

CODES AND REGULATIONS

CALIFORNIA HISTORICAL BUILDING CODE (2001)

The purpose of the California Historical Building Code (CHBC) is to provide regulations for the preservation, restoration, rehabilitation, relocation or reconstruction of qualified historic buildings or properties. These regulations are intended to facilitate alternative solutions for such historic buildings or properties so as to preserve their original or restored architectural elements and features. At the same time, it provides for the safety of occupants, for the reasonable accommodation of people with disabilities, for a cost-effective approach to preservation, and for reasonable accommodation to the need for energy conservation.

- A "qualified historical building" is defined as any building, site, structure, object, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal government jurisdiction.

As defined in its purpose, the CHBC is a source of incentives for the preservation of a community's historic resources. And while these provisions are intended to maximize the protection and preservation of these resources, they also translate into cost-effectiveness:

- The "triggers" for full upgrading to current standards, with respect to length of vacancy, change of occupancy, or percentage of value of the work proposed, and which exist in other codes, are not recognized by the CHBC, which concentrates instead on the preservation-sensitive resolution of genuine safety considerations.
- Structural/Seismic upgrading issues are governed by the CHBC, permitting design based on real values of archaic materials, and solutions based on engineering principles and professional judgement, rather than solutions limited to codified prescriptive formulas. This flexibility usually translates into a higher degree of retention of historic fabric.
- Because most qualified historical buildings cannot conform to California's energy standards without the alteration or loss of historic features, they are categorically exempt from those standards. To the degree practicable, new construction associated with the historic resource should conform.
- With respect to qualified historical buildings, both ADA and the CHBC make provisions for reasonable levels of equivalency for, and under special circumstances exemption from, accessibility mandates.

The CHBC is the governing code for all qualified historical buildings, and is applicable in every jurisdiction. Responsibility for the CHBC resides within the statutorily established State Historical Building Safety Board (SHBSB). It is comprised of 21 members from the entire spectrum of the public, private and non-

profit sectors related to the issue of historic buildings and is established to recommend rules and regulations associated with the CHBC and to hear appeals. The CHBC is published as Chapter 34, Division II of the California Building Code. However it is a "stand-alone" document: Part 8 of Title 24 of the California Code of Regulations, undergirded by Statute (Health & Safety Code 18950-18961, cited as the "State Historical Building Code"), and enacted into law by the California Legislature in 1975.

ACCESS AND HISTORIC RESOURCES

The protection and preservation of the Nation's cultural legacy is, like accessibility mandates, a reflection of the will of the people of the nation and the state. The ADA acknowledges the value of historic resources, and only for them does it make exceptions to its mandates. Recognizing this dual responsibility, we as a society are properly committed to provide the highest degree of accessibility for people with disabilities that can be reasonably achieved without peril to our historic resources.

The latitude provided by the Americans with Disabilities Act (ADA) and the California Historical Building Code (CHBC) provides guidance as to reasonable solutions on a case-by-case basis. This case-by-case approach both requires and permits us, within established parameters, to make modifications to facilitate people with disabilities, providing reasonable levels of equivalency where the letter of the law would exact too high a toll of the historic resource.

Compromises are something which must be accepted by ardent defenders of both accessibility and preservation; with the understanding that, while the "desires" of neither may be fully attainable, the "needs" of both usually are. The "Accessibility" section of the CHBC (Section 8-6) has been found, thus far, to be a reasonable exposition of the requirements of ADA. Use of the CHBC, especially when coupled with input from the local community of people with disabilities, has provided the foundation for successfully meshing the mandates for both preservation and accessibility.

FURTHER INFORMATION:

Division of the State Architect
Building Standards Commission
SHBSB

www.dsa.ca.gov
www.bsc.ca.gov
www.dsa.dgs.ca.gov/StateHistoricalBuildingSafetyBoard