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## **INTRODUCTION**

The purpose of this ADA Transition Plan (herein after known as “PLAN”), is to ensure that the City of Saratoga Springs, New York (herein after known as “CITY”), creates reasonable, accessible paths of travel in the public right-of-way for everyone including people with disabilities.

The CITY has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities.

The PLAN establishes a method to identify physical barriers and prioritizes improvements that should be made throughout the CITY. This PLAN describes the policies and programs to enhance the overall pedestrian accessibility.

## **PLAN HISTORY AND OVERVIEW:**

The CITY has undertaken ADA improvements throughout the CITY in its adoption of ADA requirements for new commercial, multi-use, and subdivisions in addition to site plan requirements. Also since 2008 the CITY has had an active Sidewalk Replacement Program. More recently, the CITY has adopted a formal Resolution for ADA, a Complaint Process, and has also recently integrated ADA into its Complete Streets Plan. In 2018, the CITY shall endeavor to begin a formal five-year program to replace or add curb ramps at intersections throughout the CITY. This PLAN is drafted to memorialize the continued progress by the CITY to make their pedestrian facilities in the public right-of-way reasonably accessible for all persons.

## **LEGAL REQUIREMENTS**

The federal legislation known as the American with Disabilities Act (herein after known as “ADA”), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government and services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II, Article 8, requires public entities to take several steps designed to achieve compliance. The PLAN shall, at a minimum includes:

- A list of the physical barriers and their locations in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
- A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
- The schedule for taking the necessary steps to achieve compliance with Title II.
- Public complaint/grievance procedure.
- The name/position of the ADA Coordinator and/or official responsible for the PLAN's implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Before a transition plan can be developed, an

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inventory of the current curb ramps and sidewalks must be developed.

## **IDENTIFIED OBSTACLES TO THE PUBLIC RIGHT-OF-WAY**

The CITY has a two-tiered system to identify and assess obstacles in the public right of way: a Preliminary Evaluation and a Detailed Evaluation. The barriers used in the evaluations are based on the **Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way** (herein after known as ADA Guidelines) from the U.S. Access Board.

### **PRELIMINARY EVALUATION:**

The first tier is a Preliminary Evaluation of the sidewalks and intersections. This initial evaluation includes searching and visually checking the street network to identify deficiencies in sidewalks and intersections. The purpose of this evaluation is to determine which sidewalks and intersections are obviously non-compliant with the ADA Guidelines and to get a comprehensive overview of the complete pedestrian network. The preliminary inventory evaluates four (4) criteria for curb ramps and three (3) criteria for sidewalks:

#### **CURB RAMPS:**

1. Is a curb ramp required?
2. Does the curb ramp have a color contrasting detectable warning?
3. Does the curb ramp have a clear landing at the top of the ramp?
4. Is surface of ramp and landing smooth without cracking or heaving?

#### **SIDEWALKS:**

1. Is there a continuous clear space for pedestrian access?
2. Does the sidewalk appear to provide adequate passing zones?
3. Does the sidewalk appear to be smooth without grade breaks?

The Preliminary Evaluation shall utilize preliminary data provided by the CDTC and the CITY's Complete Streets Plan adopted by the CITY in 2016 to begin to capture and to view each sidewalk and intersection. Any mapping tool application (e.g. google streets, MapQuest, etc.) may be utilized. The criteria used can be seen on these (e.g., aerials) and are key design components to determine ADA compliance.

If the curb ramps and sidewalks do not meet the criteria, then that intersection does not need further evaluation because it is obviously non-complaint with the ADA Guidelines. If it did meet the criteria, then that intersection would be "potentially compliant" and would need a Detailed Evaluation to determine if it fully complies with the ADA Guidelines.

### **DETAILED EVALUATION:**

The second tier is a Detailed Evaluation of the sidewalks and intersections identified as "potentially compliant" during the Preliminary Evaluation. This requires a site visit to measure specific physical attributes, such as width, running slope, and gaps in the curb ramp or sidewalk, to determine compliance with the identified ADA barriers. For a description of the identified barriers see **Attachment A**. When the data is gathered, it is recorded in an intersection database. The result of this evaluation shall serve as a detailed understanding of the ADA barriers at that intersection.

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## **METHODS TO REMOVING BARRIERS — POLICIES & PRIORITIES**

The CITY utilizes many different approaches to removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

### **BARRIER REMOVAL PRIORITIES:**

The CITY bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

### **LOCATION PRIORITY:**

According to the proposed ADA design guidelines, " the U.S. Department of Justice (DOJ) regulation imposes a specific construction requirement...specifies a priority for locating (curb ramps) at State and local government offices and facilities; transportation; places of public accommodation; places of employment; and other locations." Following this guidance, the CITY identified its location priority as follows:

- Intersections serving government facilities;
- Intersections serving the Broadway Corridor, healthcare facilities, education sites, and commercial corridors; and
- Intersections serving other areas, including parks and historic sites.

### **ACCESSIBILITY CONDITIONS:**

Using the data from the Preliminary Evaluation and the Detailed Evaluation, an accessibility condition rating can be determined. NYSDOT uses the following ratings and definitions to assess the condition of each sidewalk, curb ramp or crosswalk feature; this method is highly recommended:

- Rating 1 - Not Applicable: A facility not considered to require accessibility, for example, limited-access highways, no sidewalk present.
- Rating 2 - Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding.
- Rating 3 - Partially Accessible: Not designed to current standards, for example, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails.
- Rating 4 - Accessible: May need additional improvements, such as no detectable warnings at curb ramp locations, insufficient width.
- Rating 5 - Fully Accessible: Designed to current standards, presence of detectable warnings at curb ramp locations.

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**PRIORITY RANK:**

In order to determine the overall priority of an intersection, or Priority Rank, the CITY may choose to use the following matrix to match the location priority to the Access Grade.

		Location Priority		
		1	2	3
Access Grade	Locations serving Government Facilities	Locations serving Commercial Corridors	Locations serving Other Areas	
2	1	2	3	
3	1	2	3	
4	1	2	3	
5	1	2	3	

**Priority Rank Levels**

High	Medium	Low
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The CITY determines the priority of improvements by indentifying which of the groupings are high, medium, or low priorities. A listing of priority intersections and a map that shows which intersections are high, medium, and low priorities for barrier removal will be developed in the second phase of the PLAN.

**PUBLIC COMPLAINT PROCESS**

The public complaint process is an integral part of this PLAN. Public complaints or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a sidewalk or curb ramp, go to “Procedures for Implementing Reasonable Accommodation in Programs and Services for Individuals with Disabilities” at <https://www.dot.ny.gov/programs/adamanagement/ada-procedures> or contact the NYS DOT Regional ADA Coordinator, in writing or electronically and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate department of the CITY for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor. All complaints or requests will be kept on file and will include the response. **Attachment B** is a copy of the CITY's public Grievance Procedure under the Americans with Disabilities Act.

**NEW CONSTRUCTION & ALTERATIONS**

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the CITY has adopted the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (herein after known as ADAAG) ([www.access-board.gov](http://www.access-board.gov)) as supplemented by the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (herein after known as

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ADA Guidelines). These are the primary regulatory standards that govern the design and construction of all pedestrian facilities in all Department projects. It is important to note that in alteration projects, whenever pedestrian facilities cannot fully meet the standards outlined in the ADA Guidelines, a determination of each structural impracticability or technical infeasibility must be thoroughly documented in the permanent project record. See HDM Section 18.6.1.2 for further information. This information will support the brief explanation that should be included in the Project Scoping and Design Reports

## **SCHEDULE**

As opportunity allows, the CITY will make efforts to improve the ADA accessibility of pedestrian facilities in the public right-of-way. Compliance is required to the extent practicable within the scope of the project. There will be times when it is technically impractical to provide full compliance with the guidelines for example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions. The inventory process may not account for such situations and could show a high-priority rating when all practical actions have been taken.

## **RESPONSIBLE INDIVIDUAL**

The official responsible for the implementation of the CITY's PLAN for the pedestrian facilities in the public right-of-way is:

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**Email:** Vince.DeLeonardis@Saratoga-Springs.org

**Title:** City Attorney

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Saratoga Springs NY Zip 12866

**Phone:** 518-587-3550

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Per City Council approval: December 19, 2017

# **ATTACHMENT A**

## ADA GUIDELINES USED IN DETAILED EVALUATION

### Curb Ramps

In evaluating the accessibility of existing curb ramps, the following factors were considered:

1. Is there a curb ramp?
2. Is there a curb ramp where a sidewalk crosses a street?
3. What type of curb ramp?
  - a. Perpendicular curb ramp
  - b. Parallel curb ramp
  - c. Blended transitions
4. Is the width of the curb ramp at least 4 feet wide (excluding flares)?
5. Are there detectable warnings properly installed where a curb ramp or blended transition connects to a street?
6. Is the running slope greater than 5% but less than 8.3% (blended transition 5% maximum)?
7. Is the cross slope less than 2%?
8. Is the landing a minimum of 4 feet x 4 feet?
9. Is the surface of the curb ramp or blended transition firm, stable, and slip resistant and clear of gratings, access covers, and other appurtenances?
10. Is the grade break at the top and bottom of the ramp flush and not located on the surface of the curb ramp, landing, or gutter areas?
11. Is the sum between the curb ramp and the change of grade (counter slope) of the gutter or street at the foot of the curb ramp more than 11%?
12. Is the clear space beyond the curb face at least 4' x 4'?
13. If the curb ramp is perpendicular, is the slope of the flared sides\* less than 10% where a pedestrian path crosses the curb ramp?
14. Where the pedestrian access route begins at the street crossing, is there less than 0.25" vertical difference between flush curb and street?

**Note\*:** Flares are not needed if the sides are protected from travel by landscaping or street furnishing.

### Sidewalks

In evaluating the accessibility of existing sidewalks, the following factors were considered:

1. Is there a sidewalk at each corner?
2. Is there at least 4 feet of continuous and unobstructed clear width of a sidewalk (excluding the curb width)?
3. If the continuous width is less than 5 feet, are there passing spaces at least every 200 feet along the sidewalk that are 5 feet wide or greater for a distance of 5 feet?
4. Is the cross slope of the sidewalk less than 2%?
5. Where the sidewalk is adjacent to the street, does the grade of the sidewalk not exceed the general grade of the street?
6. Is the surface of the sidewalk firm, stable, and slip resistant?
7. Are any gaps in the surface less than 1/2 inch?
8. Is the sidewalk clear of obstacles? i.e., utility covers, grates etc.? If there is a grate:
  - a. are the openings no more than 1/2 inch wide and

- b. do the elongated openings run perpendicular to the direction of travel?
9. Is the sidewalk clear of overhanging or protruding objects? If there is a protruding object is:
  - a. the leading edge of that object less than 17 inch and more than 80 inch above the ground, or
  - b. the protrusion less than 4 inches into the travel path of the sidewalk, or
  - c. a barrier is provided no more than 17 inches from the ground where the vertical clearance is less than 80 inches.
10. Are any vertical differences in sidewalk surface less than 0.25"?

### **Crosswalks**

In evaluating the accessibility of existing crosswalks, the following factors were considered:

1. Is there a crosswalk that connects two sidewalks across a street?
2. Is the width of the marked crosswalk at least 6 feet?
3. Does the cross slope of the crosswalk meet the following guidelines:
  - a. If the crosswalk is crossing a street with a stop control, is the cross slope less than 2%?
  - b. If the crosswalk is crossing a street without a stop control, is the cross slope less than 5%?
4. Is the running slope of the crosswalk less than 5%?
5. If the crosswalk crosses a median, is the length of the median at least 6 feet and does it contain detectable warnings located at curb line or edge of the roadway?
6. If the intersection signalized, does it have a pedestrian signal, if so, does the pedestrian signal phase allow enough time for a walking speed of at least 3.5 ft/sec?

# **ATTACHMENT B**



## **THE CITY OF SARATOGA SPRINGS**

### **Grievance Procedure under the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Saratoga Springs.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, email address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**City Attorney  
City of Saratoga Springs  
474 Broadway  
Saratoga Springs, New York 12866**

Within 15 calendar days after receipt of the complaint, City Attorney or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, City Attorney or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Saratoga Springs and offer options for substantive resolution of the complaint.

If the response by City Attorney or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Saratoga Springs City Attorney or his/her designee.

Within 15 calendar days after receipt of the appeal, the Saratoga Springs City Attorney or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Saratoga Springs City Attorney or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by City Attorney or his/her designee, appeals to the Saratoga Springs City Attorney or his/her designee, and responses from these two offices will be retained by the City of Saratoga Springs for at least three (3) years.