



Designing Accessible Communities

NEWSLETTER - FALL 2011

The mission of Designing Accessible Communities (DAC) is to promote, facilitate and support the use of accessible design, accessible manufactured products and the implementation of policies which ensure that all individuals, regardless of age or disability, are able to participate fully in all aspects of our community and society. Designing Accessible Communities works with both design and construction professionals as well as the general public to bring awareness of the need for accessibility in the built environment.

Community Garden Gets Accessibility Upgrades

by BJ Dietz Epstein, Accessibility Consultant/Architectural Designer
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Thanks to some recent changes, members of the San Rafael Community Garden will find greater accessibility at the 320 Nova Albion Way site, located in Terra Linda. The garden, operated by the City of San Rafael Community Services and housed next to the Dixie School District administrative offices, contains more than 50 small plots to grow flowers, vegetables and other plants in a pesticide-free environment.

Last year, Designing Accessible Communities (DAC) was contacted for assistance regarding the accessibility of the community garden. Kathleen Dennick, who uses a wheelchair for mobility, was having difficulty getting to her plots. Ms. Dennick is a long-time member of the garden, having taken over her mother's plot after her mother passed away.

DAC found multiple obstacles during the site inspection: no dedicated accessible parking spaces served the garden; the garden lacked required signage; the gate and lock system were not accessible and set up in such a way as to allow disabled members to become locked in; and the path of travel was composed of loose dirt, which hindered movement in a wheelchair.



Wheelchair wheels sinking into the old path material, loose dirt.

Working with Debbie



New van accessible parking space next to new gate and new decomposed granite path.

Younkin, the City of San Rafael Recreation Supervisor, and Richard Landis, the City's ADA Coordinator, DAC arranged a meeting to discuss the accessibility issues and find possible solutions. Because of that meeting, the City has made several changes.

Ms. Dennick's plots were originally in the back of the garden, furthest from the parking. The City relocated her plots to the side of the garden nearest the parking lot to minimize the amount of travel needed between parking and plot. They installed a van accessible parking space with a loading zone adjacent to Ms. Dennick's plots, and relocated a gate to just in front of the new parking space. They also replaced the old path with a new 4-foot-wide compacted decomposed granite path with a maximum slope of 2%.

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Code Interpretation

Guest Article by Peter Margen, Principal, Margen + Associates
www.margenassociates.com

On March 15, 2012, the 2010 ADA regulations will become mandatory for newly constructed or altered buildings and facilities. The California Building Code (CBC) already provides the highest level of accessibility of any code in the country, so there is nothing to worry about. Are you feeling relaxed now? Good! Please read on.

The ADA does not invalidate provisions of state law that provide greater protections for the rights of persons with disabilities. Here is the requirement from the Title III regulations (also found in the Title II regulations for state and local governments):

§ 36.103 Relationship to other laws.

(c) Other laws. This part does not invalidate or limit the remedies, rights, and procedures of any other Federal laws, or State or local laws (including State common law) that provide greater or equal protection for the rights of individuals with disabilities or individuals associated with them.

California has had accessibility requirements since 1968 and many of the requirements in the 2010 CBC require a higher degree of access than found in the 2010 ADA Standards. In order to comply with both state and federal requirements, the most restrictive standard must be applied.

With this in mind, let's examine three issues as they relate to the design and construction of restrooms:

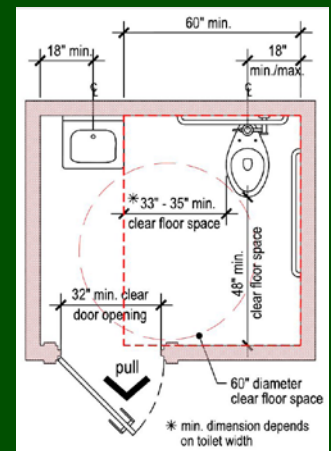
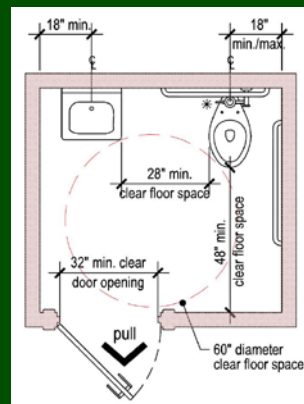
Section 604.3 of the 2010 ADA Standards requires that a toilet be located within a 60" wide x 56" long clear floor area. The 2010 CBC section 1115B.4.2 1 says that 28" minimum of clear space must be provided between the edge of the toilet and an adjacent fixture, or 32" to a wall. When we combine these two requirements, we see that we can no longer apply the CBC section and still comply with the ADA as shown in the example.

Section 604.7 of the 2010 ADA requires the centerline of toilet paper dispensers be 7"-9" from the front edge of the toilet. The 2010 CBC section 1115B.8.4 requires

the dispensing portion to be 36" maximum from the back wall and 12" maximum from the far edge of the of the toilet. When we combine these two requirements, we see that, depending on the length of the toilet and/or the dispenser design, the 2010 ADA section is more restrictive as shown in the example.

Finally, section 604.2 of the 2010 ADA Standards allows a range of 16"-18" to the centerline of a toilet from an adjacent wall or fixture. The 2010 CBC section 1115B.4.2 1 requires the centerline to be exactly 18". The California Division of the State Architect proposed changing to the 16"-18" range in the most recent code cycle; however, that proposal met strong opposition from members of the disability community and was withdrawn by the State Architect's Office. So, even though the 2010 ADA Standards say 16" to 18", in California, the requirement for a toilet to have 18" from the centerline to the adjacent wall still applies.

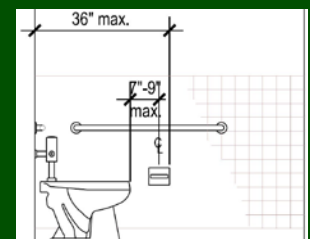
So go forth, design and construct. Just exercise care when attempting to harmonize the state and federal requirements.



Above: 28" minimum Transfer Space required by CBC

Upper Right: Diagram showing 60" minimum clear floor space as required by the 2010 ADA

Lower Right: Toilet Paper distance required when combining 2010 CBC and ADA



Peter Margen has over 29 years of expertise in disability access compliance issues. His experience includes directing the Access California Program, ADA coordinator for the City of Oakland and with Margen + Associates consulting on hundreds of projects for a broad range of clients. email: pm@margenassociates.com

Code Interpretation

What Accessibility Standards Apply?

- Both state and federal standards always apply.
- The “most restrictive” element from each standard applies on a case-by-case basis.
- “Most restrictive” means that the design feature that will provide the greatest access for people with disabilities must be used.
- Equivalencies are allowed, but only if substantially equivalent or greater access will be achieved.

From the Executive Director

Hello.

The DAC Board of Directors and I are pleased to be sending you the third edition of the Designing Accessible Communities (DAC) Newsletter. We are happy to announce that DAC is able to continue producing our Newsletter due to a grant from Jessie Lorenz and the Executive Board of the Independent Living Resource Center San Francisco (ILRCSF). The funds come to us through ILRCSF from the Herb Levine Legacy Fund, from the Fund’s inaugural round.

We send a warm “Thank You” to our friends at the Independent Living Resource Center San Francisco and the Herb Levine Legacy Fund.

Richard Skaff

Founder and Executive Director,
Designing Accessible Communities

Jessie Lorenz is the Executive Director of the Independent Living Resource Center (ILRCSF). Blind since birth, Jessie has been a champion for disability rights and full accessibility for as long as she can remember. Prior to becoming the Executive Director of ILRCSF, Jessie worked as an advocate, community organizer and consultant in the disability community. In 2008, she was an Olympic torchbearer in San Francisco and later that year, won her second consecutive Paralympic medal with the gold in Beijing for Goalball. Jessie is a new mom to a beautiful baby girl.



Garden, continued

Since the project was completed, the City has received no further complaints from Ms. Dennick regarding the garden’s accessibility. “Everything we do, we do to provide an opportunity to all citizens to participate fully in the programs we offer. Provided we have the physical and fiscal means to do so, and in this case we did,” said Richard Landis, ADA Coordinator, adding that he was pleased that Ms. Dennick and future gardeners would now be able to access and participate in the garden. For further information on the Community Garden, call Debbie Younkin at 415-485-3344.

The City of San Rafael is making great strides in offering an accessible garden to their community, and DAC and members like Kathleen Dennick appreciate their efforts.

BJ Dietz Epstein is an architectural designer with a specialty in accessibility. Ms. Epstein earned her Masters of Architecture from Iowa State University, and has 6 years experience with accessibility in the built environment.
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PROW For Public Comment

On July 26, 2011, the U.S. Access Board posted the “Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.” These proposed guidelines are available for public comment through www.regulations.gov until November 23, 2011. (36 CFR Part 1190, Docket No. ATB-CB 2011-04) A copy of the document can be found here: www.access-board.gov/prowac/nprm.pdf

Comments can also be submitted via:

- * email to row@access-board.gov (Include docket number ATBCB 2011-04 in the subject line of the message.),
- * fax, 202-272-0081
- * mail or hand delivery to:
Office of Technical & Informational Services, Access Board
1331 F Street, NW, Suite 1000,
Washington, DC 20004-1111

All comments will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Hearings will be held on the proposed guidelines on September 12, 2011 from 9:30 to 11:30 a.m. in Dallas, TX; and on November 9, 2011 from 9:30 to 11:30 a.m. in Washington, DC.

For the past few years, Designing Accessible Communities has been working with the Marin County Kaiser Permanente healthcare organization to help bring the organization's buildings, facilities and member programs into compliance with all state and federal access codes and regulations. The following article by Berta Alicia Bejarano, the Marin County Kaiser Permanente ADA Coordinator for Program Access, describes one of the Kaiser Permanente member programs, the language services program, that has recently been modified (due to DAC's advocacy) to include American Sign Language interpretation services for its members who are deaf.

Kaiser Linguistic & Cultural Services

Guest Article by Berta Alicia Bejarano, M.A., C.I., Director of Diversity, Linguistic & ADA Services, Kaiser Permanente San Rafael Medical Center

To ensure access to linguistic services at every point of contact, health care organizations must address multiple unique encounters that span the patient and family health care experience. Each point of contact may be specialized and requires its own level of linguistic competency.

Kaiser Permanente San Rafael, in an effort to meet the growing needs of our ethnically diverse and multilingual member population, provides language services to facilitate cultural and linguistic communication between hearing impaired, limited or non-English proficient patients and their health care providers.

Faced with increasing language service demand, and in the absence of adequate numbers of on-site qualified health care interpreters, health care organizations are turning to their own diverse work force for practical solutions. To promote access to linguistic services, Kaiser Permanente developed the Qualified Bilingual Staff (QBS) model to identify, qualify, educate/enhance, mobilize and monitor an internal work force as a key strategy to promote culturally competent care, improve health outcomes and

reduce health care disparities.

Kaiser Permanente San Rafael offers the Qualified Bilingual Status (QBS) services as well. The QBS services are offered to all members of the Kaiser Permanente work force who seek to enhance their linguistic competency. Currently, services target threshold languages including Spanish, Chinese (Mandarin and Cantonese dialects), Vietnamese, Tagalog, Russian, Hmong, Punjabi and American Sign Language. The QBS model enhances bilingual communication within the staff's scope of practice or clinical specialty. QBS staff and clinicians can serve in dual roles where one role services a functional need, the other a linguistic need.

On staff, we provide services of a certified health care interpreter in the Spanish language. Kaiser Permanente San Rafael provides on-site interpreting service to limited and Non-English proficient members throughout our satellite clinics. Interpreting services for other languages and dialects (including American Sign Language) are provided by contracted interpreter services.

Kaiser Permanente San Rafael linguistic services to our members continues to flourish in an environment of strong organizational commitment and continues to gain momentum to meet the needs of Kaiser Permanente's diverse multilingual and multicultural population. For additional information regarding our services, please contact Berta Alicia Bejarano, M.A., C.I., Director of Diversity, Linguistic & ADA Services at berta.a.bejarano@kp.org

Berta Bejarano is the NCAL Kaiser Permanente Latino Association President and Director of Diversity, Linguistic & ADA Services. Ms. Bejarano is bilingual/bi-cultural (Spanish) and has over 10 years experience implementing linguistic and cultural training and facility-wide inclusion training/growth. email: berta.a.bejarano@kp.org

The Board of Directors of DAC wants to thank the San Francisco Independent Living Resource Center for its support for this project through a grant from the Herb Levine Legacy Fund.



Independent Living Resource Center
San Francisco