

**Americans with Disabilities Act
Transition Plan
for Curb Ramps and Sidewalks**
Updates and Revisions
2007-2008

City and County of San Francisco
Department of Public Works
In collaboration with
The Mayor's Office on Disability

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ADA Transition Plan for Curb Ramps and Sidewalks of the City and County of San Francisco

Introduction

Goals and Objectives

The goal of the Americans with Disabilities Act (ADA) Transition Plan for Curb Ramps and Sidewalks of the City and County of San Francisco (CCSF) is to ensure that the City creates accessible paths of travel in the public right of way for people with disabilities.

San Francisco City government has made a significant and long-term commitment to improving the accessibility of the public right of way. The Department of Public Works (DPW) has been the primary leader in these efforts, with collaboration and funding from the Mayor's Office on Disability (MOD) in prioritizing and funding curb ramp construction under the ADA Transition Plan for Curb Ramps and Sidewalks. This Transition Plan describes CCSF's existing policies and programs to enhance accessibility in the public right of way.

Both the ADA Transition Plan for Curb Ramps and Sidewalks, as well as the ADA Transition Plan for Facilities, have received significant funding and commitments from the City's 10 Year Capital Plan. As explained below, the ADA Transition Plan for Curb Ramps and Sidewalks incorporates both a funding commitment and a prioritization matrix that seek aggressively to remove barriers in the public right of way.

Funding for the ADA Transition Plan for Curb Ramps and Sidewalks is not the only means by which the City's public rights of way are made more accessible. In addition to construction funded under the ADA Transition Plan, CCSF has three additional means by which curb ramps and sidewalks are created and upgraded.

- Capital Projects for New Construction: Work that involves creating new public right-of-way will provide accessible features in the project area that meets current design standards.
- Capital Projects for Alterations: Work that under the ADA would be considered an alteration of existing public right-of-way will provide new and upgrade existing accessible features in the project area to meet current design standards.
- Maintenance and Repair Projects and Programs: Work that specifically addresses spot areas that are limited to normal maintenance and repairs in the public right-of-way will maintain accessibility of the public right-of-way.

The programs, standards, policies, and procedures that the Department of Public Works presents herein collectively form a comprehensive program that incorporates accessibility in a timely manner into public rights-of-way throughout the City.

Transition Plan History and Overview

The Curb Ramp and Sidewalk Program of the Department of Public Works is the result of coordinated efforts from several Bureaus within DPW, primarily: Engineering, Architecture, Street Use & Mapping, Construction Management, Building Repair, and Urban Forestry.

The City began installing curb ramps in the early 1970's. Since then, other governmental, public and private entities have also installed curb ramps. For example, utility companies are required by way of permit requirements through DPW's Bureau of Street Use and Mapping to install curb ramps when altering a street corner, and major construction projects have been required to install curb ramps in the areas of construction.

DPW developed the first formal Curb Ramp Program in 1989 in response to federal and state requirements effective at that time. DPW created the first DPW Curb Ramp Transition Plan in FY 1992-1993, and a follow up 5-year plan in 1998. As priorities and funding sources evolve, the City periodically updates its ADA Transition Plans. The ADA Transition Plan was updated in 2004 and is updated and revised with this 2008 version. This ADA Curb Ramp and Sidewalk Transition Plan reflects current policies and programs already in place to enhance accessibility in the public right of way.

Note: *More detailed documentation with specific City regulations, policies and schematics are available from the ADA Coordinator of the Department of Public Works.*

I. Legal Requirements

Legal Requirements – Federal

The federal statute known as the Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunications. Title II of the ADA specifically refers to state and local government programs, services and activities.

Title II of the ADA (28 CFR Section 35.150 (d)) requires that state and local entities develop a Transition Plan specific to curb ramps:

... If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

(3) The plan shall, at a minimum --

- (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- (ii) Describe in detail the methods that will be used to make the facilities accessible;
- (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- (iv) Indicate the official responsible for implementation of the plan.

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes California, held for the first time that sidewalks constitute a service, program or activity of a city, and sidewalks are therefore subject to the ADA's program accessibility regulations. *Barden v. City of Sacramento*, 292 F.3d 1073 (9th Cir. 2002). Before the *Barden* decision, the law was unclear whether municipalities' transition plans should address barrier removal from sidewalks.

Legal Requirements – State

The Unruh Civil Rights Act, California Civil Code sections 43-55.2, and the California Building Code, Code of California Regulations, Title 24 Part 2, [hereafter referred to as

Title 24] complement federal law, and govern the City's obligations to provide access to its facilities and programs.

Legal Requirements – San Francisco

The City and County of San Francisco has adopted the new California Building Code (CBC), which includes access requirements, under CBC Regulations Title 24, Part 2 Volumes 1 and 2. In this Transition Plan, we will refer to these requirements as "Title 24."

In addition, the San Francisco Public Works Code incorporates several policies that directly affect accessibility in the public right-of-way. Among them are policies that regulate the use of sidewalk displays, and sidewalk tables and chairs. Construction projects in or otherwise affecting the public right-of-way are required to provide accessible barricades and scaffolding and maintain an accessible path of travel along and around such sites. This Transition Plan cites these policies in the relevant sections below.

II. Identified Obstacles to the Public Right of Way

The City has used a two-prong approach to pro-actively identify and assess obstacles in the public right of way. For curb ramps, the DPW has created a detailed curb ramp database. Survey teams have visited more than 29,000 intersections and documented whether a curb ramp is needed, whether one is in place, and the condition of the curb ramps that are already built. The information in this database provides the primary basis for the City's estimates of need and spending, as well as the types of obstacles in existing curb ramps.

For sidewalks, the City has used a "sampling" method. In 2005, a statistically significant sample of sidewalks was surveyed in order to assess the type, severity and cost of sidewalk barriers in various neighborhoods. On the basis of this information, the City has in Fiscal Year 2006-2007 begun a systematic sidewalk assessment and repair program, to proactively identify and remedy defects and barriers in the City's sidewalks. This program supplements an existing process that receives and responds to individual complaints of sidewalk obstacles and defects.

For both curb ramps and sidewalks, the City also receives complaints from residents and visitors. These complaints are given the highest priority in the City's plan to remove obstacles in the public right of way.

This section of the ADA Transition Plan for Curb Ramps and Sidewalks will discuss each of these programs separately.

Curb Ramps

The Department of Public Works has undertaken an exhaustive review of its intersections and curb ramps. It has developed a GIS map and database of curb ramp conditions citywide, evaluating not only whether a curb ramp exists at the site, but also whether a curb ramp is needed and the condition of the curb ramp. This data is updated periodically and is instrumental in mapping and identifying priority locations for upcoming curb ramp projects. In this way, the City systematically identifies obstacles in the public rights of way, as part of a dynamically updated facility maintenance and management system rather than a snapshot of conditions frozen in time. The condition of various physical attributes is used to develop a relative ranking of priority locations. Additionally, the geographic distribution of curb ramp priority needs can be evaluated, such as priority locations including government facilities and transportation facilities.

Identified Barriers – Curb Ramp Evaluation Factors

In evaluating the accessibility of existing curb ramps we consider the following factors:

CURB RAMPS – EVALUATION FACTORS

EVALUATION FACTORS	
Curb Ramp Slope	<ul style="list-style-type: none"> • Slopes 1:12 (8.33%) or less. • Slopes greater than 1:12, but not greater than 1:10 (10%). • Slopes greater than 1:10 (10%).
Curb Ramp Cross-Slopes	Max 2% (Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Title 24)
Curb Ramp Width	At least 4 feet in width (excluding flared sides) (Title 24)
Upper Landing	At least 4 feet deep x ramp width; max slope of 2% each way (Title 24 and ADAAG)
Location within Crosswalk	Ramp wholly within the crosswalk markings (Title 24) (excluding flared sides).
Lip at bottom of ramp/gutter pan	Ramp flushed with road surface; no bump or lip. Title 24 previously required a ½ inch high beveled lip at bottom of curb ramps. Lip-too-high criteria was collected in 2000 survey. (Lips greater than ½ inch.)
Detectable Warnings ¹	Truncated domes extend 36 inches minimum in the direction of travel and the full width of the curb ramp (excluding flared sides)

¹ **Detectable Warnings:**

The ADAAG defines a detectable warning as “a standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired people of hazards on a circulation path.” The most common design for detectable warnings is a strip of yellow truncated domes. Detectable warnings act to alert visually impaired pedestrians to potential hazards -- such as traffic -- just as stop signs and curbs would to sighted individuals. City policy calls for installation of detectable warnings on all new curb ramps and within any project area involving alterations to the public right-of way.

Curb Ramp contrast with Sidewalk	Curb ramp finish contrasts with the adjacent sidewalk.
Curb Ramp Surface Condition	Acceptable surface condition.
Flared Side Slope	Sides sloped over 1:10 (10%).
Curb Ramp Orientation	Curb ramp aligned parallel with the crosswalk served.

Scope of Work - Curb Ramp Findings

The City has a total of approximately 7,200 intersections (as of October 9, 2007). Of these, many are not four way intersections, and some do not allow pedestrian crossings at all potential locations. This is primarily due to pedestrian safety considerations at high speed or high volume roadways.

DPW policy is to build one curb ramp at each end of each crosswalk. However, due to the aforementioned traffic considerations and to topographical or other physical and legal constraints, two curb ramps are not always feasible at each street corner (curb return). As a result, the citywide average is 1.82 potential curb ramp locations per curb return.

Based on the existing data from surveyed intersections, the City has constructed curb ramps in close to half of the pedestrian crossing locations. However, many of the oldest curb ramps have sufficient numbers of deficiencies (according to the criteria above) that they are a priority for reconstruction. (For example, all curb ramps with a slope greater than 10% are considered priorities for reconstruction, regardless of whether all other features are code compliant.)

As a conservative estimate, the City currently has more than 10,800 curb ramps that are considered safe and useable. (This is based on surveyed locations that have met most of the Evaluation Factors in the survey.) However, there are over 8,700 curb ramps that are candidates reconstruction.

The biggest unknown in this arena are the more than 17,000 potential curb ramps sites that have yet to be surveyed. For purposes of cost and timeline estimates, the City has assumed that most of these locations lack useable new curb ramps. This is an extremely conservative approach. As the locations are surveyed, the actual number of pedestrian crossing sites lacking useable curb ramps is likely to be significantly less.

The following table summarizes the current information from the curb ramp database:

Category	No. of curb ramps
All potential sites for curb ramps in the City	46,498
Estimated number of useable curb ramps to serve pedestrian crossings	43,127
Locations with no pedestrian crossing, or curb ramp infeasible	3,470
Curb ramps constructed in city – known from surveys	19,579
Existing curb ramps that are safe and useable according to survey criteria	10,865
Existing curb ramps that are a priority for reconstruction	8,714
Surveyed pedestrian crossings lacking curb ramps	6,247
Total known curb ramp sites for construction or reconstruction	14,961
Unsurveyed locations -	17,202
Estimated number of unsurveyed locations that will not need a curb ramp	1,268
Possible number of unsurveyed locations that will need a curb ramp	15,919

Database Note: *The curb ramp database is quite large and could not feasibly be included in the text of this ADA Curb Ramp and Sidewalk Transition Plan. The databases may be made available for public inspection by advance request through the office of the DPW ADA / Disability Access Coordinator, 30 Van Ness Avenue, San Francisco, CA 94102. Telephone: (415) 557-4685, TTY: (415) 558-4088, Fax: (415) 558-4519. A two week advance notice is requested.*

Sidewalks

In the year 2005 the DPW undertook a program to survey and collect data regarding the condition and status of sidewalks. The method chosen to do this was to sample a statistically significant number of sidewalks by street segments, distributed randomly city wide.

The goal of this program was to perform a citywide sidewalk conditions survey to assess and record representative locations in need of repairs or other maintenance in order for the sidewalks to be accessible to persons with disabilities. DPW then placed the collected data into a database. DPW has used this data to develop an overall estimate of the scope of the issue as well as develop broad cost forecasts. DPW has established a Sidewalk Assessment and Repair Program, an ongoing facility

maintenance & management process whereby the city's sidewalks are systematically evaluated, work areas are prioritized, and needed work is forecast.

Identified Barriers - Sidewalk Evaluation Factors

The Sidewalk Survey Team surveyed 450 blocks for damage that might restrict the pedestrian access for disabled citizens. In conducting its survey of City sidewalks, the Department of Public Works used specific criteria to evaluate the frequency (and cost) of barriers to access. The City noted all sidewalk deficiencies that would interfere with the public right of way. Surveyors used the following criteria to document barriers:

- Cracking of sidewalk surface (including sidewalk flags, curb, and utility covers) deeper and/or wider than 0.5"
- Less than 4' of accessible pedestrian pathway
- Less than 4' of clearance for entrance to public bus shelters
- Greater than 0.5" vertical or horizontal displacement/upheaval of sidewalk surface (including sidewalk flags, curb, and utility covers)
- Missing tree grates
- Missing utility covers
- Greater than 2.5% horizontal or vertical slope across the path of travel
- Less than 8' of vertical clearance

The sidewalk survey team surveyed 450 blocks chosen at random from the 13,792 DPW accepted blocks in San Francisco. These 450 blocks were evenly distributed amongst the City's 11 districts, and excluded paper streets, parks, private parking, unpaved right of ways, and streets at Hunter's point, Treasure Island, and Yerba Buena. The data collected from this randomly selected sample set was then used to extrapolate a cost estimate for the entire city.

Scope of Work – Sidewalk Findings

The survey team found many instances of potential barriers to people with disabilities in the public right of way. By far the most common barrier that the surveyors encountered was the general category of sidewalk damage. In terms of reported incidents of barriers, the generic "sidewalk damage" accounted for 52% of incidents. Sidewalk upheaval, or uneven sidewalk was a less frequent, though still significant finding, comprising 15% of the items cited. Trees posed a significant issue as well, with a missing tree grate or empty tree pit accounting for 20% of the incidences cited.

(The survey does not reveal whether some trees that did not have grates nonetheless had other detectable barriers that would warn pedestrians without creating a barrier to the path of travel.)

The survey findings are summarized below:

Sidewalk Deficiency Survey Findings	# incidents	% incidents
sidewalk damage / depression	3724	52%
missing tree grate	1324	19%
sidewalk upheaval/uneven sidewalk	1064	15%
curb damage	566	8%
missing or damaged utility cover	255	4%
excessive x-slope	56	1%
empty tree pit	91	1%
excessive y-slope	22	0%

Method of Cost Estimation:

Sidewalk damage, uneven sidewalks, excessive x-slope, excessive y-slope, and sidewalk upheaval were quantified by the number of flags damaged or affected. Curb damage was quantified by the number of curb segments affected. Deficiencies such as damaged or missing utility covers were classified by utility cover size and utility agency. Lastly, vertical and horizontal clearance issues were physically measured.

The citywide cost estimate was developed based on several factors. Each deficiency was assigned the following dollar amount:

Item	Cost
Replace 1 flag of sidewalk	\$100/flg
Replace 1 segment of curb	\$12/linear ft.
Replace 1 sewage vent cover	\$40/ea
Replace/Install 1 tree grate	\$2,500/ea
Damaged utility cover (small)	\$100/ea
Damaged utility cover (medium)	\$200/ea
Damaged utility cover (large)	\$300/ea
Empty tree pit (assume 1 flag)	\$100/ea

Based on the above line item estimations a cost estimate of \$6,255,992.00 was assessed for the 450 sample set (see ADA Deficiency Survey for details).² The team was then able to extrapolate a total cost estimate for the City of San Francisco. This estimate was then categorized into 4 major liabilities groups, based on the number of properties surveyed belonging to various government entities and private parties, ie. city government, state government, federal government and private owners.³ Given the small proportion of City sidewalks adjacent to City property, the direct cost to the City is relatively low.⁴

Given the division between government owned properties and privately owned properties, the vast majority of the work and costs will be born by private property owners.

² The city-wide estimate was developed based on dollars/center line foot of streets. In other words, the total cost for the 450 streets was divided amongst the centerline foot measurement of the 450 street sample set.

$$\frac{\$6,255,992.00}{\sum_{n=1}^{450} l_n} = \frac{6,255,992.00}{164455.386463} = \$38.0407 / \text{centerline ft}$$

The \$38.0407/centerline ft was then multiplied by the centerline length of all DPW accepted streets.

$$\$38.0407 \sum_{n=1}^{13,792} l_n = \$2.50434 e8 = \$250,434,000$$

The cost estimate was also calculated based on the ratio between the center line length of the 450 sample set of streets to the center line length of all active streets with roughly the same result. It should be noted however, that 74 of the 450 randomly selected streets required one-sided surveillance (See One-Sided Streets attachment). Meaning that either by a function of CNN number assignment or due to the fact that the one side of the street had no pedestrian pathway, the team only surveyed one side of the street. In addition, it should also be noted that for the purposes of cost estimation, the team assumed a uniform size of sidewalk flags and curb segments. The effect of these assumptions on the overall cost estimation is likely immaterial. However, if a more accurate cost estimate were calculated, it should take these facts into consideration.

³ In accordance with the memorandum title "General Field Policies and Procedures: Inspection of Private Sidewalks" section 7.601, the City of San Francisco assigns responsibility for sidewalk maintenance to the fronting property owner(s). The property owner is not responsible for the repair of the sidewalk fronting his or her property in the following instances:

- When the damage is caused by City maintained trees
- When the damage is in the corner return
- When the damage is related to a utility facility

⁴ Depending on the cost factor attributed to tree grates, the cost estimate for CCSF ranges between \$10 - \$20 million city-wide.

Database Note: *The sidewalk database is quite large and could not feasibly be included in the text of this ADA Curb Ramp and Sidewalk Transition Plan. The databases may be made available for public inspection by advance request through the office of the DPW ADA / Disability Access Coordinator, 30 Van Ness Avenue, San Francisco, CA 94102. Telephone: (415) 557-4685, TTY: (415) 558-4088, Fax: (415) 558-4519. A two week advance notice is requested.*

III. Methods to Remove Obstacles- Policies & Priorities

The City and County of San Francisco employs a range of approaches in removing obstacles on sidewalks and at street corners, including:

- proactively identifying and eliminating the barrier,
- responding to public complaints,
- ensuring the correct design and build-out in new construction.

This section of the ADA Transition Plan will review City policies for barrier removal focusing on the approaches used by the Department of Public Works.

Curb Ramps

The City constructs the majority of its curb ramps through two projects, 1) the ADA Transition Plan for Curb Ramps program, and 2) the Street Resurfacing Program. Additional sources of curb ramp construction are primarily in connection with Traffic Signal upgrades and private construction that touches a street corner.

Barrier Removal - ADA Transition Plan Priorities

The ADA Transition Plan priorities closely follow the guidelines in the regulations. The matrix on the following page shows the priorities. The highest priorities are those in the boxes shaded green. Curb ramps that have a poor condition score, and corners with no curb ramps are the highest priority. Within those two rows on the matrix, the locations that are the highest priority are those that have been identified by people with disabilities as being necessary for their path of travel (Public Requests or Complaints), and curb ramps serving key amenities (civic centers, transportation, and public accommodations) are the next priorities.

Once locations with curb ramps that have poor scores, or no curb ramps at all have been addressed, the City will address locations that are the subject of Public Requests or complaints that have only one ramp, but two directional ramps could feasibly fit. After that, ramps where construction poses extreme difficulty, either because of physical constraints, or legal complications. (Locations with privately owned sub-sidewalk basements have posed such a legal complication.)

Lowest priority – The last and lowest priority for replacement are those ramps built to code at the time they were built, and that remain safe and usable, even if not up to current design standards. Normally, DPW will upgrade those curb ramps only when that area undergoes an alteration or remodeling. CCSF includes these curb ramps in its Transition Plan, notwithstanding that there is no legal obligation to do so. DPW Order No. 169,270 - Curb Ramp Installations Priority.

The ADA Transition Plan Priorities for Curb Ramps are summarized in the matrix below. Those areas shaded in green are the areas of highest priority.

DPW Curb Ramp Priority Matrix for Barrier-Removal Projects.

		ADA 35.151(d)(2) Geospatial Proximity Priorities				
		A	B	C	D	E
SFDPW Order 169,270 Curb Ramp Installation Priorities (Condition)	Priority Description	Locations of Citizen Complaints / Requests (ADA Title II Program Access)	Locations Serving Government Offices & Public Facilities	Locations Serving Transportation	Locations Serving Places of Public Accommodation, Employers	Locations Serving Other Areas
1	Non-conforming Curb Ramp or Landing / Poor condition score	A1	B1	C1	D1	E1
2	No Curb Ramp Yet Constructed	A2	B2	C2	D2	E2
3	Single or Non-Directional Curb Ramp, Two Can Fit	A3	B3	C3	D3	E3
4	Extremely Difficult Physical or Legal Constraints	A4	B4	C4	D4	E4
5	Curb Ramp Does Not Meet Current Standards, Good condition score	A5	B5	C5	D5	E5

Public Complaint Process

The public complaint process is an integral part of the Transition Plan for curb ramps. Public complaints or requests drive the majority of the construction and renovation in the City's annual curb ramp plan. With the addition of the new 311 Center, any member of the public can call 311 and register a complaint or request regarding curb ramps. Within DPW, the ADA Coordinator is the central point to take and evaluate requests.

Curb Ramps - Complaint Process: The DPW Office of the ADA / Disability Access Coordinator (DAC) acts as the central clearinghouse for curb ramp complaints and requests. Citizens with disabilities requiring curb ramps are encouraged to contact the office directly via 311. Complaints and requests received by other departments or the various DPW Bureaus are routed to the DAC office. This central complaint procedure ensures that the specific needs of each individual are accurately understood and recorded. The issue and specific locations are then entered into a log and the matter referred to the appropriate City agency for inspection and possible action. The referred agency then replies with its findings to the DAC's office, which then issues and keeps record of a formal response to the complainant / requestor.

New Construction

Not all curb ramps are constructed in the City via the Transition Plan. New Construction and Street Resurfacing also provide significant numbers of new curb ramps. DPW has several policies to ensure that new construction follows clear standards to maximize the accessibility of the City's public right of way.

Curb Ramp Standards: DPW has developed a series of curb ramp standards and alternates, organized in a decreasing order of preference and accessibility. It is the intent of these standards to achieve the highest level of compliance with the standards for new construction that are technically feasible in any given location. In the vast majority of locations, this will include curb ramps with a 1:12 slope. However, a specific provision in ADAAG allows curb ramps to slope up to 10% if existing space limitations prohibit the use of 1:12 slopes. Accordingly this principal is reflected in the DPW Curb Ramp Priority Matrix as well.

Curb Ramp Program to provide fully accessible routes within an area: It is DPW practice to aggregate various curb ramp locations in an area in order to create as much economy of scale as possible when constructing new or upgrading existing curb ramps. Additionally, when a curb ramp is constructed at one end of a crosswalk, DPW also constructs a curb ramp at the other end. Accordingly, the crosswalk is viewed as the basic element for planning and the entire intersection may be evaluated for upgrade work to take advantage of mobilized design and construction resources.

By focusing the work in this way, the interconnectivity of elements along a given path of travel is assured. Additionally, the funds and personnel allocated to the work are used in the most efficient manner possible by this type of project streamlining. Bids to do the work will likely be lower than otherwise possible due to the ability of the builders to better control the work in more focused areas with respect to project planning and traffic control.

Curb Ramps; Better Streets Plan – Policies and design standards that maximize accessibility and universal design components into future improvements in the public right-of-way: - Please see item in Sidewalks Section; Better Streets Plan below for an overview of this program.

Maintenance of Accessible Features:

Curb Ramps; Temporary Barriers – Policy of barricades and alternate circulation routes for construction or maintenance work: In order to maintain an accessible path of travel while curb ramps are being constructed, the Department of Public Works has developed standards applicable to all such construction within the City. The following policies ensure the maintenance of accessible features and alternative accessible routes during construction:

- DPW Order No. 162,882 – Placement of Scaffolding;
- DPW Order No. 167,840 – Placement of Barricades;

Defenses

Technically infeasible – Under some conditions, the City will be limited in its ability, or completely unable, to provide curb ramps because of the existing physical or site restraints. For example, 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. Under these circumstances, the City may invoke the defense that a curb ramp is technically infeasible or structurally impractical.

Program Access – Given a program as broad and comprehensive as a curb ramp program, the City will follow the concept of Program Access under Title II of the ADA. As described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (also referred to as the ADA Rules), Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the City may choose not to install curb ramps at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without those curb ramps.

Sidewalks

CCSF has implemented a three-pronged approach to improve the accessibility of its sidewalks:

- proactive barrier identification and removal,
- response to public complaints, and
- new construction standards.

Barrier Removal - Sidewalk Inspection and Repair Program (SIRP)

Until 2005, DPW addressed sidewalk barriers primarily through responses to public complaints and through a modest inspection unit. After the 2005 sidewalk barrier sampling, the City instituted a Sidewalk Inspection and Repair Program (SIRP) to expand its capacity to address barriers in the public right of way more proactively.

The Sidewalk Inspection and Repair Program (SIRP) was instituted in 2007. This program inspects all sidewalks on a 25 year cycle. The inspection schedule is prioritized by pedestrian usage. The SIRP program informs all responsible parties (both public and private property owners) of sidewalk damage and the Department then coordinates repairs in a short time frame to increase efficiency and improve pedestrian safety.

Priorities for Inspection and Repair: When developing an operational model for the Program, DPW staff researched sidewalk use levels in order to prioritize how sidewalks would be prioritized for repair. Because comprehensive pedestrian use data was not available, staff used several indirect community elements in order to estimate levels of pedestrian usage. The community elements include:

- Commercial Zoned Districts as defined by the Planning Department
- MUNI Routes
- Sidewalks within 500 feet of a School, Public Facility, Hospital, or Senior Center
- Population Density as defined in the 2000 Census

The SIRP program prioritizes areas in accordance with the locations in Title II of the ADA: “priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, public accommodations and employers, followed by walkways serving other areas.” Those sidewalks identified with the greatest number of community elements are inspected and repaired first. This Table provides a numerical breakdown of the number of sidewalks in each of the described categories.

Priority	Commercial districts	muni	Near a School, Hospital, Senior Ctr Public Fac.	Pop. High	Pop. Mid	Pop. Low	Count
1	x	x	x	x			55
2	x	x	x		x		231
3	x	x	x			x	649
4	x	x		x			0
5	x	x			x		3
6	x	x				x	31
7	x		x	x			9
8	x		x		x		71
9	x		x			x	395
10	x			x			0
11	x				x		0
12	x					x	12
13		x	x	x			34
14		x	x		x		198
15		x	x			x	1097
16		x		x			0
17		x			x		34
18		x				x	408
19			x	x			4
20			x		x		31
21			x			x	870
22				x			0
23					x		10
24						x	453
Other							726
Total							5321

Those areas that are not in commercial districts, near a Muni line, or near a public facility are primarily residential (and designated in lines 22, 23, and 24. The blocks in the "Other" category are primarily industrial.

The SIRP program addresses curb ramps that are damaged. If there is a curb ramp that is not damaged but does not meet all current codes, the program will not upgrade the curb ramp. The Program is designed to work on City blocks that have met the aforementioned criteria for high pedestrian usage. Therefore, adjacent blocks that do not rise to the same level of pedestrian usage are not inspected and repaired until all higher criteria blocks have been completed. Therefore, completing paths of travel for adjoining blocks will not be addressed without identifying other available resources.

In order to address this issue, staff must schedule work in advance and seek alternative funds to complete accessible routes on adjoining blocks. Staff will work to identify existing programs to maximize the improvement of accessible routes within the areas addressed by the SIRP.

Sidewalks – Existing Conditions Priorities Matrix

		Geospatial Proximity Priorities				
		A	B	C	D	E
	Priority Description	Locations of Citizen Complaints / Requests (ADA Title II Program Access)	Locations Serving Government Offices & Public Facilities	Locations Serving Transportation	Locations Serving Places of Public Accommodation, Employers	Locations Serving Other Areas
1	Potholes or Large Cracks in Pavement	A1	B1	C1	D1	E1
2	Greater than 2.5% cross-slope across the path of travel	A2	B2	C2	D2	E2

Public Complaint Process

The DPW Office of the ADA / Disability Access Coordinator (DAC) acts as the central clearinghouse for sidewalk complaints and requests. Citizens with disabilities requiring accessible sidewalks are encouraged to contact the office directly or via 311. Complaints and requests received by other departments or the various DPW Bureaus are to be routed to the DAC office. This is in order that the specific needs of each individual may be accurately understood and recorded. The issue and specific locations are then entered into a log and the matter referred to the appropriate City agency for inspection and possible action. The referred agency is then to reply with its

findings to the DAC's office, which will then issue and keep record of a formal response to the complainant / requestor.

Once a complaint is received, DPW sends an inspector to the site. If an inspection finds that a sidewalk needs repair, the Inspector issues a Notice to Repair (NTR) to the property owner, allowing the owner time to repair the defect independently. If the owner does not provide the repair, DPW will repair the sidewalk and bill the owner. For sidewalk repairs that are not the responsibility of private property owners (e.g. a public entity, or a business such as Pacific Gas & Electric), DPW follows a similar process, but the notice that is issued is called an "X-1104."

In an average 12 month period, a combined total of 1646 Notices to Repair are sent to homeowners and 1025 "X-1104"s to other City Bureaus to address these defects. The numbers of NTRs and "X-1104"s increased in 2006 indicating the condition of City Sidewalks and a rise in citizen activism. Complaints are the priority action as reflected in the Complaint Response. 83% of all complaints are now investigated within 1 – 7 days. The remaining 17% are reviewed in no more than 30 days. The reduction of response time is due to Bureau prioritization and improved coordination between Inspection Services and the Administrative Staff. The introduction of a computerized logging system created a record of all complaints and facilitated routing to the District Inspector through an automatically assigned zip code number.

New Construction

The DPW Permit Division reviews proposed work in the public right-of-way (PROW) and regulates intended work through a variety of permits. The use of the PROW for construction to special events is generally regulated through two types of permits Street Space and Temporary Occupancy. The latter primarily regulates non-construction activities. The permits are reviewed for appropriateness before issuance in order to ensure access is maintained and conflicts are avoided.

Construction in the PROW is regulated through Street Improvement, Encroachment, Street Use, and Excavation permits. These permits are reviewed for compliance with the City's Standard Specifications, the Public Works Code and State and Federal laws. Construction of the PROW must be conducted in accordance with the Standard Specifications and adhere to all applicable regulations. Encroachments onto the PROW from private property are reviewed for appropriateness and accessibility of the PROW.

Street Improvement:

BSM inspects all construction work in the Right of Way that is not performed by a DPW or private Utility Contractor. (Those inspections are conducted by the Utility Inspectors, another BSM group.) An important function of Street Improvement is to

insure that developments on private property comply to the Public Works Code and California T-24 Accessibility Requirements where the project interfaces with the Public R.O.W.

The Street Improvement Section consists of 3 (three) Inspectors and one (1) Senior Inspector. Site inspections may be demanding. Other services provided by Street Improvement is the preconstruction site meeting, review of all construction trailers and debris boxes placed in the street related to private construction.

Better Streets Plan – Policies and design standards that maximize accessibility and universal design components into future improvements in the public right-of-way:

The Better Streets Plan will create a unified set of standards, guidelines, and implementation strategies to govern how the City designs, builds, and maintains public streets and rights-of-way.

The Better Streets Plan process brings together staff of multiple City agencies, including DPW, to comprehensively plan for streets. The Plan will seek to balance the needs of all street users, with a particular focus on the pedestrian environment and how streets can be used as public space. The Plan will reflect the understanding that the pedestrian environment is about much more than just transportation – that streets serve a multitude of social, recreational and ecological needs that must be considered when deciding on the most appropriate design.

The Better Streets Plan will consist of two primary elements: the Streetscape Master Plan (SMP), and the Pedestrian Transportation Master Plan (PMP). These two elements will consist of independent technical content; however, they will conduct joint outreach, and be combined into a single final plan.

It is envisioned that the Better Streets Plan will result in improved mobility for all San Franciscans. Among the elements and physical qualities that are stated goals and objectives are:

- Develop an inclusive process and public outreach for planning, design and construction of infrastructure projects.
- Design streets to ensure safe crossings for seniors, children, and persons with disabilities.
- Streets will be designed to facilitate safe, accessible, and convenient connections among major nodes, hubs, destinations, transit centers, and major land use and activity centers.
- Commercial streets will be designed for ease of use and access to destinations for all populations, particularly those with visual or mobility impairments.
- Create a citywide pedestrian network that will help to connect activity centers, and identify and remedy gaps in pedestrian accessibility to destinations.

More detailed information regarding the Better Streets Plan is available at:
http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Better_Streets/index.htm

Maintenance of Accessible Features:

The ADA requires the maintenance of accessible features as well as program accessibility in general. The California Building Code requires temporary measures and construction to be accessible. Accordingly, these principles are reflected in DPW Order No. 162,882 – Placement of Scaffolding, DPW Order No. 167,840 – Placement of Barricades, DPW Order No. 162,240 – Tables and Chairs in Public Sidewalks.

The Bureau of Street-Use and Mapping issues “Display Merchandise and Tables & Chairs” Permit in keeping with the San Francisco Public Works Code. Inspections are the purview of Commercial District Unit. All commercial permits are subject to annual renewal and inspection.

Defenses

In addition to the standard defenses outlined under Curb Ramps above, technical infeasibility and program access, CCSF recognizes the following specific exception for sidewalks.

Sidewalks; Standards to accept existing conditions:

The California Building Code, unlike the ADAAG, contains a specific exception for sidewalk cross-slope due to existing conditions that pose an unreasonable hardship. This may be due to right-of-way restrictions, natural barriers, or other existing conditions. This exception allows for cross-slopes of up to ½ inch per foot (4.17%) for distances typically not to exceed 20 feet. The state code also allows the sidewalk width to be reduced to as little as 36 inches (the same as the ADAAG minimum) if existing conditions create an unreasonable hardship. DPW allows the sidewalk and level landing cross-slope up to 4.17 % accordingly where existing conditions make it necessary to do so.

There are many locations where existing conditions do not allow full compliance with the minimum standards or the provided exceptions. In such cases the DPW Bureau of Street Use and Mapping may issue a minor or major encroachment permit for non-standard work in the sidewalks in order to achieve accessibility. For example, projecting entry ramps at building entrances into the sidewalk is sometimes necessary. In such cases DPW works in conjunction with the Department of Building Inspection to allow such practices in accordance with related SF DBI Administrative Bulletins.

IV. Schedule for Implementation

Curb Ramps; 10 Year Capital Plan Schedule

The City's 10 Year Capital Plan has incorporated funding for curb ramp construction in each year. The Curb Ramp Transition Plan receives funds through Prop K Sales Tax, through the federal TDA program, and primarily through the General Fund via the Mayor's Office on Disability.

In addition, the Capital Plan has budgeted for an increase in street resurfacing, which also provides new curb ramps along the routes that are resurfaced. Additional curb ramps are provided as well through Parking and Traffic's Signal Projects, and a few major construction projects that are both publicly or privately funded.

The chart below illustrates the estimated numbers of curb ramps to be constructed via each source of funding over a ten year period.

Curb Ramp Funding Source / Implemented By	FY 2006-2007	FY 2007-2008	FY 2008-2009	FY 2009-2010	FY 2010-2011	FY 2011-2012	FY 2012-2013	FY 2013-2014	FY 2014-2015	FY 2015-2016	Totals
Prop. K (1/2% Sales Tax)+TDA Projects / DPW	75	80	85	90	95	100	105	110	115	120	975
Roadway Paving / Resurfacing Projects / DPW	350	350	367	386	405	425	494	494	494	494	4,258
Mayor's Office on Disability / DPW	173	470	558	623	619	660	820	820	820	820	6,383
Traffic Signal Projects / DPW & Other	90	90	90	90	90	90	90	90	90	90	900
Private Parties / Private contractors	100	100	100	100	100	100	100	100	100	100	1,000
Totals	788	1090	1201	1288	1309	1376	1609	1614	1619	1624	13,516

Sidewalks; 25 Year SIRP Plan Schedule

The 25-year Sidewalk Assessment and Repair Plan, beginning in FY 2006-7, funds and builds sidewalk improvements and repairs so that sidewalks will not be a barrier in any portion of the City. As a new program, the plan may be subject to re-assessment.

Cost to the City for the work over the 25 year program is estimated to be on the order of \$20 million, or less than \$1 million per year.

V. Responsible Individual

The official responsible for implementation of the City's ADA Transition Plan for Curb Ramps and Sidewalks is:

Ed Reiskin
Director of Public Works
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City Hall, Room 348
San Francisco, CA 94102

Telephone: (415) 554-6920.
Fax: (415) 554-6944
TTY: (415) 558-4088

Web site: www.sfdpw.org

VI. Public Input

The City has in preceding Transition Plans and will continue with this plan to make available to applicants, residents, and other interested parties information regarding this Transition Plan.

The City will provide opportunities for individuals to comment on this Transition Plan by submitting comments and making specific recommendations. Public hearings of the Mayor's Disability Council are one of the primary forums for public input on the plan. More information on the Mayor's Disability Council is available at:
http://www.sfgov.org/site/sfmdc_index.asp

A copy of the Draft Transition Plan will be made available for public review during the formal citizen review period.

After formal adoption of this plan the City will maintain on file for at least 3 years the names of persons consulted with respect to this draft plan, opinion surveys and other comments submitted, and a description of plan modifications subsequently made.

The Better Streets Plan began public outreach in the summer of 2007, which includes information on the ADA Transition Plan. The outreach has been structured in three rounds in order to focus public involvement around specific topics at each stage of the planning process:

- Round 1: What are Streets (including sidewalks) for?
- Round 2: What are Priority Improvements?
- Round 3: How do we Implement the Plan?

All three rounds involve outreach designed to bring a diverse group of San Franciscans together and to reach out to those with specific needs. Outreach to underserved populations and those difficult to reach is a main focus of the outreach component. Outreach tailored specifically to gain input from persons with disabilities is included in this process. More information on the Better Streets Plan is available at: [http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Better Streets/index.htm](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Better%20Streets/index.htm)