**Section 400.350 Multi-Story Housing, New Construction**

NOTE: New construction of multi-unit housing may also be subject to federal law, which has different accessibility requirements. See Fair Housing Amendments Act (42 U.S.C. Section 3601 et seq.).

a) All common use and public use spaces on all floors (levels) shall be accessible utilizing subsections of Section 400.310 as required to ensure accessibility. Entrance doors to all individual dwelling units shall comply with Section 400.310(j).

b) All site improvements shall be accessible, including an accessible route from the public sidewalk, public transportation facilities and/or parking, if provided, to and through an accessible entrance.

c) A permanent audible and visual emergency warning system complying with Section 400.310(s) shall be provided in all public use and common use areas. Permanent or portable audible and visual emergency warning systems shall be installed in all adaptable units on an as-needed basis at the request of an environmentally limited occupant. If a permanent system is provided, the visual emergency warning system shall be arranged so the flashing light beam is visible in all rooms of the dwelling unit.

d) The owner shall provide 20%, or at least one, whichever is greater, of the dwelling units as adaptable. Either the accessible or adaptable dwelling units shall be distributed throughout the building to provide a variety of sizes and locations.

e) Adaptable Dwelling Units

1) Adaptable dwelling units shall be designed and constructed so they may, upon application by initial occupant, be converted to accessible units, with a minimum of structural changes, to meet the needs of different types of environmentally limited persons and to comply with Section 400.360. Costs of conversion for the initial environmentally limited person shall be borne by the owner; subsequent conversion costs shall be paid by the occupant.

2) An accessible route complying with Section 400.310(a) shall be provided into and within all adaptable dwelling units to all rooms and spaces and shall provide maneuvering space at doors as required by Section 400.310(j)(5).

3) An accessible route conforming with Section 400.310(a) shall be provided into and within all private patios, terraces, balconies, carports and garages designated for use by adaptable dwelling units.

4) Bathrooms in adaptable dwelling units shall comply with the space requirements of Section 400.360(c). Bathrooms shall be designed to allow, when converted to accessible units, for the installation of grab bars, water closets, toilet paper dispensers, mirrors, medicine cabinets, under-lavatory cabinets, in-tub or head-end bathtub seats, faucets, controls, pipe insulation, shower seats, and shower spray units without structural changes to the walls, floors or ceilings.

5) Kitchen appliances and laundry facilities, if provided in adaptable dwelling units shall comply with Section 400.360(d) and (e).

6) Personal storage included in the initial construction of adaptable dwelling units shall comply with Section 400.310(p).

7) Dwelling units consisting of two stories are exempt from requirements for adaptability, as defined herein, if the required proportion of adaptable units, as stipulated in the Environmental Barriers Act, is met by other types of units distributed throughout the building; or, if accessibility to the second floor can be provided by the owner by the installation of a residential elevator or stairway chairlift complying with ASME A17.1-1996 when appropriate and approved by administrative authorities.