

ACCESSIBILITY REQUIREMENTS FOR HOUSING FINANCED BY NEW YORK STATE HOMES & COMMUNITY RENEWAL (NYS HCR)

April 23, 2021
1 pm to 4 pm



**Homes and
Community Renewal**

ACCESSIBILITY REQUIREMENTS FOR HOUSING FINANCED BY NEW YORK STATE HOMES & COMMUNITY RENEWAL (NYS HCR)

This presentation is current as of April 23, 2021
It is not meant to substitute as legal or architectural advice.
Consult current New York State Homes and Community Renewal
Design Guidelines, federal state and local laws and policies for the
most up-to-date information.

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- AIA – 3 hour Continuing Education Unit (CEU) Credit
 - Credits apply as Health Safety & Welfare (HSW) Credit
 - Email Name, Email Address, AIA #, Evaluation & Poll responses to ta@accessibility-services.com
- New York State Building Standards and Codes Credit – 3 hours
 - Email Name, Email Address, NYS ID #, Evaluation & Poll responses to ta@accessibility-services.com

ADDITIONAL NYSHCR ACCESSIBILITY REQUIREMENTS

HCR DESIGN GUIDELINES



This presentation was developed in coordination with New York State Homes and Community Renewal (NYSHCR). Some of the major accessibility requirements of the Agency are outlined in this presentation to provide additional clarity on how the requirements of the Agency overlay with applicable federal and state accessibility requirements.

- HCR has issued updated Design Guidelines
- Additional provisions related to accessibility can be found in the HCR Design Guidelines
- Applies to almost all housing in HCR portfolio – check regularly for updates
- Available here: www.hcr.gov/2020-hcr-design-guidelines or on the HCR Website with an RFP round.

CONTENTS OF PRESENTATION

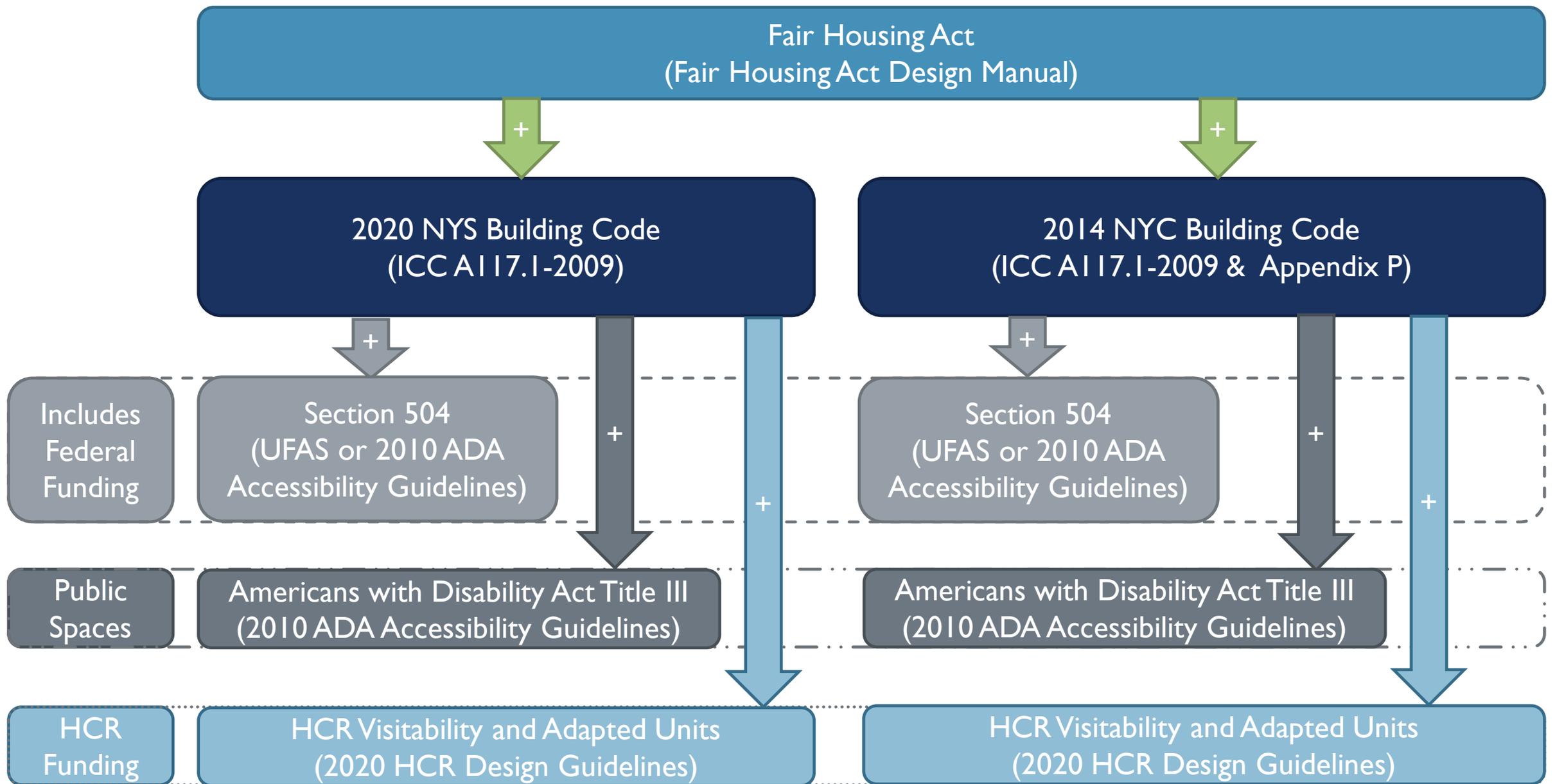
- Overview of Accessibility Requirements
- Fair Housing Act Overview
- Building Code Overview
- Section 504 of the Rehabilitation Act of 1973 Overview
- HCR Visitability Requirements Overview
- HCR Fully Accessible Adapted Move-In Ready Units Overview
- Overlaps in the Requirements

Break

- Applying the Requirements – Dwelling Units

Break

- Applying the Requirements – Common Spaces



NOTE: Check requirements of other funding sources as well.

DWELLING UNIT - ACCESSIBILITY REQUIREMENTS APPLICABILITY

CHEAT SHEET: MOST RESTRICTIVE APPLIES

| Accessibility Requirements | 2014 NYC Bldg. Code 2020 NYS Bldg. Code Fair Housing Act | Section 504 of Rehab Act | HCR Visitability | HCR Fully- Accessible Adapted Move-In Ready |
|---|---|---|--|---|
| <p align="center">New Construction</p> | <p>All dwelling units in elevator buildings with 4 or more units All ground floor units in buildings without elevator service</p> <p>Exception for multistory units</p> | <p>Projects with 4 or more dwelling units that include federal funding (i.e., HOME, CDBG, Project Based Vouchers, Federal HTF etc.)</p> | <p>All HCR-financed dwelling units connected to an elevator and all first-floor dwelling units in newly constructed buildings without elevator service.</p> <p>*No exception for multistory units/townhouses</p> | <p>For 9% LIHTC projects that commit to providing 5-10% units for mobility disabilities & 2-4% for hearing/visual disabilities.</p> |

| Accessibility Requirements | 2014 NYC Bldg. Code 2020 NYS Bldg. Code Fair Housing Act | Section 504 of Rehab Act | HCR Visitability | HCR Fully-Accessible Adapted Move-In Ready |
|----------------------------|---|---|--|---|
| Rehabilitation | <p>Building Code: Complete Change of Occupancy (305.4.2, Exception 4) & Level III Alteration (305.8.8) unless technically infeasible</p> <p>Fair Housing Act: Only Projects Built after 3/13/1991</p> | <p>Projects that include federal funding (i.e., HOME or Project Based Vouchers) AND;</p> <p>“Substantial Alterations” = 15 <u>or more</u> units and the cost of alterations is 75% or more of the replacement cost of the completed facility [Exception = Structural] OR;</p> <p>5 <u>or more</u> units and other alterations less than “substantial” → to the maximum extent feasible.</p> <p><i>Scope of Work</i> or Alterations must comply until 5%, 2% is achieved</p> | Buildings undergoing adaptive reuse or rehabilitation shall comply to the maximum extent feasible. | For 9% LIHTC projects that commit to providing 5-10% units for mobility disabilities & 2-4% for hearing/visual disabilities |



FAIR HOUSING ACT

FAIR HOUSING ACT (FHA)

FAIR HOUSING ACT BACKGROUND

The Fair Housing Act (FHA) is a Federal Civil Rights Law also known as Title VIII of the Civil Rights Act of 1968. The Fair Housing Act prohibits discrimination against home renters and buyers by landlords, sellers, and lenders on account of their race, color, religion, sexual orientation, nationality, disability, or family status.

- The Fair Housing Act Design Manual provides prescriptive guidance on how to comply with the Fair Housing Act.
- There are Safe Harbors that provide for compliance with the Fair Housing Act. (Will be discussed later).
- Enforcement of FHA is DOJ/HUD Inspections, Private Lawsuits and complaints to NYS, NYC Human Rights.
- Because Certificate of Occupancy does not guarantee compliance, contractors' work must be checked for compliance.

FAIR HOUSING ACT (FHA)

FAIR HOUSING ACT APPLICABILITY

Design and construction requirements apply to housing designed and constructed for first occupancy after March 13, 1991

| APPLIES TO “COVERED MULTIFAMILY DWELLINGS” | DOES <u>NOT</u> APPLY TO |
|---|------------------------------|
| 4+ attached dwelling units, AND | Detached single family house |
| All dwelling units if there is an elevator, OR | Duplex or triplex* |
| If there is not an elevator, all “ground floor” (i.e., “lowest” level containing units must comply) | Multistory townhouses* |
| | Loft conversions |

***NOTE: Multi-story townhouses and multistory units in non-elevator buildings are not required to comply (although they are expected to comply with HCR Visitability Requirements).**

Multi-story townhouses with residential/private elevators must comply.

FAIR HOUSING ACT (FHA)

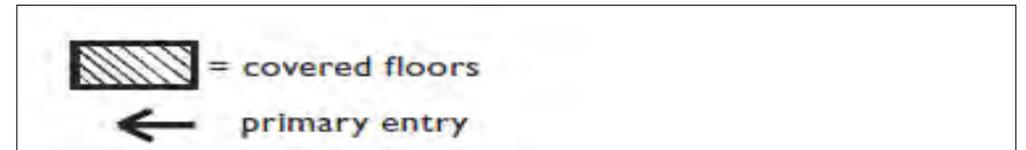
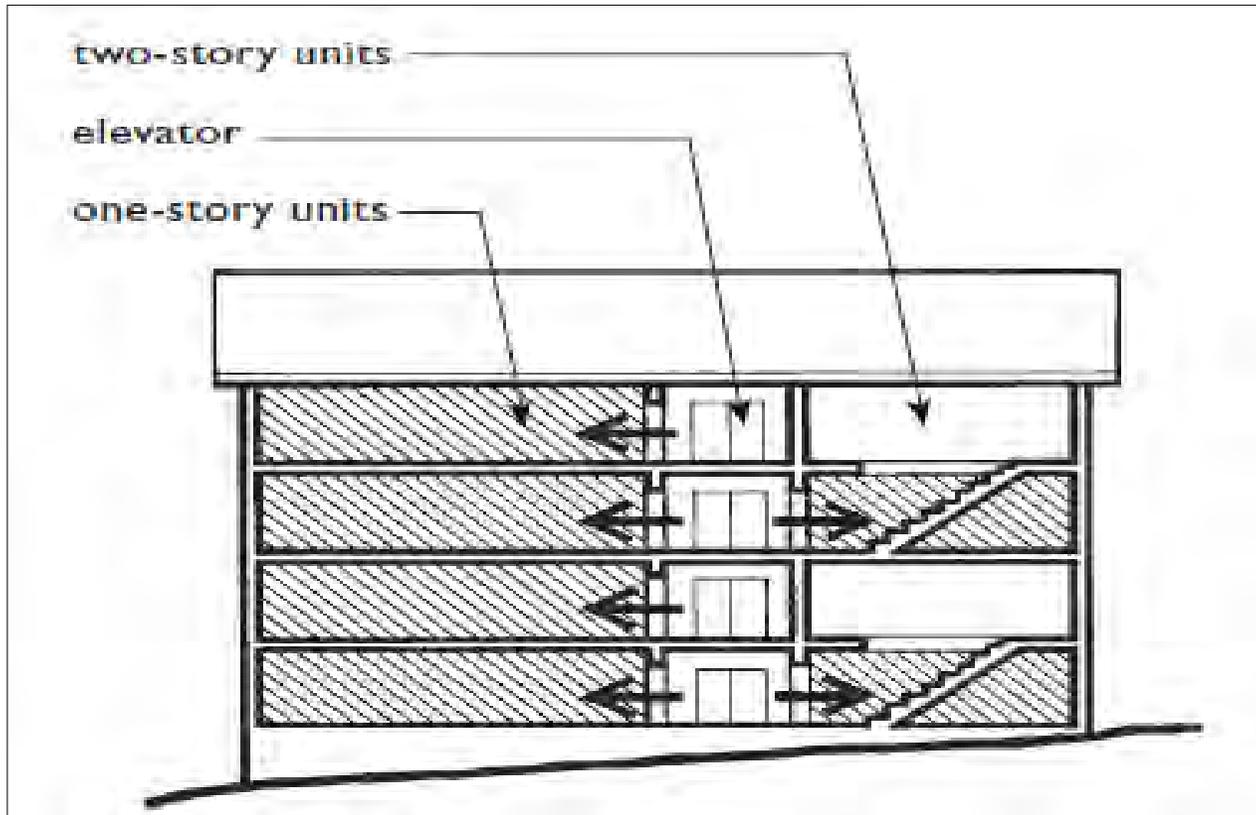
FAIR HOUSING ACT DESIGN MANUAL

Seven Design and Construction Requirements:

1. Accessible building entrance on an accessible route.
2. Accessible and usable public and common use areas.
3. Usable doors.
4. Accessible routes into and through out covered unit.
5. Light switches, electrical outlets, thermostats, and other environmental control in accessible areas.
6. Reinforced walls in bathrooms for later installations of grab bars.
7. Usable kitchen and bathrooms.

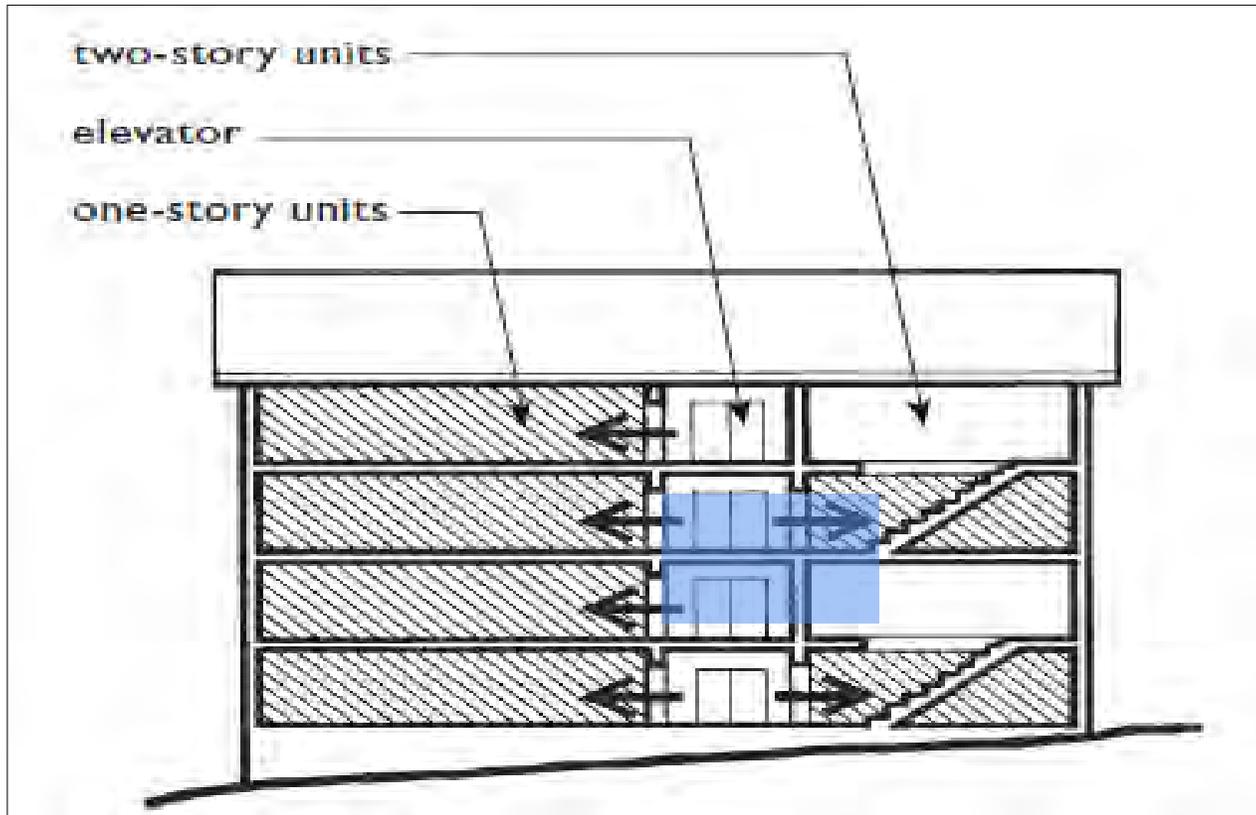
FAIR HOUSING ACT (FHA) COVERED DWELLING UNITS

- Multistory townhouses and dwelling units in elevator served building.



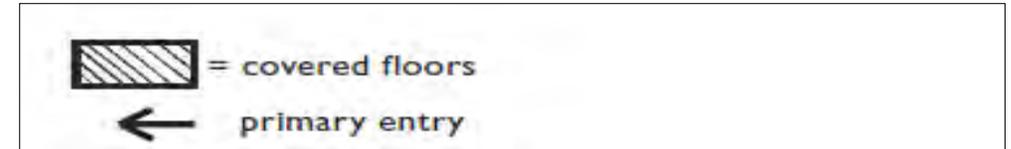
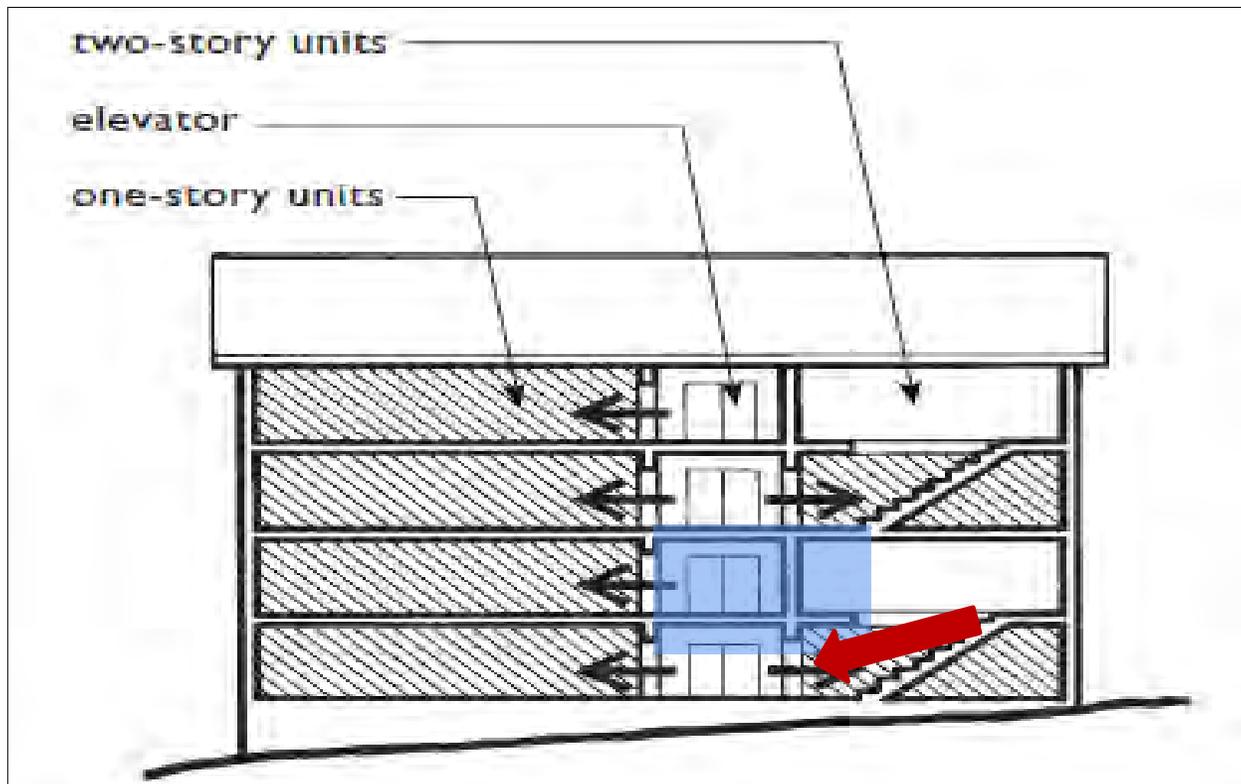
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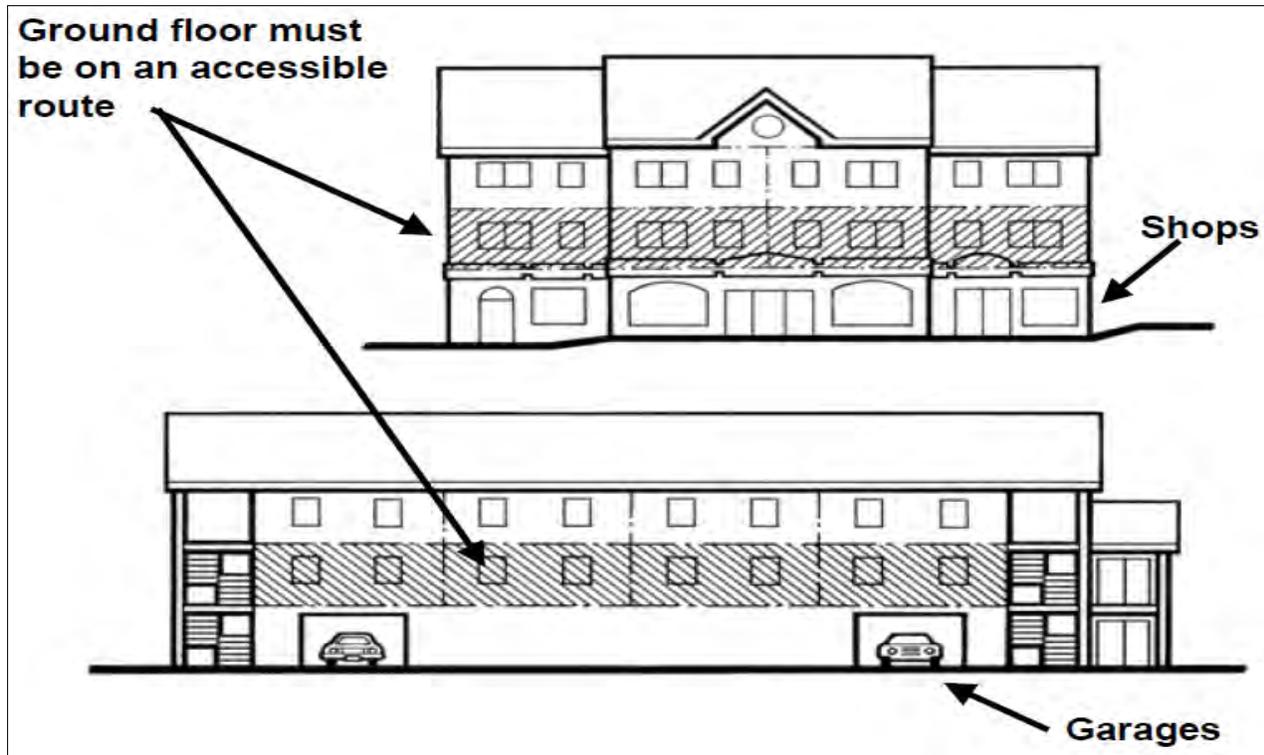
FAIR HOUSING ACT (FHA) COVERED DWELLING UNITS

- Multistory townhouses and dwelling units in elevator served building.
- The primary entry level must comply, and level must be served by a complementary bathroom or powder room and kitchen. (DOJ & HUD APRIL 2013).



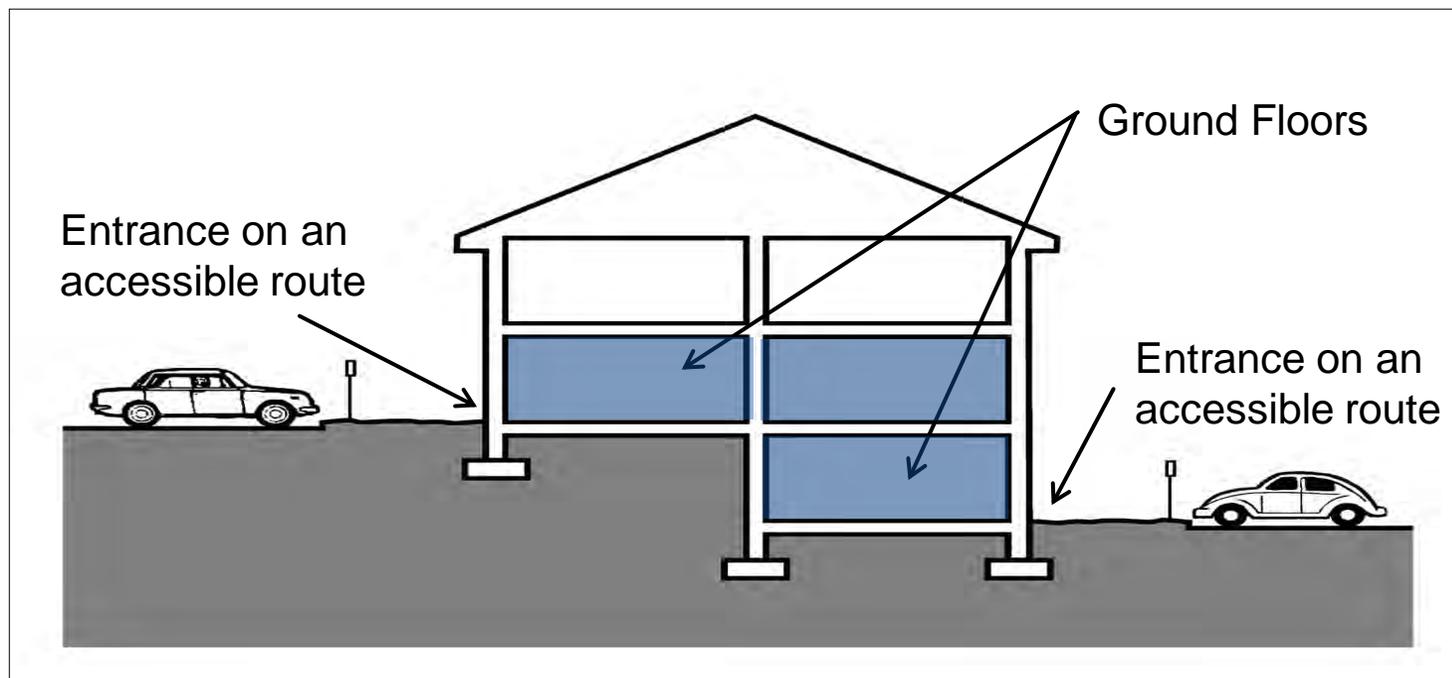
FAIR HOUSING ACT (FHA) COVERED DWELLING UNITS - GROUND FLOOR

- The first level of housing is considered the ground level



FAIR HOUSING ACT (FHA) COVERED DWELLING UNITS - GROUND FLOOR

- Buildings can have two ground floors that both require an entrance on an accessible route



FAIR HOUSING ACT (FHA)

SAFE HARBORS FOR THE FAIR HOUSING ACT

What's A *Safe Harbor*?

A Building Code or Standard identified by the US Department of Housing and Urban Development (HUD) as meeting or exceeding the Fair Housing Accessibility Guidelines.

Recent *Safe Harbor's* Recognized by HUD

- 2012 International Building Code (IBC)
- 2015 International Building Code (IBC)
- 2018 International Building Code (IBC)
- Accessible and Usable Buildings and Facilities ICC A117.1 – 2009 (A117.1 – 2009)

Not *Safe Harbor's* Recognized by HUD

- The 2014 Building Code of NYC
- The 2020 New York State Building Code



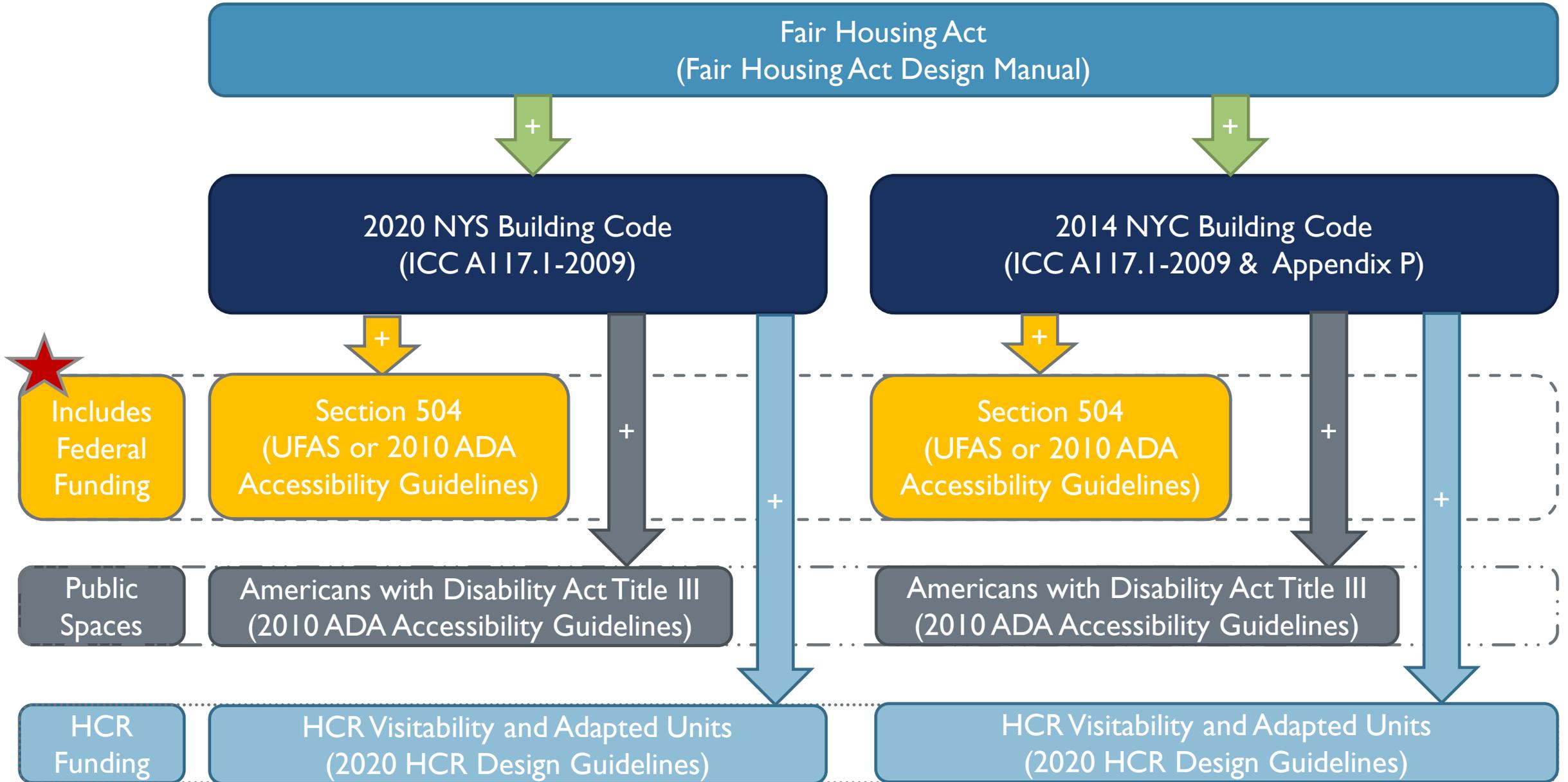
BUILDING CODE

BUILDING CODE

REQUIREMENTS PER BUILDING CODE

- Building Codes containing accessibility requirements:
 - 2020 Building Code of New York State
 - 2020 Existing Building Code of New York State
 - 2014 New York City Building Code
- Building code requirements for housing are typically outlined in Chapter II of the Building Codes
- ICCA 117.1-2009 is the reference standard

SECTION 504 OF THE REHABILITATION ACT



NOTE: Check requirements of other funding sources as well.

SECTION 504 OF THE REHABILITATION ACT OF 1973

APPLICABILITY

- Applicable when there is federal financial assistance in the project (e.g., HUD funds like HOME, Project-Based Vouchers, CDBG, Federal HTF etc.)
- Triggered at new construction for 4+ units OR alterations at 15+ units
- References the Uniform Federal Accessibility Standards (UFAS).
 - Option to use the 2010 ADA Standards but there are 11 items that HUD has indicated are *not equivalent* to UFAS
 - Both UFAS & The 2010 ADA Standards are available on the Access Board web-site: www.access-board.gov
- Accessible Unit Requirements
 - 5% of the units are required to provide Mobility Features (Equitable distribution for type and location)
 - 2% of the units are required to provide Communication Features (Equitable distribution for type and location)
 - HUD can require more
- Note: 504 Compliance is separate than Reasonable Accommodation Requirements

SECTION 504 OF THE REHABILITATION ACT OF 1973 UTILIZING THE 2010 ADA STANDARDS

II AREAS WHERE 2010 ADA STANDARDS ARE NOT AS RESTRICTIVE AS UFAS

1. Scoping for Residential Dwelling Units
2. Structural Impracticability – 28 CFR §35.151
3. Alterations – 28 CFR §35.151
4. Addition – Section 202.2 of the 2010 ADA Standards
5. Alterations Affecting Primary Function Areas – Exception to Section 202.4 of the 2010 ADA Standards
6. Common Use Areas in Residential Facilities – Section 203.8 of the 2010 ADA Standards
7. Employee Work Areas – Section 203.9 of the 2010 Standards, and Similar Sections
8. Vehicular Route Exceptions – Sections 206.2.1 and 206.2.2 of the 2010 Standards
9. Elevator Exception 1 – Section 206.2.3 of the 2010 Standards
10. Washing Machines; Clothes Dryers – Sections 214.2 and 214.3 of the 2010 Standard
11. Visible Alarms – Exception to Section 215.1 of the 2010 Standards

SECTION 504 OF THE REHABILITATION ACT OF 1973

EQUITABLE DISTRIBUTION REQUIREMENT

Sec. 8.26 Distribution of accessible dwelling units.

Accessible dwelling units ... shall, **to the maximum extent feasible and subject to reasonable health and safety requirements, be distributed throughout projects and sites** and shall be available in a **sufficient range of sizes and amenities** so that a qualified individual with [disabilities'] choice of living arrangements is, as a whole, **comparable to that of other persons eligible for housing assistance** under the same program.

This provision **shall not be construed to require provision of an elevator in any multifamily housing project solely for the purpose of permitting location of accessible units above or below the accessible grade level.**

SECTION 504 OF THE REHABILITATION ACT OF 1973

EQUITABLE DISTRIBUTION

FACTORS TO CONSIDER WHEN MEETING EQUITABLE DISTRIBUTION REQUIREMENT

- Area of the Building (proximity to elevators and amenities, views)
- Location obligations in scattered sites
- Floor Considerations
- Unit Types or Lines
- Representing Townhouses
- Amenities (i.e., balconies, bedroom sizes, etc.)
- Feasibility: Mobility vs. Communication Units
- Life Safety & First Floor Locations

HCR VISITABILITY REQUIREMENT

Fair Housing Act
(Fair Housing Act Design Manual)



2020 NYS Building Code
(ICC A117.1-2009)

2014 NYC Building Code
(ICC A117.1-2009 & Appendix P)



Includes
Federal
Funding

Section 504
(UFAS or 2010 ADA
Accessibility Guidelines)

Section 504
(UFAS or 2010 ADA
Accessibility Guidelines)

Public
Spaces

Americans with Disability Act Title III
(2010 ADA Accessibility Guidelines)

Americans with Disability Act Title III
(2010 ADA Accessibility Guidelines)

 HCR
Funding

HCR Visitability and Adapted Units
(2020 HCR Design Guidelines)

HCR Visitability and Adapted Units
(2020 HCR Design Guidelines)

NOTE: Check requirements of other funding sources as well.

HCR VISITABILITY APPLICABILITY

- Visitability criteria are applicable to all projects required to comply with the HCR Design Guidelines.
- Applicable on projects funded through HCR:
 - Multifamily Finance 9% Competitive Process
 - Tax-Exempt Bond and Subsidy Applications (4% Low Income Housing Tax Credit) administered through HFA
 - Other funding programs adopting the Design Guidelines
- Applicable per construction scope:
 - New Construction: All dwelling units connected to an elevator and all first-floor dwelling units without elevator service. This includes multi-level dwelling units.
 - Rehab/Adaptive Reuse: To the *maximum extent feasible*.

HCR VISITABILITY CRITERIA

VISITABILITY REQUIREMENTS

1. An Accessible Route circulation path to the unit without relying on ramps, unless unavoidable due to existing conditions that are impractical to change.
2. At least one 36-inch wide unit entrance or a unit entrance meeting Building Code Type B unit entrance criteria.
3. At least one 36-inch wide interior circulation path, or an accessible route meeting the criteria of ICC A117.1-2009, to all habitable rooms, kitchens and bathrooms on the grade-level floor.
4. At least one half-bath that contains at least a clear floor space of 48-inches minimum long and 30-inches minimum wide positioned outside the door swing and blocking for at least two safety grab bars.

HCR VISITABILITY

COMPARISON TO FHA REQUIREMENTS FOR ACCESSIBLE ROUTE

| HCR Visitability | Fair Housing Act Requirements for covered units | Differences |
|---|--|--|
| Applies to all dwelling units connected to an elevator and all first-floor dwelling units in newly constructed buildings without elevator service. | In buildings with 4 or more dwelling units, applies to all dwelling units connected to an elevator and all first-floor dwelling units in newly constructed buildings without elevator service | HCR Visitability does not except townhouses and has no minimum number of units to trigger compliance |
| Applies to buildings undergoing adaptive reuse or rehabilitation shall comply to the maximum extent feasible with each of the measures below. | | FHA does not apply to rehabilitation |
| a. an Accessible Route circulation path to the unit without relying on ramps, unless unavoidable due to existing conditions that are impractical to change. | At least one building entrance on an accessible route, unless it is impractical to do so because of terrain or unusual characteristics of the site. | FHA does not limit use of ramps |
| b. at least one 36-inch wide unit entrance or a unit entrance meeting Building Code Type B unit entrance criteria. | Section 100.205(c)(2) provides that covered multifamily dwellings with a building entrance on an accessible route shall be designed in such a manner that all the doors designed to allow passage into and within all premises are sufficiently wide to allow passage by handicapped persons in wheelchairs. Note: A 34-inch door, hung in the standard manner, provides an acceptable nominal 32-inch clear opening. This door can be adapted to provide a wider opening by using offset hinges, by removing lower portions of the door stop, or both. Pocket or sliding doors are acceptable doors in covered dwelling units and have the added advantage of not impinging on clear floor space in small rooms. The nominal 32-inch clear opening provided by a standard six-foot sliding patio door assembly is acceptable. | <p>HCR Visitability prefers a 3'0" door to guarantee 32 inch minimum clear width</p> <p>FHA permits a 31 5/8 inch minimum clear width of a door when the door is opened 90 degrees</p> |

HCR VISITABILITY

COMPARISON TO FHA REQUIREMENTS FOR ACCESSIBLE ROUTE

| HCR Visitability | Fair Housing Act Requirements for covered units | Differences |
|---|--|--|
| c. at least one 36-inch wide interior circulation path, or an accessible route meeting the criteria of ICC A117.1-2009, to all habitable rooms, kitchens and bathrooms on the grade-level floor. | Section 100.205(c)(3)(i) provides that all covered multifamily dwellings with a building entrance on an accessible route shall be designed and constructed in such a manner that all premises within covered multifamily dwelling units contain an accessible route into and through the covered dwelling unit. A minimum clear width of 36 inches is provided. | FHA does not apply to multistory (townhouses) units in non-elevator buildings |
| d. at least one half-bath that contains at least a clear floor space of 48-inches minimum long and 30-inches minimum wide positioned outside the door swing and blocking for at least two safety grab bars. | In multistory dwelling units, only those bathrooms on the accessible level are subject to the requirements of section 100.205(c)(3)(iv). Where a powder room is the only facility provided on the accessible level of a multistory dwelling unit, the powder room must comply with provisions of paragraph (a) or paragraph (b). Powder rooms that are subject to the requirements must have reinforcements for grab bars Sufficient maneuvering space is provided within the bathroom for a person using a wheelchair or other mobility aid to enter and close the door, use the fixtures, reopen the door and exit. Doors may swing into the clear floor space provided at any fixture if the maneuvering space is provided. Maneuvering spaces may include any knee space or toe space available below bathroom fixtures. | If the unit is covered by FHA and the only toilet facility on the accessible level is a powder room, the FHA requirements for powder rooms exceed the HCR visitability requirements. |

**HCR ACCESSIBILITY - “FULLY
ACCESSIBLE, ADAPTED,
MOVE-IN READY UNITS”**

HCR ACCESSIBILITY

FULLY ACCESSIBLE AND ADAPTED MOVE-IN READY DWELLING UNITS

- **Applicable only to some projects:**
 - Projects awarded through the Multifamily Finance 9% Competitive RFP, and
 - The applicant committing to providing these units in the application for funding
- **Keyword = AdaptED**
- **General requirements :**
 1. Dwelling units designed and constructed with:
 - At least 5% adapted for persons with a mobility impairment.
 - At least 2% adapted for persons with a hearing or visual impairment.
 2. The mobility-impaired units and the H/V units need to be independent of each other with regards to meeting the required number of fully accessible and adapted, move-in ready units.
 3. These units can be the Section 504 units if Section 504 is also applicable (federally-funded projects), but must meet the requirements of both standards.
 4. Accessible units shall be *equally distributed* among the various dwelling types in the project.

HCR ACCESSIBILITY

FULLY ACCESSIBLE AND ADAPTED MOVE-IN READY DWELLING UNITS

FOR PERSONS WITH A MOBILITY DISABILITY - REQUIREMENTS

- In all cases, these dwelling units shall be move-in ready, with the installation of all grab bars, cabinet pulls, appliances, thresholds, clearances etc., to meet fully adapted standards at the time of initial occupancy.
- Fully accessible and fully adapted to Type A Dwelling Standards in accordance with New York State or New York City Building Code reference standards, as applicable.
- All such dwelling units shall include a fully accessible bathroom with a fully accessible roll-in shower with an attached seat or a fully accessible bathtub with an optional seat.
 - The accessible bathtub shall be designed and built in such a way that the layout and plumbing will readily accommodate the future conversion to a fully accessible roll-in shower with an attached seat which can be requested by resident and adapted at owner's expense.
 - The determination of whether the roll-in shower or bathtub option is selected will be dependent on satisfactory documentation of need, per applicable program requirements.

HCR ACCESSIBILITY

FULLY ACCESSIBLE AND ADAPTED MOVE-IN READY DWELLING UNITS

HEARING OR VISION IMPAIRMENT UNITS (H/V UNITS) - REQUIREMENTS

1. At the time of initial occupancy, dwelling units shall be fully accessible and fully adapted for the hearing and visually impaired in compliance with the 2010 ADA for Units with Communication Features and include additional devices in accordance with the Agency's design standards.
2. Fully accessible and fully adapted shall mean that all devices, components and features are fully installed and operational.
3. Exceptions in the 2010 ADA for existing units do not apply.

Additional devices in accordance with the Agency's design standards:

1. Doorbell requirements
 1. Hardwired unit entry doorbell with A/V features in living room and bedrooms. Need control to allow deactivation of bedroom visual feature.
 2. Audible sound of the doorbell chime. Doorbell sounds that can be confused with a fire, smoke or carbon monoxide (CO) alarm shall not be used.

HCR ACCESSIBILITY

FULLY ACCESSIBLE AND ADAPTED MOVE-IN READY DWELLING UNITS

HEARING OR VISION IMPAIRMENT UNITS (H/V UNITS) - REQUIREMENTS

Additional devices in accordance with the Agency's design standards:

2. Where intercoms are provided, include a system with A/V features
3. Fire/Carbon Monoxide Alarms
 - Smoke Detectors with A/V features.
 - Carbon Monoxide detectors with A/V features
4. Building Fire Alarms
 - Building fire alarm with A/V notification in the living room and bedrooms.
 - Building fire alarm with a visual strobe feature only in the bathroom.
 - Audible alarms are to be avoided [in the bathroom] to prevent undue startling of the occupant; accordingly, audible alarms in the dwelling shall be at a decibel to be readily audible in bathrooms.

NOTE: HCR Design Guidelines also have specific design requirements for senior housing (55+)

HCR ACCESSIBILITY

FULLY ACCESSIBLE AND ADAPTED MOVE-IN READY DWELLING UNITS

HEARING OR VISION IMPAIRMENT UNITS (H/V UNITS) – REQUIREMENTS



Fire alarm/smoke and CO detector strobe



Intercom, doorbell, and phone with A/V features

HCR ACCESSIBILITY COMPARISON TO SECTION 504

- Section 504 allows for adaptability → HCR units require “Accessible Adapted Move-In Ready Units” to already be adapted.
- Visible alarms required in 2% of the units by Section 504 are required to be seen directly or by reflection from any room or space while HCR recommends that audible alarms are to be avoided [in the bathroom] to prevent undue startling of the occupant; accordingly, audible alarms in the dwelling shall be at a decibel to be readily audible in bathrooms.
- While HCR requires hardwired visible notification device to be connected to entry doorbell in living room and bedrooms and need control to allow deactivation of bedroom visual feature, Section 504 (2010 ADA Standards) only requires one visible notification device to be matched with doorbell and only requires deactivation if located in bedroom.
- Section 504 (2010 ADA Standards) does not specify audible sound of the doorbell chime.



OVERLAP OF THE REQUIREMENTS

OVERLAP OF THE REQUIREMENTS

PROJECT EXAMPLES

- EXAMPLE: Project composed entirely of multi-story townhouses with 7 townhouses in a row and no individual elevators. Project has 9% HCR tax credits and other non-federal subsidies, and the applicant did not commit to 5% & 2% Fully Accessible Adapted Move-In Ready Units in the application.
 - Fair Housing Act design and construction requirements do not apply
 - Type B dwelling units are not required per NYS Building Code and NYC Building Code (NYC B+)
 - BUT HCR Visitability Requirements apply to all units

OVERLAP OF THE REQUIREMENTS

PROJECT EXAMPLES

- EXAMPLE: Project composed almost entirely of multi-story townhouses with 5 townhouses in a row and no individual elevators. Project has federal funding (HOME) and 9% HCR tax credits where applicant committed to 5% & 2% Fully Accessible Adapted Move-In Ready Units.
 - 5% of the townhouses/dwelling units will need to be single-story units to meet mobility requirements for accessibility
 - Section 504 5% Mobility and 2% Hearing/Visual disability units, AND
 - HCR Requirements for 5% Mobility and 2% Hearing/Visual “Fully Accessible Adapted Move-In Ready Units” applies, which require units to already be adapted (these 5% and 2% can be the same units as the 504 units as long as they meet both standards)
 - Fair Housing Act design and construction requirements do not apply to multi-story townhouses but do apply to single-story townhouses.
 - Type B dwelling units are not required in the multi-story townhouses per NYS Building Code and NYC Building Code (NYC B+) but are required in the single-story townhouses
 - HCR Visitability Requirements apply to all units
 - ✓ NOTE: Section 504 and HCR Fully Accessible Adapted Move-In Ready Units must be equitably distributed

OVERLAP OF THE REQUIREMENTS

PROJECTS EXAMPLES

- EXAMPLE: Project is located in Albany, NY and consists of an elevated multi-family building with HCR Project-Based Voucher assistance (federal funding) and HCR LIHTCs with an owner commitment to create 10% and 4% Fully Accessible Adapted Move-In Ready Units.
 - Fair Housing Act design and construction requirements DO apply
 - All dwelling units shall be at least Type “B+” (Type A bathroom and enhanced door requirements required by 2020 Building Code of New York State)
 - HCR Visitability applies to all units
 - 10% and 4% built with additional accessibility features pursuant to HCR Design Guidelines for “Fully Accessible Adapted Move-In Ready Units”
 - Of these, 5% and 2% can be the Section 504 units



POLLING QUESTIONS



BREAK!



APPLYING THE REQUIREMENTS – DWELLING UNITS

APPLYING THE REQUIREMENTS

DWELLING UNIT TYPE CHEAT SHEET

| Standard | Fair Housing Act Accessibility Guidelines | 2014 NYC Building Code | 2020 NYS Building Code | Section 504 Rehab Act | | HCR Requirements | |
|----------------------------|---|--|--|--|--|--|--|
| | | | | 2010 ADA Standards | UFAS | Visitability | Fully-Accessible Adapted Move-In Ready |
| Unit type Reference* | B | Type B+NYC units | “B” With NYS Enhancements | More Restrictive Than Type A (in areas indicated below) | More Restrictive Than Type A than A (in areas indicated below) | Less than C | Fully Adapted A (MI) 2010 ADA+ (HVI) |
| Differences from Reference | | Doors Meant for Human Passage Kitchen Counters Kitchen Storage Bathroom Options (I Type A or All Appendix P) | Doors Meant for Human Passage One (Type A) Bathroom | 50% Kitchen Storage is required to be within accessible reach ranges | <u>Bathroom</u> Door Can't Swing Into Required Clear Floor Space of any bathing fixture <u>Kitchen</u> 48 in max cabinet shelf above work surface | Accessible Route to Unit 36” entrance and interior circulation path (or meeting building code) At least 1/2 bath w/ 48x30” clear floor space & grab bar blocking | Mobility Impaired (MI): Fully adapted with roll-in shower or bathtub capable of being adapted to roll-in shower Hearing/Vision Impaired (HVI): Adapted for Units with Comm. Features Add'l HCR Devices |

APPLYING THE REQUIREMENTS

DWELLING UNIT DOORS – ENTRY DOORS

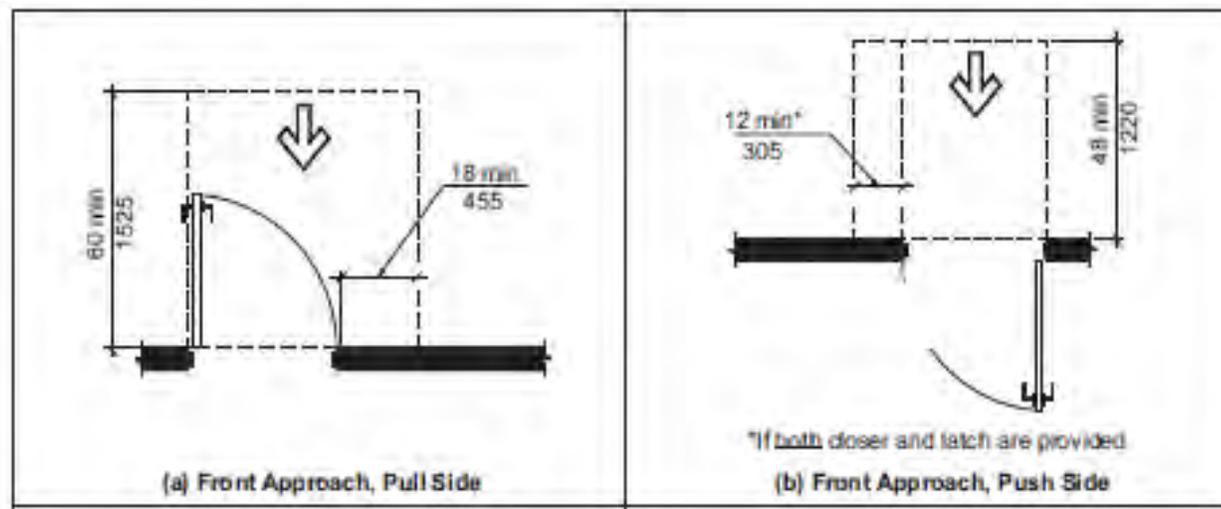
2020 Building Code of New York State

2014 Building Code of New York City

Mortised Hinges permitted on bedroom doors.

UFAS (Uniform Federal Accessibility Standards)

More restrictive than the Fair Housing Accessibility Guidelines as maneuvering clearance is required on pull-side of entry door and *doors meant for human passage*.



APPLYING THE REQUIREMENTS

DWELLING UNIT DOORS – ENTRY DOORS

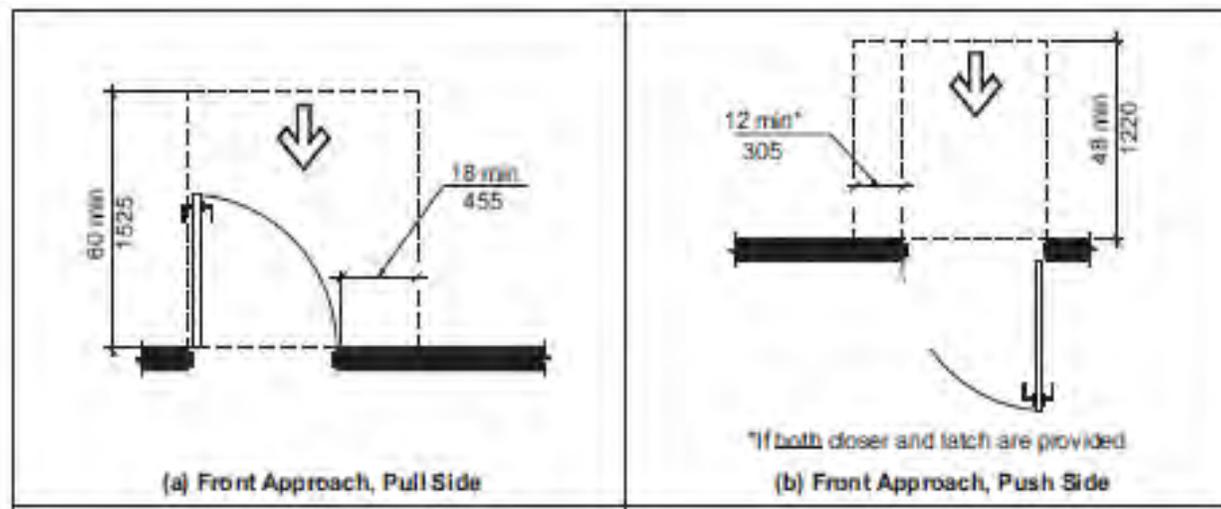
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APPLYING THE REQUIREMENTS

INTERIOR ACCESSIBLE ROUTES

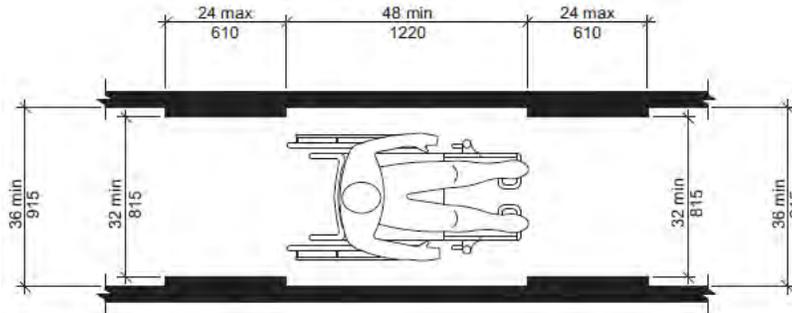
2020 Building Code of New York State

2014 Building Code of New York City

UFAS (Uniform Federal Accessibility Standards)

Fair Housing Accessibility Guidelines

- Accessible Route required to all spaces within the unit
- Exception: Spaces < 24 inches in depth (i.e., shallow closets, juliet balconies)



APPLYING THE REQUIREMENTS

DWELLING UNIT DOORS – INTERIOR DOORS

2020 Building Code of New York State

2014 Building Code of New York City

Mortised Hinges permitted on bedroom doors.

UFAS (Uniform Federal Accessibility Standards)

More restrictive than the Fair Housing Accessibility Guidelines as maneuvering clearance is required on pull-side of entry door and *doors meant for human passage*.

APPLYING THE REQUIREMENTS

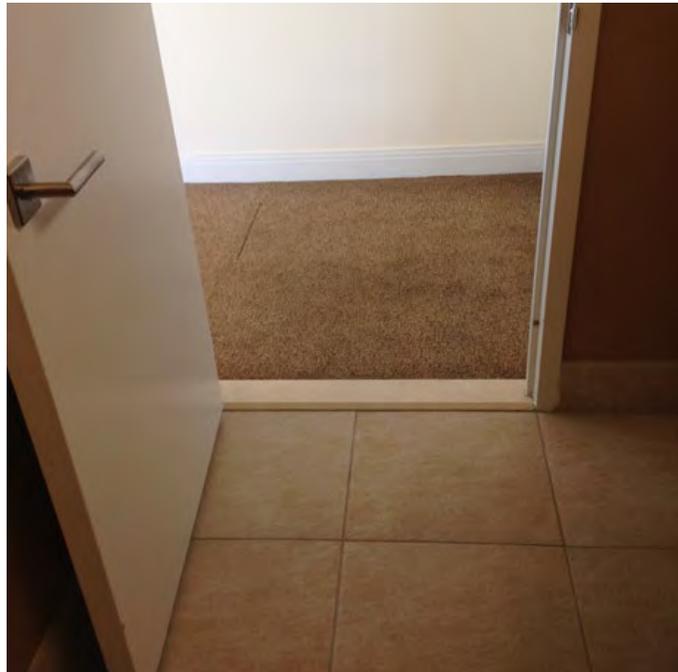
DWELLING UNITS - HCR VISITABILITY REMINDER

- Remember HCR Visitability Requirements!
- For all new construction units on 1st floor and all units served by an elevator, and for rehabs/adaptive reuse to the maximum extent feasible
- Requirements:
 1. An Accessible Route circulation path to the unit without relying on ramps, unless unavoidable due to existing conditions that are impractical to change.
 2. At least one 36-inch wide unit entrance or a unit entrance meeting Building Code Type B unit entrance criteria.
 3. At least one 36-inch wide interior circulation path, or an accessible route meeting the criteria of ICC A117.1-2009, to all habitable rooms, kitchens and bathrooms on the grade-level floor.
 4. At least one half-bath that contains at least a clear floor space of 48-inches minimum long and 30-inches minimum wide positioned outside the door swing and blocking for at least two safety grab bars.

APPLYING THE REQUIREMENTS

DWELLING UNITS - DOORS MEANT FOR HUMAN PASSAGE

- Clear Width (32 inch min vs. nominal)
- Maneuvering Clearances (doors meant for human passage not required by FHA within the unit).
- Deep Closets (> 24 inches require door providing 32 inches of clear width).



APPLYING THE REQUIREMENTS

DWELLING UNITS - CLOSET DOOR WIDTH COMPARISON

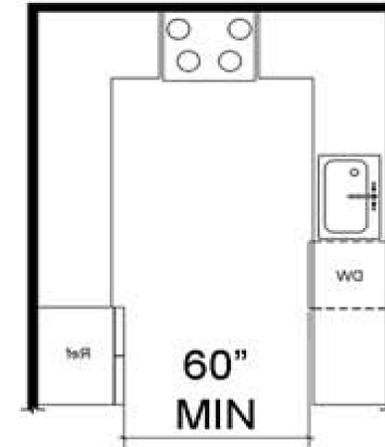
| Fair Housing Act Accessibility Guidelines | 2014 NYC Building Code | 2020 NYS Building Code | A117.1 - 2009 | 2010 ADA Standards | UFAS | HCR Visitable |
|--|------------------------|------------------------|---|---|--|----------------|
| > 24 = 31 ³ / ₄ inch | > 24 = 32 inch | > 24 = 32 inch | Type B > 24 = 31 ³ / ₄ inch Type A > 24 = 32 inch > 48 = Accessible Turning Space | Type A > 24 = 32 inch > 48 = Accessible Turning Space | All = 20 inch minimum > 24 = 32 inch > 24 = Accessible Turning Space | No Requirement |

APPLYING THE REQUIREMENTS

DWELLING UNITS – KITCHEN LAYOUT REQUIREMENTS

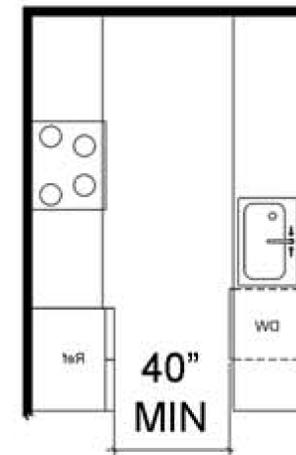
U-Shaped

In kitchens with counters, appliances, or cabinets on three contiguous sides, clearance between all opposing base cabinets, countertops, appliances, or walls within kitchen work areas shall be 60 inches (1525 mm) minimum.



Galley

Clearance between all opposing base cabinets, counter tops, appliances, or walls within kitchen work areas shall be 40 inches (1015 mm) minimum.



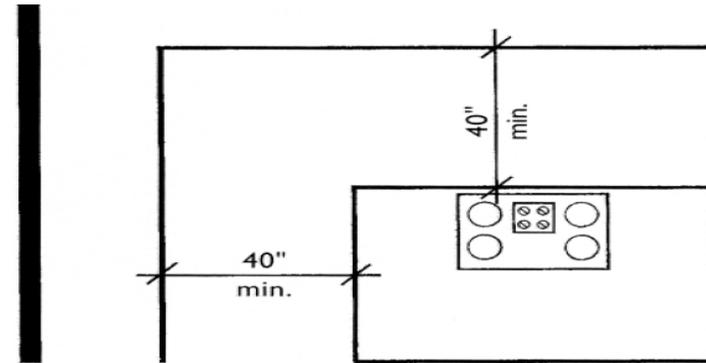
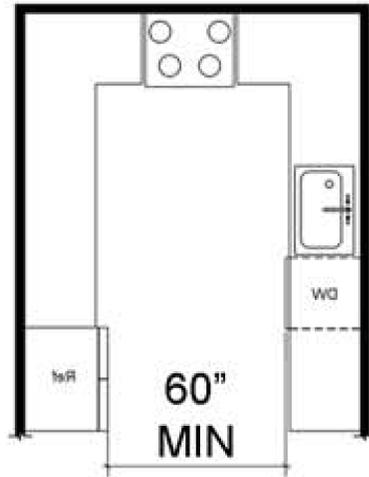
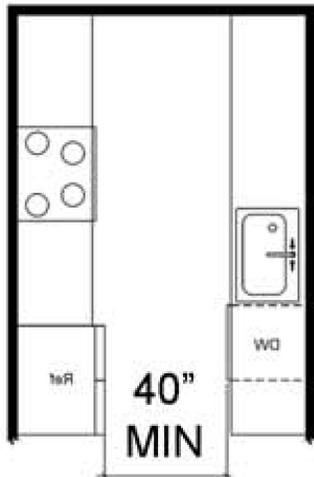
APPLYING THE REQUIREMENTS

DWELLING UNITS – KITCHEN LAYOUT REQUIREMENTS

2020 Building Code of New York State

2014 Building Code of New York City

UFAS (Uniform Federal Accessibility Standards)



**40" Must Be Maintained
Between Island and all Opposing Features**

More restrictive than Fair Housing Act Accessibility Standards because a clearance of 40" or 60" is always required *between* opposing base cabinets, countertops, appliances, or walls.

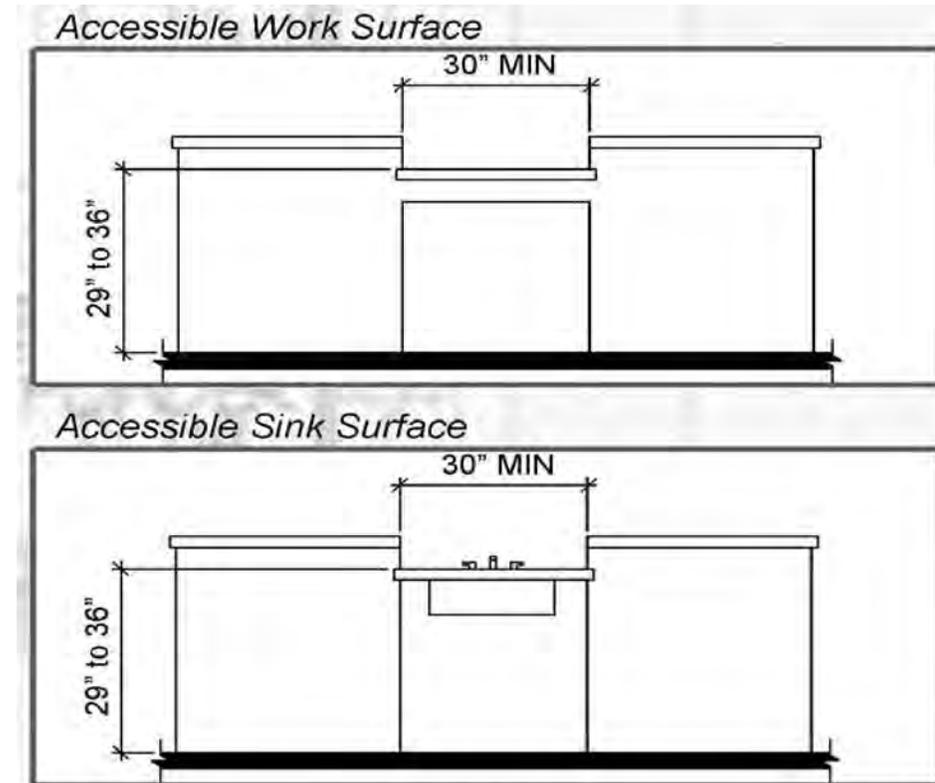
APPLYING THE REQUIREMENTS

DWELLING UNITS – KITCHEN WORK SURFACE & SINK REQUIREMENTS

2014 Building Code of New York City

UFAS (Uniform Federal Accessibility Standards)

More restrictive than Fair Housing Act Accessibility Standards and 2020 Building Code of New York State because forward approach is required to 30 inch minimum wide portion of accessible work surface and sink.

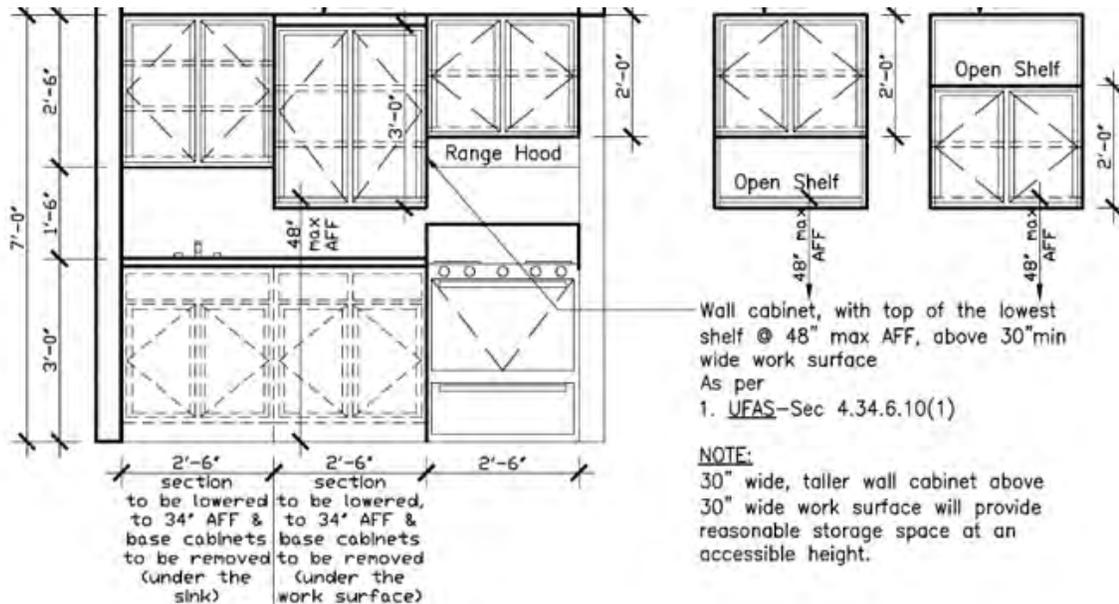


APPLYING THE REQUIREMENTS

DWELLING UNITS - KITCHEN CABINET HEIGHTS & STORAGE SHELVES

2014 Building Code of New York City

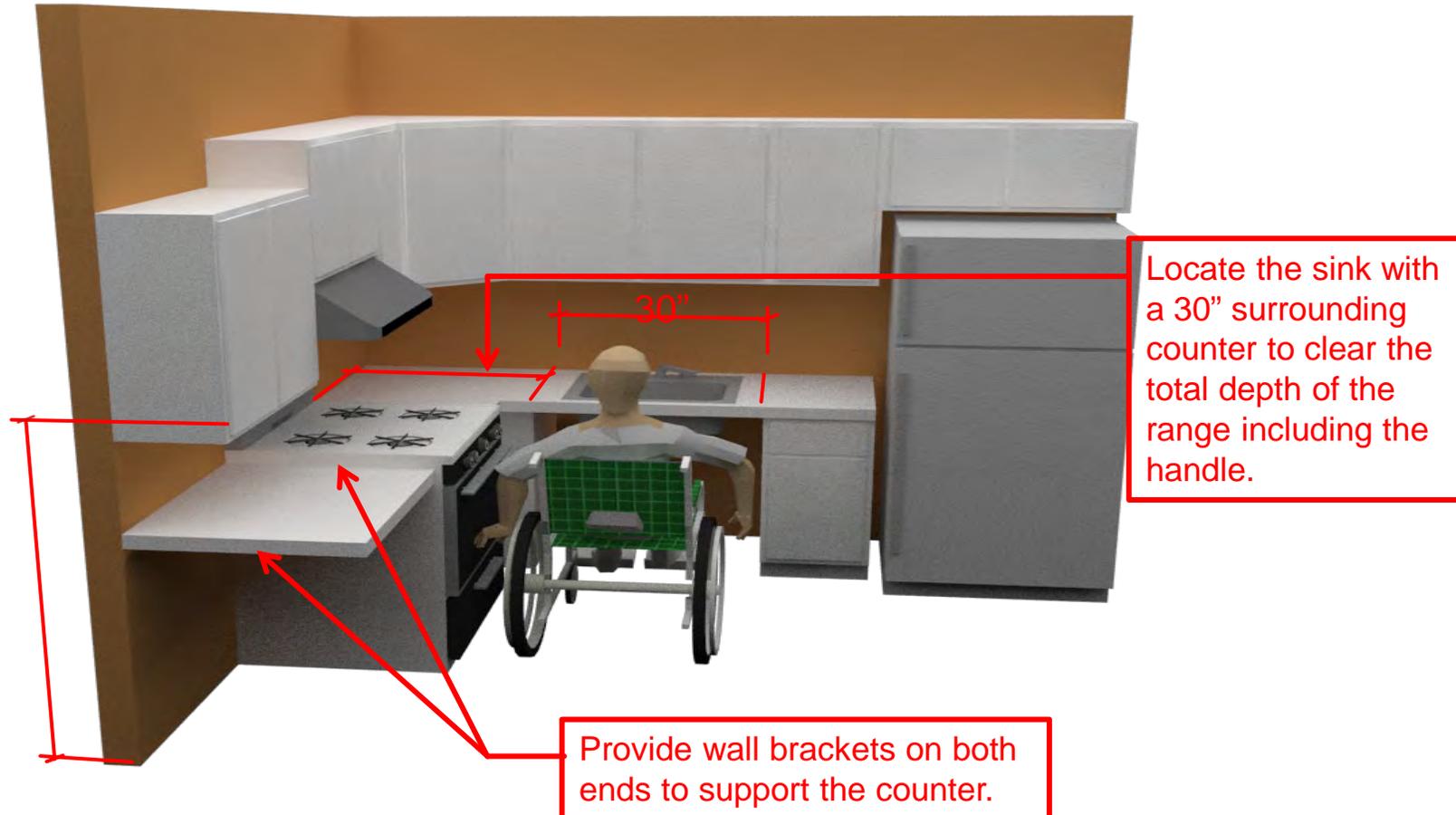
UFAS (Uniform Federal Accessibility Standards)



More restrictive than Fair Housing Act Accessibility Standards and 2020 Building Code of New York State because a shelf 48 inches maximum AFF is required to be installed above the work surface.

APPLYING THE REQUIREMENTS

DWELLING UNITS - KITCHEN



APPLYING THE REQUIREMENTS

DWELLING UNITS - KITCHEN REACH RANGE

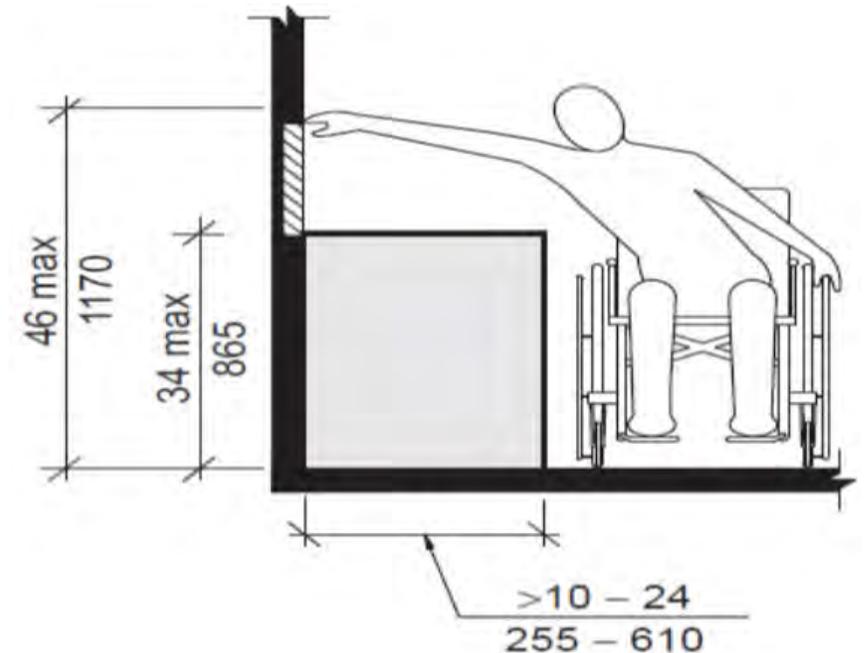
UFAS (Uniform Federal Accessibility Standards)

Requires a 34 inch maximum counter height, with 24 inch maximum counter depth (like public and common-use kitchens).

2020 Building Code of New York State

Fair Housing Act Accessibility Guidelines

Permits a 36 inch maximum high counter with 25 ½ inch counter depth.



APPLYING THE REQUIREMENTS

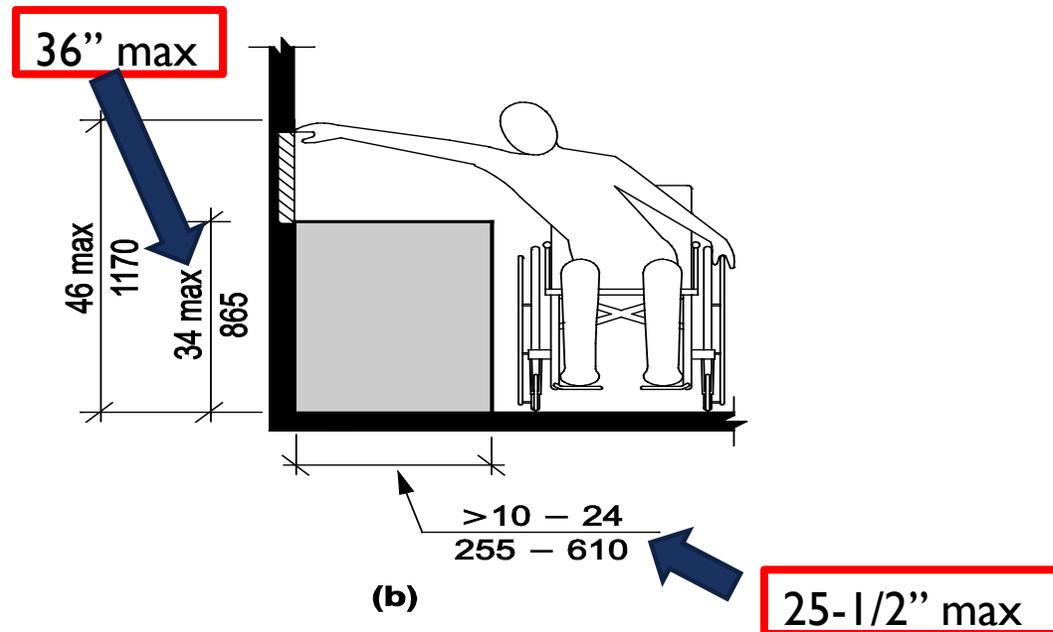
DWELLING UNITS - KITCHENS REACH RANGE

2014 Building Code of New York City

2020 Building Code of New York State

Fair Housing Act Accessibility Guidelines

Permits a 36 inch maximum high counter with 25 1/2 inch counter depth

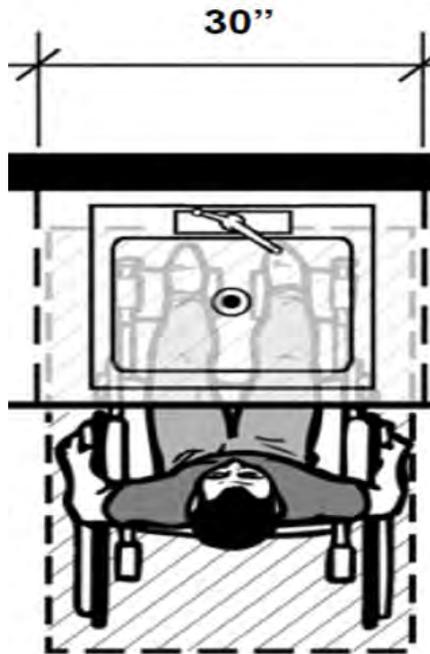


APPLYING THE REQUIREMENTS

DWELLING UNITS – KITCHENS SINK AND WORK SURFACE

UFAS (Uniform Federal Accessibility Standards)

Requires 30 inch by 48 inch clear floor space centered for forward approach beneath work surface, sink.



APPLYING THE REQUIREMENTS

DWELLING UNITS - KITCHENS CLEAR FLOOR SPACE

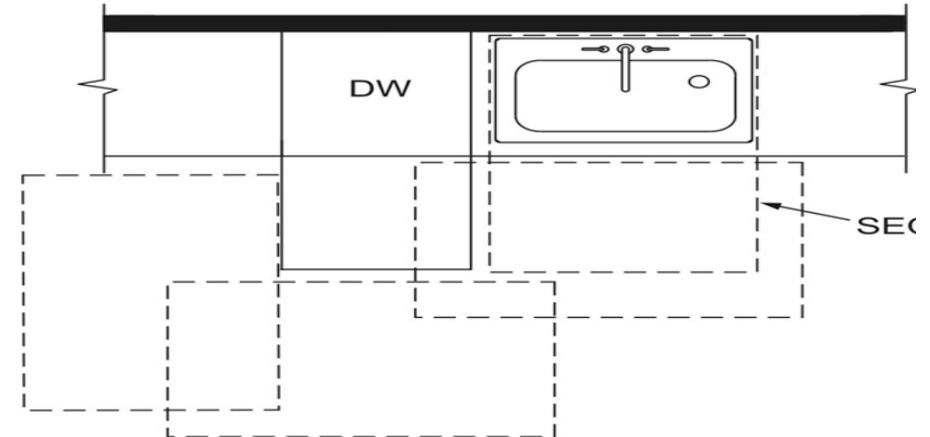
2020 Building Code of New York State

Requires 30 inch by 48 inch clear floor space **centered** for parallel approach at sink, oven, refrigerator, dishwasher, but allows the clear floor space to be off-set from the centerline of refrigerator, dishwasher.



Fair Housing Act Accessibility Guidelines

Requires 30 inch by 48 inch clear floor space **centered** for parallel approach at sink, oven, refrigerator, dishwasher.



APPLYING THE REQUIREMENTS

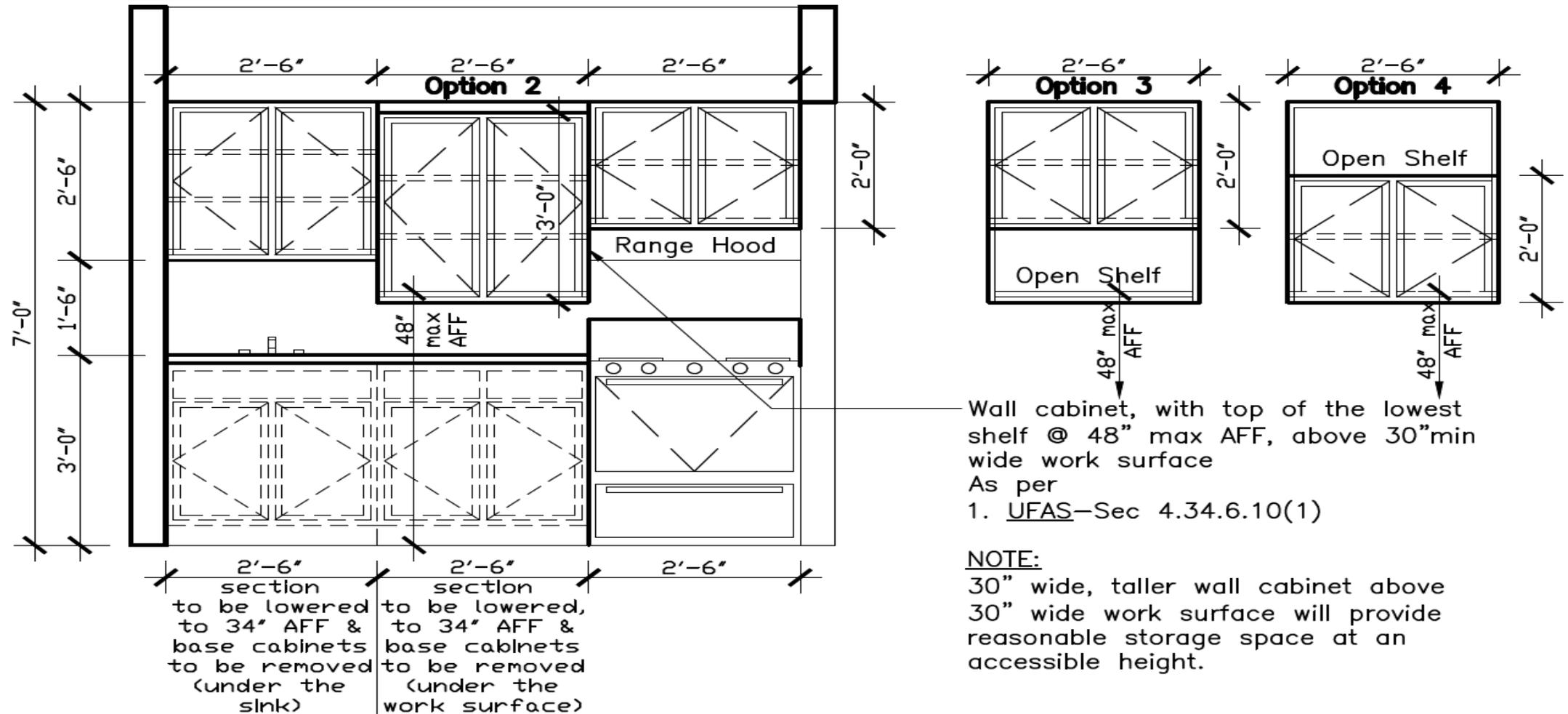
DWELLING UNITS - KITCHENS CLEAR FLOOR SPACE



APPLYING THE REQUIREMENTS

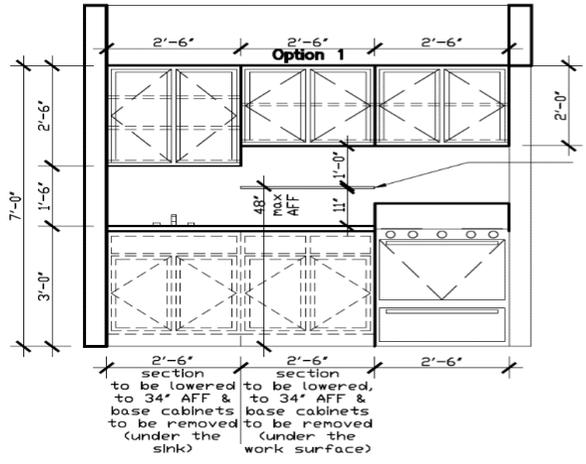
DWELLING UNITS - KITCHEN CABINET HEIGHTS & STORAGE SHELVES

OPTION 2, 3 & 4:



APPLYING THE REQUIREMENTS DWELLING UNITS - KITCHEN CABINET HEIGHTS & STORAGE SHELVES

OPTION 1:

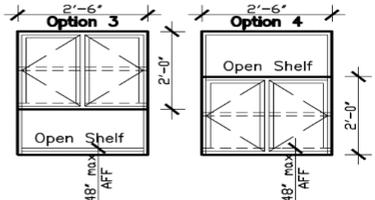
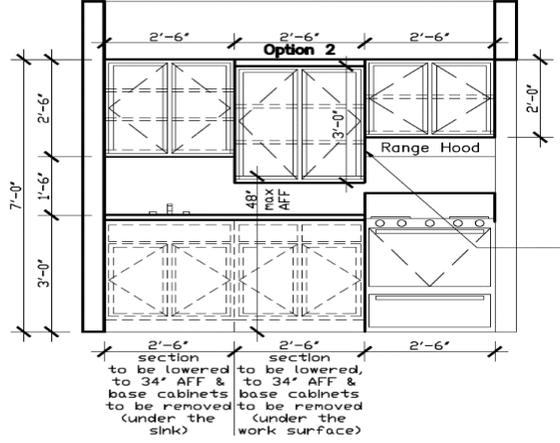


NOTE:
In all Non-UFAS units provide additional reinforcement for future lowering of the wall cabinet @ 48" max AFF
As per
1. BC-Sec 1107.2.3.5

Top of Shelf @ 48" max AFF above 30" min wide work surface
As per
1. UFAS-Sec 4.34.6.10(1)

NOTE:
30" wide shelf above 30" wide work surface @ 48" max AFF, with 9" to 12" clear storage height & same depth as wall cabinets, will provide reasonable storage space at an accessible height

OPTION 2, 3 & 4:



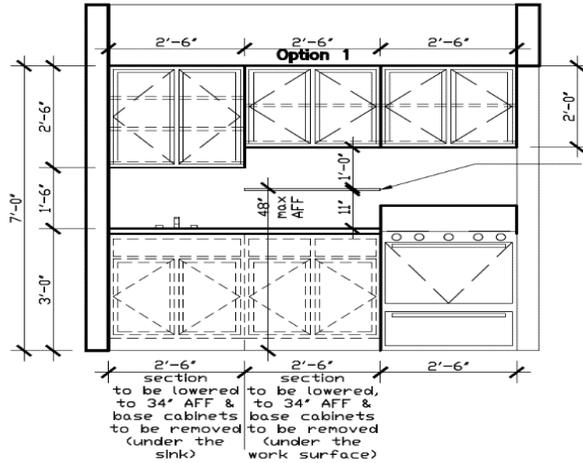
Wall cabinet, with top of the lowest shelf @ 48" max AFF, above 30" min wide work surface
As per
1. UFAS-Sec 4.34.6.10(1)

NOTE:
30" wide, taller wall cabinet above 30" wide work surface will provide reasonable storage space at an accessible height.

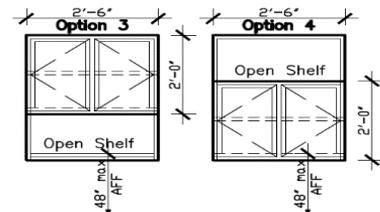
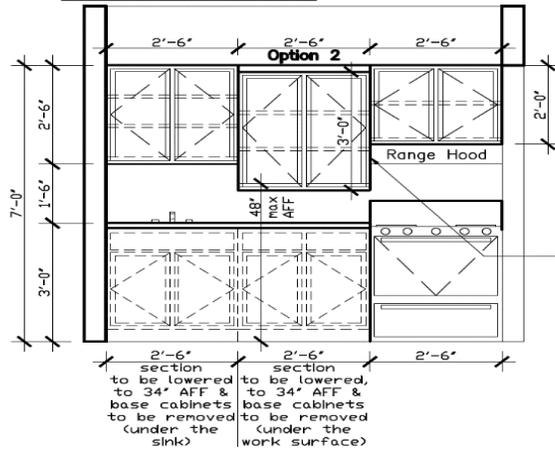


APPLYING THE REQUIREMENTS DWELLING UNITS - KITCHEN

OPTION 1:



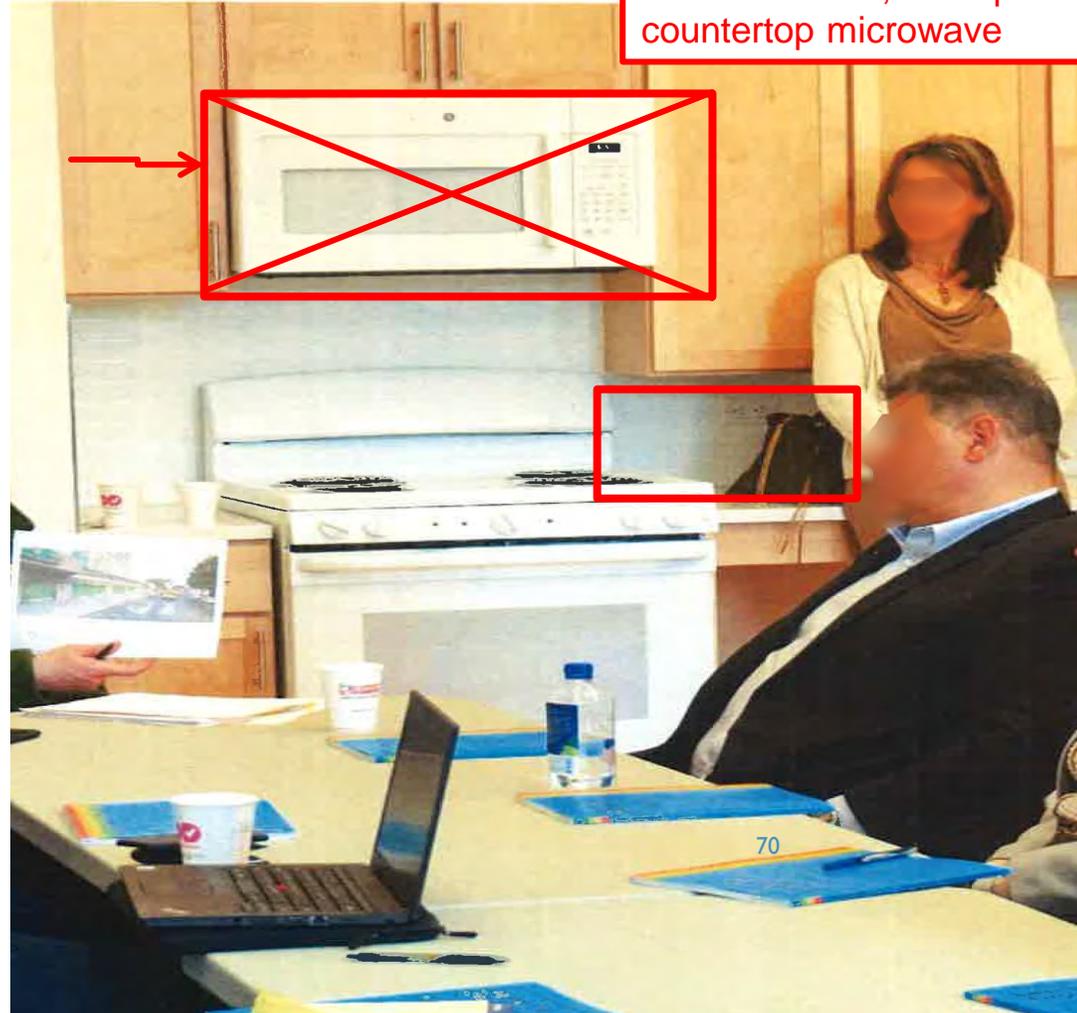
OPTION 2, 3 & 4:



NOTE:
Wall cabinet, with top of the lowest shelf @ 48" max AFF, above 30" min wide work surface
As per
1. UFAS-Sec 4.34.6.10(1)

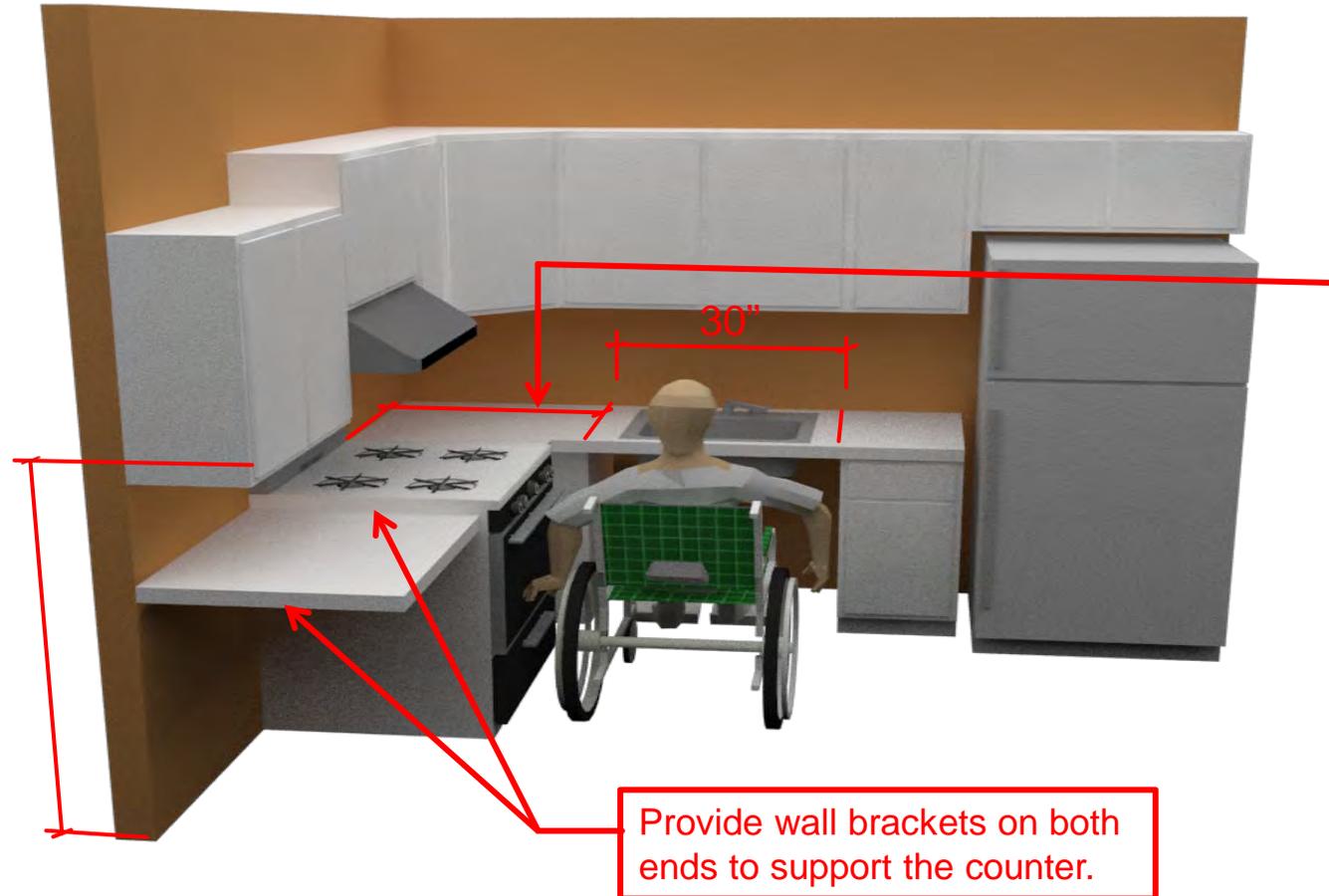
NOTE:
30" wide, taller wall cabinet above 30" wide work surface will provide reasonable storage space at an accessible height.

Not accessible, must provide a countertop microwave



APPLYING THE REQUIREMENTS

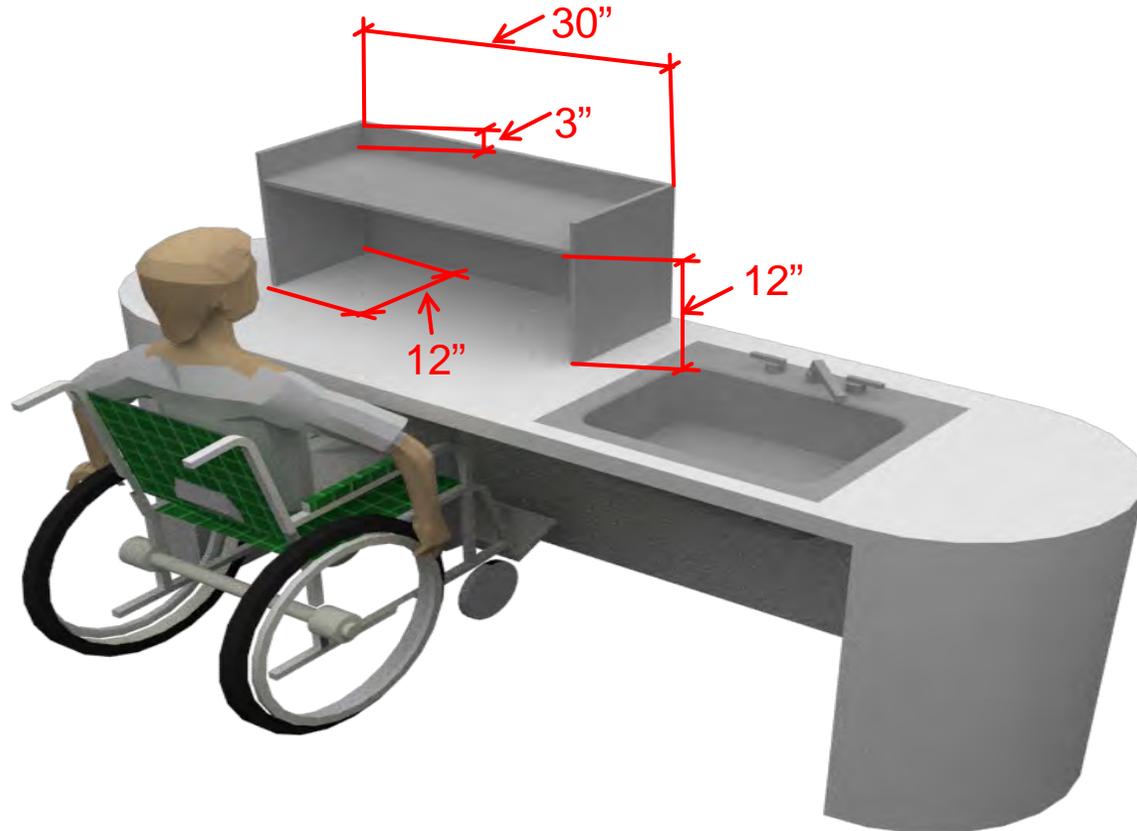
DWELLING UNITS - KITCHEN



APPLYING THE REQUIREMENTS

DWELLING UNITS - KITCHEN

- Shelf on Top of **Work Surface (Island)**



APPLYING THE REQUIREMENTS

DWELLING UNIT KITCHEN - HCR REQUIREMENTS

ADDITIONAL ACCESSIBILITY REQUIREMENTS PER HCR DESIGN GUIDELINES

- Provide D-shaped handles on cabinetry in accessible/adaptable units.
- Kitchen ranges in all accessible/adaptable dwelling units and those for seniors shall be provided with front controls.
- Provide control knobs that have set points that can be sensed by the visually impaired.

APPLYING THE REQUIREMENTS

DWELLING UNITS - OPERABLE PARTS

All Operable parts meet clear floor space.

UFAS (Uniform Federal Accessibility Standards) 2020 Building Code of New York State.

Requires circuit-breaker (load-centers) to be located within accessible reach ranges.



APPLYING THE REQUIREMENTS

DWELLING UNITS - HEIGHTS OF SWITCHES AND OUTLETS

Operable Controls

48" Max

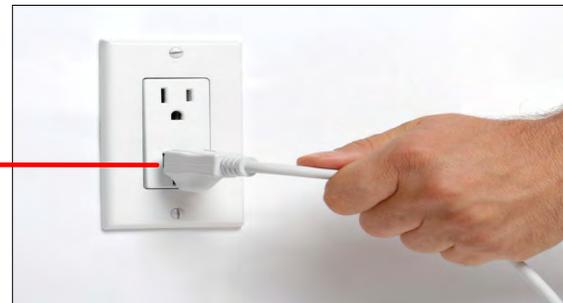


Outlet over a kitchen counter

46" Max



15" Min.



Wall Outlet

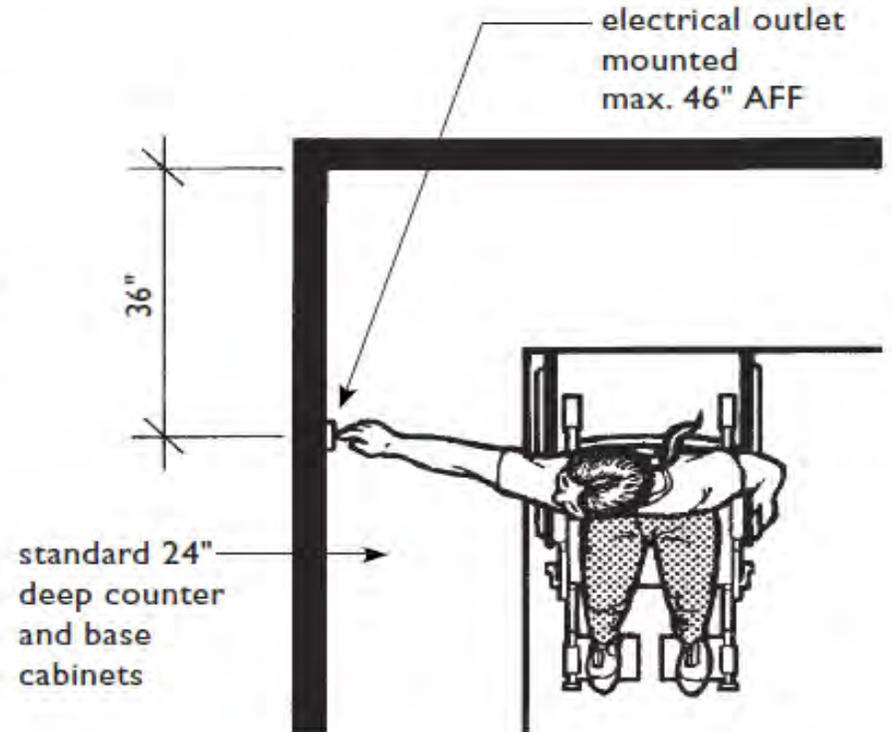
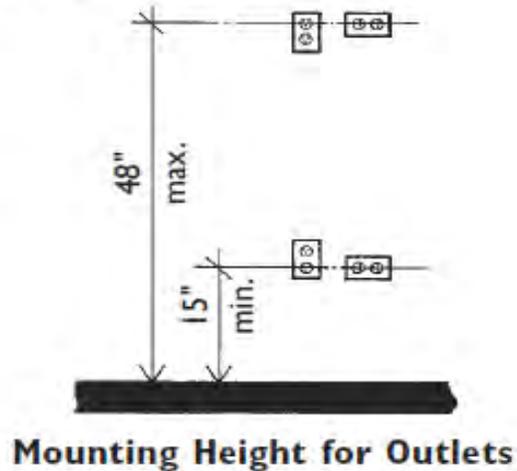
Also includes breaker switches on electrical panels in dwelling units.

APPLYING THE REQUIREMENTS

DWELLING UNITS - HEIGHTS OF SWITCHES AND OUTLETS

MOUNTING LOCATIONS FOR OUTLETS

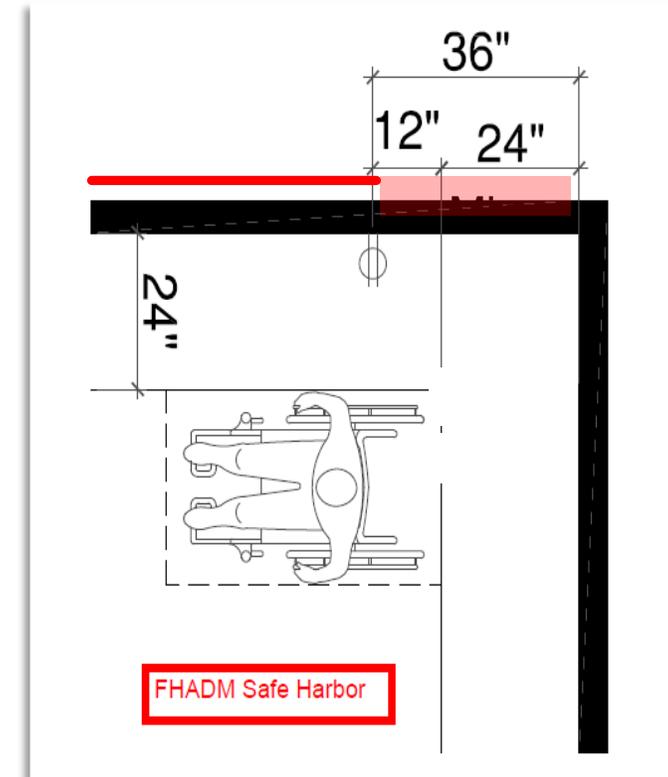
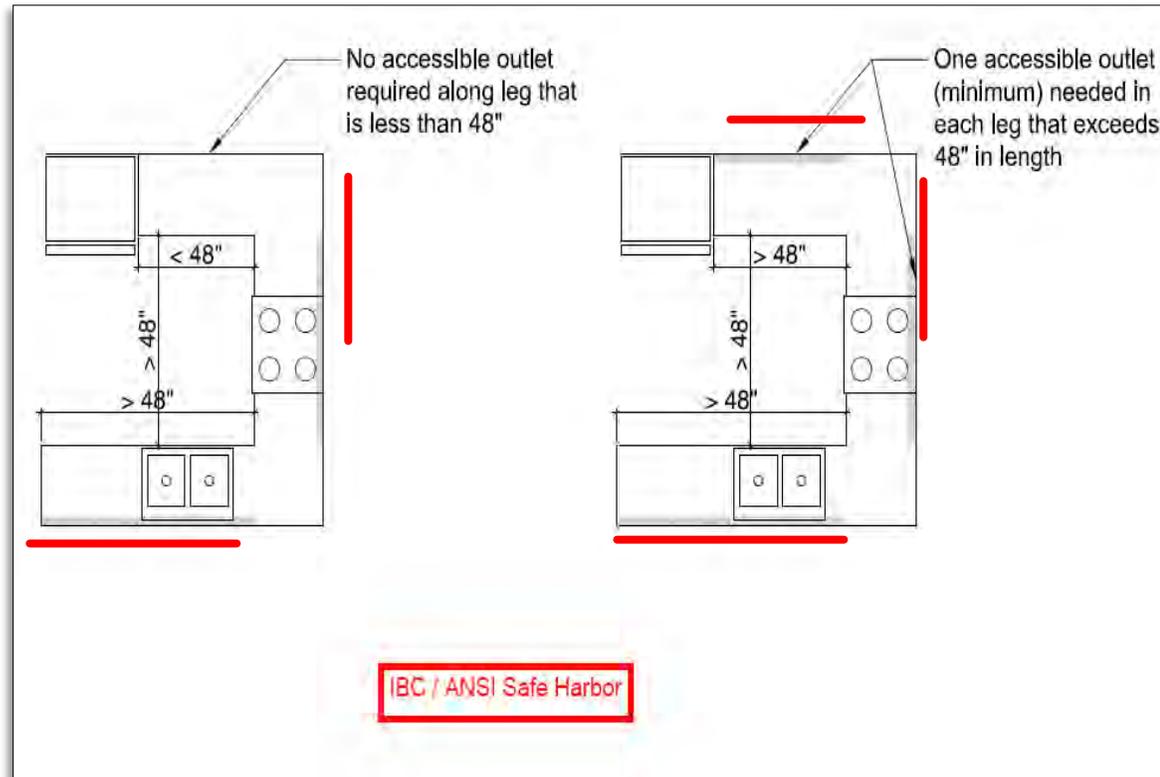
For accessible controls and outlets, all operable parts must be within the ranges specified above. When electrical outlets are installed horizontally or vertically, duplex outlets must have both receptacles within the reach range. Measurements are made as illustrated below.



Electrical Outlets on Walls Over Cabinets Must Be a Minimum of 36" from a Corner

APPLYING THE REQUIREMENTS

DWELLING UNITS - PLAN LOCATIONS OF SWITCHES AND OUTLETS



APPLYING THE REQUIREMENTS

DWELLING UNITS - ELECTRICAL REFERENCES

- **Thermostat:**
 - 48 inch max AFF to highest operable part.
- **Intercom:**
 - 48 inch max AFF to highest operable part.
- **Light switches:**
 - 48 inch max AFF to highest operable part in “on” position.
- **Wall Receptacles:**
 - 15 inch min AFF to centerline of lowest receptacle (or 18 inches min to centerline of box)
 - 48 inch max AFF to centerline of highest receptacle.
- **Bathroom Receptacles:**
 - 44 inch max AFF (preferred) to centerline of highest receptacle.
 - 12 inch min from any obstruction.
 - 12 inch max from leading edge of vanity counter if on side wall.
- **Receptacles behind Kitchen counters:**
 - 46 inch max AFF to centerline of highest receptacle.
 - 12 inch min from any obstruction. (including Refrigerator)
 - 36 inch min from corners
 - 46 inch max AFF to “on” position of redundant controls for Range Hood (Accessible/Type A Units)
 - 24 inch maximum depth between leading edge of countertop and receptacles/switches located on kitchen backsplash wall (in Accessible, Type A and Common Area Kitchenettes)

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

All

Reinforcement required around water closets, within bathing fixtures in all bathrooms within the unit

UFAS (Uniform Federal Accessibility Standards)

Door cannot swing into clear floor space of any fixture

2020 Building Code of New York State

One Type A Bathroom required in unit

Fair Housing Act Accessibility Guidelines

30 inch by 48 inch clear floor space required (beyond in-swinging bathroom door swing)

HCR Visitability Requirement

Requirements will also achieve compliance with HCR Visitability Requirements

At least one half-bath that contains at least a clear floor space of 48-inches minimum long and 30-inches minimum wide positioned outside the door swing and blocking for at least two safety grab bars.

HCR Fully Accessible Adapted Move-In Ready Units

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

Fair Housing Act Accessibility Guidelines

At least one toilet and bathing facility in the dwelling units must be constructed in accordance with Specification B – OR –

All toilet and bathing facilities shall be constructed in accordance with Specification A.

Type B Unit Option B and Option A Bathrooms in the ANSI Standard are equivalent to Specification B and Specification A Bathrooms in the FHA Design Manual.

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

2014 Building Code of New York City

- At least one Type A Bathrooms

- OR -

- All Appendix P Bathrooms

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

| Type A | Appendix P |
|--|---|
| Accessible Turning Space | Not required |
| Maneuvering Clearance on Pull-Side of Bathroom Door | Not required |
| Reinforcement for 42 inch grab bar to begin 12 inches from rear wall | Reinforcement 24 inches minimum in length, located 12 inches maximum from the rear wall |
| Toilet paper dispenser 24 inches minimum, 42 inches maximum from rear wall | Toilet paper dispenser 24 inches minimum, 42 inches maximum from rear wall |
| Removable Base Cabinets beneath lavatory for forward approach | Removable Base Cabinets beneath lavatory for forward approach |

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

| Type A | Appendix P |
|---|---|
| Mirror above lavatory 40 inch reflecting surface | Mirror above lavatory 40 inch reflecting surface |
| Bathtub with off-set controls | Bathtub with off-set controls |
| 30 inch by 60 inch minimum roll-in shower | 30 inch by 60 inch minimum roll-in shower |
| Alternate Roll-In Shower | Alternate Roll-In Shower and 24 to 36 inch parallel wall can be used for future installation of grab bars |
| 36 inch by 36 inch absolute transfer shower dimension | 36 inch by 36 inch absolute transfer shower dimension |

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

2014 Building Code of New York City

2020 Building Code of New York State

Uniform Federal Accessibility Standard (UFAS)

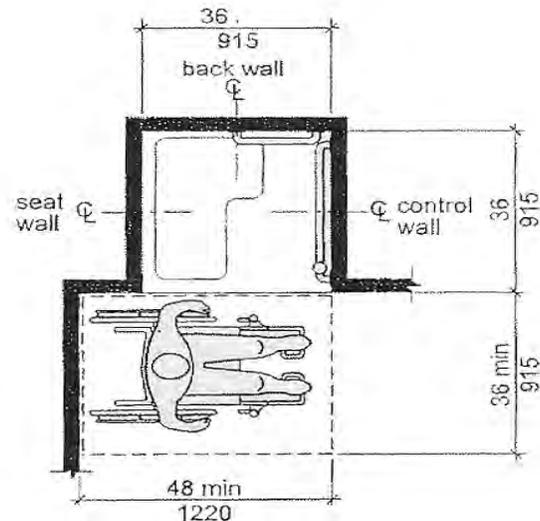


Fig. 608.2.1

Transfer-Type Shower Compartment
Size and Clearance

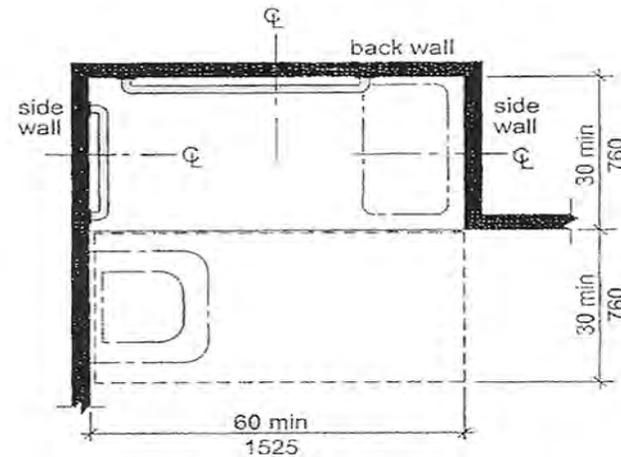
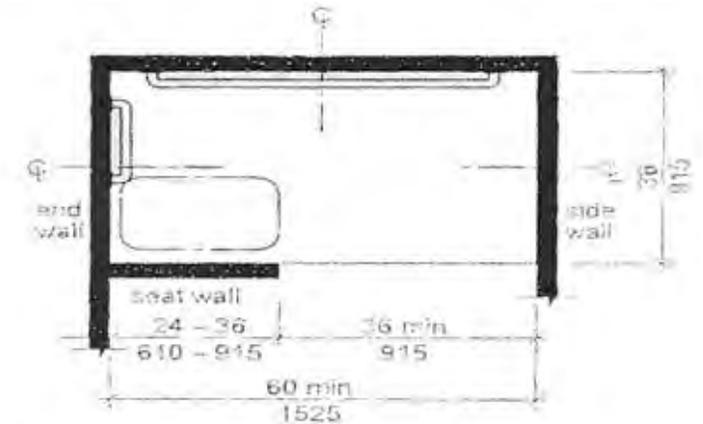


Fig. 608.2.2

Standard Roll-in-Type Shower Compartment
Size and Clearance



Note: inside finished dimensions measured at the center points of opposing sides

Fig. 608.2.3

Alternate Roll-in-Type Shower Compartment
Size and Clearance

Fair Housing Act Accessibility Guidelines

APPLYING THE REQUIREMENTS DWELLING UNITS - BATHROOMS

2014 Building Code of New York City

2020 Building Code of New York State

Uniform Federal Accessibility Standard (UFAS)

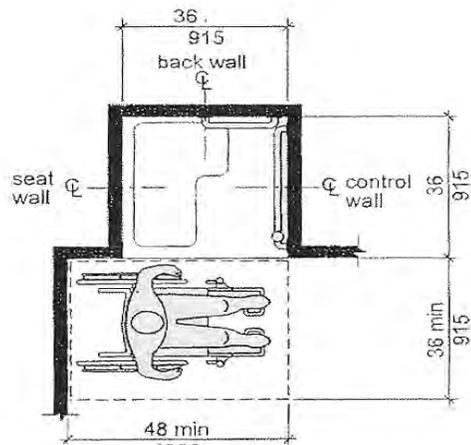


Fig. 608.2.1

Transfer-Type Shower Compartment
Size and Clearance

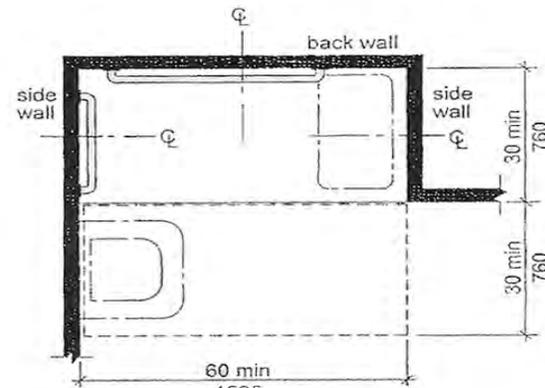


Fig. 608.2.2

Standard Roll-in-Type Shower Compartment
Size and Clearance

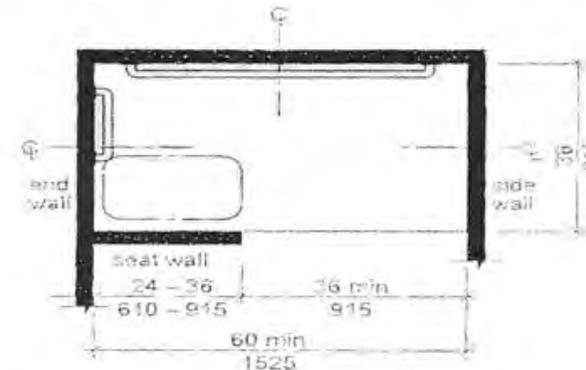
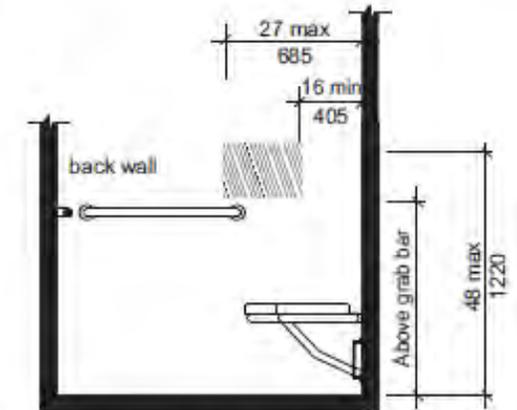


Fig. 608.2.3

Alternate Roll-in-Type Shower Compartment
Size and Clearance



With Seat

FIG. 608.4.2
STANDARD ROLL-IN-TYPE SHOWER
CONTROL AND HANDSHOWER LOCATION

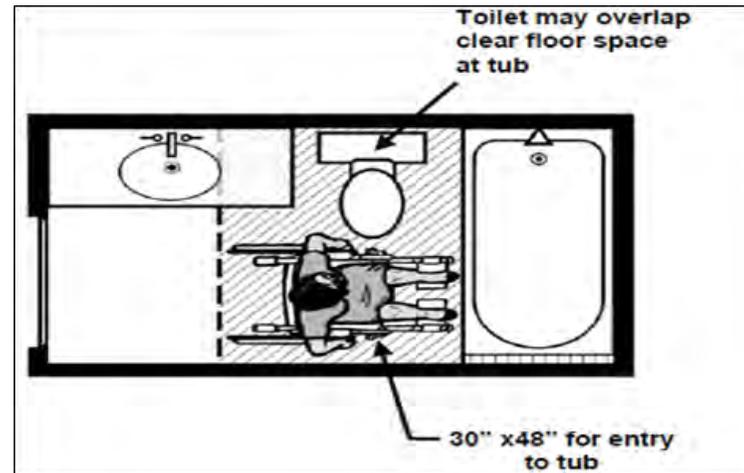
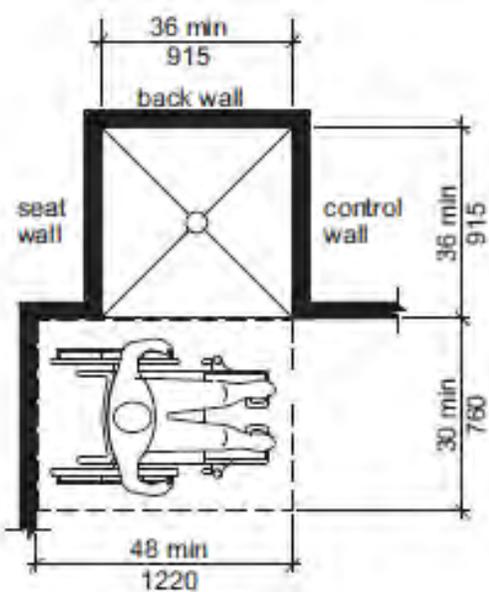
APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS

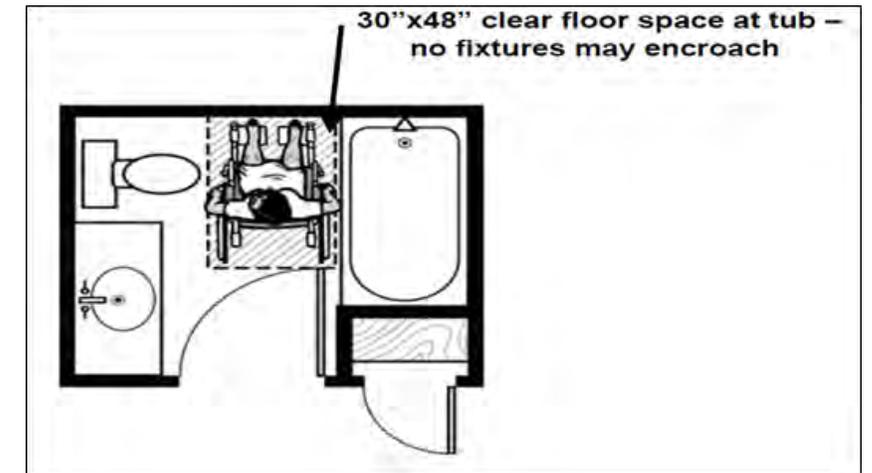
2014 Building Code of New York City

2020 Building Code of New York State

Uniform Federal Accessibility Standard (UFAS)



Spec. A

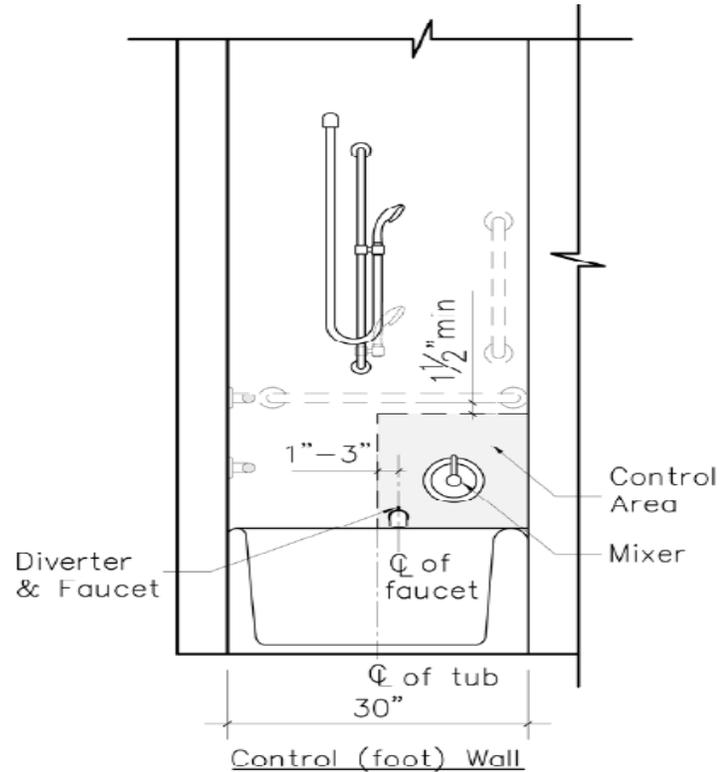


Spec. B

Fair Housing Act Accessibility Guidelines

APPLYING THE REQUIREMENTS

DWELLING UNITS - BATHROOMS



Note:

Control Area— Controls shall be provided on an end wall located between the bathtub rim & grab bar, and between the open side of the bathtub & the centerline of the width of the bathtub.

(including diverter)

1. BC—Sec P102.9.1
ICC—Sec 607.5
2. UFAS—Sec 4.34.5.4(4) & Fig 34



APPLYING THE REQUIREMENTS

DWELLING UNITS - LAUNDRY

UFAS (Uniform Federal Accessibility Standards)

Accessible Route

Operable parts with accessible reach ranges

2020 Building Code of New York State

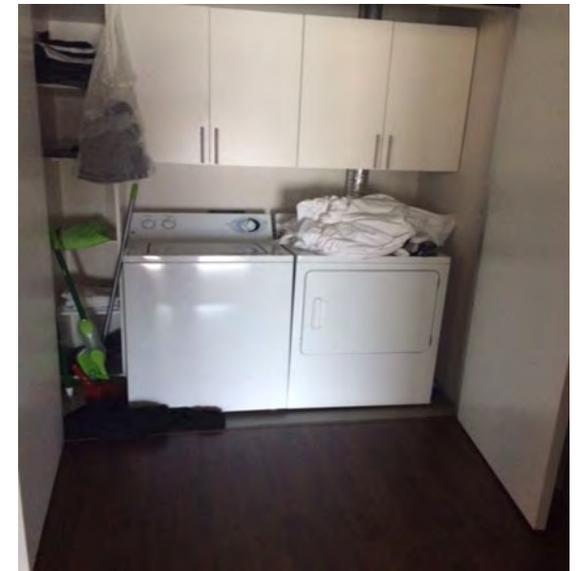
2014 Building Code of New York City

Accessible route

Permitted to be off-set from centerline of appliance

Fair Housing Act Accessibility Guidelines

Accessible Route



APPLYING THE REQUIREMENTS

DWELLING UNITS - WINDOWS

UFAS (Uniform Federal Accessibility Standards)

2020 Building Code of New York State

Fair Housing Act Accessibility Guidelines

Accessible Route.

2014 Building Code of New York City

Hardware to be provided within accessible reach ranges within ten (10) days of request.

APPLYING THE REQUIREMENTS

DWELLING UNIT TYPE CHEAT SHEET

| Standard | Fair Housing Act Accessibility Guidelines | 2014 NYC Building Code | 2020 NYS Building Code | Section 504 Rehab Act | | HCR Requirements | |
|----------------------------|---|--|--|--|--|--|---|
| | | | | 2010 ADA Standards | UFAS | Visitability | Fully-Accessible Adapted Move-In Ready |
| Unit type Reference* | B | Type B+NYC units | “B” With NYS Enhancements | More Restrictive Than Type A (in areas indicated below) | More Restrictive Than Type A than A (in areas indicated below) | Less than C | Fully Adapted A (MI) 2010 ADA+ (HVI) |
| Differences from Reference | | Doors Meant for Human Passage Kitchen Counters Kitchen Storage Bathroom Options (I Type A or All Appendix P) | Doors Meant for Human Passage One (Type A) Bathroom | 50% Kitchen Storage is required to be within accessible reach ranges | <u>Bathroom</u> Door Can't Swing Into Required Clear Floor Space of any bathing fixture <u>Kitchen</u> 48 in max cabinet shelf above work surface | Accessible Route to Unit 36” entrance and interior circulation path (or meeting building code) At least ½ bath w/ 48x30” clear floor space & grab bar blocking | Mobility Impaired (MI): Fully adapted with roll-in shower or bathtub capable of being adapted to roll-in shower Hearing/Vision Impaired (HVI): Adapted for Units with Comm. Features Addt'l HCR Devices |



POLLING QUESTIONS



BREAK!



APPLYING THE REQUIREMENTS – COMMON SPACES



REQUIREMENT ONE: ACCESSIBLE BUILDING ENTRANCE ON AN ACCESSIBLE ROUTE

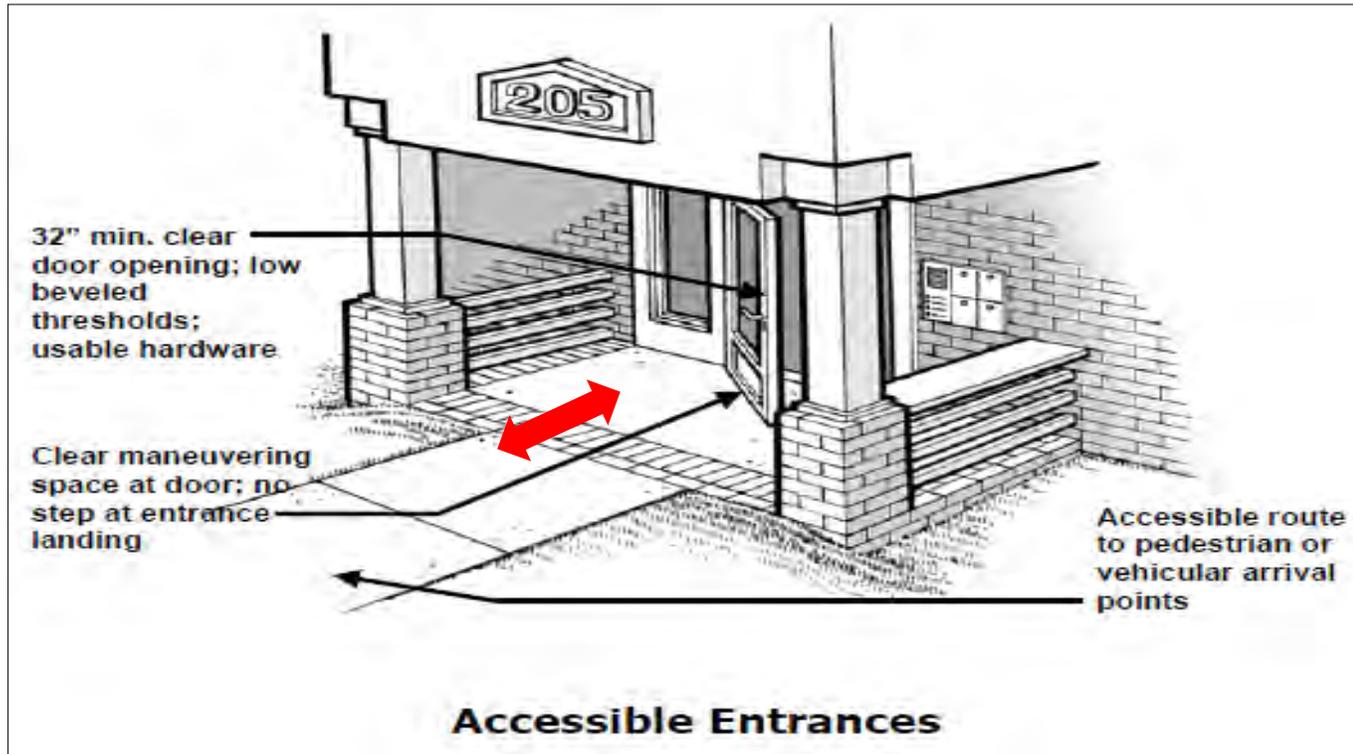
APPLYING THE REQUIREMENTS

COMMON SPACES

- Curb ramp with compound slopes must have route around them.
- No cross slopes allowed over 2%.
- Vehicles are not permitted to overhang of accessible routes
- Sidewalks over 5% slope become ramps. Handrails required on both sides of ramp after 6' run.
- Edge protection must be available along accessible routes per ANSI 405.9

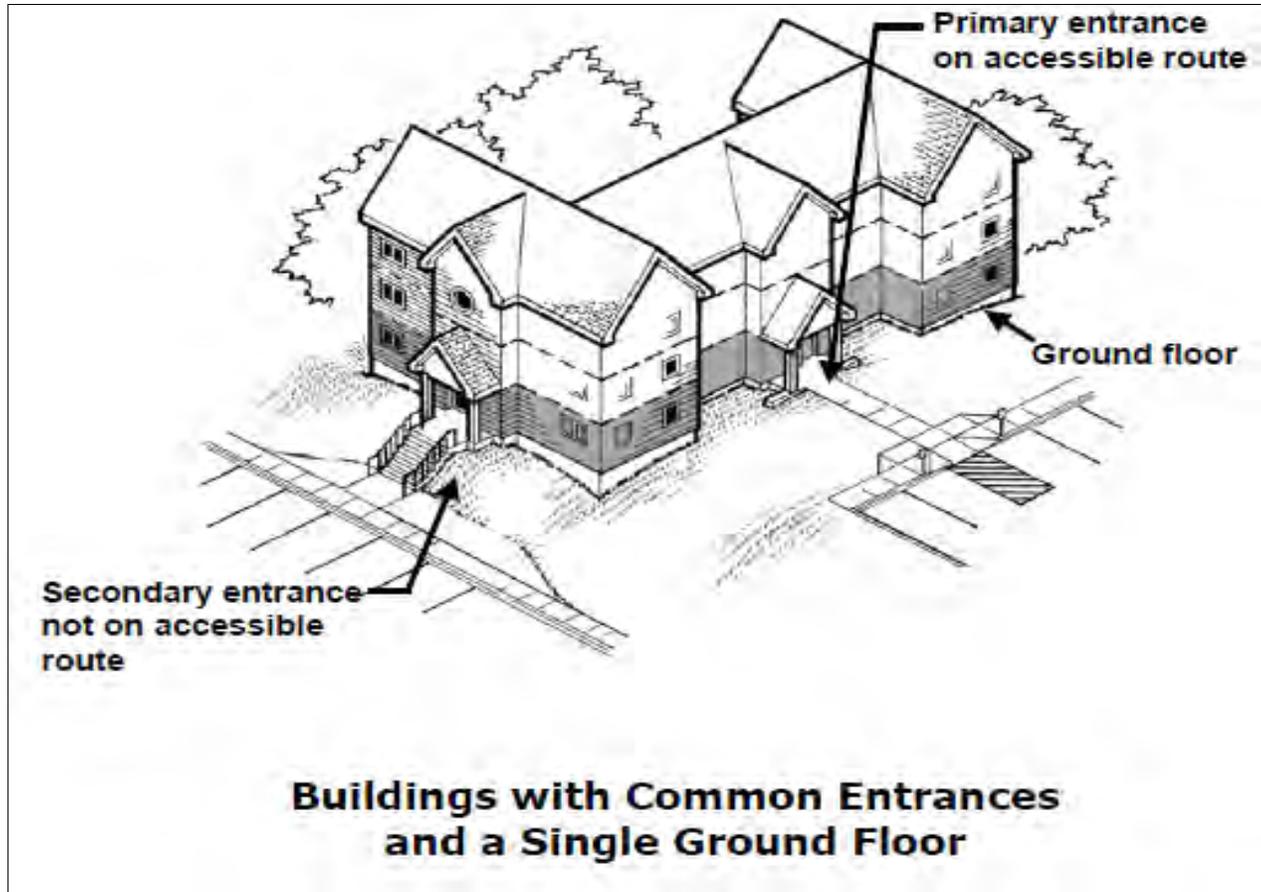
APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES / BUILDING ENTRANCE



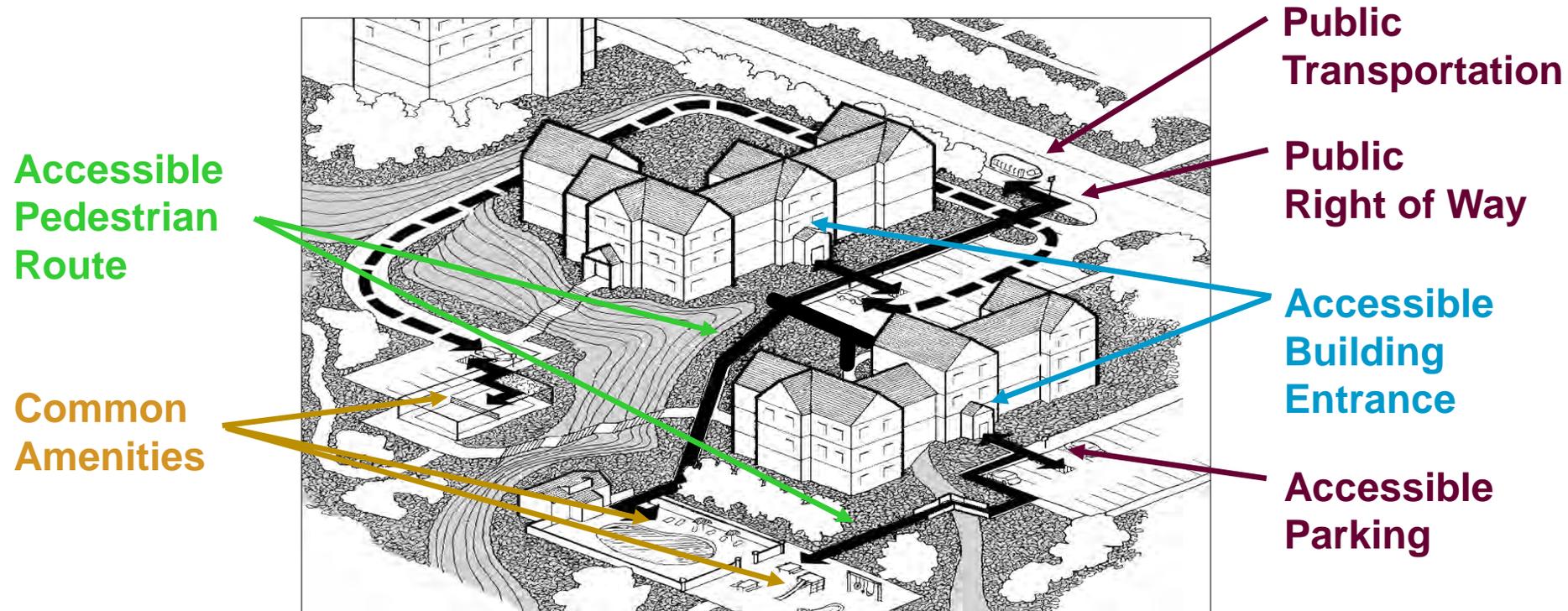
APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTE / BUILDING ENTRANCE



APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES GENERAL SPECIFICATIONS



APPLYING THE REQUIREMENTS

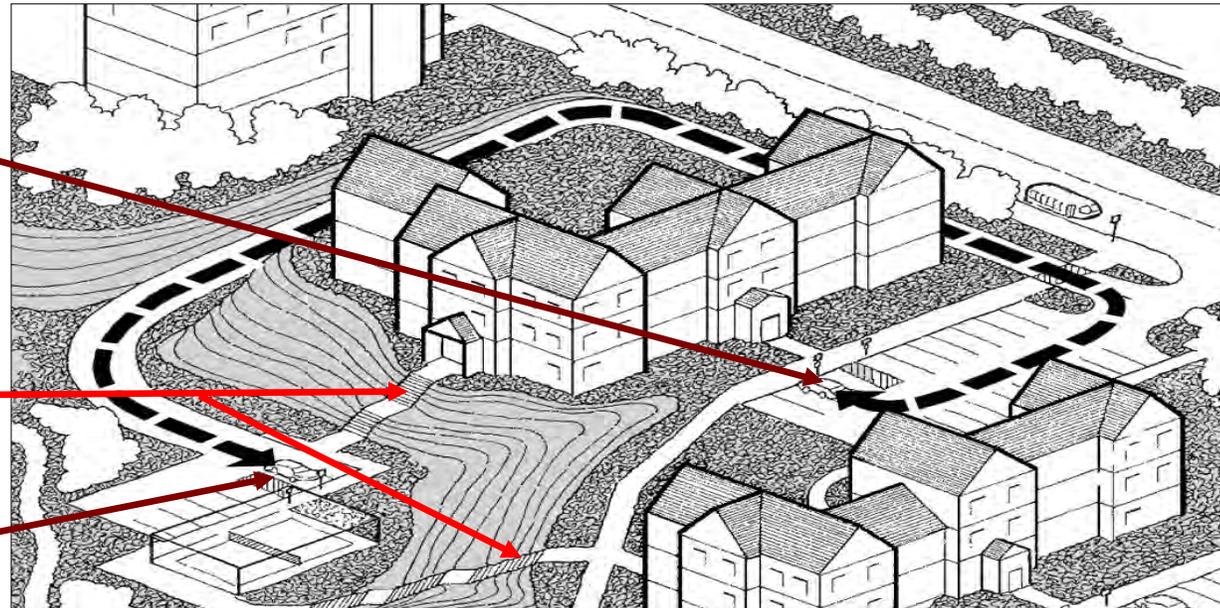
COMMON SPACES – ACCESSIBLE ROUTES GENERAL SPECIFICATIONS

VEHICULAR ALTERNATIVE FOR STEEP SITES

**Accessible parking
at accessible
building entrance**

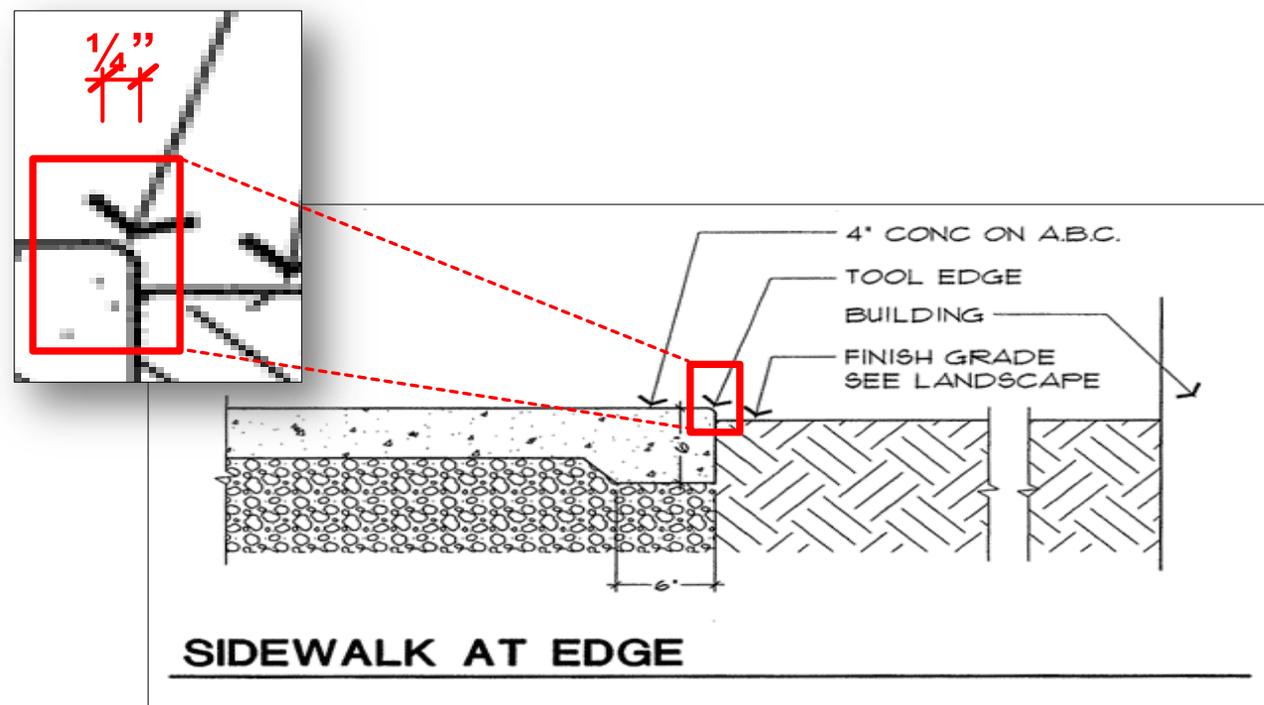
**Slope of finished grade
is greater than 8.33%
and is outside of the
control of the owner**

**Accessible parking
at site amenity**



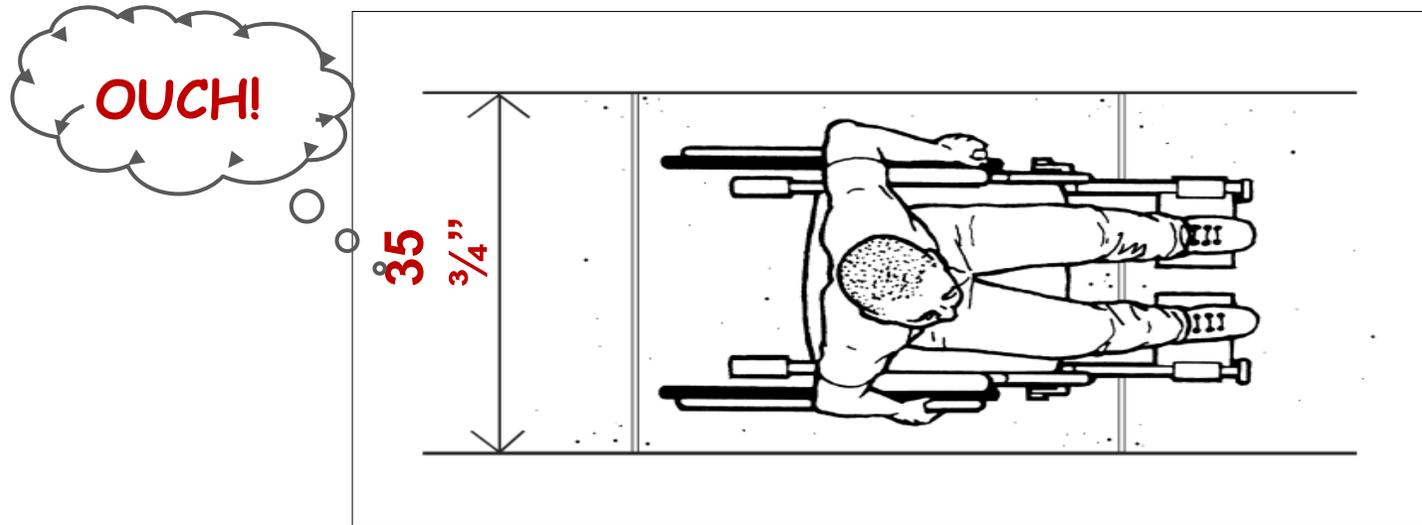
APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES GENERAL SPECIFICATIONS



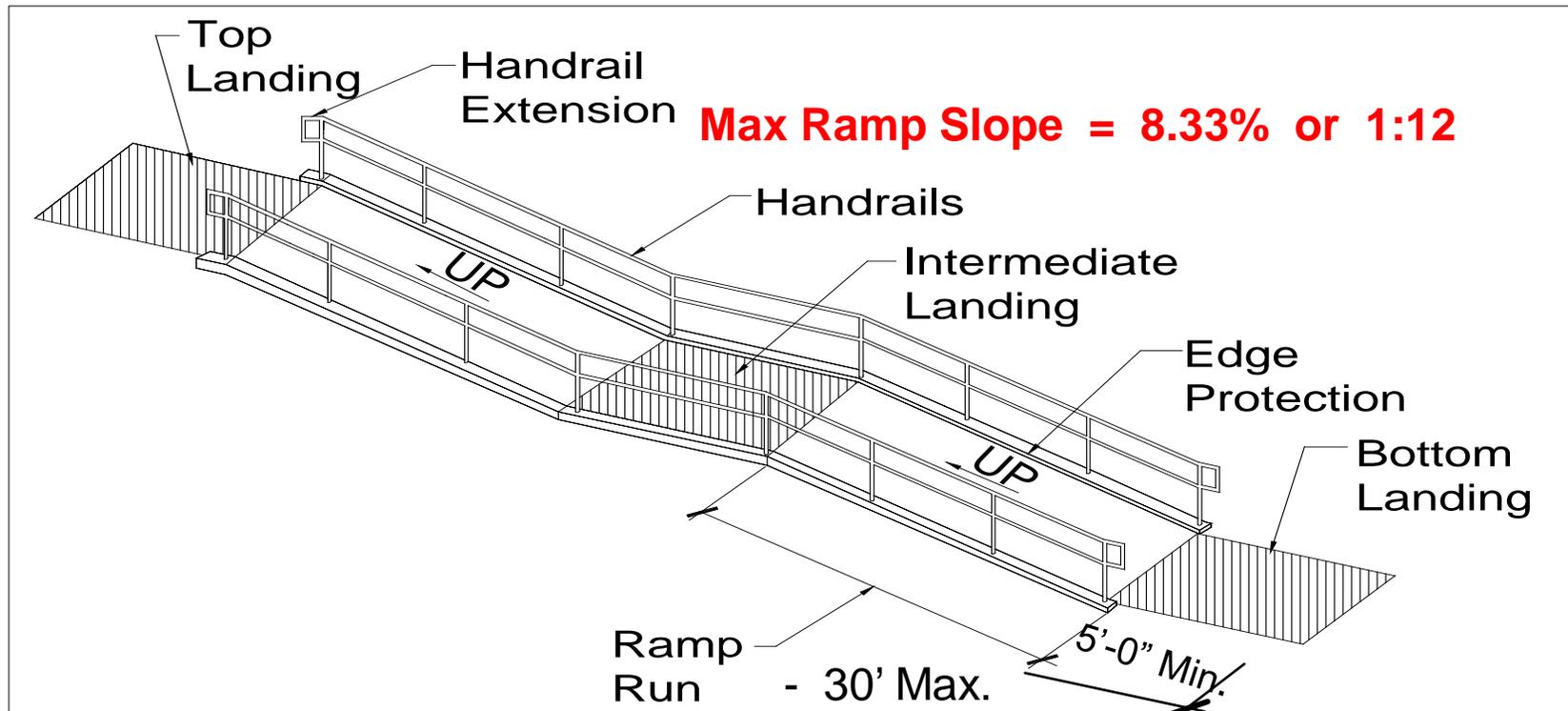
APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES GENERAL SPECIFICATIONS



APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES / RAMPS

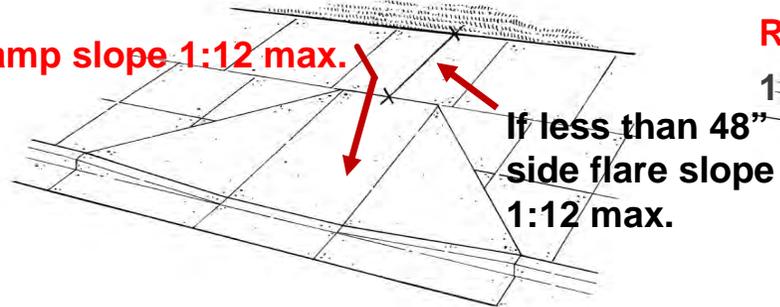


APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES / RAMPS

1. Flared

Ramp slope 1:12 max.

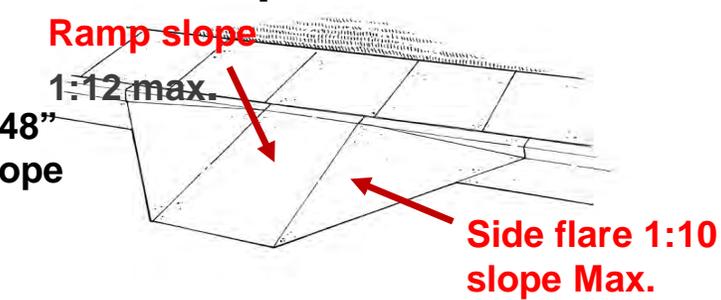


2. Built-Up

Ramp slope 1:12 max.

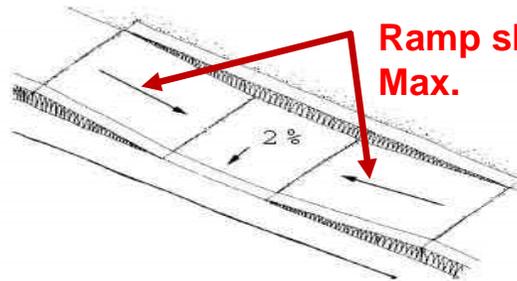
1:12 max.

Side flare 1:10 slope Max.



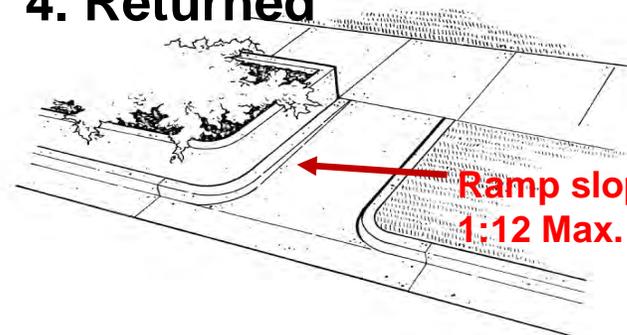
3. In-Line / Parallel

Ramp slope 1:12 Max.



4. Returned

Ramp slope 1:12 Max.



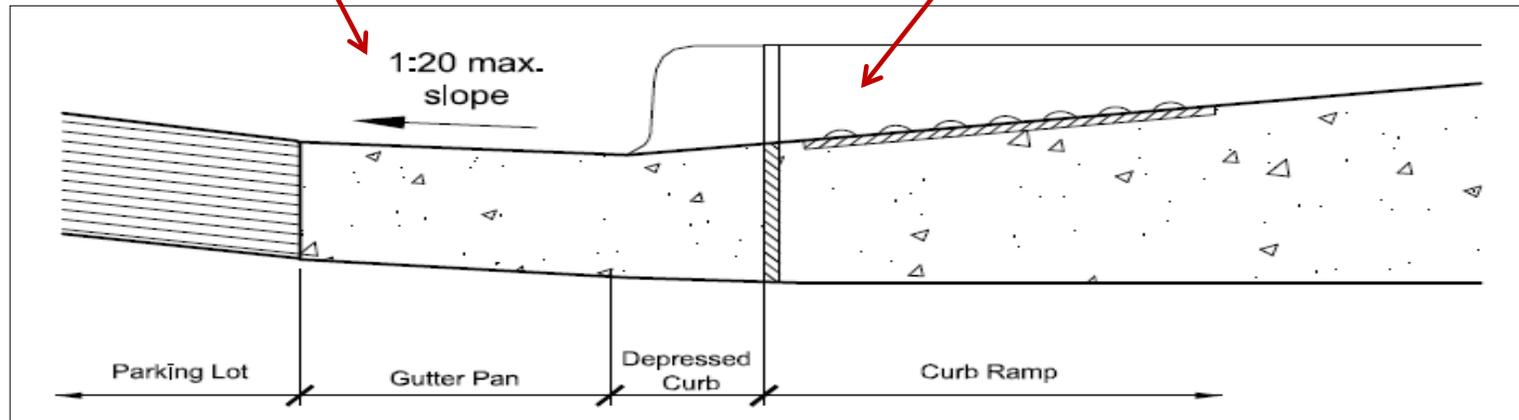
APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES

CURB RAMP COUNTER SLOPE

Max. Counter
Slope - 5%

Max. Curb Ramp
Slope - 8.33%

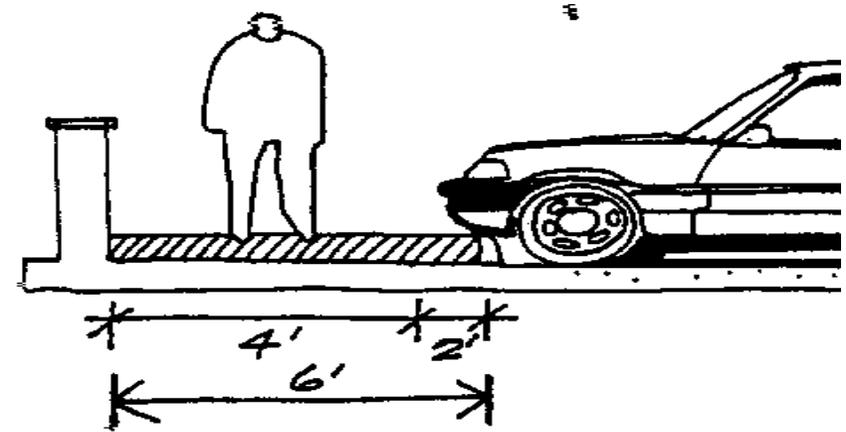


APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES

IMPEDING THE ACCESSIBLE ROUTE

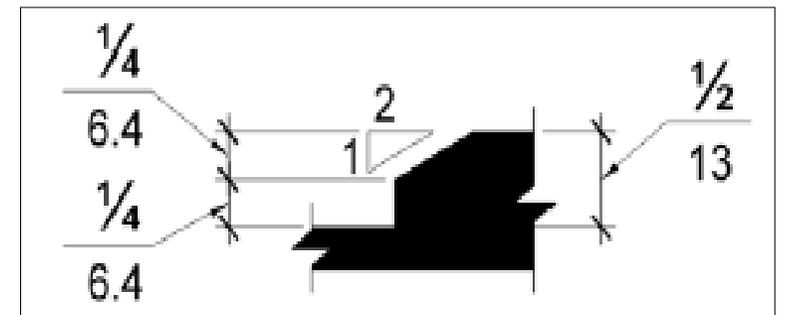
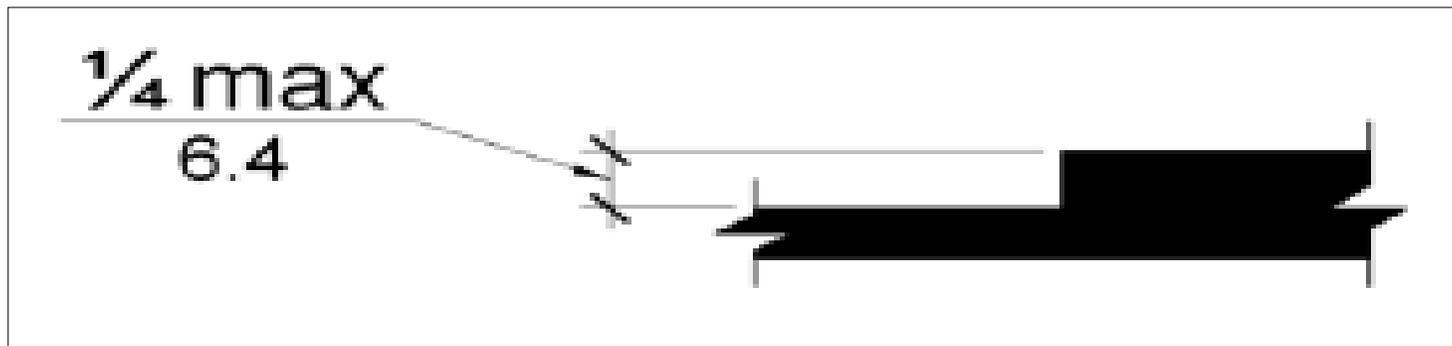
- CURBS
- WIDENED SIDE WALKS
- CAR STOPS/BUMPERS



APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTES

VERTICAL LEVEL CHANGES



APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTE SURFACES

SURFACES

- Shall be high quality, durable, easily maintained, stable, and have a non-slip texture.
- All primary walkways, sidewalks from parking areas, sidewalks to secondary entrances, and all Accessible Routes shall be reinforced concrete or other suitable material with similar qualities noted above.

APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTE SURFACES



APPLYING THE REQUIREMENTS

COMMON SPACES – ACCESSIBLE ROUTE SURFACES

- NOT - Firm, Stable and Slip Resistant





REQUIREMENT TWO: ACCESSIBLE AND USABLE PUBLIC AND COMMON USE AREAS

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

- ✓ Sales or Leasing Areas (ADA) 2010 ADA Standards is Applicable
- ✓ Common Amenities
- ✓ Parking
- ✓ Accessible Route to Covered Areas
- ✓ Game Room
- ✓ Playgrounds
- ✓ Business Center
- ✓ Theater
- ✓ Fitness Center
- ✓ Bathrooms
- ✓ Kitchen

Americans with Disabilities Act
(2010 ADA Accessibility Standards)



2020 NYS Building Code
(ICC A117.1-2009)

2014 NYC Building Code
(ICC A117.1-2009 & Appendix P)



Includes
Federal
Funding

Section 504
(UFAS or 2010 ADA
Accessibility Guidelines)

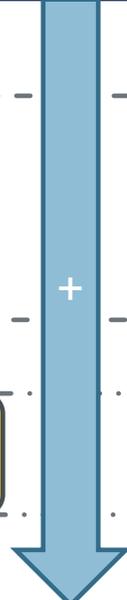
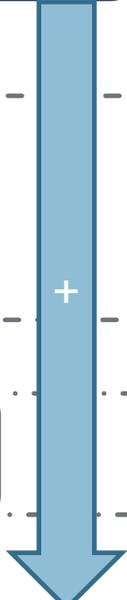
Section 504
(UFAS or 2010 ADA
Accessibility Guidelines)



★
Public
Spaces

Americans with Disability Act Title III
(2010 ADA Accessibility Guidelines)

Americans with Disability Act Title III
(2010 ADA Accessibility Guidelines)



HCR
Funding

HCR Visitability and Adapted Units
(2020 HCR Design Guidelines)

HCR Visitability and Adapted Units
(2020 HCR Design Guidelines)

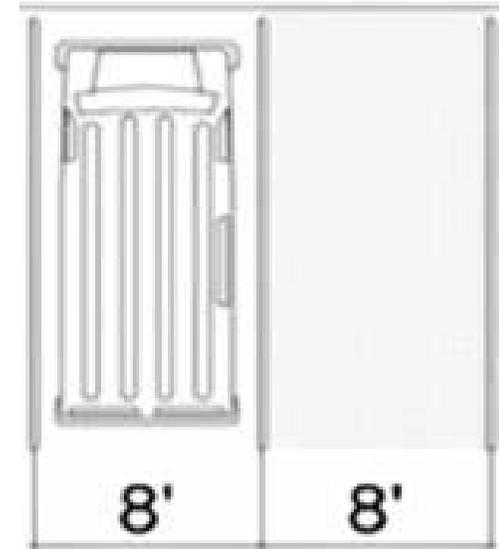
APPLYING THE STANDARDS TO PUBLIC & COMMON SPACES

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

PARKING

- 2020 Building Code of New York State.
- More restrictive than the Fair Housing Act Accessibility Guidelines.
- 2% of each type of parking space., 2020 BCNYS.
- If parking is provided at common amenities. 1106.1, 2020 BCNYS.
- All accessible spaces are required to provide 8 feet wide space and 8 feet wide access aisle – “No Parking Anytime”.

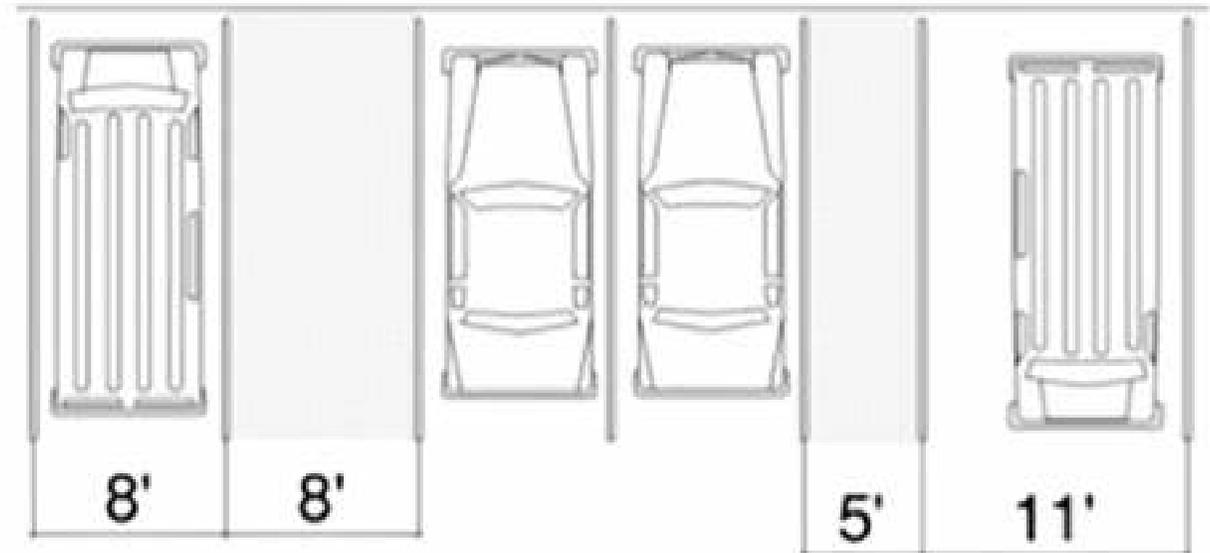


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

PARKING

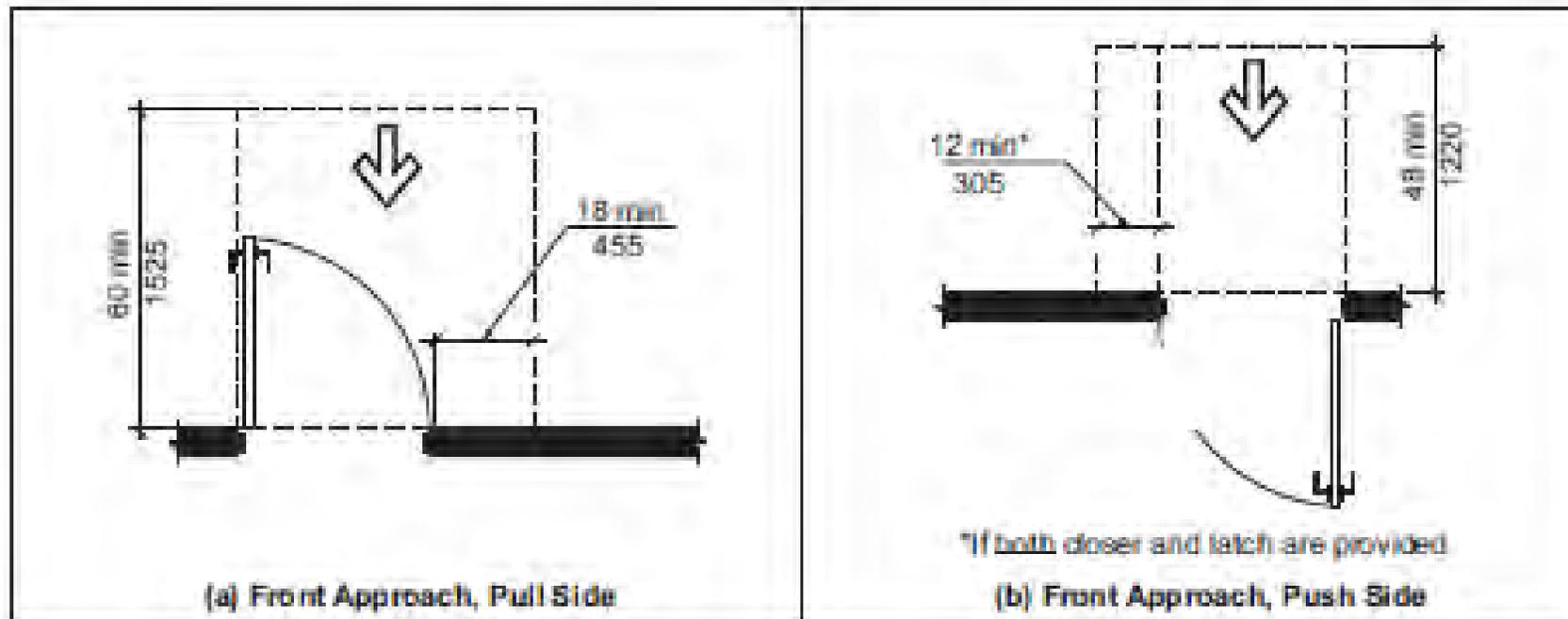
- 2014 Building Code of New York City.
- More restrictive than the Fair Housing Act Accessibility Guidelines.
- 5% of each type of parking space.
- If parking is provided at common amenities 1106.1, 2014 BCNYC.
- 1/6 Accessible Spaces are required to be van accessible.



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DOORS

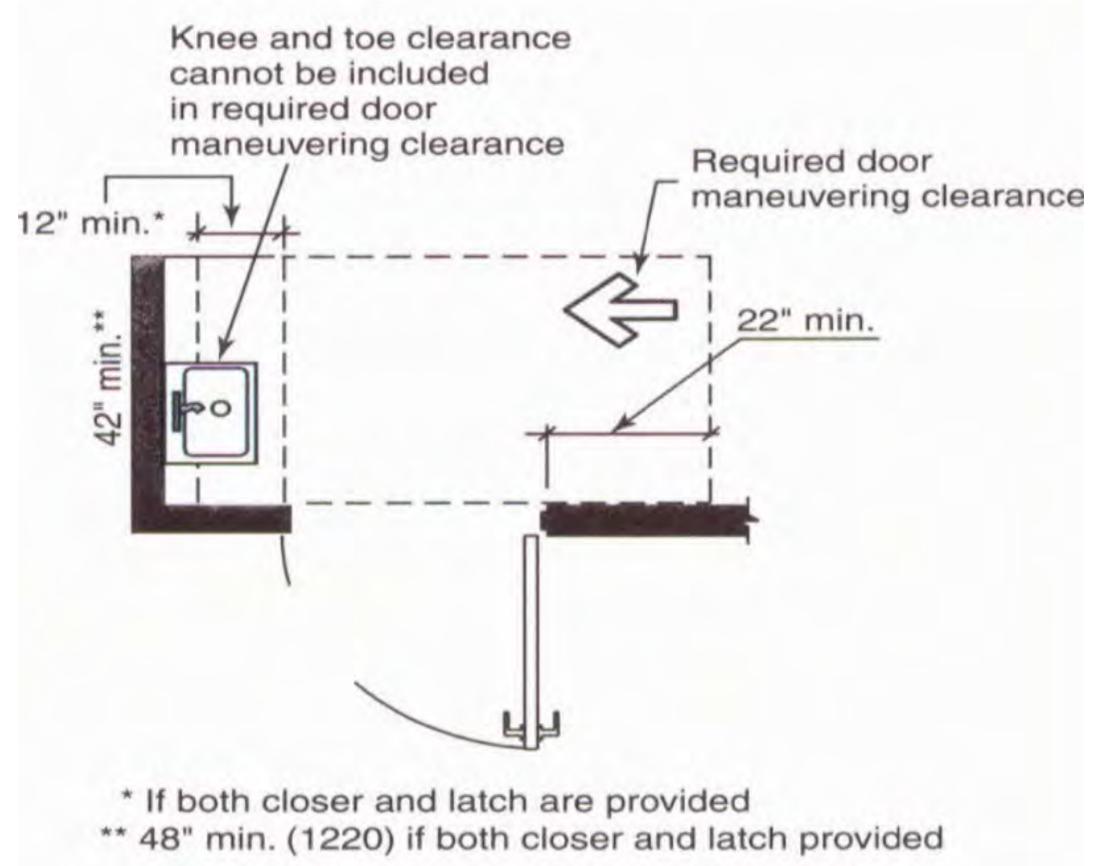


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DOORS

- ANSI A117.1 404.2.3 Maneuvering Clearances.** Minimum Maneuvering clearance at doors shall comply with Section 404.2.3 and shall include the full clear opening width of the doorway. Required door maneuvering clearances shall not include knee and toe clearances



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DOORS – MANEUVERING CLEARANCES



- **clearance applies to full height (80" min.)**
- **No changes in level (other than thresholds)**

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DOORS – MANEUVERING CLEARANCES

Accessible Routes - Doors

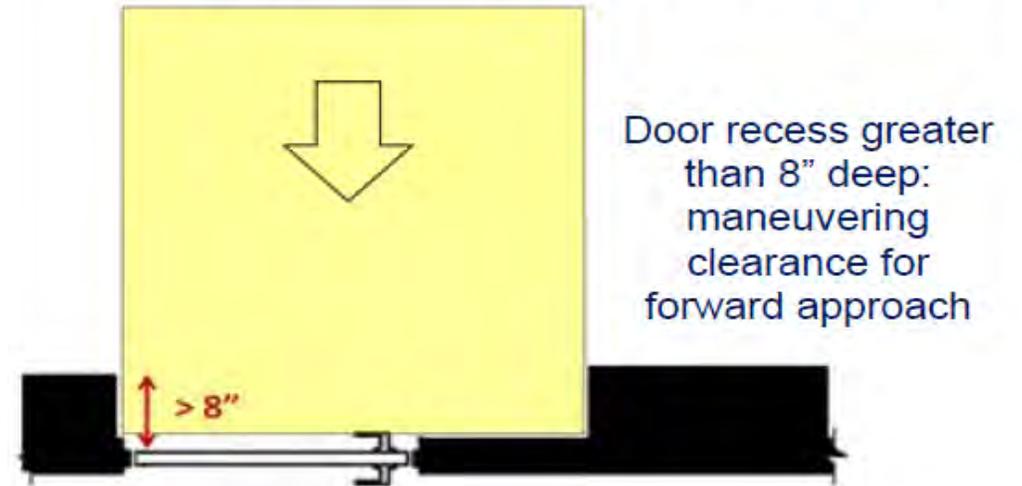


Recess: 8" max.



Recess: greater than 8"

Accessible Routes - Doors



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DOORS – SURFACE

- Bottom 10” must be smooth (full width of door)
- Kick plates can be used to protect door

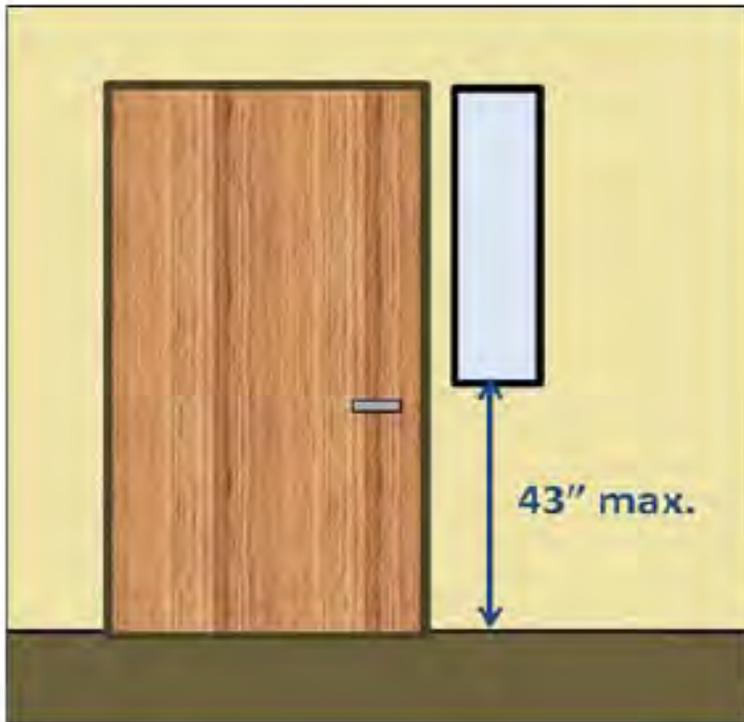


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

VISION LIGHTS

- 404.2.10



**If provided, vision
lights: 43" max. AFF
(not required if
bottom edge is
above 66")**

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

MAILBOXES

- **Fair Housing Act**

All covered dwelling units require an accessible mailbox with a clear floor space and operable parts less than 54" AFF, 12 inches maximum between centerline of key and any obstruction.

- **2020 Building Code of New York State**

E105.2 – 5% of mailboxes are required to be located 48 inches maximum AFF.

- **2014 Building Code of New York City**

100% of mailboxes with centerline of key measured 48 inches maximum AFF.

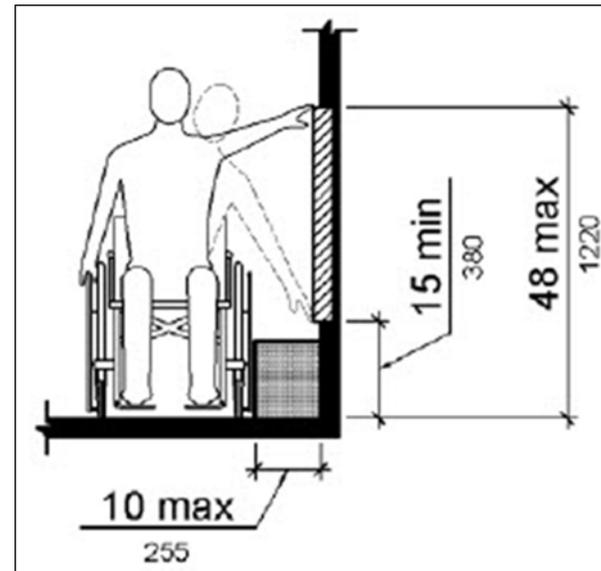
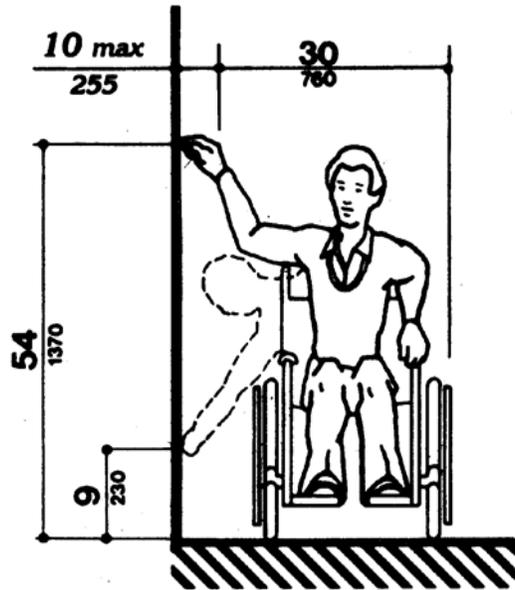
- **HCR Requirement**

Use labels with contrasting colors and large font characters that can be easily read by persons with low vision.

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

MAILBOXES – REACH RANGE



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

ELEVATORS

- Where provided, elevators must comply with applicable safety standards and accessibility requirements: ASME A17.1/CSA B44-: Safety Code for Elevators and Escalators and Chapter 4 of the ICC/A117.1, latest editions adapted by the applicable building code.
- Buttons shall be arranged with numbers in ascending order. Floors shall be designated . . . -4, -3, -2, -1, 0, 1, 2, 3, 4, etcetera, with floors below the main entry floor designated with minus numbers.
- Destination-oriented elevators shall not be used due to reported difficulties in use by the elderly and persons with disabilities.

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

REFUSE ROOMS

Fair Housing Act

2020 Building Code of New York State

- Maneuvering Clearance on Pull-Side of Entry Door
- Trash Chute Doors 5 pounds maximum opening force

2014 Building Code of New York City

- Maneuvering Clearance on Pull-Side of Entry Door
- Accessible Turning Space or Automatic Door Opener
- Trash Chute Doors 5 pounds maximum opening force

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DUMPSTERS

Fair Housing Act

2020 Building Code of New York State

2014 Building Code of New York City

- All dumpsters must be accessible
- Routes thru enclosure must be accessible.
- Clear floor space must be available at dumpster opening
- Dumpster opening 48 inches maximum AFF.

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

LAUNDRY ROOMS

HCR Requirements

5% shall be front loading appliances meeting accessibility criteria unless there are no required accessible/adaptable dwelling units in the project.

Fair Housing Act

At least one common use washer and dryer must comply with ANSI and be front loading with controls less than 54" AFF. Washers and dryers inside dwelling units only require a clear floor space for a parallel approach

2020 Building Code of New York State

2014 Building Code of New York City

Where 3 or fewer common use washer or clothes dryers are provided, at least 1 shall be front loading with controls less than 48" AFF. When more than 3 are provided, at least 2 shall comply. Washers and dryers inside dwelling units only require a clear floor space for a parallel approach (1107.2.8 and E105.2).

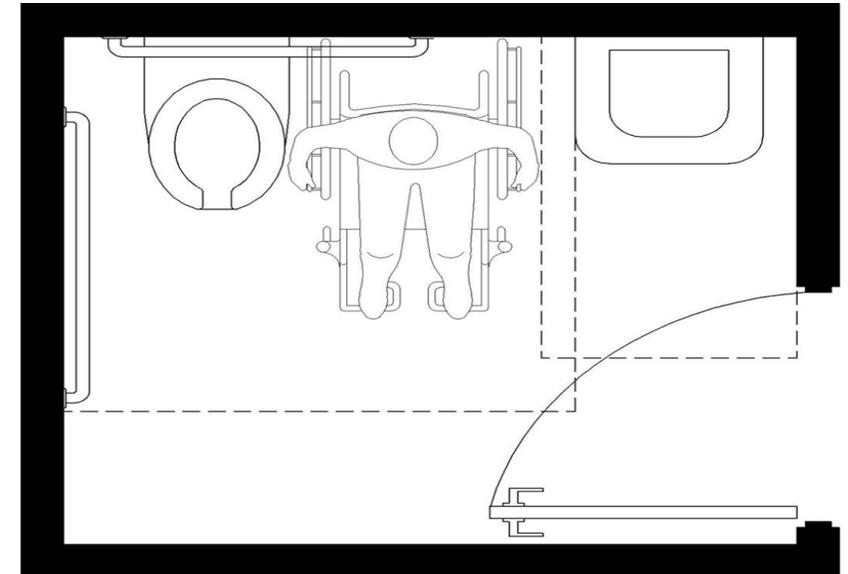
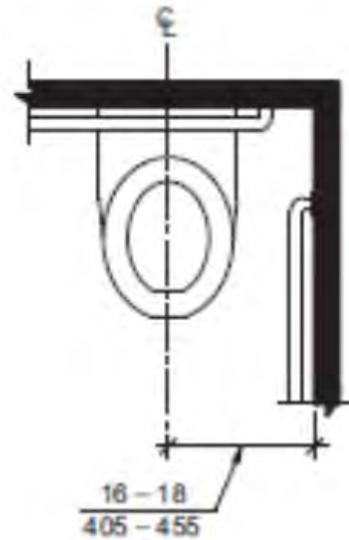
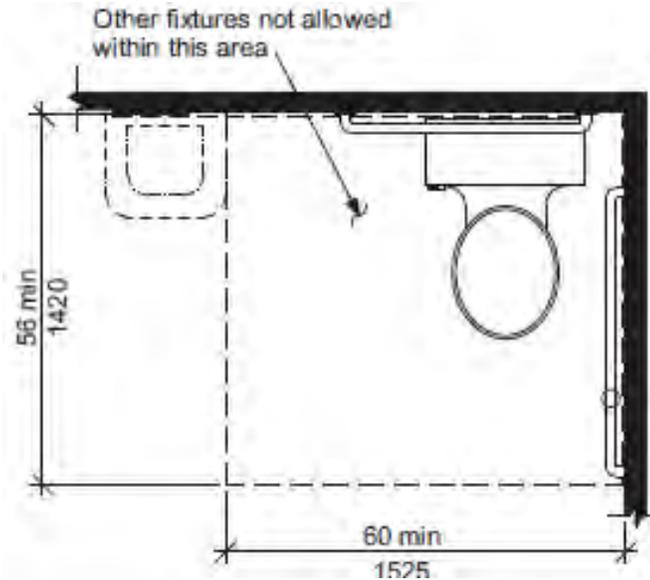
Utility Sinks are not exempt (neither are Dog Wash Stations)

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS – WATER CLOSETS

- Water Closet Clearance
- Door Swing



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS - MIRRORS

- **Mirrors.** Where mirrors are located above lavatories, a mirror shall be located over the accessible lavatory and shall be mounted with the bottom edge of the reflecting surface 40 inches maximum above the floor. Where mirrors are located above counters that do not contain lavatories, the mirror shall be mounted with the bottom edge of the reflecting surface 40 inches (1015 mm) maximum above the floor.
- **EXCEPTION:** Other than within Accessible dwelling or sleeping units, mirrors are not required over the lavatories or counters if a mirror is located within the same toilet or bathing room and mounted with the bottom edge of the reflecting surface 35 inches maximum above the floor.

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS - DIAPER CHANGING TABLES

- Diaper changing tables shall comply with Sections 309 and 902.



APPLYING THE REQUIREMENTS

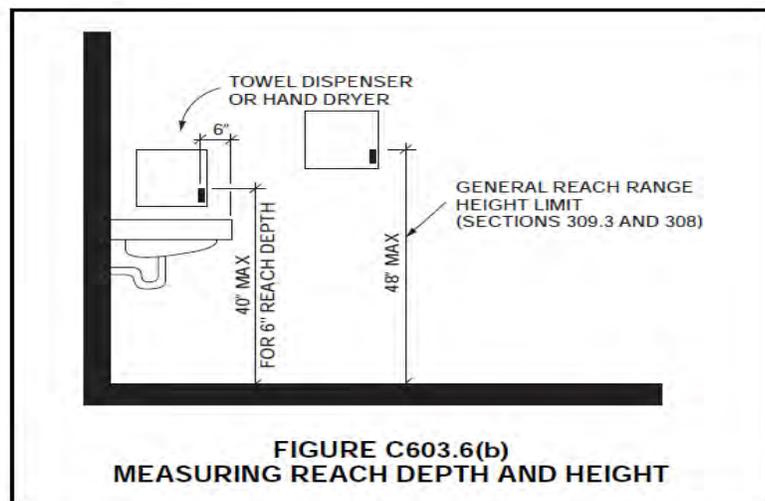
COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS – OPERABLE PARTS

- Operable parts on towel dispensers and hand dryers serving accessible lavatories shall comply with Table 603.6.

TABLE 603.6
MAXIMUM REACH DEPTH AND HEIGHT

| | | | | | | |
|-----------------------------|------------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|
| Maximum Reach Depth | 0.5 inch (13 mm) | 2 inches (51 mm) | 5 inches (125 mm) | 6 inches (150 mm) | 9 inches (230 mm) | 11 inches (280 mm) |
| Maximum Reach Height | 48 inches (1220 mm) | 46 inches (1170 mm) | 42 inches (1065 mm) | 40 inches (1015 mm) | 36 inches (915 mm) | 34 inches (865 mm) |

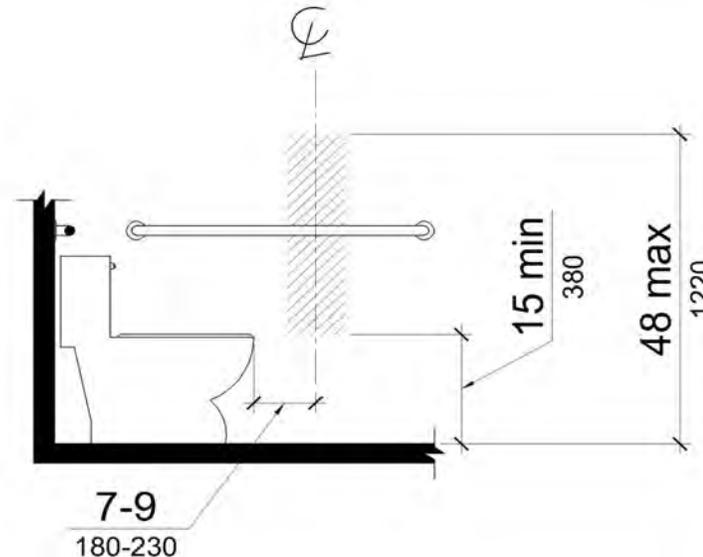
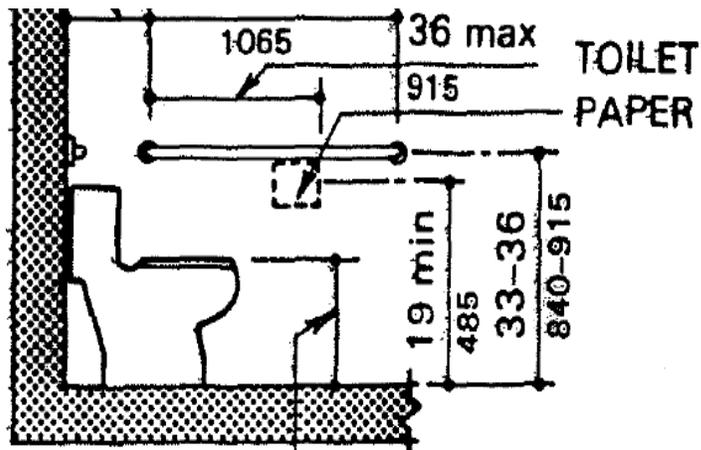


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS – GRAB BARS

- Fair Housing Act Uniform Federal Accessibility Standards (UFAS)**
 36 inches from rear wall measured to outside edge of dispenser
- 2010 ADA Standards**
 7 to 9 inches from rear wall to outside edge of dispenser

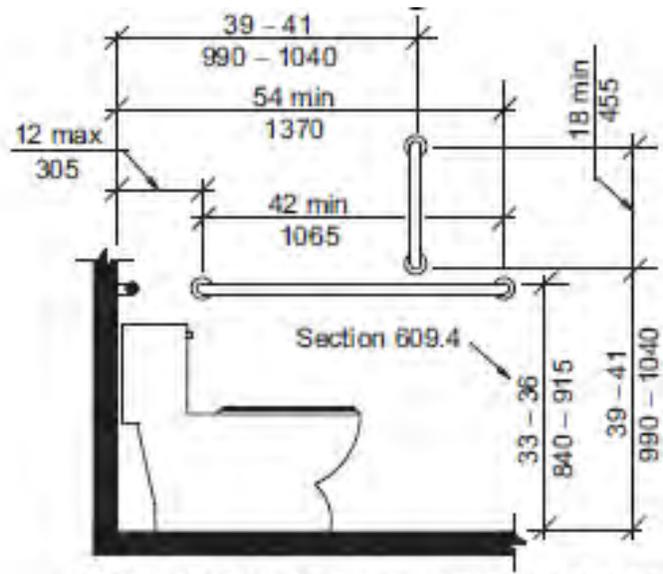


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

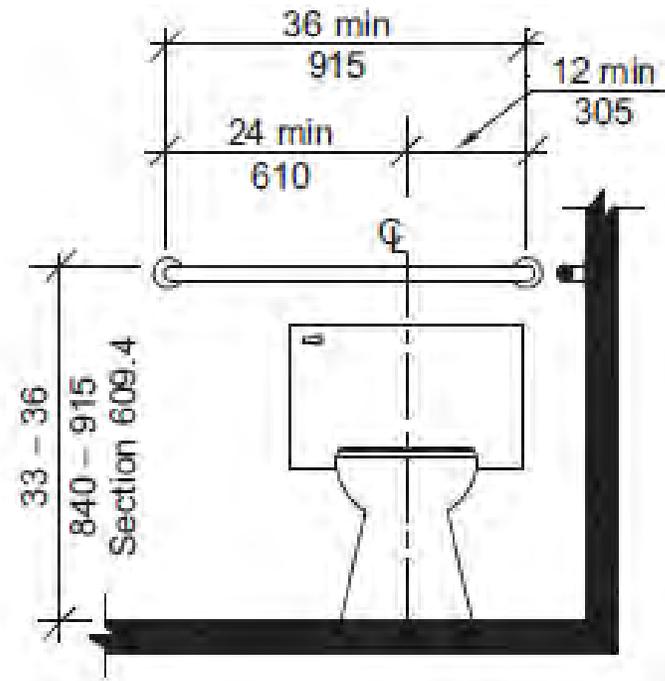
TOILET ROOMS

- Water Closet Clearance
- Grab Bars
- Flush-Valves



Note: For children's dimensions see Fig. 609.4.2

FIG. 604.5.1
SIDE WALL GRAB BAR FOR WATER CLOSET



APPLYING THE REQUIREMENTS

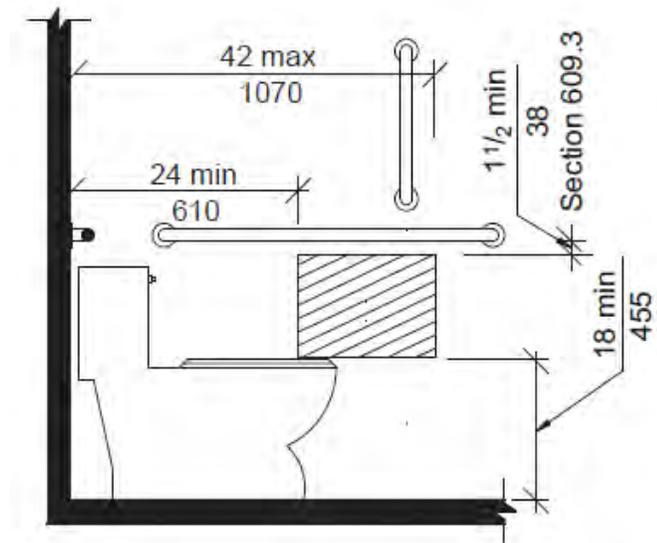
COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS - DISPENSER

2020 Building Code of New York State

2014 Building Code of New York City

- Where the dispenser is located above the grab bar, the outlet of the dispenser shall be located within an area 24 inches minimum and 36 inches maximum from the rear wall.
- Where the dispenser is located below the grab bar, the outlet of the dispenser shall be located within an area 24 inches minimum and 42 inches maximum from the rear wall.
- The outlet of the dispenser shall be located 18 inches minimum and 48 inches maximum above the floor. Dispenser shall comply with Section 609.3. Dispenser shall not be of a type that control delivery, or do not allow continuous paper flow.



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

TOILET ROOMS - DISPENSER

- 12 inch minimum clearance above 1 1/2" min. below
- New Exception 609.3:**

Recessed dispensers projecting from the wall 1/4 inch (6.4 mm) maximum measured from the face of the dispenser and complying with Section 604.7 shall be permitted within the 12-inch (305 mm) space above and the 1 1/2 inch (38 mm) spaces below and at the ends of the grab bar.

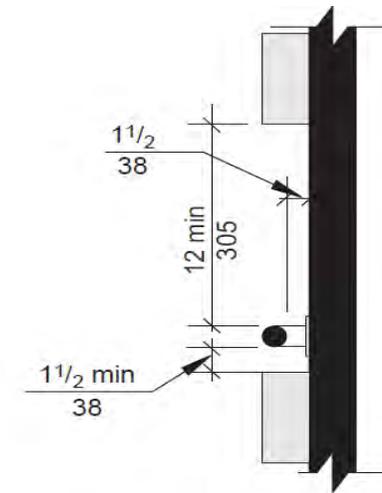


FIG. 609.3
SPACING OF GRAB BARS

APPLYING THE REQUIREMENTS

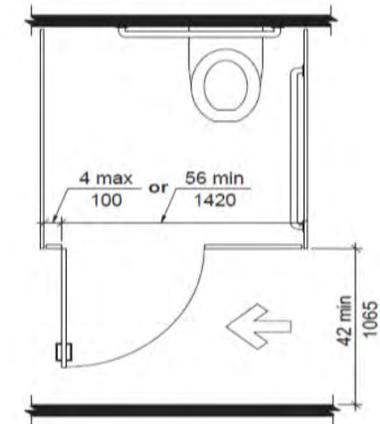
COMMON SPACES – PUBLIC AND COMMON AREAS

DOOR OPENING LOCATION

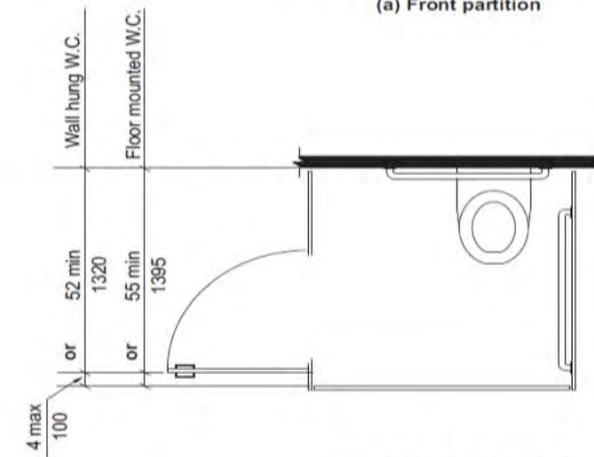
The farthest edge of toilet compartment door opening shall be in the front wall or partition or in the side wall or partition as required by Table 604.9.3.1, A117.1 - 2009

TABLE 604.9.3.1—DOOR OPENING LOCATION

| Door Opening Location | Measured From | Dimension |
|--|--|-----------------------------|
| Front Wall or Partition | From the side wall or partition closest to the water closet | 56 inches (1420 mm) minimum |
| | or | |
| | From the side wall or partition farthest from the water closet | 4 inches (100 mm) maximum |
| Side Wall or Partition Wall-Hung Water Closet | From the rear wall | 52 inches (1320 mm) minimum |
| | or | |
| | From the front wall or partition | 4 inches (100 mm) maximum |
| Side Wall or Partition Floor-Mounted Water Closet | From the rear wall | 55 inches (1395 mm) minimum |
| | or | |
| | From the front wall or partition | 4 inches (100 mm) maximum |



(a) Front partition



(b) Side wall or partition

FIG. 604.9.3.1
WHEELCHAIR ACCESSIBLE COMPARTMENT DOOR OPENINGS

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

ALTERNATE DOOR OPENING

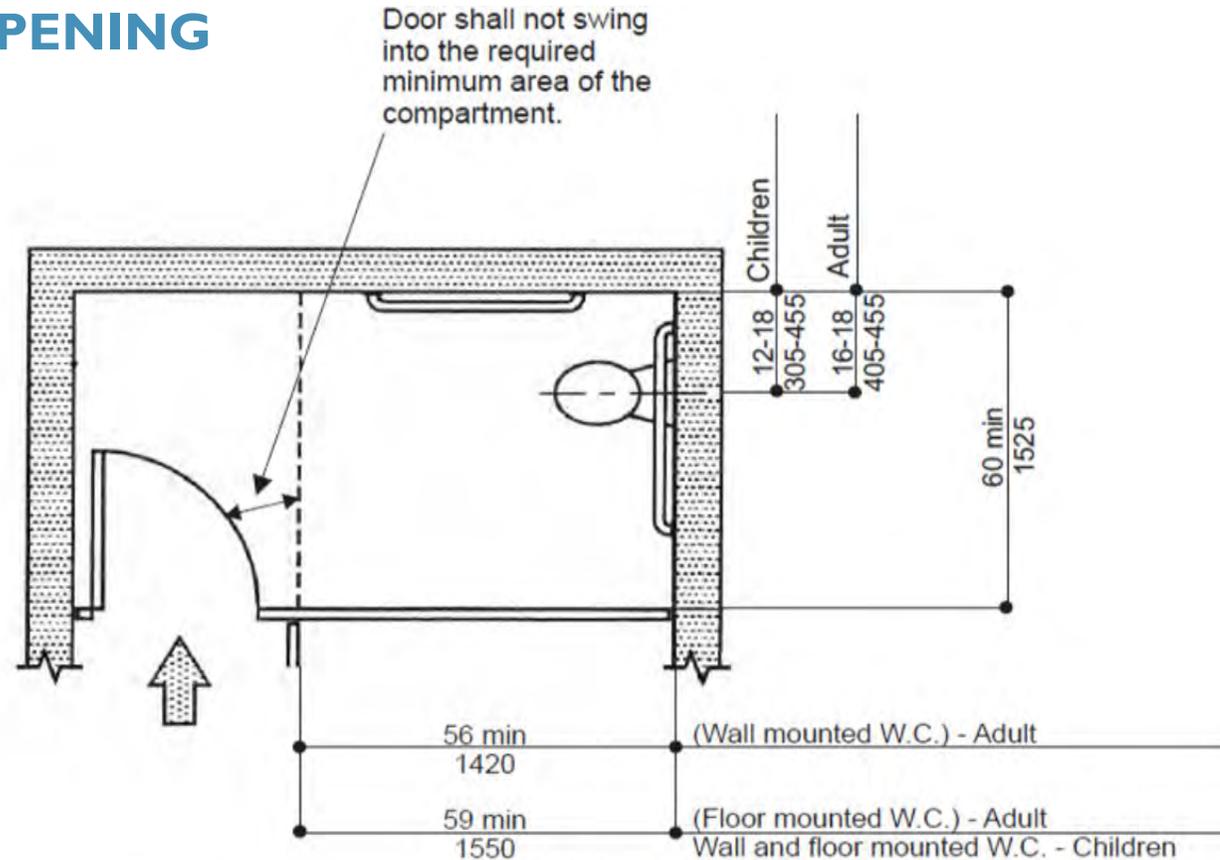


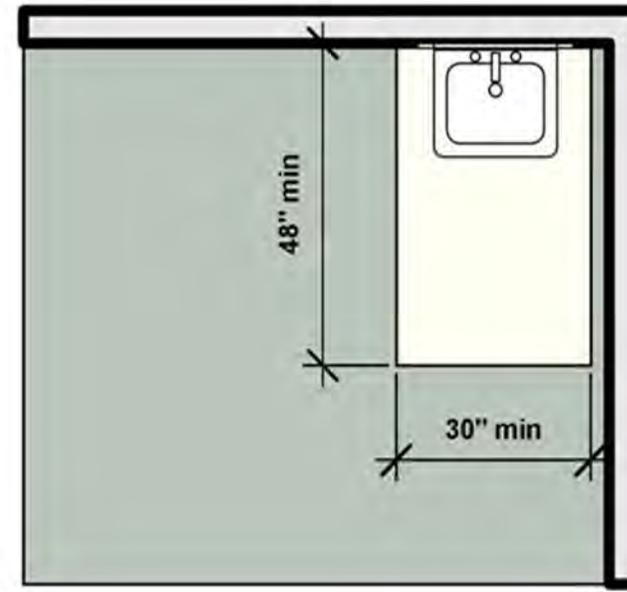
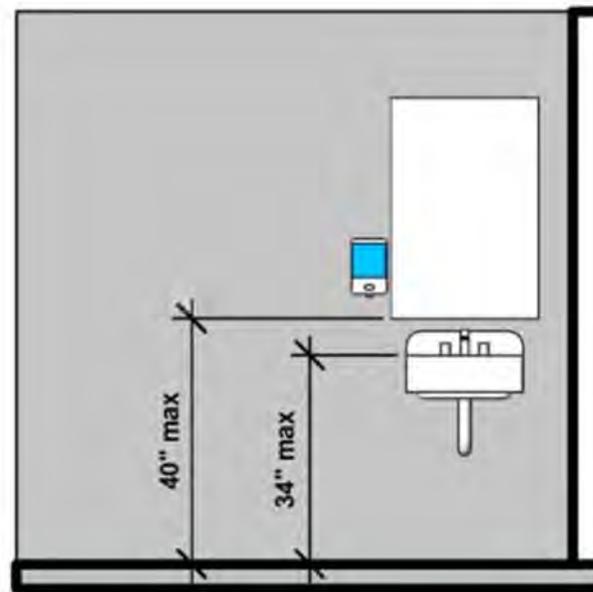
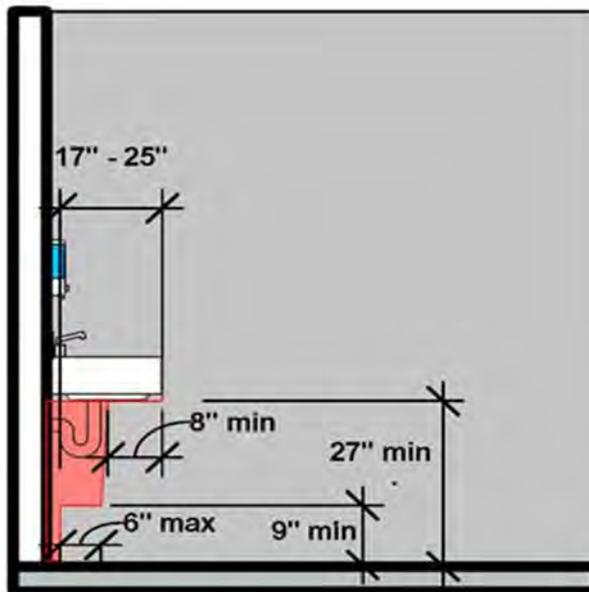
FIG. 604.9.3.1 (C)
WHEELCHAIR ACCESSIBLE COMPARTMENT DOOR OPENINGS—ALTERNATE

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

LAVATORIES

Where provided, 5% but not less than one, shall be accessible



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

DRINKING FOUNTAINS

UFAS (Uniform Federal Accessibility Standards)

Fair Housing Act Accessibility Guidelines

- Forward approach and accessible height spout (36 inches maximum AFF) of Accessible Drinking Fountain

2020 Building Code of New York State

2014 Building Code of New York City

- Forward approach and accessible height spout (36 inches maximum AFF) of Accessible Drinking Fountain
- “Hi” Fountain spout (38 to 43 inches AFF) required

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS

- Change specifies that the clear floor space for a parallel approach to the sink or lavatory (when permitted by 606.2) must be “centered” on the fixture.
- i.e. kitchen sink when there is no cooktop/range; lavatories and sinks for children under 5; wet bars.

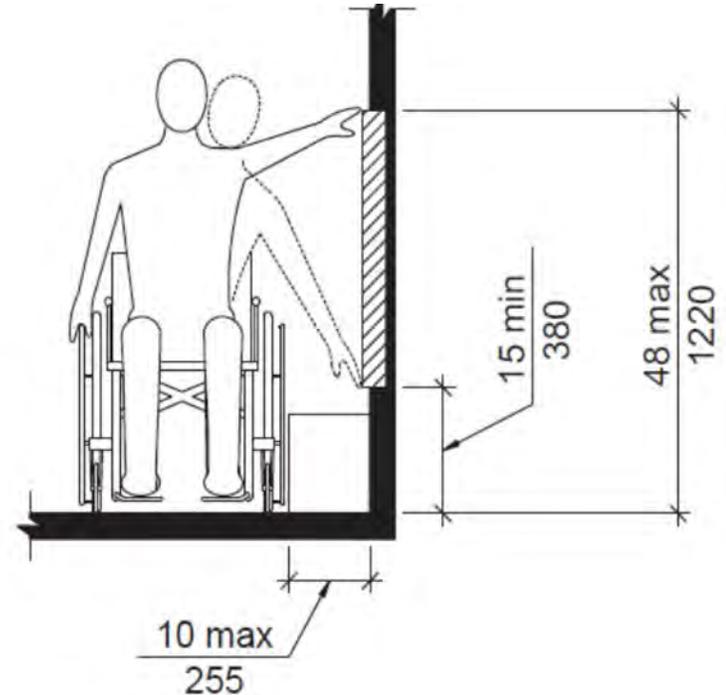


APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS

- 60” Turning Space in “Dead-End Clear floor space positioned at the appliances (forward approach required if conventional range or cooktop provided)
- 34 inch maximum counter height
- 24 inch maximum counter depth Outlets and Controls



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS

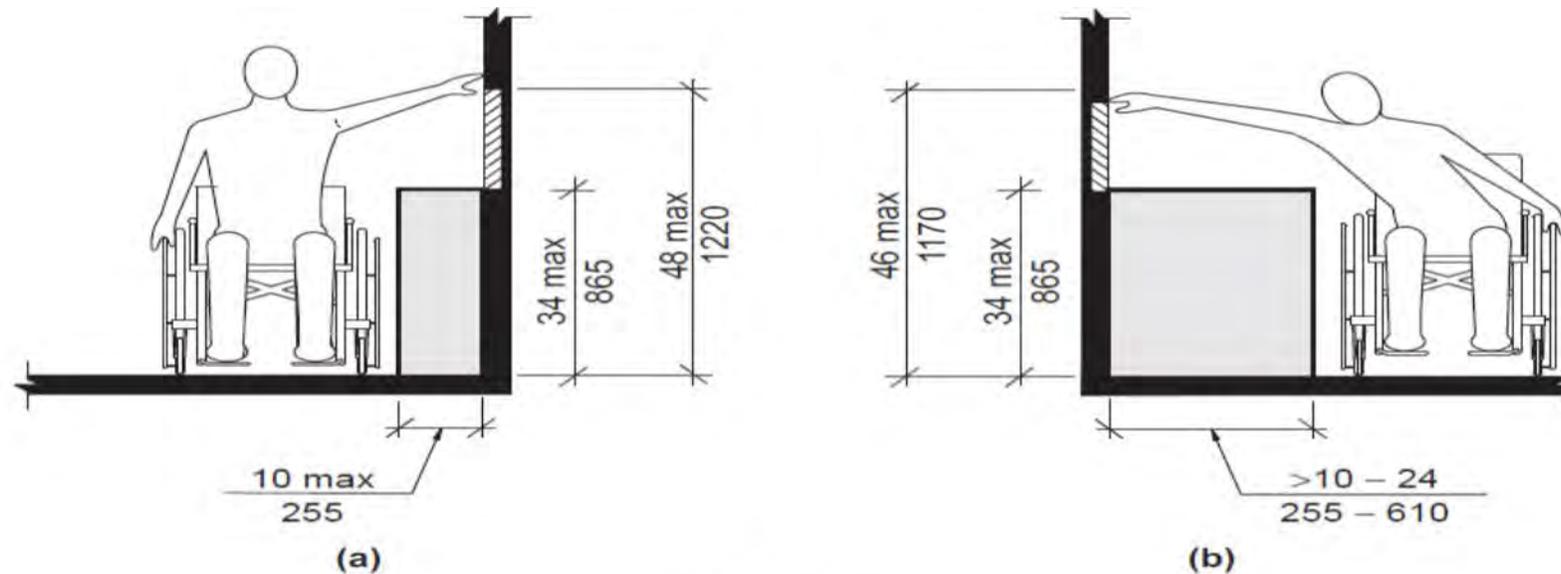


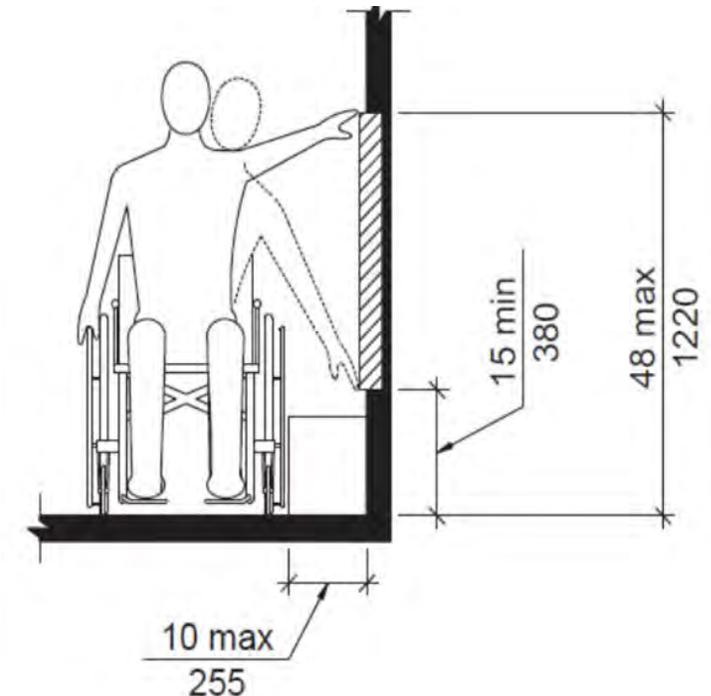
FIG. 308.3.2
OBSTRUCTED HIGH SIDE REACH

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS

- **804.2 Clearance.** Where a pass-through kitchen is provided, clearances shall comply with Section 804.2.1.
- Where a U-shaped kitchen is provided, clearances shall comply with Section 804.2.2.
- **EXCEPTION:** Spaces that do not provide a cooktop or conventional range shall not be required to comply with Section 804.2 provided there is a 40-inch minimum clearance between all opposing base cabinets, counter tops, appliances, or walls within work areas.



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS - CLEARANCES

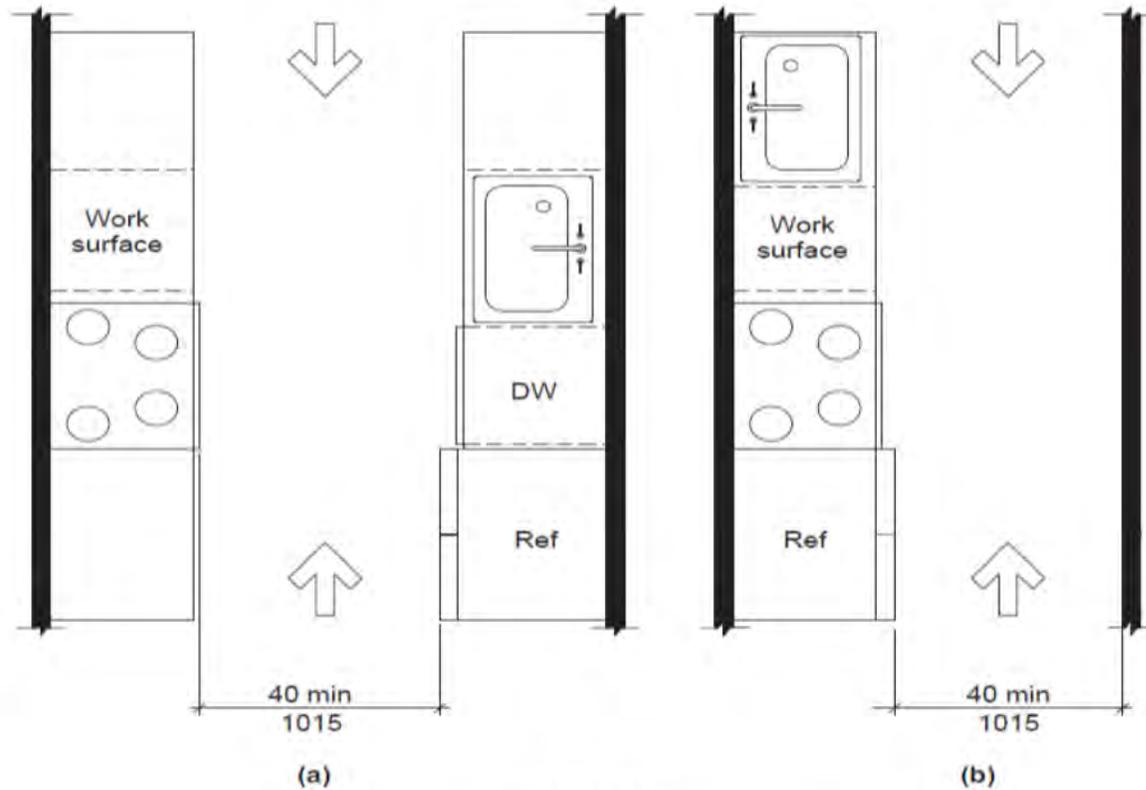


FIG. 804.2.1
PASS-THROUGH KITCHEN CLEARANCE

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

KITCHENS - CLEARANCES

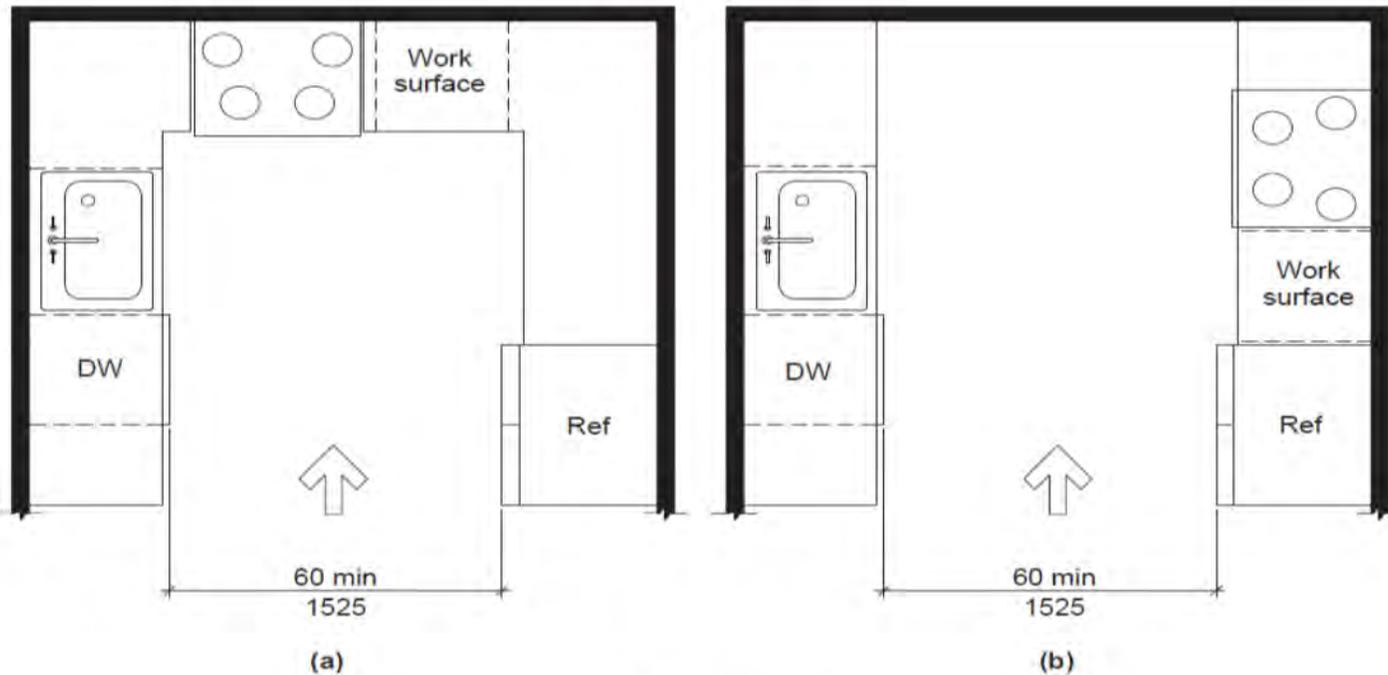


FIG. 804.2.2
U-SHAPED KITCHEN CLEARANCE

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

RECEPTION DESKS

2020 Building Code of New York State

2014 Building Code of New York City

- 36 inch maximum height counter for 36 inch minimum length Accessible portion must extend entire depth of counter (between employee and public side)

APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

OUTDOOR COMMON AREAS – HCR REQUIREMENTS

- Playgrounds should have equipment for children with disabilities
- Playground surfaces should be accessible.
 - Many loose surfaces require a significant amount of maintenance to maintain accessibility
 - HCR does not permit loose surfaces for playground
- If gardening areas are provided, raised beds should be included for those with disabilities
- Exterior lifts shall be protected from the elements with an adequate roofing or other covering



APPLYING THE REQUIREMENTS

COMMON SPACES – PUBLIC AND COMMON AREAS

FITNESS ROOMS / AREAS

2020 Building Code of New York State

2014 Building Code of New York City

- 36 inch (alcove) by 48 inch clear floor space adjacent to each unique piece of exercise equipment
- Watch monitors (if leading (bottom) edge is below 80 inches than they cannot extend > 4 inches into the circulation path

APPLYING THE REQUIREMENTS

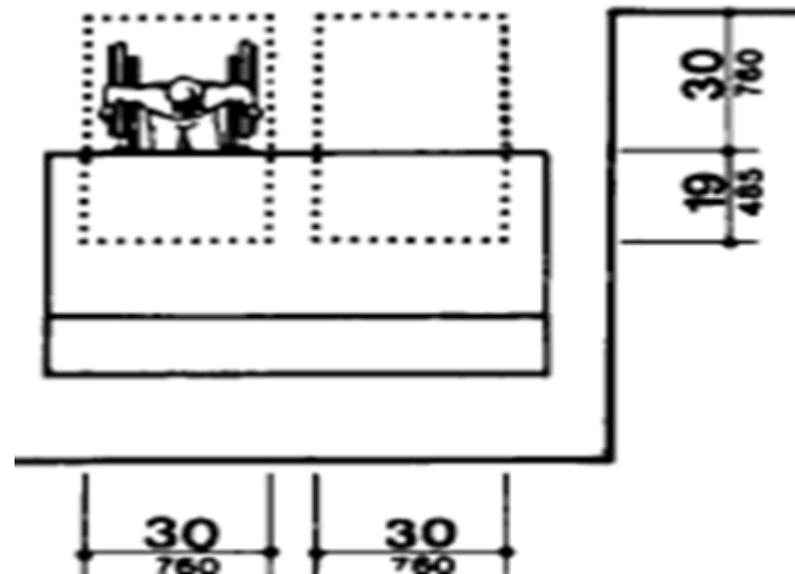
COMMON SPACES – PUBLIC AND COMMON AREAS

BARS & DINING

2020 Building Code of New York State

2014 Building Code of New York City

- Accessible portion of bar required (litigious issue) | (one) but not least than 5% of dining tables at each unique dining area





- AIA – 3 hour Continuing Education Unit (CEU) Credit
 - Credits apply as Health Safety & Welfare (HSW) Credit
 - Email Name, Email Address, AIA #, Evaluation & Poll responses to ta@accessibility-services.com
- New York State Building Standards and Codes Credit – 3 hours
 - Email Name, Email Address, NYS ID #, Evaluation & Poll responses to ta@accessibility-services.com

THANK YOU FOR ATTENDING!