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ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY OF CULVER CITY, STATE OF CALIFORNIA AMENDING CHAPTER 15.02 (BUILDINGS, STRUCTURES AND EQUIPMENT) OF THE CULVER CITY MUNICIPAL CODE TO ADD A NEW SUBCHAPTER 15.02.400 (GENDER NEUTRAL PUBLIC RESTROOM FACILITIES IN NEW CONSTRUCTION)

WHEREAS, Senate Bill 1194 approved by the Governor on September 29, 2022, authorized a city, county, or city and county to require, by ordinance or resolution, that public restrooms constructed within its jurisdiction be designed to serve all genders as specified, instead of complying with the plumbing standards set forth in the California Building Standards Code; and

WHEREAS, consistent with the overall goal of the General Plan to provide a safe community; all-gender restroom facilities create a safer user experience for transgender individuals and families.

WHEREAS, consistent with the overall goals and values of the draft 2045 General Plan on equity, inclusion, and compassion; all-gender restroom facilities reduce gender inequalities and promote inclusiveness.

WHEREAS, consistent with goal GL-3 of the draft General Plan’s Governance and Leadership Element to implement equity-centered decision-making when developing and implementing major policies, plans, and projects; this Ordinance implements equity-centered policy to reduce gender inequalities and promote inclusiveness.

The City Council of the City of Culver City, California, **DOES HEREBY ORDAIN** as follows:

SECTION 1: A new subchapter 15.02.400 (Gender Neutral Public Restroom Facilities In New Construction) is hereby added to Chapter 15.02 (Buildings, Structures and Equipment) of the City of Culver City Municipal Code, to read as follows:

1
2 **Gender Neutral Public Restroom Facilities In New Construction**

3 15.02.400 Gender neutral public restroom facilities required

4 15.02.410 Applicability

5 15.02.420 Definitions

6 15.02.430 Gender neutral public restroom facilities and design

7 **§15.02.400. Gender neutral public restroom**
8 **facilities required.**

9 All newly constructed buildings shall be required to provide gender neutral
10 public restroom facilities.

11
12 **§15.02.410. Applicability.**

- 13 A. The requirements of this subchapter shall apply to public restroom
14 facilities of all newly constructed buildings.
- 15 B. An applicant may voluntarily retrofit public restroom facilities of
16 existing buildings as described in this subchapter.
- 17 C. The requirements of this subchapter shall not apply to any restroom
18 inside a residential unit.
- 19 D. Pursuant to Health and Safety Code Section 118507, this
20 subchapter requires that public restrooms constructed in newly
21 constructed buildings within the City comply with specific
22 requirements designed to serve all genders instead of complying with
23 the standards set forth in the California Plumbing Code.
- 24 E. This subchapter shall become inoperative and repealed on the date
25 that standards that address all-gender, multi-user facilities take effect
26 in the California Building Standards Code (Title 24 of the California
27 Code of Regulations).
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§15.02.420. Definitions.

For purposes of this Chapter, the following words or phrases shall have the following meanings:

"Gender neutral public toilet facility" is defined as a public restroom whose access shall not be restricted to persons of a specific sex, an individual's gender expression, or an individual's gender identity.

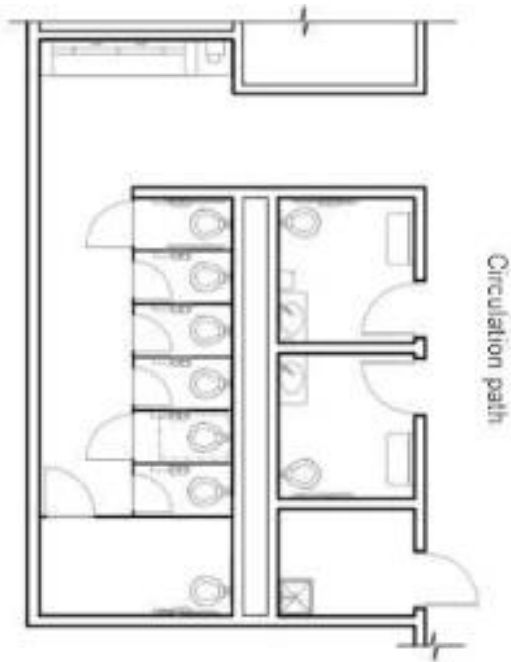
"Newly constructed building" means a new structure that has never before been used or occupied for any purpose, or removal and replacement of an existing structure.

§ 15.02.430. Gender neutral public restroom facilities and design.

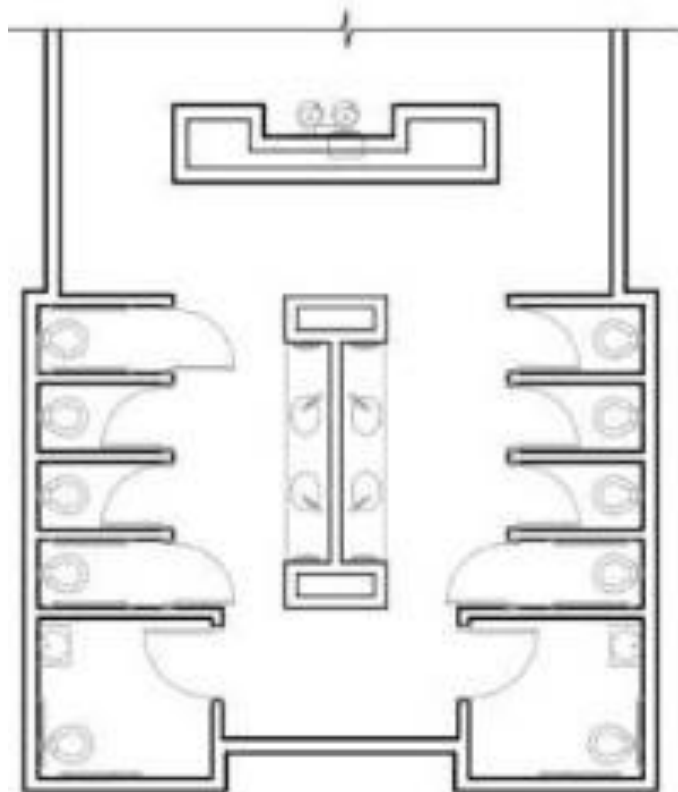
A. **Single-user Facilities.** Shall be designed and constructed with single-user toilet compartments and identified for use by all genders instead of the design standards for separate facilities for male and female found in the applicable provisions in Chapter 4 of the California Plumbing Code.

B. **Multi-user Facilities.** Shall be designed with lavatories located either within toilet rooms or grouped in an immediately adjacent common use area accessible to all users. The following acceptable designs are provided for example purposes only.

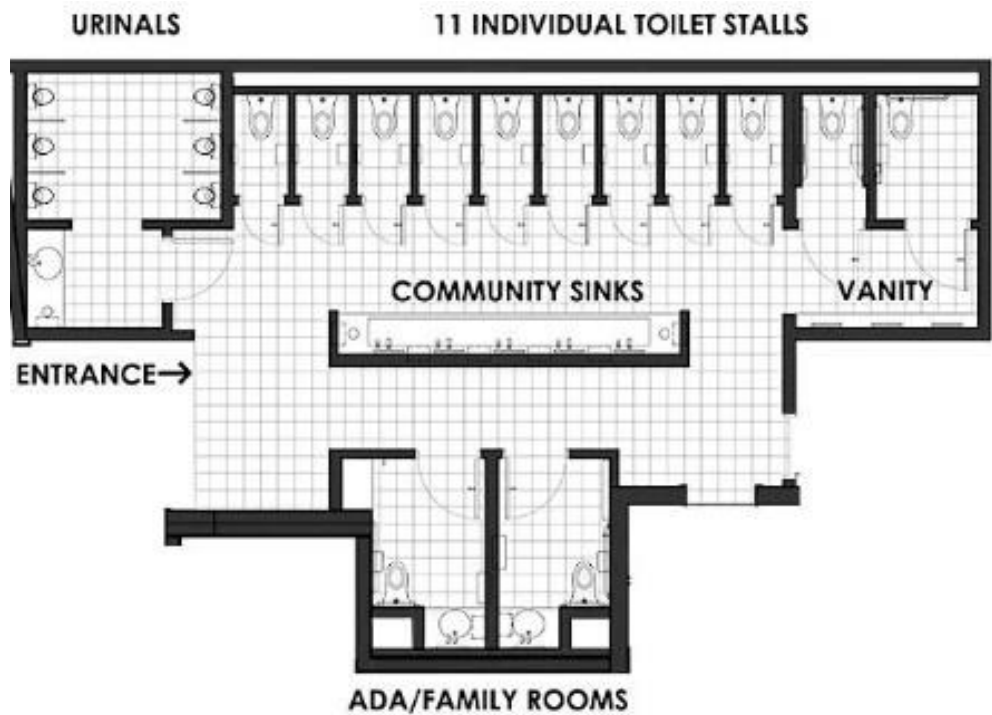
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Circulation path



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C. **Signage.** Signage indicating that public toilet facilities are accessible to all users, and not restricted to persons of a specific sex or gender identity, shall comply with Part 5 of Title 24 of the California Code of Regulations, and be clearly and conspicuously posted on all entrances to such public restroom facility or facilities. An example of signage that may be used is depicted below:



D. **Design.** Gender neutral public restroom facilities shall be designed to serve all genders and shall adhere to the following criteria:

1. The location of facilities shall be along common and open circulation paths that will maintain privacy and allow for high visibility for security.

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2. The main entrance to the space or area where public restroom facilities are located shall not have a door that will obstruct or prevent visual security.
3. Water closets shall be designed as single-user compartments and designated for use by no more than one occupant at a time or for family or assisted use.
4. Water closets shall be enclosed on all sides by walls or partitions extending from up to one inch above the floor and/or from the ceiling, and a door enclosing the fixture for privacy.
5. Lavatories may be located in the same compartment as a water closet or grouped in an immediately adjacent common use area accessible to all users.
6. Urinals shall be located in an area visually separated from the remainder of the facility or in an individual compartment(s).
7. The door to each individual compartment containing a water closet, urinal, or both, shall have a locking mechanism controlled by the occupant. The lock shall visually indicate to outside occupants that the compartment is occupied.
8. Adequate light and ventilation shall be provided within each compartment and each area of the facility.
9. Windows or glazing used in the compartment enclosures shall be opaque to provide for privacy.

1 10. The substitution of a water closet for each urinal shall be permitted
2 provided the total number of fixtures installed complies with the
3 California Plumbing Code.

4 **E. Relation to Other Rules and Regulations.** The design standards
5 contained in this subchapter shall not be construed as requiring or
6 authorizing:

7 1. A reduction in the number of fixtures or toilet facilities that are
8 required by Title 24, Part 5 of the California Code of Regulations;
9 or

10 2. A reduction in the number of fixtures or toilet facilities accessible
11 to persons with disabilities that are otherwise required under
12 either Title 24 of the California Code of Regulations or the Federal
13 Americans with Disability Act.

14 **F. Alternate Designs.** Gender neutral public toilet facilities may be
15 further designed in any manner that provides the greatest access,
16 equivalency, and privacy for patrons, and maximizes space, with
17 shared washbasins, enclosed lavatories, enclosed urinals and/or
18 toilets, or other design features that promote the purposes herein
19 promulgated in accordance with the California Building Code section
20 104.10.

21 **SECTION 2:** Nothing in this Ordinance shall be construed to affect any suit
22 or proceeding impending in any court, or any rights acquired, or liability incurred, or any
23 cause or causes of action acquired or existing, under any act or Ordinance hereby
24 repealed or amended as cited in this Ordinance; nor shall any just or legal right or remedy
25 of any character be lost, impaired or affected by this Ordinance.
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SECTION 3: Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three (3) places within the City.

SECTION 4: City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases, or words of this Ordinance, and as such they shall remain in full force and effect.

APPROVED and ADOPTED this ____ day of _____ 2024.

YASMINE-IMANI MCMORRIN, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:



JEREMY BOCCHINO
City Clerk

HEATHER BAKER
City Attorney