



# City of San Antonio

## Agenda Memorandum

**File Number:**20-1944

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**Agenda Item Number:** 18.

**Agenda Date:** 3/5/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon, PE, CBO

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Ordinance approving an amendment to Chapter 10 which will require installation of baby changing stations in new or modified building types with specific uses.

### **SUMMARY:**

A Council Consideration Request (CCR) was sponsored by Councilman Manny Pelaez on April 16, 2019, which asked staff to consider requirements that baby changing stations be installed in all new buildings with restroom facilities that offer public accommodations, and all existing buildings when restroom facilities are added or significantly modified. The CCR was presented at the Governance Committee on June 19, 2019, and approved to move forward for discussion and potential code changes. The Development Services Department (DSD) developed proposed ordinance language utilizing similar codes adopted by both state and municipal governments and presented the language to the Building-Related and Fire Codes Appeals and Advisory Board (BRFCAAB). Multiple stakeholder organizations were made aware of the proposal and updated throughout the process. DSD presented the proposed language at the Planning and Land Development Committee on February 10, 2020.

### **BACKGROUND INFORMATION:**

Currently, there are no requirements that businesses with public restrooms provide baby changing stations. DSD staff researched states and municipalities that have adopted ordinances that do require access to baby changing stations. Based on this research, staff developed proposed language for the ordinance based on language adopted by the City of Dallas, the City of New York, the State of New York, and the State of New Mexico. The language focused on requiring access to baby changing stations for all genders on each floor of a

building serving Group A (Assembly such as restaurants and libraries) and Group M (Mercantile which includes department stores and gas stations) occupancies, Hospitals, and in City-owned buildings with public restrooms .

The BRFCAB created a subcommittee to review and amend the proposed ordinance language. One subcommittee meeting was held on August 22, 2019. The language was then presented to the full board on August 29, 2019, for review and comment. The full board voted to approve the language on October 31, 2019.

Stakeholder groups, specifically the Real Estate Council of San Antonio, Building Owners and Managers Association, and the San Antonio Restaurant Association, were invited to each meeting and were provided the proposed code language for review with no suggested changes.

#### **ISSUE:**

The proposed ordinance will update the City's building requirements for commercial buildings serving Group A and Group M occupancies, Hospitals, and City-owned buildings with public restrooms. The proposed ordinance will not be retroactive but will require that every floor of new buildings, and existing buildings that make significant changes to their existing restrooms or add a new restroom, have an accessible baby changing station for all genders. The new requirement is proposed to go into effect 90 days from adoption which is consistent with building code updates.

#### **ALTERNATIVES:**

City Council could choose to not take any action on the CCR which is proposed to require baby changing stations in new and modified buildings containing the specific uses.

#### **FISCAL IMPACT:**

There is no fiscal impact. This memo is for briefing purposes only.

#### **RECOMMENDATION:**

Staff recommends approval of the proposed language that will require baby changing stations in new and modified buildings containing the specific uses.