

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

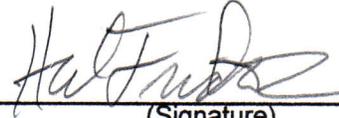
PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 26, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: DECEMBER 10, 2012

Date: 12/10/12

From:

Herb Fredricksen
Name (Print or type)


(Signature)

Individual

Agency, jurisdiction, chapter, company, association, individual, etc.

1415 G Street
Street

Napa
City

CA
State

94559
Zip

I do not agree with:

The Agency proposed modifications As Submitted on Section No. _11B-406

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

Suggested Revisions to the Text of the Regulations:

My comments are in red.

Clear Space Within ETW Problematic where there is not a parking lane adjacent to the curb. If the travel lane goes from curb to centerline there is no room for this 4 foot clear space. Agency could not comply w/o extraordinary measures taken. Suggestion: provide waiver if distance from curb to centerline cannot accommodate the 4ft clear because of the travel way.

In addition to following the 2010 ADA Standards language, the proposed CBC incorporates sections of the draft PROWAG, which isn't even final or adopted by the USDOJ or the USDOT. Much of the draft PROWAG is controversial and Caltrans is on record of opposing some of these provisions. One part of the PROWAG that the proposed CBC is incorporating is a section having to do with a clear space at the bottom of the curb ramp that is out of the traveled way. This will now create a mandated 4 ft shoulder wherever we have a curb ramp. Here is the proposed CBC language:

11B-406.5.9 Clear Space. Beyond the bottom grade break, a clear space 48 inches (1219 mm) minimum by 48 inches (1219 mm) minimum shall be provided within the width of the pedestrian street crossing and wholly outside the parallel vehicle travel lane. At marked crossings, the clear space shall be within the markings.

Incidentally, this same clear space area out of the ETW is in the 2010 ADA Standards. However, it is in the context of a single diagonal curb ramp at the apex of the corner. In this context, it would be out of the ETW, but in the proposed CBC it can apply to the double curb ramp which puts it within the ETW if we have less than a 4 ft shoulder.

Top Landing for Parallel Curb Ramps This is problematic for parallel ramps, as stated. Topography (sidewalk slope) and conflicting adjacent infrastructure are often problematic, especially in a City like San Francisco. It would be prudent to have language with the standards to allow agencies to build the best case ramp in a difficult situations. One can't always comply in a difficult space and the agency should be given an exception for these occasion if the situation is documented in the project file with photos and measurements. Cities have 1,000s of ramps and potentially needing 100s of easements or relocating countless driveways is not a good use of limited resources, staff time and \$\$\$. Suggestion: provide waiver if natural topography will not allow improvement with reasonable effort.

By melding the 2010 ADA Standards with language from the draft PROWAG, a mandated top landing for the parallel curb ramp is now created. No landing requirement is stated in the 2010 ADA Standards for a parallel curb ramp (Case C curb ramp in Standard Plan A88A) because a parallel curb ramp is not mentioned or shown in the illustrations. A perpendicular curb ramp (Case A curb ramp in Standard Plan A88A) is the type shown in the 2010 ADA Standards illustration as having a top landing. See Figure 406.4 below.

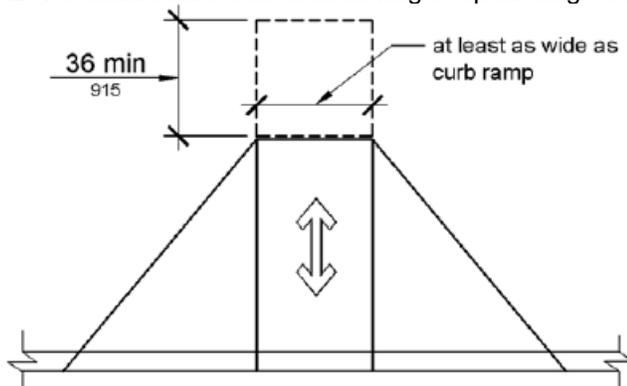


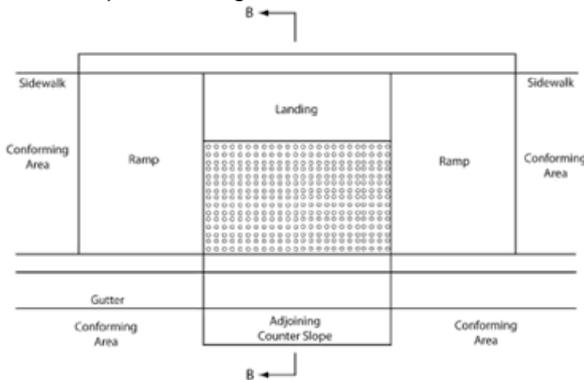
Figure 406.4
Landings at the Top of Curb Ramps

Here is the proposed CBC language:

Under Common Requirements that applies to the perpendicular and parallel curb ramps, it says...
11B-406.5.3 Landings. Landings shall be provided at the tops of curb ramps and blended transitions. The landing clear length shall be 48 inches (1219 mm) minimum. The landing clear width shall be at least as wide as the curb ramp, excluding any flared sides, or the blended transition leading to the landing. The slope of the landing in all directions shall be 1:48 maximum.

The complication is created is when the highway is on a grade and the sidewalk follows the same grade. We are currently able to provide a curb ramp that will go from the sidewalk grade to a 1:12 (8.3%) grade for a parallel curb ramp. But, this revision will make us provide a 4 level landing first and then ramp down at 1:12. This is also a problem at corners with driveways near the corner. We will now need extra length to provide a level landing of 4 ft on each side. With a double parallel curb ramp (doubles are an advisory standard in Index 105.5 of the [HDM](#)) this becomes very lengthy and we will have to pursue R/W (easements, fee,..) or have to relocate the private driveway and probably compensate the owner.

Also, we already implied no top landing requirement, in the [Curb Ramp Scoping and Design Memo](#), for the parallel curb ramp. See diagram below.



Pavement Reconstruction The idea here is twofold, 1. the individual in a wheel chair needs a relatively level area at the base of the ramp to “regroup” ,so to speak, and then proceed across the street which could be over crowned and steep for a person in a chair; 2. Some wheelchairs have wheelie bars in the back to prevent the chair for flipping backwards. When the street at the base of a ramp is steep from over crowning the chair can actually get stuck in this “trough” and/or it’s very difficult to change gradient, down to up, and proceed across the street. Personally I think the 4ft space is good for those in a chair as long as it can be constructed with reasonable effort.

While I was proj. manager for a local City we used the 4ft at less than 5% on construction projects. This is 4ft from the curb toward the centerline of the street. When the road is resurfaced the City would regrade this area if needed to meet the spec. This entails digging out the base material for XX ft. and reconstructing the street section in order to comply. Within the scope of a large \$1M+ resurfacing project this is not a big deal and doable. I’ve done many. But for a sidewalk ramp project, say \$50K, this can be more complexity than budgeted, as stated below. It’s my opinion that engineering judgement is needed, the engineer takes responsibility, on how much effort is given at any one location. Suggestion: allow engineering judgement for unusual situation. In which case, the project file should contain field data and the reason for non-compliance.

The proposed CBC is continuing the 4 ft language addition to the Counter Slope requirement; the 4 ft is currently in the CBC, which has gone beyond the federal ADAAG or 2010 ADA Standards for years. The 2010 ADA Standards requires a 5% max slope at the adjoining surface at the bottom of a curb ramp; no 4 ft or any dimension is stated. This matches our shoulder cross slope standard in new construction, but over time with pavement overlays the 5% is exceeded. A curb ramp project or a CAPM project is not scoped to do any extensive pavement reconstruction to accommodate the 4 ft at 5% provision. We are able to follow the 2010 ADA Standards requirement because a 4 ft distance is not prescribed; we can handle that in the gutter pan per HDM 303.2, 836.2(2), and Standard Plan A87A Note 10. Here’s the wording of the CBC:

Reason: [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.