Notice of Appeal

Appeal Form and Filing Information

Meeting Time and Hearing Location
The Access Appeals Commission meets on the second and fourth Wednesday of each month at 1:00 PM. Meetings are held at the City Hall, 1 Dr. Carlton B. Goodlett Way, 4th Floor, room 416. A full-year schedule of meeting dates and submittal deadlines is attached. The Hearing Notice provides additional information regarding the accessible meeting policy, parking, and transportation.

Deadlines for Filing an Appeal
The deadline for filing an appeal is 12:00 noon on the 19th calendar day prior to the hearing date. When the scheduled hearing is on a Wednesday, the deadline for submittals falls on a Friday. A full-year schedule of meeting dates and submittal deadlines is attached. Contact the Department Representatives to the AAC Commission, if you need assistance in filing your appeal and/or to schedule an appointment if you would like your appeal reviewed prior to submittal.

Fees
A filing fee of $374.00 per appeal is required per Section 110A & Table 1A-K, Item 6 of the San Francisco Building Code. Rehearing Requests are $100.00. Please make checks payable to the Department of Building Inspection. If an appellant declares that he/she is indigent and cannot afford the filing fee, a waiver may be granted. To file for such a waiver, please contact the Department Representatives. (See also **Re-hearings / Denial of Appeal** pg. 3)

Filing an Appeal
The Access Appeals Commission Information guide and appeal forms are available at the Customer Services Division - 1st Floor, and the Disabled Access Section- 3rd Floor at the San Francisco Permit Center building, 1660 Mission Street. The Customer Services Division desk is located on your left as your enter the 1st floor.

The appeals package must consist of **eight individually bound notebooks** (81/2"x11" –maximum size) with all of the information listed below. These copies will be distributed to each of the Commissioners. One copy is kept on file with the Secretary to the Commission for review by members of the public as requested. In addition to written appeals, an **electronic** version of the appeal shall be submitted to department representatives.

An appeals package must be filed in person on or before the stated deadlines - with no exceptions. The Department of Building Inspection staff will generally only evaluate the appeal package for completeness but may also review for content. Contact the Secretary to the Commission for an appointment if you would like your appeal reviewed prior to submittal or for assistance in filing the appeal.

Submit appeals in person to the attention of:

Secretary to the Access Appeals Commission
San Francisco Permit Center
1660 Mission Street, 3rd Floor
San Francisco, CA 94103

Unreasonable Hardship Request
The Unreasonable Hardship Request (UHR) form is the basis for review and approval of exceptions to the disabled access requirements in the California Building Code (CBC) and San Francisco Building Code (SFBC). All UHRs must first be reviewed by the Plan Check Division before they can be appealed to the Access Appeals Commission. The UHR form must be filed with a building permit application and plans. After review by the Plan Check Division, the plan checker will either grant or deny approval, or grant an approval that requires ratification by the AAC. Denials and ratifications are the primary basis for appeal to the AAC. Contact the Plan Check Section or the Secretary to the AAC for any questions regarding the Unreasonable Hardship Request form.

Building Permit Applications, Appeal Format, and Required Documentation
A permit application with plans must be filed and reviewed prior the filing of an appeal. If a building permit has already been issued, and/or an Unreasonable Hardship Request item is identified while the project is under construction, it may be necessary to file a new building permit application to revise the issued building permit for the purpose of making an appeal. A copy of both permit applications should then be included in the appeal package.

Each appeal package must include items 1 through 8 in the order noted below. Failure to include this documentation may result in an appeal being rejected for incompleteness.

1. The cover or first sheet of the package which clearly lists:
    a. The property address
    b. The business or common name
    c. The name, address, phone number & fax number of the persons making the appeal
    d. The name of the contact person at the site
    e. The times the site may be visited

2. A completed Notice of Appeal form. A blank copy of this form is included as part of this information package.

3. A copy of the permit application form *both* front and back which was filed and reviewed by the Department for the project under appeal.

4. A copy of the Unreasonable Hardship Request (UHR) form. The UHR must be filed with a permit application and denied, or approved with ratification required, prior to making an appeal before the Commission. The UHR must be reviewed and signed by the plan checker responsible for reviewing your plans, their immediate supervisor and the manager of the Commercial Plan Check division. Whenever a plan checker denies the UHR or requires ratification, the UHR should cite the code section that is the basis for that denial or ratification. Supporting documentation, such as estimates of construction costs, etc., must be attached as part of this form.

5. Copies of Department of Building Inspection correspondence. This includes any Notice of Violation, Correction Notices, Plan Review comments etc., which address the specific decisions made by the Department and under appeal before the Commission.

6. A written narrative which cites the applicable code sections. This is item #5 on the Notice of Appeal form. This narrative should state:
    a. the nature or use of the property;
    b. the specific code section which you are appealing;
    c. the specific code section(s) on which you base your appeal;
    d. the arguments supporting your appeal;
    e. the reasons why you believe there is an unreasonable hardship to provide the access feature under appeal;f. what equivalent facilitation, if any, you propose to provide; and
    g. any additional reasons why the Commission should grant your appeal.

7. Verification cost breakdown. Please submit more than one estimate (three preferred). These estimates must be signed by a responsible party such as a contractor or design professional.

8. Relevant plans. These must be the same plans reviewed by the Department. The plans shall be reduced to 11"x17" (maximum) and bound as part of the appeal package. The submittal of one or two full size plan sheets is not prohibited; however, each full size sheet should merely clarify what is in the package. It should not be a stand-alone document.

Electronic Documentation of Appeal

The above appeal packet items 1, 2, 4 and 6 shall be submitted to the department representative as one or more electronic document text files. Items 3, 5 and 7 may be submitted as document text files or may be scanned from original documents and submitted as tagged Portable Document Format (.pdf) files. * Although preferred, it is not required that Item 8, relevant plans, be submitted in electronic form. It is the responsibility of the appellant to make sure that all electronic files are together, and to confirm their receipt by the department. Where it presents an undue hardship, the Secretary may, at his or her discretion, waive the requirements for electronic submission documents.

Optional Information

Artist renderings, photos, or reproductions of photos, may be included in the appeal and often serve to illustrate existing conditions which may be difficult to describe. An appeal package may also include any other information which helps to document the unreasonable hardship or describe the proposal for equivalent facilitation. Manufacturers specification sheets or pamphlets are often much more detailed and descriptive than plans and should be included whenever possible for wheelchair lift proposals.

Site Visits/Meetings

Site visits, other than those by Department Staff or individual commissioners, are sometimes requested by the Commission when an appeal is particularly large or complex. These site visits are considered Special Meetings under the SF Sunshine Ordinance and require a 15-day advance public notice. The public notice delay often requires two commission meetings to reach a decision in an appeal case. If you anticipate that your case would require a site visit/meeting by the commission, contact the Secretary to the Commission, either prior to or at the time of the meeting. Where it presents an undo hardship, the secretary may, at his or her discretion, wave the requirements for electronic submission of documents.

Confirmation of Hearing and Notice of Decision

After filing an appeal, a Notice of Hearing will be sent to the appellant approximately one week prior to the hearing. The Notice of Hearing will be accompanied by the meeting Agenda which contains a brief description of the appeal. When a decision on the appeal is made by the Commission, a written documentation of this decision, known as a Notice of Decision, will be issued approximately one week later.

Rehearings / Denial of Appeal

The commission may rehear an appeal upon which a decision has been rendered upon the motion of a member of the Commission and the affirmative vote of at least three of its members, provided a request for rehearing has been made in writing within 10days of the date of the decision. S.F. Building Code Section 105A.3.4.1. The filing fee for a rehearing request is $100.00.

Finality

All decisions are final as to the Department in the absence of fraud or prejudicial abuse of discretion. S.F. Building Code Section 105A.2.3

City and County of San Francisco
Department of Building Inspection



Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

ACCESS APPEALS COMMISSION

1. Notice of Appeal

1. Site Address: _____

2. Permit Application No.: _____

3. Appellants Name: (print) _____ ☐ Owner ☐ Tenant ☐ Agent

The undersigned hereby appeals to the Access Appeals Commission a decision or action taken by the Department of Building Inspection in their enforcement of the California Code of Regulations, Title 24. *Note: An **Unreasonable Hardship Request** must be completed, reviewed, and signed by the plan reviewer or building inspector prior to submitting this appeal. Contact the Secretary to the Commission for additional details.*

4. Description of the specific accessible feature which will not be provided. Include the appropriate Code Section: (Provide attachments as necessary)

   _____

   _____

   _____

5. On a separate attached sheet state the following: a) The nature or use of the property including a brief description of the entire building, including the occupancy classifications of all other tenants; b)The specific code section which you are appealing; c) The specific code sections on which you base your appeal; d) The arguments supporting your appeal; e) Why you believe there is an unreasonable hardship to provide the access feature under appeal; f) What equivalent facilitation, if any, you propose to provide; and, g) Any additional reasons why the Commission should grant your appeal.

6. Contact Name: _____

7. Mailing Address: _____

8. Phone No.: _____ 9. FAX No: _____

10. Signature: _____ 11. Date: _____

IMPORTANT: Review the information Guide (Notice of Appeals) for detailed requirements concerning the filing of this appeal. Submit the appeal package in person to: Access Appeals Commission; S. F. Permit Center; 1660 Mission Street, 3rd Floor; San Francisco, CA 94103

City and County of San Francisco
Department of Building Inspection

Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

ACCESS APPEALS COMMISSION

2. Notice of Appeal - Director's Order of Abatement
Appeal Form and Filing Information

Director's Orders of Abatement - General
Orders of Abatement are issued at Director's Hearings by a hearing officer appointed by the Director of the Department of Building Inspection (DBI). The Order of Abatement is based on violations of the codes enforced by DBI and enumerates the conditions of the building and the time lines for compliance with the order. The Order of Abatement is recorded on the title of the property. An Order of Abatement pertaining only to disabled access violations can be appealed to the Access Appeals Commission (AAC). All other Orders of Abatement must be appealed to the Abatement Appeals Board.

Appeal of an Order of Abatement
A Director's Order of Abatement involving disabled access issues may be appealed to the Access Appeals Commission only if the completed appeal form is filed with the commission **within 10 days** after such order is posted and served. (San Francisco Building Code Sections 102A.10, 105A.2.3, and 105A.3) The appeal shall be filed on the attached form - ***Notice of Appeal - Director's Order of Abatement***. The full appeal package must then be filed as specified under **Deadlines for Filing an appeal**.

Meeting Time and Hearing Location
The Access Appeals Commission meets on the second and fourth Wednesday of each month at 1:00 PM. Meetings are held at the City Hall, 1 Dr. Carlton B. Goodlett Way, 4th Floor, Room 416. A full-year schedule of meeting dates and submittal deadlines is attached. The Hearing Notice provides additional information regarding the accessible meeting policy, parking, and transportation.

Deadlines for Filing an Appeal
The deadline for filing an appeal is 12:00 noon on the 19th calendar day prior to the hearing date. When the scheduled hearing is on a Wednesday, the deadline for submittals falls on a Friday. A full-year calendar of meeting dates and submittal deadlines is attached. Contact the AAC Department Representatives, if you need assistance in filing your appeal and/or to schedule an appointment if you would like your appeal reviewed prior to submittal.

Fees
A filing fee of $374.00 per appeal is required per Section 110A & Table 1-K Item 6 of the San Francisco Building Code. Rehearing requests are $100.00. Please make checks payable to the Department of Building Inspection. If an appellant declares that he/she is indigent and cannot afford the filing fee, a waiver may be granted. To file for such a waiver, please contact the Department Representatives. (See also **Rehearings / Denial of Appeal** pg. 3)

Filing an Appeal
The Access Appeals Commission Information Guide and appeal forms are available at the San Francisco Permit Center building, 1660 Mission Street. Copies are available at the Disabled Access Section on the 3rd Floor. Copies are also available by fax by contacting the Department Representatives.

The appeals package must consist of **eight individually bound notebooks** (8-1/2" x 11" maximum size) with all of the information listed below. These copies will be distributed to each of the Commissioners. One copy is kept on file with the Secretary to the Commission for review by members of the public as requested. In addition to written appeals, an **electronic** version of the appeal shall be submitted to Department Representatives.

The appeals package must be filed in person on or before the stated deadlines with no exceptions. The Department of Building Inspection staff will generally only evaluate the appeal package for completeness but may also review for content. Contact the Secretary to the Commission for an appointment if you would like your appeal reviewed prior to submittal or for assistance in filing the appeal.

2. Notice of Appeal - Director's Order of Abatement - **Appeal Form and Filing Information**

Submit appeals in person to the attention of:

Secretary to the Access Appeals Commission
San Francisco Permit Center
1660 Mission Street, 3rd Floor
San Francisco, CA 94103

Appeal Format and Required Documentation
Each appeal package must include items 1 through 8 in the order noted below. Failure to include this documentation may result in an appeal being rejected by staff for incompleteness.

1. A cover or first sheet clearly listing:
    a. The property address.
    b. The business or common name.
    c. The name, address, phone number & fax number of the persons making the appeal.
    d. The name of the contact person at the site.
    e. The times the site may be visited.

2. A completed Notice of Appeal- Director's Order of Abatement form. A blank copy of this form is included as part of this information package.

3. Copies of Department correspondence including:
    a. First Notice of Violation
    b. Second Notice of Violation
    c. Administrative Hearing notices and decisions, if applicable. Most older cases had this preliminary hearing.
    d. Director's Hearing - Notice of Hearing
    e. Order of Abatement

4. A copy of the permit application, both front and back, submitted in response to the Notice of Violation and/or Order of Abatement.

5. A written narrative stating the reasons and basis for appeal, on a separate sheet.
    a. The nature and use of the property
    b. The specific code section(s) which you are appealing
    c. The specific code section(s) on which you base your appeal
    d. The arguments which you base your appeal
    e. Why you believe there is an unreasonable hardship to provide access in this case
    f. What equivalent facilitation, if any, you propose to provide
    g. Any additional reasons why the commission should grant your appeal

6. Any other pertinent correspondence or documentation including status reports or signed job cards. See the **Optional Information** section.

7. Relevant verification cost break down. Please submit more than one estimate (three preferred). These estimates must be signed by a responsible party such as a contractor or design professional.

8. Relevant plans. These must be the same plans reviewed by the Department. The plans shall be reduced to 11"x17"(maximum) and bound as part of the appeal package. The submittal of one or two full size plan sheets is not prohibited; however, each full sheet should merely clarify what is in the package. It should be a stand-alone document.

Electronic Documentation of Appeal
The above appeal packet items 1, 2 and 5 shall be submitted shall be submitted to the department representatives as one or more electronic document text files. Items 3, 4, 6 and 7 may be submitted as document text files or may be scanned from original documents and submitted as tagged Portable Document Format (.pdf) files. Although preferred, it is not required that Item 8, relevant plans, be submitted in electronic form. It is the responsibility of the appellant to make sure

that all electronic files are together, and to confirm their receipt by the department. Where it presents an undue hardship, the secretary may, at his or her discretion, waive the requirements for electronic submission of documents.

Optional Information
Artist renderings, photos, or reproductions of photos, may be included in the appeal and often serve to illustrate existing conditions which may be difficult to describe. An appeal package may also include any other information which helps to document the unreasonable hardship or describe the proposal for equivalent facilitation. Manufacturers specification sheets or pamphlets are often much more detailed and descriptive than plans and should be included whenever possible for wheelchair lift proposals.

Site Visits/Meetings
Site visits, other that those by Department Staff or individual commissioners, are sometimes requested by the Commission when an appeal is particularly large or complex. These site visits are considered Special Meetings under the SF Sunshine Ordinance and require a 15-day advance public notice. The public notice delay often requires two commission meetings to reach a decision in an appeal case. If you anticipate that your case would require a site visit/meeting by the commission, contact the Secretary to the Commission, either prior to or at the time of the meeting.

Confirmation of Hearing and Notice of Decision
After filing an appeal, a Notice of Hearing will be sent to the appellant approximately one week prior to the hearing. The Notice of Hearing will be accompanied by the meeting Agenda which contains a brief description of the appeal. When a decision on the appeal is made by the Commission, a Notice of Decision will be issued approximately one week later.

Rehearings / Denial of Appeal
The commission may rehear an appeal upon which a decision has been rendered upon the motion of a member of the Commission and the affirmative vote of at least three of its members, provided a request for rehearing has been made in writing within 10days of the date of the decision. S.F. Building Code Section 105A.3.4.1. The filing fee for a rehearing request is $100.00.

Finality
All decisions are final as to the Department in the absence of fraud or prejudicial abuse of discretion. S.F. Building Code Section 105.2.3

Department Representative

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Building Inspector
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City and County of San Francisco
Department of Building Inspection

Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

ACCESS APPEALS COMMISSION

2. Notice of Appeal - Director's Order of Abatement

Note: This appeal form must be filed with the Access Appeals Commission within **10 days** of the posting and serving of the Director's Order of Abatement. SFBC Section 102A, 105A.2.3, 105A.3. The full appeal package shall then subsequently be filed to comply with the deadlines specified in the procedures.

1. Site Address: _____

2. Permit Application No.: _____

3. Appellants Name: (Print) _____ ☐ Owner ☐ Tenant ☐ Agent

The undersigned hereby appeals to the Access Appeals Commission a decision or action taken by the Department of Building Inspection in their enforcement of the California Code of Regulations, Title 24. *Note: An **Unreasonable Hardship Request** may be necessary for this appeal package submittal to address any request for equivalent facilitation or exception from disabled access code requirements. Contact the Secretary to the Commission.*

4. Description of the specific accessible feature which will not be provided. Include the appropriate Code Section: (Provide attachments as necessary)

_____

_____

_____

5. On a separate attached sheet state the following: 1) The nature or use of the property and include a brief description of the entire building, including the occupancy classifications of all other tenants; 2)The specific code section which you are appealing; 3) The specific code sections on which you base your appeal; 4) The arguments supporting your appeal; 5) Why you believe there is an unreasonable hardship to provide the access feature under appeal; 6) What equivalent facilitation, if any, you propose to provide; and, 7) Any additional reasons why the Commission should grant your appeal.

6. Contact Name: _____

7. Mailing Address: _____

_____

8. Phone No.: _____ 9. Fax No.: _____

10. Signature: _____ 11. Date: _____

IMPORTANT: Review the information Guide (Notice of Appeals - Directors Order of Abatement) for detailed requirements concerning the filing of this appeal. Submit the appeal package in person to: Secretary to the Access Appeals Commission; S. F. Permit Center; 1660 Mission Street, 3rd Floor; San Francisco, CA 94103

Appendix E. Glossary of Terms

The following glossary is a list of terms pertaining to accessibility and seismic improvements that was compiled to provide the user a quick reference to unfamiliar terms. Terms have been collected from a variety of relevant sources including the California Building Code (CBC), California Historical Building Code (CHBC), Americans with Disabilities Act (ADA), and The Secretary of the Interior's Standards.

- **Accessibility.** The combination of various elements in a building, facility, site, or area, or portion thereof which allows access, circulation and the full use of the building and facilities by persons with disabilities in conformance with this chapter.
- **Accessible Means of Egress.** A continuous and unobstructed way of egress travel from any point in a building or facility that provides an accessible route to an area of refuge, a horizontal exit, or a public way.
- **Accessible Route of Travel.** A continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility 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 disabilities.
- **Adaptability.** The capability of spaces or facilities to be readily modified and made accessible.
- **Addition**. An expansion, extension, or increase in the gross floor area or height of a building or facility.
- **Administrative Authority.** A governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.
- **Aisle.** A circulation path between objects such as seats, tables, merchandise, equipment, displays, shelves, desks, etc., that provides clearances.
- **Alteration.** A change to a building or facility that affects or could affect the usability of the building or facility or portion thereof. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.
- **Automatic Door.** A door equipped with a power operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat or manual switch.
- **Character-Defining Feature.** Those visual aspects and physical elements that comprise the appearance of a historical building or property, and that are significant to its historical, architectural and cultural values, including the overall shape of the historical building or property, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment.
- **Circulation Path.** An exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, hallways, courtyards, stairways and stair landings.
- **Clear Floor Space.** The minimum unobstructed floor or ground space required to accommodate a single, stationary wheelchair and occupant. .
- **Cross Slope.** The slope that is perpendicular to the direction of travel (as differentiated from running slope).

- **Cultural Resource**. Building, site, property, object or district evaluated as having significance in prehistory or history.
- **Curb Cut.** An interruption of a curb at a pedestrian way, which separates surfaces that are substantially at the same elevation.
- **Curb Cut.** A sloping pedestrian way, intended for pedestrian traffic, which provides access between a walk or sidewalk and a surface located above or below an adjacent curb face, as differentiated from a ramp; a short ramp cutting through a curb or built up to it.
- **Detectable Warning.** A standardized surface or feature built into or applied to walking surfaces or other elements to warn visually impaired persons of hazards in the path of travel.
- **Distinct Ha ard**. Any clear and evident condition that exists as an immediate danger to the safety of the occupants or public right of way. Conditions that do not meet the requirements of current regular codes and ordinances do not, of themselves, constitute a distinct hazard.
- **Element.** An architectural or mechanical component of a building, facility, space or site; for example, a telephone, curb ramp, door, drinking fountain, seating or water closet.
- **Employee Wor Area.** All or any portion of a space used only by employees and used only for work. Corridors, toilet rooms, kitchenettes and break rooms are not employee work areas.
- **Entrance.** Any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules if provided, the entry door(s) or gate(s), and the hardware of the entry door(s) or gate(s).
- **Equivalent Facilitation.** An alternate means of complying with the literal requirements of these standards and specifications that provides access in terms of the purpose of these standards and specifications.
- **Facility.** All or any portion of buildings, structures, site improvements, elements, and pedestrian routes or vehicular ways located on a site.
- **Grab Bar.** A bar for the purpose of being grasped by the hand for support.
- **Historic Fabric or Material**. Original and later-added historically significant construction materials, architectural finishes or elements in a particular pattern or configuration which form a qualified historical property, as determined by the authority having jurisdiction.
- **Historical Significant**. Importance for which a property has been evaluated and found to be historical, as determined by the authority having jurisdiction.
- **Integrity**. Authenticity of a building or property's historical identity, evidenced by the survival of physical characteristics that existed during the property's historical or pre-historical period of significance.
- **International Symbol of Accessibility.** A symbol adopted by Rehabilitation International's 11th World Congress for the purpose of indicating that buildings and facilities are accessible to persons with disabilities.
- **Kic Plate.** An abrasion-resistant plate affixed to the bottom portion of a door to prevent a trap condition and protect its surface.
- **Level Area.** A specified surface that does not have a slope in any direction exceeding one unit vertical in 50 units horizontal (2-percent slope).
- **Mar ed Crossing.** A crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.
- **Normal Wall.** A wall perpendicular to the direction of seismic forces.
- **Nose, Nosing.** That portion of a stair tread or landing at the top of a stairway flight projecting beyond the face of the riser immediately below.
- **Open Front.** An exterior building wall line without vertical elements of the lateral-force-resisting system in one or more stories.
- **Open Riser.** The space between two adjacent stair treads not closed by a riser.

- **Operable Part.** A component of an element used to insert or withdraw objects, or to activate, deactivate, or adjust the element.
- **Passage Door.** A door other than an exit door through which persons may traverse.
- **Path of Travel.** A passage that may consist of walks and sidewalks, curb ramps and pedestrian ramps, lobbies and corridors, elevators, other improved areas or a necessary combination thereof, that 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 (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility. In existing buildings, when alterations, structural repairs or additions are made, the term "path of travel" also includes the sanitary facilities, telephones, drinking fountains and signs serving the altered area.
- **Pedestrian Grade Separation.** A structure erected over or under an obstacle such as a freeway, roadway, street, railroad, stream, etc., and intended primarily for pedestrian use.
- **Pedestrian Ramp.** A walking surface which has a running slope greater than 1:20 intended for pedestrian traffic and as differentiated from a curb ramp.
- **Pedestrian Route.** A route by which a pedestrian may pass.
- **Pedestrian.** An individual who moves in walking areas with or without the use of walking assistive devices such as crutches, leg braces, wheelchairs, white cane, service animal, etc.
- **Period of Significance**. The period of time when a qualified historical building or property was associated with important events, activities or persons, or attained the characteristics for its listing or registration.
- **Pictogram.** A pictorial symbol that represents activities, facilities, or concepts.
- **Platform (Wheelchair) Lift.** A hoisting and lowering mechanism equipped with a car or platform or support that serves two landings of a building or structure and is designed to carry a passenger or passengers and (or) luggage or other material a vertical distance as may be allowed.
- **Pointing.** The partial reconstruction of the bed joints of an unreinforced masonry wall as defined in UBC Standard 21-8.
- **Preservation**. The act or process of applying measures necessary to sustain the existing form, integrity and materials of a qualified historical building or property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-related work to make properties functional is appropriate within a preservation project.
- **Public Building or Facility.** A building or facility or portion of a building or facility designed, constructed, or altered by, on behalf of, or for the use of a public entity
- **Public Entrance.** An entrance that is not a service entrance or a restricted entrance.
- **Public Use Area.** Interior or exterior rooms or spaces of a building that are made available to the general public and does not include common use areas. Public use areas may be provided at a building that is privately or publicly owned.
- **Public Way.** Any street, alley or other parcel of land open to the outside air leading to a public street, which has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet (3050 mm).

- **ualified Historic Building or Facility.** A building or facility that is listed in or eligible for listing in the National Register of Historic Places, or designated as historic under an appropriate State or local law.
- **Ramp.** A walking surface which has a running slope greater than one unit vertical in 20 units horizontal (5-percent slope) intended for pedestrian traffic and as differentiated from a curb ramp.
- **Readily Achievable Barrier Removal.** Architectural barriers to accessibility that can be easily removed without much difficulty or expense. Readily achievable barrier removal may include providing an accessible route from a parking lot to the business's entrance, installing an entrance ramp, widening a doorway, installing accessible door hardware, repositioning shelves, or moving tables, chairs, display racks, vending machines, or other furniture.
- **Restricted Entrance.** An entrance that is made available for common use on a controlled basis but not public use and that is not a service entrance.
- **Rigid Diaphragm.** A diaphragm of reinforced concrete construction supported by concrete beams and columns or by structural steel beams and columns.
- **Riser.** The upright member between two adjacent stair treads.
- **Running Slope.** The slope that is parallel to the direction of travel (as differentiated from cross slope).
- **Service Entrance.** An entrance intended primarily for delivery of goods or services.
- **Site.** A parcel of land bounded by a property line or a designated portion of a public right-of-way.
- **Space.** A definable area, such as a room, toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby.
- **Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under-floor space is more than 6 feet (1829 mm) above grade for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above grade at any point, the basement or unused under-floor space shall be considered as a story. There may be more than one floor level within a story as in the case of a mezzanine or mezzanines.
- **Structural Frame.** The columns and the girders, beams, trusses and spandrels having direct connections to the columns and all other members which are essential to the stability of the building as a whole.
- **Technically Infeasible.** With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering 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.
- **Transfer Device.** Equipment designed to facilitate the transfer of a person from a wheelchair or other mobility aid to and from an amusement ride seat.
- **Tread.** The horizontal member of a step.
- **Unreinforced Masonry (URM) Wall.** A masonry wall that relies on the tensile strength of masonry units, mortar and grout in resisting design loads, and in which the area of reinforcement is less than 25 percent of the minimum ratio required by the building code for reinforced masonry.
- **Unreinforced Masonry Bearing Wall.** A URM wall that provides the vertical support for the reaction of floor or roof-framing members.
- **Unreinforced Masonry.** Includes burned clay, concrete or sand-lime brick; hollow clay or concrete block; plain concrete; and hollow clay tile.

- **Valuation Threshold.** The dollar amount set annually (in January) using the ENR 20 Cities Construction Cost Index that determines the level of upgrade required for meeting accessibility standards.
- **Vehicular Way.** A route intended for vehicular traffic, such as a street, driveway or parking lot.
- **Wal .** A surfaced pedestrian way not located contiguous to a street used, by the public
- **Wheelchair Space.** Space for a single wheelchair and its occupant.
- **Yield Story Drift.** The lateral displacement of one level relative to the level above or below at which yield stress is first developed in a frame member.