

Background

As part of its commitment to increase the availability of affordable, accessible housing throughout the City of Los Angeles's (City's) housing programs, and consistent with the terms of the Voluntary Compliance Agreement between the U.S. Department of Housing and Urban Development and the City of Los Angeles, and the Corrected Settlement Agreement in the case of ILC, et al v. City of Los Angeles, et al., the City is adopting an Enhanced Accessibility Program (EAP) for its competitively awarded funding programs/Notices of Funding Availability (NOFAs). Developers who commit to participating in the EAP receive extra points in the evaluation of their NOFA application. Additionally, the City will encourage developers of multifamily housing to consider incorporating enhanced accessibility features into the design and development of their housing. A number of these accessibility features may not be costly when included from the beginning.

Below is a description of the enhanced accessibility features in the City's EAP. Each of the features is intended to provide a level of accessibility beyond the minimum technical and scoping requirements under federal and state accessibility standards. These are intended to provide individuals with a variety of disabilities with enhanced access to developments.

These enhanced accessibility features exceed the minimum requirements of the federal accessibility standards or provide alternative features to increase accessibility. The manner in which these enhanced accessibility features are incorporated into a particular development must be designed and constructed in a manner that ensures the development complies with all applicable federal accessibility requirements. The enhanced accessibility features must also meet state requirements when the state requirement provides additional or greater accessibility.

NOTE: Some of the accessibility features described below may be used to overcome a lack of accessibility at a particular existing facility, such as to meet program accessibility obligations or as reasonable accommodations. In such cases, the feature will not be considered an enhanced accessibility feature for purposes of the EAP.

Accessibility Design Incentives

The City's NOFA includes a design incentive component, the EAP, to encourage developers of affordable housing to design their properties with the needs of individuals with mobility and sensory disabilities in mind. Applications for funding are awarded a bonus of 10 points if the developer commits to participating in the EAP.

Beginning July 1, 2020, the City will include this enhanced accessibility design incentive in all NOFAs for affordable multifamily housing developments competing for City funding. In order to receive the bonus points, which will be awarded in total or not at all, the developer will be required to incorporate all of the enhanced accessibility design elements identified in Part 1, Table 1A and Table 1B or Table 1C, plus five of the optional design elements identified in Table 2. Tables 1A, 1B, 1C, and 2 are included below. Developers may not add additional optional features in exchange for one or more of the required features. Affordable housing development entities who choose to participate in the EAP must include any hard or soft costs or savings associated with this requirement into their pro forma.

Part 1. Baseline, Required Enhanced Accessibility Features For Bonus Points

These accessibility features must be incorporated into a site or development as part of an entity’s participation in the City’s Enhanced Accessibility Program. Features are divided into 3 categories:

- Table 1A — features that are required for New Housing Developments and Developments Subject to Substantial Alterations;
- Table 1B — features that are required only for New Housing Developments; and
- Table 1C — features that are required for Developments Subject to Substantial Alterations only.

<p>Table 1A. Required Enhanced Accessibility Features for Both Future Housing Developments & Developments Subject to Substantial Alterations</p>
<p>1. Commercial-grade power-operated automatic door for designated mobility units, with push plate controls or keyless proximity-based entry and exit, while ensuring security measures are in place for the unit. Among others, this feature must comply with 2010 ADA Standards 404.3 and CBC 11B-404.3 and include battery backup or be connected to an emergency circuit if building power is off.</p>
<p>2. All entrances to and exits from the building that residents may utilize, e.g., front entrance, entrance from garage, side or back entrances, will either have power-operated automatic doors with push plate controls or proximity-based automatic entry/exit doors while still ensuring security measures are in place for the development. Among others, this feature must comply with 2010 ADA Standards 404.3 and CBC 11B-404.3 and include battery backup or be connected to an emergency circuit if building power is off.</p>
<p>3. In designated mobility units, if patios or balconies are provided, enhanced accessibility will be achieved through one of three options: (1) provide a minimum depth of 60” that will provide a clear turning circle if the door is manually operated; (2) automatic swing type door with push plate controls complying with, among others, 2010 ADA Standards 404.3 and CBC 11B-404.3; or (3) sliding doors with recessed threshold level with finished floor and within 1/2” of the surface of the balcony or patio per, among others, 2010 ADA Standards 404.2.5 and CBC 11B-404.2.5.</p>
<p>4. In designated mobility units, all doors will be 36” wide doors. For substantial alterations where between 32” and 36” is not achievable, all doors in designated mobility units with swing-type doors requiring ingress and egress will have off-set hinges to exceed a 32” clear passage width.</p>
<p>5. In all designated accessible units, provide either (1) motion activated light switches with “touch pad” or “rocker-pad” override options, except in unit bathrooms which must include “rocker-pad” switches, or (2) “rocker-pad” switches.</p>
<p>6. Provide hard surface floor materials (e.g., vinyl, laminate, hardwood, ceramic tile, etc.) as the unit standards. The hard surface floor materials will be used in all designated accessible units. It must be comparable in aesthetic and quality to the other units in the building.</p>
<p>7. In all designated mobility units, in kitchens and bathrooms, provide full extension pull-out drawers, shelves, and racks in all base cabinets, instead of swing-open doors.</p>
<p>8. In all designated mobility units provide pantry storage with pull-out, adjustable height shelves.</p>
<p>9. In designated accessible and Fair Housing Act (FHA) units, provide adjustable height closet rods and shelves in all closets. Rods and shelves must be adjustable to meet the needs of the resident. Include heights for standing residents as well as wheelchair users, with linen closets having shelf adjustability from 15”- 72” AFF and for hanging clothes closets from 38”- 80” AFF.</p>

10. Provide accessible trash disposal options at all trash disposal sites throughout the development by providing power or (in the case of fire doors) manually operated door openers and closers that allow for five (5) pounds maximum force.
11. The design of designated mobility units will ensure that ceilings are properly reinforced (to hold minimum 500 lb. loading) such that a track and harness system could be installed as a reasonable accommodation. Following sound building practices, generally nothing additional is required to ensure the potential for installation.

Table 1B. Required Accessibility Features for Future Housing Developments Only
1. In designated mobility units, provide open concept floor plans that maximize space utilization for or overlap of kitchen, dining, and living room spaces. Such spaces may have features to close them off for privacy, e.g., pocket or sliding doors with accessible hardware. Bedrooms and bathrooms will always have doors.
2. For 50 percent of designated mobility units in a building that are studios/efficiencies or 1-bedrooms, provide roll-in showers. For designated mobility units that have more than 1 full bathroom, provide at least one roll-in shower in the unit. Roll-in showers must meet all Accessibility Standards.

Table 1C. Required Enhanced Accessibility Features for Developments Subject to Substantial Alterations Only
1. For units not designed as open-concept, eliminate swinging interior doors within the unit and where possible provide additional clear maneuvering space beyond the minimum standard, while still allowing spaces to be closed off for privacy, e.g., pocket or sliding doors for doorways to kitchens, hallways, bedrooms, and bathrooms.
2. Ensure visible alarms are installed along with the audible fire alarm system throughout the development, including in all units, consistent with 2010 ADA Standards 215 and 702.

Part 2. List of Additional Enhanced Accessibility Features for Bonus Points

These are the additional accessibility features from which an entity must select in order to meet the minimum number of optional features requirement under the EAP. An entity must select a minimum of 5 features from this list.

Features that are required only for Future Housing Developments, above, may also be selected in Developments Subject to Substantial Alterations and counted as optional features to be counted toward the minimum number of optional features required to receive the bonus.

Table 2. Optional Enhanced Accessibility Features – At least 5 Features Must Be Selected
1. Provide automatic doors with push plate controls at all public and common use areas, e.g., leasing and/or management office, community rooms, laundry, trash rooms, common kitchens, etc.
2. Add kick-plates to all accessible unit and common and public use doors throughout a building on the push side for doors with closers or both sides for doors without closers.
3. Provide motion activated light switches in all accessible units and in all public and common-use areas, i.e., utility spaces, trash rooms, mail rooms, and laundry rooms.
4. Where carpet is used in public and common use areas of the development, specify pile thickness of 3/8 inch or less measuring to the backing cushion or pad that is firm.

5. When carpet is the standard in rooms within units in a development, ensure that a hard finished floor is installed beneath the carpet in such rooms in accessible units.
6. In all units, including designated mobility units, designated sensory units, and all Fair Housing Act units, omit interior door thresholds and provide flush transitions between adjoining floor materials.
7. In designated mobility units, provide single-lever faucets with touch or motion activated water controls at all sinks and lavatories.
8. Provide an automatic, sliding door complying with 2010 ADA Standards 404.3 and CBC 11B-404.3 at main entrance to the building, while still ensuring security measures are in place for the development.
9. Provide a passenger drop-off area at the main entrance to the development complying with 2010 ADA Standards 209 and CBC 209 if located within the boundary of the development site or with Section R215 of the US Access Board’s “Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way” if the main entrance is located adjacent to a public roadway and sidewalk.
10. Install accessible smart home controls (e.g., thermostat, lighting, etc.) operable by means of a smart phone, tablet, or other type of computer.
11. For multi-bedroom mobility units with open concept floor plans, the design of the unit must provide for access from main living areas to sleeping/bathing spaces without the use of corridors.

Enhanced Accessibility Program Plan Review and Certification

Developers who choose to participate in the EAP to receive the design incentive bonus shall include on the building plans provided in their application: (1) all of the required accessibility design features in Tables 1A and 1B or 1C, and (2) at least 5 of the optional accessibility design features. Developers may not include additional optional features in exchange for one or more of the required features. Plans must be submitted to AcHP at the same time they are submitted to LADBS for plan check. Plans that do not include the enhanced accessibility features that qualified the project for bonus points will be rejected.

AcHP will review the architectural plans, identifying everything that does not meet the Accessibility Standards and/or the developer’s EAP NOFA commitments. AcHP must approve the accessibility plans in order for building permits to be issued. If the project architect does not bring the housing development into compliance, AcHP will not sign off on the building permits issued by LADBS.

Once building permits are issued, AcHP staff closely monitor the construction to verify compliance with applicable federal and state accessibility requirements, as well as compliance with the developer’s approved plans under the EAP. AcHP will notify the developer and its construction contractor of any deficiencies noted during AcHP’s rough inspections and the final inspections by AcHP and the Neutral Accessibility Consultant (NAC) retained pursuant to the VCA. Since AcHP is an approving entity for the issuance of certificates of occupancy by LADBS, AcHP will not sign off on certificates of occupancy until the properties meet federal and state accessibility requirements and those of the EAP shown on the approved building plans.

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CERTIFICATION:

Developers who choose to participate in the EAP must submit this form as certification and agreement to provide the design features chosen below. All projects choosing to participate must **provide all of the required accessibility design features in Tables 1A**. Please indicate **Table 1B or 1C (as applicable)**, and choose at least 5 features from Table 2.

ALL	Table 1A. Required Enhanced Accessibility Features for Both Future Housing Developments & Developments Subject to Substantial Alterations
	1. Commercial-grade power-operated automatic door for designated mobility units, with push plate controls or keyless proximity-based entry and exit, while ensuring security measures are in place for the unit. Among others, this feature must comply with 2010 ADA Standards 404.3 and CBC 11B-404.3 and include battery backup or be connected to an emergency circuit if building power is off.
	2. All entrances to and exits from the building that residents may utilize, e.g., front entrance, entrance from garage, side or back entrances, will either have power-operated automatic doors with push plate controls or proximity-based automatic entry/ exit doors while still ensuring security measures are in place for the development. Among others, this feature must comply with 2010 ADA Standards 404.3 and CBC 11B-404.3 and include battery backup or be connected to an emergency circuit if building power is off.
	3. In designated mobility units, if patios or balconies are provided, enhanced accessibility will be achieved through one of three options: (1) provide a minimum depth of 60” that will provide a clear turning circle if the door is manually operated; (2) automatic swing type door with push plate controls complying with, among others, 2010 ADA Standards 404.3 and CBC 11B-404.3; or (3) sliding doors with recessed threshold level with finished floor and within 1/2” of the surface of the balcony or patio per, among others, 2010 ADA Standards 404.2.5 and CBC 11B-404.2.5.
	4. In designated mobility units, all doors will be 36” wide doors. For substantial alterations where between 32” and 36” is not achievable, all doors in designated mobility units with swing-type doors requiring ingress and egress will have off-set hinges to exceed a 32” clear passage width.
	5. In all designated accessible units, provide either (1) motion activated light switches with “touch pad” or “rocker-pad” override options, except in unit bathrooms which must include “rocker-pad” switches, or (2) “rocker-pad” switches.
	6. Provide hard surface floor materials (e.g., vinyl, laminate, hardwood, ceramic tile, etc.) as the unit standards. The hard surface floor materials will be used in all designated accessible units. It must be comparable in aesthetic and quality to the other units in the building.
	7. In all designated mobility units, in kitchens and bathrooms, provide full extension pull-out drawers, shelves, and racks in all base cabinets, instead of swing-open doors.
	8. In all designated mobility units provide pantry storage with pull-out, adjustable height shelves.
	9. In designated accessible and Fair Housing Act (FHA) units, provide adjustable height closet rods and shelves in all closets. Rods and shelves must be adjustable to meet the needs of the resident. Include heights for standing residents as well as wheelchair users, with linen closets having shelf adjustability from 15”- 72” AFF and for hanging clothes closets from 38”- 80” AFF.
	10. Provide accessible trash disposal options at all trash disposal sites throughout the development by providing power or (in the case of fire doors) manually operated door openers and closers that allow for five (5) pounds maximum force.
	11. The design of designated mobility units will ensure that ceilings are properly reinforced (to hold minimum 500 lb. loading) such that a track and harness system could be installed as a reasonable accommodation. Following sound building practices, generally nothing additional is required to ensure the potential for installation.

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Eric Garcetti, Mayor

May 16, 2022

Dear Development Community Partners,

The Accessible Housing Program (AcHP) team of the Los Angeles Housing Department (LAHD) is issuing this clarification of the Enhanced Accessibility Program (EAP) requirements set forth in the Voluntary Compliance Agreement (VCA) between the City and the U.S. Department of Housing & Urban Development (HUD).

Requirement

This letter provides direction for compliance with mandatory requirement #11 in Appendix 5 of the VCA, which states:

Required Enhanced Accessibility Features for Both Future Housing Developments & Developments Subject to Substantial Alterations

11. The design of designated mobility units will ensure that ceilings are properly reinforced such that a track and harness system could be installed as a reasonable accommodation. Following sound building practices, generally nothing additional is required to ensure the potential for installation.

Clarification of Requirement #11

Appendix 5, #11 is clarified to explain that the requirement is to *provide structural provisions in the ceilings or walls for the future installation of a track and harness system in the Mobility Units only.*

The Development team for a project participating in EAP shall select a track and harness system, which may also be referred to as a lift and track system, capable of lifting 400 to 600 pounds for use in the bedroom to transfer an individual from the bed to a mobility device, and for use in the bathroom for transfer from a mobility device to the tub or shower. Such a track and harness system may be either ceiling or wall mounted.

The Development team shall provide on the project construction plans, the track and harness system specifications along with the structural calculations and methods to support the chosen system from the ceiling or wall per the manufacturer specifications. Plans shall indicate a dedicated electrical outlet for future installation of the track and harness system.

To determine the necessary calculations, the proposed system shall be planned for and placed as follows:

- Studios and One-Bedroom Units – The system shall be placed in the area where the bed is designed to be and in the bathroom.
- Two-Bedroom Units – The system shall be designed to be placed in the primary bedroom and primary bathroom.
- Three-Bedroom and Larger Units – The system shall be designed to be placed in the primary or largest bedroom and a second bedroom, both of which are closest to the compliant bathroom.

Compliance with Requirement #11

The Development team shall include on the specification sheets for the plans submitted for permit clearance and approval by the Los Angeles Department of Building & Safety (LADBS) and AcHP the following information:

- Structural engineer's design for method, materials, and instructions for future track and harness system installation;
- Brand and model numbers along with applicable technical guides; and
- The mobility unit's bedroom(s) and bathroom(s) with the reinforced ceilings.

Prior to AcHP rough inspections, the Development team shall provide a structural observation form per LADBS standards. The form shall include the unit numbers and state that the required ceiling or wall reinforcement for the system in the required bedroom(s) and bathroom(s) has been installed per approved structural design and plans. The Development team shall also provide tenant notification forms that include the available options for future installation, including which bedrooms and bathrooms are available for installation of the track and harness system within the unit. The Development team shall keep the plans on file for future reference regarding which track and harness system was chosen, in which units, and for which specific rooms within those units. Such plans shall be made available to the City, property manager, tenant, or other necessary entity upon request for purposes of enabling future installation of the track and harness system.

Sincerely,

Tricia Keane

Tricia Keane
Executive Officer and AcHP Settlement Coordinator
Los Angeles Housing Department