Strategies for Compliant Sites & Accessible Routes

Upcoming Webinars

Accessible Public & Common Use Areas
- October 25, 2017, 12:30-2:00pm CDT
- Module 8 / Requirement 2

Dwelling Unit Requirements
- November 1, 2017, 12:30-2:00pm CDT
- Portions of Module 5, 6 & 10 / Requirements 3 - 7

Common Design / Construction Violations & Solutions
- November 15th, 2017, 12:30-2:00pm CDT
- Module 9 / Requirements 1-7

Initiative sponsored by the U.S. Department of Housing and Urban Development (HUD)

Designed to promote compliance with the Fair Housing Act's design and construction requirements.

Fair Housing FIRST provides:
- Comprehensive training curriculum,
- Toll-free information line, and
- Website designed to provide technical guidance to the public.
Technical guidance via a website and toll free hotline:

1-888-341-7781 V/TTY

www.fairhousingfirst.org

Introduction

LCM ARCHITECTS
CHICAGO, ILLINOIS

- Licensed Architectural & Accessibility Consulting Firm
- Fair Housing Act, ADA Title II & Title III & Universal Design
- 48 Staff Members
- Member - ANSI A117.1 Committee
- Manager - HUD’s Fair Housing FIRST Program
- Certifications - IBC, CASp, TAS

Introduction

Jack Catlin, FAIA
Partner
LCM Architects
Chicago, Illinois
Housekeeping

- Question & Answer Period
- Training Evaluations
- AIA CEU Credits

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- Offers training and technical guidance on accessibility requirements of the Fair Housing Act.
- The goal is to increase the supply of multifamily housing units that comply with HUD’s FHA requirements.

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This technical assistance Webinar is intended solely as informal guidance and is neither a determination of legal responsibilities under the Fair Housing Act nor binding on any agency with enforcement responsibility under the Fair Housing Act.
Gathered opinions and ideas from over 850 stakeholders, including:

**Stakeholder Groups**
- Builders
- Architects
- Landscape Architects
- Disability Rights Advocates
- Government Officials
- Trade Associations
- Property Managers
- Media
- Code Officials
- Civil Engineers
- Enforcement Agencies

During this training session, we will discuss:

Requirements #1 & #2 of Fair Housing Act:
- Requirement 1 Accessible Building Entrance on an Accessible Route
- Requirement 2 Exterior Accessible Routes

History of the Fair Housing Act
The Fair Housing Act was passed in 1968
The Fair Housing Amendments Act, with new coverage of disability, was enacted in 1988

Enforced by:
- The Department of Housing and Urban Development (HUD)
- The Department of Justice (DOJ)
- State and local fair housing enforcement agencies
- Private lawsuits in federal and state courts
Units Covered by the Fair Housing Act

The design and construction requirements apply to "covered multifamily dwellings" designed and constructed for first occupancy after March 13, 1991

Covered Multifamily Dwellings Include:
- All dwelling units in buildings containing four or more units, with an elevator
- All ground floor units in buildings containing four or more units, without an elevator
Units Covered by the Fair Housing Act

The design and construction requirements apply to "covered multifamily dwellings" designed and constructed for first occupancy after March 13, 1991.

Covered Multifamily Dwellings Include:
- All dwelling units in buildings containing four or more units, with an elevator
- All ground floor units in buildings containing four or more units, without an elevator

Check with your local build code for addition multi family requirements.

Ground Floor

- Ground floor
- Site access point – Parking
- Secondary entrance (not on accessible route)
- Primary entrance on accessible route

Ground Floor

- Ground floor
- To Public Right of Way
- Site access point (e) - Public right of way
- Secondary entrance (not on accessible route)
- Primary entrance on accessible route
Ground Floor

Units over Non-Residential Uses

Housing That is Not Covered
- Detached single family houses
- Duplexes or triplexes
- Multistory townhouses
  (Except multistory townhouses with elevators)

Multistory Units that Are Covered
- Multistory townhouses with elevators and/or elevator shafts
- Multistory units in elevator buildings
Multistory Units that Are Covered

- Multistory townhouses with elevators and/or elevator shafts
- Multistory units in elevator buildings

NOTE:
Joint Statement of HUD and DOJ (April 2013):
In addition to a compliant toilet or powder room on the primary entry level, a compliant kitchen must be provided.

Seven Design & Construction Requirements

1. Accessible building entrance on an accessible route
2. Accessible and usable public and common use areas
3. Usable doors
4. Accessible routes into and through covered unit
5. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations
6. Reinforced walls in bathrooms for later installation of grab bars
7. Usable kitchens and bathrooms

Safe Harbors for Compliance

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice
2. ANSI A117.1 (1986), used with the Fair Housing Act, HUD’s regulations, and the Guidelines
3. CABO/ANSI A117.1 (1992) used with the Fair Housing Act, HUD’s regulations, and the Guidelines
6. Code Requirements for Housing Accessibility 2000 (ICC/CRHA)
8. International Building Code 2003, with one condition
Safe Harbors

CAUTION: (HUD Policy)
Safe harbor standards constitute safe harbors only when adopted and implemented in accordance with the policy statement that HUD published in the Federal Register on March 23, 2000. That policy statement notes, for example, that if a jurisdiction adopts a model Building Code that HUD has determined conforms with the design and construction requirements of the Act, then covered residential buildings that are constructed in accordance with plans and specifications approved during the building permitting process will be in compliance with the requirements of the Act unless the building code official has waived one or more of those requirements or the building code official has incorrectly interpreted or applied the building code provisions.

Safe Harbors Used for Today's Training

1. HUD Fair Housing Accessibility Guidelines and the Supplemental Notice (1991)
2. ANSI A117.1 (1986), used with the Fair Housing Act, HUD's regulations, and the Guidelines

www.huduser.gov/portal/publications/destech/fairhousing.html
Understanding the FHA requirements is critical to successful site planning.

**Accessible Routes**

1. **Width**
   - Minimum: 36''

2. **Cross Slope**: 0% - 2%

3. **Sidewalk Slope**: 0% - 5%

4. **Ramp Slope**: 5% - 8.3%

**Width**

1. **Width**
   - Minimum: 36''

2. **Cross Slope**: 0% - 2%

3. **Sidewalk Slope**: 0% - 5%

4. **Ramp Slope**: 5% - 8.3%
Construction Allowance

36" min.

Construction Allowance

36" min. : 35 ¾"

OUCH!

Accessible Routes

Walkway Slope

1. Width

36" min.

2. Cross Slope 0% - 2%

3. Sidewalk Slope 0% - 5%

4. Ramp Slope 5% - 8.3%
Accessible Routes
Walkway Slope

Ramp Rise – 30” Max
Max Ramp Slope = 8.33% or 1:12

Accessible Routes
Ramps

1. Width
3. Sidewalk Slope 0% - 5%

2. Cross Slope 0% - 2%
4. Ramp Slope 5% - 8.33%

Handrail Extension
Top Landing
Intermediate Landing
Bottom Landing
Edge Protection
Handrail
Intermediate Landing

Ramp Rise – 30” Max
Max Ramp Slope = 8.33% or 1:12

Accessible Routes
Ramps
Accessible Routes
Curb Ramps

1. Flared
   - Ramp slope 1:12 max.
   - Side flare slope 1:10 max.

2. Built-Up
   - Ramp slope 1:12 max.
   - Side flare slope 1:10 max.

3. In-Line / Parallel
   - Ramp slope 1:12 max.

4. Returned
   - Ramp slope 1:12 max.

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Accessible Routes
In-Line Curb Ramps

- Access Aisle

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Accessible Routes
Curb Ramps

- Max. Counter Slope - 5%
- Flush Transitions
- Max. Curb Ramp Slope - 8.33%
Accessible Routes
Curb Ramps

Direction of slope

Accessible Routes
Curb Ramps

Curb ramp with 90 deg. grade break, top & bottom.

Level 2% Max.

Accessible Routes

Accessible Routes Must be Firm, Stable and Slip Resistant.
Vertical Level Changes

Protruding Objects

4” max. 6.4

Overhead Protruding Objects

Wall Mounted Protruding Objects

Any dimension

Overhead Protruding Objects

Protruding Objects

Overhead Protruding Objects
Accessible routes are required to connect covered dwelling entrances with:

- Pedestrian arrival areas
- Covered site facilities and amenities
- Spaces and elements within a covered building
When sites are so steep, when finished grades exceed 1:12 or when other barriers, either natural or manmade, all outside of the control of the owner, make pedestrian accessible routes impractical, the Guidelines allow the use of an automobile for access to those facilities impacted by steep terrain.

When this exception is used, there must be accessible parking at each facility served.
Buildings with Multiple Ground Floors

Ground floor units
Building entrance on accessible route

Buildings with Multiple Ground Floors

Ground floor units
Building entrance on accessible route

Buildings with Multiple Ground Floors

Four story building with three ground floors

4 story residential building
Multilevel parking structure
Accessible Building Entrance

Fully Accessible per ANSI

Building Entrances
Breezeway Buildings

Building Entrances
Corridor Buildings
Site Impracticality

Congress was “sensitive to the possibility that certain natural terrain may pose unique building problems”
Site Impracticality

"Congress did not intend to impose an absolute standard that all covered multifamily dwelling units be made accessible without regard to the impracticality of doing so."

Buildings with Elevators

Neither test can be used

Site Impracticality

Individual Building Test

The two tests for determining site impracticality due to steep or difficult terrain are:

1. The Individual Building Test: A test which analyzes entrances and pedestrian arrival points.
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1. **The Individual Building Test**: A test which analyzes entrances and pedestrian arrival points.
The two tests for determining site impracticality due to steep or difficult terrain are:

2. The Site Analysis Test: A test which analyzes the site as a whole to establish minimum numbers of units that must be made accessible.

Accuracy of the slope analysis must be certified by a professional such as a civil engineer or surveyor.
Individual Building Test
Two Step Process - A & B

If the calculated result of both steps is greater than 10%, then an accessible route may be considered too difficult to provide.

Step A
50' – 0”

Step B

HOWEVER:
20% of the units in the development must be compliant even if the Individual Building Test determines that it is impractical to make all of the ground floor units compliant.

Finished Grade
Existing Grade

Individual Building Test
Two Step Process - A & B

81
10 breezeway buildings with 8 units on each ground floor = 80 covered ground floor units

80 units x 20% = 16 units minimum must be compliant
Individual Building Test
Slope for Arrival Points

Parking areas closest to the building entrance should be tested.

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Individual Building Test
Slope for Arrival Points

Pedestrian arrival point

If a secondary unit is provided and is accessible, then all the units on the floor level ground floor are covered.

Slope exceeds 10% and an accessible route is considered impractical.
Site Analysis Test
Three Step Process - A, B & C

**Step A**

- Buildable area with slopes less than 10%

**Step B**

Minimum % of Ground Floor Units = \frac{67,500 \text{ SF} \text{ (slopes <10%)}}{90,000 \text{ SF (buildable area)}} = 75%

(Of ground floor units must comply)

**Step C**

"All ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%" (FHA Guidelines)

**Site Analysis Test - Example**
Site Analysis Test
Minimum Number of Accessible Units

Calculate minimum number of ground floor units:

Bldg. #1  10 Units
Bldg. #2  10 Units

6 Units
6 Units

6 Units
6 Units

6 Units
6 Units

4 Units
Site Analysis Test
Minimum Number of Accessible Units

Calculate minimum number of ground floor units:
Bldg. #1 10 Units
Bldg. #2 10 Units
Bldg. #3 6 Units
26 Units

75% x 26 = 20 units
4 Floors with 22 units total

Site Analysis Test - Step C

“all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%”

(FHA Guidelines)
Site Impracticality Due to Unusual Characteristics

- Federally Designated Flood-Plain
- Coastal High-Hazard Areas

Federally designated floodplains or coastal high-hazard areas

Level of building element

Grade at arrival point

Arrival point

Planned entrance

Exceeds 30” and Exceeds 10% slope

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