

AMERICANS WITH DISABILITIES ACT TRANSITION PLAN  
FOR PUBLIC RIGHTS OF WAY WITHIN THE CITY OF BURIEN

August 2015

Prepared by  
Brian H. Roberts, P.E.

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## I. Introduction

The City of Burien Americans with Disabilities Act (ADA) Transition Plan provides policies and practices for implementing physical pedestrian improvements within the public right-of-way of the City of Burien. The goal is to optimize the pedestrian experience, to provide safe and usable pedestrian facilities for all pedestrians, and to assure compliance with all federal, state and local regulations and standards. This ADA Transition Plan will describe the curb ramp and other pedestrian facility needs in the City, and outline the recommended procedures for implementing and scheduling remedial work to provide a compliant system of curb ramps, pedestrian signals and sidewalks.

The landmark Americans with Disabilities Act of 1990 provides comprehensive civil rights protections to qualified individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. A primary goal of the ADA is the equal participation of individuals with disabilities in the "mainstream" of American society. Title II of the Act took effect on January 26, 1992 and covers programs, activities, and services of public entities, including Burien, Washington. Most requirements of Title II are based on Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in federally assisted programs and activities. The ADA extends Section 504's non-discrimination requirement to all activities of public entities, not only those that receive Federal financial assistance. The City is also required to publish an accessibility grievance policy. In line with its policy, the City has designated a person responsible for coordinating the implementation of ADA requirements and for investigating complaints of alleged noncompliance.

This ADA Transition plan is the first published by Burien. It should be considered a first step of a larger process. Burien's approach is unique, in that this document does not attempt to inventory all ADA deficiencies city-wide. This document fully inventories selected geographic areas within the City. Taking an incremental approach better utilizes Burien's limited resources, balancing community needs with funding realities. The reduced scope of this first edition ADA Transition plan will provide the City with valuable cost data that can be applied to other geographic areas within the city in future plan updates. More accurate cost data will help to better fit size of projects to program budgets.

The next (and all subsequent) plan update(s) will occur after input from interest groups and the public. The goal will be to prioritize which geographic areas should be addressed first. Other City policies affecting accessibility mitigation may be modified as well.

There is much work to do to upgrade Burien's pedestrian facilities within its public rights of way, but the City of Burien is committed to making ours an accessible community.

The City of Burien does not discriminate against persons with disabilities, and provides access to programs, services or activities to persons with disabilities.

## II. Requirements of the Law

28 CFR Part 35.150d(3) requires four basic elements for any ADA Transition Plan:

- (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.*

The following sections provide the data required by 28 CFR Part 35.150d(3).

## III. Accessibility Barrier Inventory

The City of Burien has adopted the Revised Draft Guidelines for Accessible Public Rights-of-Way published in 2005 by the U.S. Access Board (2005 PROWAG) as the basis for barrier evaluation. The following evaluation criteria are based on the 2005 PROWAG and have been incorporated into inventory sheets covering six types of pedestrian facilities found within the City of Burien.

### Pedestrian Circulation Paths (sidewalks and road shoulders)

- Continuous pedestrian access route
- Diverging surfaces protected to prevent trips or falls
- 4' min clear width, excluding curb
- 80" min vertical clearance to protruding object, or 27" max height barrier for protruding object
- Post mounted objects 27" to 80" height protrude 4" max, excluding curb
- Objects that protrude greater than 4" at a height greater than 27" and less than 80" must be equipped with a cane-detectable warning device.
- A Pedestrian Access Route (PAR) less than 5' wide clear width (exclusive of curb) shall provide passing spaces 200' min apart
- Passing spaces 5' X 5' min
- PAR cross slope max 2%, except mid-block crosswalk and connected curb ramp can match street grade
- Cross slope 5% max at crosswalk without stop sign control
- Max running grade for PAR adjacent to roadway shall not exceed the profile grade of the adjacent roadway
- 5% max running grade for PAR not adjacent to roadway
- 5% max running grade in a crosswalk (marked or unmarked)
- PAR surface shall be firm, stable and slip resistant

- Vertical alignment shall be planar
- Grade breaks shall be flush
- 1/4" max vertical surface discontinuity
- Vertical surface discontinuities between 1/4" and 1/2" may be beveled at 2H:1V or flatter, except at grade breaks.
- Sidewalk joints and grate openings shall not permit passage of a max 1/2" diameter sphere
- Elongated grate openings shall be oriented perpendicular to the dominant direction of travel
- Provide a PAR if a driveway intersects a walkway/sidewalk

#### Curb Ramps

- PAR at each end of crosswalk connected by a ramp
- Entrance to the street within crosswalk markings at marked crossings
- Clear width 4' min, unobstructed, excluding flares
- Running slope 8.3% max unless ramp length is 15'
- Cross slope 2% max
- Mid-block ramp cross slope may match the roadway profile
- Landing required at top of perpendicular ramp and at bottom of parallel ramp
- Ramp landing 4' by 4' min
- Ramp landing cross slopes 2% max
- Mid-block landing cross slopes may match the street profile.
- Flare slopes 10% max measured relative to curb slope
- Flare slope required when PCP crosses the ramp from the side
- 5% max gutter counter slope at the foot of the ramp
- Surfaces shall be firm, stable and slip resistant
- Gratings, access covers, utility objects and other appurtenances shall not be located on curb ramps, landings or gutters within the PAR
- No vertical surface discontinuity is allowed within curb ramps, landings, or clear spaces for operable parts, which must be planar
- Grade breaks at the top and bottom of curb ramps must be perpendicular to the direction of travel
- Grade breaks must be flush
- 4' by 4' min clear space where the bottom of curb ramp or landing meets gutter
- Clear space must be contained within the crosswalk width
- Detectable Warning Surface (DWS) required if the curb ramp/landing connects to a roadway
- Truncated dome pattern required for DWS
- Rows of truncated domes parallel with back of curb
- DWS must be full width of curb ramp/landing connection to the street
- DWS must be 24' min depth
- DWS must be installed at back of curb
- DWS must contrast with background (light-on-dark or dark-on-light)
- Median/Traffic Island/Splitter Island (M/T/S) shall provide a PAR connecting to each crosswalk
- Each M/T/S PAR is 6' min length
- M/T/S shall provide a passing space min 5' wide by 5' long for each PAR

- DWS located at each M/T/S curb ramp or roadway entrance of a PAR
- M/T/S DWS are separated by 2' min in the direction of travel
- When the PAR of a shared-use path goes through a median or traffic island, the width shall be the same as the width of the shared-use path

#### Pedestrian Push Buttons (at signalized intersections)

- Pedestrian push buttons at signalized intersection crossings
- Signalized pedestrian crossings use Accessible Pedestrian Signals (APS)
- Not greater than 5' from the crosswalk line (extended) that is furthest from the center of the intersection
- Between 1 1/2' and 10' from the edge of the curb, shoulder, or pavement
- Mounting height 48" max, 15" min (42" desirable)
- Clear space must be connected to the crosswalk served by a PAR (May overlap ramp landing)
- Clear space 30" min (design wheelchair width) by 48" min (design wheelchair length)
- Additional maneuvering space required if the clear space is constrained on 3 sides
- 2% max running and cross slopes
- Reach range for a parallel approach 10" max if push button mounting height is between 46" and 48"
- Reach range for a parallel approach 24" max (10" or less desirable) if push button mounting height is 46" max.
- Reach range for a forward approach 0" max
- APS push buttons shall have a locator tone that operates during the DON'T WALK and the flashing DON'T WALK intervals only
- APS push buttons shall have both audible and vibrotactile indications during the WALK interval
- APS push button control faces shall be installed to face the intersection and be parallel to the crosswalk served
- APS push buttons shall have a tactile arrow that indicates the crossing direction activated by the button
- APS push button is aligned parallel to the direction of travel in the associated crosswalk
- APS push buttons shall be high contrast (light-on-dark or dark-on-light) against its housing
- APS push buttons with extended push button press features shall be marked with three braille dots forming an equilateral triangle in the center of the push button
- If additional crossing time is provided by an extended push button feature, then an MUTCD R10-32P plaque shall be mounted adjacent to or integral with the APS push button
- If the pedestrian clearance time is sufficient only to cross from the curb or shoulder to a median to wait the next cycle, then an additional APS push button shall be provided in the median
- 10' min spacing between APS push buttons (5' min in medians and islands), if feasible
- For spacing 10' or greater, audible WALK indication shall be a percussive tone
- For spacing less than 10', audible WALK indication shall be a speech walk message

#### Bus Stops

- Boarding and Alighting Area (BAA) 8' min (measured perpendicular to the curb/roadway) by 5' min (measured parallel to the curb/roadway)

- BAA grade 2% max measured perpendicular to the roadway, matches street grade measured parallel to the street
- BAA connected to streets, sidewalks or pedestrian paths by a PAR
- Bus shelter clear space entirely within the shelter
- Bus Shelter clear space 36" by 48" min if constrained on three sides. Clear space 30" by 48" min if not constrained on three sides
- 2% max slope in all directions
- Bus shelter connected to the boarding and alighting area by a PAR

#### Public Parking

- Number of accessible ramps shall meet or exceed the minimum required number of stalls for the block perimeter.
- Accessible stalls are located where most convenient to key destinations.
- Accessible stalls are located where street cross section and grade are flattest.
- For parallel stalls, where the adjacent walkway width exceeds 14 ft, a 5 ft min access aisle shall be provided at street level.
- Parallel stall access aisles shall be connected to the PCP with a PAR.
- Parallel stall access aisles shall not encroach on vehicle travel lanes.
- Sidewalk adjacent to parallel stalls is free of obstructions and/or curb ramps.
- When an access aisle is not required, the accessible parking stall shall be located at either end of the block face.
- When an access aisle is not required, the end of block curb ramp may be used as the PAR.
- For perpendicular stalls, an 8 ft min width access aisle shall be provided at street level the full length of the accessible stall.
- Perpendicular stall access aisles shall be connected to the PCP with a PAR.
- Perpendicular stall access aisles shall be marked to discourage parking in them.
- Two perpendicular stalls may share an access aisle except where backing in is prohibited.

#### Street Furniture

- Where tables are provided in a single location, at least 5%, but no fewer than 1, shall comply with the following.
- At tables provide a level 30" by 48" clear ground space with knee and toe clearance.
- Knee clearance at tables shall be 8" deep min at 27" height, and may be reduced to 9" height at 11" deep.
- Table tops shall be 28" min and 34" max height.
- The table clear ground space shall be attached to the PCP with a PAR.
- Where benches without tables are provided at a single location, at least 50% but not less than 1, shall comply with the following:
- Provide a level 30" by 48" clear ground space parallel to the short axis of the bench at the end of the bench.
- Bench height at the front shall be between 17" min and 19" max height.
- The bench clear ground space shall be attached to the PCP with a PAR.

Trained inspectors use the inventory sheets to identify accessibility barriers in any of these pedestrian facilities. The completed inventory of barriers may be found in Exhibit D, at the back of this document.

## IV. Accessible Designs

As a part of this ADA Transition Plan, the City has updated its Road construction Standard Details. The following Standard Details have been revised to meet the 2005 PROWAG:

- Figure 3.4 Residential Driveway Approach
- Figure 3.5 Commercial/Industrial Driveway Approach – Routed Sidewalk
- Figure 3.6 Commercial/Industrial Driveway Approach – Routed Sidewalk/Planting Strip
- Figure 3.7 Commercial/Industrial Driveway Approach – Parallel Sidewalk
- Figure 3.11 Perpendicular Curb Ramp
- Figure 3.12 Parallel Curb Ramp
- Figure 3.13 Curb Ramps Within Radius
- Figure 3.14 Combination Curb Ramp
- Figure 3.15 Cement Concrete Sidewalk Transition to Asphalt Shoulder

The updated figures may be viewed in Appendix A.

## V. New Construction and Alterations

Title II of the ADA requires that new facilities be designed and constructed such that they are readily accessible to and usable by persons with disabilities. New construction projects address the construction of a new roadway or other transportation facility where none existed before. New construction is expected to meet the highest level of ADA accessibility unless it is structurally impracticable to achieve full compliance.

If full ADA compliance cannot be achieved in new construction, compliance is required to the extent structurally practicable. The United States Department of Justice (USDOJ), the primary enforcement agency for the ADA, has explicitly clarified in its guidance on the ADA regulations that structural impracticability is not to be applied to situations in which a facility is located in “hilly” terrain or on a plot of land upon which there are steep grades. In such circumstances, accessibility can be achieved without destroying the physical integrity of structure, and is required in the construction of new facilities.

In the City of Burien, the vast majority of construction projects are not classified as new construction under the ADA, but rather they are classified as alterations. An alteration is a project that occurs within an existing developed right of way. Alterations include reconstruction, major rehabilitation, widening, resurfacing (e.g., asphalt overlays or mill and fill), signal installation and upgrades, and projects of similar scale and effect. An alteration project must be planned, designed, and constructed so that the required accessibility improvements occur at the same time as the alteration.

Alterations to existing facilities are required to meet new construction standards to the maximum extent feasible. If full ADA compliance cannot be achieved in an alteration, compliance is required to the maximum extent feasible within the scope of the project.

Examples of work that is not within the scope of a project include the need to acquire right of way when right of way is not being acquired elsewhere on the project; the need to relocate utilities when utilities are not being relocated elsewhere on the project; the need to vertically realign the roadway when the roadway is not being vertically realigned elsewhere on the project; etc.

Burien will document instances in alteration projects where full compliance could not be achieved in a maximum extent feasible memorandum. The documentation of these instances will reveal the standard of care that guided engineering judgments.

On January 23, 2008 the US Department of Transportation issued a memorandum titled Public Rights of Way Advisory. In this memorandum, USDOT requires local agencies receiving federal funds, such as Burien, to utilize the 2005 PROWAG for accessibility standards for all new construction and for all alteration projects. USDOT has provided subsequent clarification that “resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling,” provided the overlay impacts an intersection or crosswalk. Minor patching, such as may occur to fill a pothole or adjust a utility lid is exempt.

## VI. Barrier Prioritization

The 2005 PROWAG also constitutes the standards by which barriers will be evaluated and repaired to in the ADA Barrier Mitigation Program. This is done in order to apply consistent standards for all barrier removal, whether performed by capital projects, alteration projects or this program.

This ADA Transition Plan will guide the work to bring existing right of way facilities into compliance with ADA. Payment for this work will be provided through the ADA Barrier Mitigation Program. However, not all inventoried barriers will be prioritized the same. High priority barriers will be addressed through the ADA Barrier Mitigation Program. Low priority barriers will be addressed by an alteration capital project. In such cases, the facilities are deemed to provide reasonable accessibility, even if the standards defined in the 2005 PROWAG are not strictly met. The City will not upgrade these conditions with the ADA Barrier Mitigation Program unless specifically requested to do so by a member of the general public. Low priority barriers will be documented in a maximum extent feasible memorandum, published in conjunction with the particular ADA Barrier Mitigation Program project for that geographic site. The following barriers are considered low priority.

### Pedestrian Circulation Path/Pedestrian Access Route

Criteria	Low Priority Barrier to be Addressed by Alteration Project Only or by Public Request.
4' minimum clear width, excluding the curb.	The clear width may be reduced to 32" at spot

	locations (i.e., utility poles, signal poles or other foundation-mounted appurtenances) provided there is no drop-off on either side.
Pedestrian Access Route cross slope maximum 2%, except mid-block crosswalks and connected curb ramps can match street grade.	Cross slopes up to 5% maximum will be allowed on existing sidewalks and road shoulders.
5% maximum running grade for Pedestrian Access Routes not adjacent to roadway.	Running grades above 5% and below 8.33% are allowed provided the vertical height of those grades does not exceed 30".
Pedestrian Access Route surfaces shall be firm, stable and slip resistant.	Gravel shoulders will not be paved.
Vertical surface discontinuities between 1/4" and 1/2" may be beveled at 2H:1V or flatter, except at grade breaks.	Sidewalk panels displaced greater than 1/2" may be ground provided the resulting slope is planar and flatter than 8.3%.

### Curb Ramps

Clear width 4' minimum, unobstructed, excluding flares.	The clear width may be reduced to 32" provided all other 2005 PROWAG guidelines are met.
Cross slope 2% maximum.	Cross slopes up to 5% maximum will be allowed on existing sidewalks and road shoulders.
Ramp landing cross slopes 2% maximum.	Cross slopes up to 5% maximum will be allowed on existing sidewalks and road shoulders.
Flare slopes 10% maximum as measured relative to the curb slope.	Flare slopes may exceed 10% as measured relative to the curb slope where the flare is constrained by an existing utility facility or a foundation-mounted street appurtenance.
Gratings, access covers, utility objects and other appurtenances shall not be located on curb ramps, landings or gutters within the Pedestrian Access Route	Utility covers are permitted where such covers are treated with a slip resistant coating, the maximum open space is 1/2" or less, the cover surface is firm and stable, and surface discontinuities are 1/4" or less.
Detectible Warning Surface required if the curb ramp/landing connects to a roadway	Detectible Warning Surface will not be required for crossings adjacent to a paved shoulder for Minor Access streets where ADT is less than 155.

### Pedestrian Push Buttons and Accessible Pedestrian Signals (APS)

Push buttons located no greater than 5' from the crosswalk line (extended) that is furthest from the center of the intersection.	Push buttons may be located greater than 5' from the crosswalk line provided they are mounted on a signal pole.
Between 1 1/2' and 10' from the edge of the	Push buttons may be mounted less than 1 1/2'

curb, shoulder, or pavement	or greater than 10' from the curb, shoulder or pavement provided they are mounted on a signal pole.
Clear space 30" min (design wheelchair width) by 48" min (design wheelchair length)	Curb ramp landings may be used as APS clear space.
Clear space 2% max running and cross slopes	Cross slopes up to 5% maximum will be allowed on existing sidewalks and road shoulders.

Bus Boarding and Alighting Areas

Grade 2% maximum measured perpendicular to the roadway, matches street grade measured parallel to the street	Cross slopes up to 5% maximum will be allowed on existing sidewalks and road shoulders.
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## VII. Geographic Prioritization

The intent of this ADA transition plan is to identify and address access barriers identified within distinct geographic areas within the City. After identification, all barriers will be addressed within that geographic area. This approach avoids the common practice of just addressing curb ramps but disregarding narrow or otherwise un-traversable sidewalks leading to the same destination, for example.

The public process for the May 2012 Transportation Master Plan (TMP) identified such geographic areas and labeled them pedestrian priority areas. According to the TMP pedestrian priority areas include transit priority corridors, the downtown core, and pedestrian activity centers.

Transit priority corridors have both a high demand for transit service, and/or high frequency of transit service. Identified transit priority routes include:

- Ambaum Blvd SW between SW 112<sup>th</sup> St and SW 148<sup>th</sup> St, plus SW 148<sup>th</sup> St from Ambaum Blvd SW to the Burien Transit Center. This route is served by METRO's Route 120 bus rapid transit.
- 4<sup>th</sup> Ave SW between the Burien Transit Center and SW 156<sup>th</sup> St, plus SW 156<sup>th</sup> St from 4<sup>th</sup> Ave SW to Des Moines Memorial Dr. This route is served by METRO's F-Line bus rapid transit.
- 8<sup>th</sup> Ave SW between SW 148<sup>th</sup> St and SW 152<sup>nd</sup> St, plus SW 152<sup>nd</sup> St between 8<sup>th</sup> Ave SW and 4<sup>th</sup> Ave SW, plus 4<sup>th</sup> Ave SW between SW 152<sup>nd</sup> St and SW 148<sup>th</sup> St, and SW 148<sup>th</sup> St between 4<sup>th</sup> Ave SW and 8<sup>th</sup> Ave SW. This is the loop route through the downtown core.

Two potential transit priority routes were also identified:

- 1<sup>st</sup> Ave S between S/SW 156<sup>th</sup> St and S 174<sup>th</sup> St (SR 509) to serve south City residents.
- 4<sup>th</sup> Ave SW between the Burien Transit Center and SW 146<sup>th</sup> St, plus S/SW 146<sup>th</sup> St between 4<sup>th</sup> Ave SW and Des Moines Memorial Drive, and Des Moines Memorial Drive between SW 144<sup>th</sup> St and S 108<sup>th</sup> St to serve north City residents.

See Appendix B for a figure of the transit priority corridors.

The downtown core is defined in the TMP as all streets bounded by Ambaum Blvd on the west, SW 148<sup>th</sup> St to the north, SW 153<sup>rd</sup> St to the south, and 1st Ave S to the east. It also includes SW 152<sup>nd</sup> St extended west to 10<sup>th</sup> Ave SW, and S 152<sup>nd</sup> St extended east to Des Moines memorial Dr.

See Appendix C for the Pedestrian Priority Street figure from the TMP. City core streets are identified on the inset as pedestrian priority streets.

Pedestrian activity centers include all roads within ¼ mile of schools, all roads within 1/8 mile of neighborhood parks, or ¼ mile of food banks. A total of 34 pedestrian activity centers were identified in the TMP. They are, in alphabetical order:

1. Arbor Lake Park
2. Big Picture School (shared campus with Highline Area Food Bank)
3. Beverly Park Elementary (1/4 mile radius within Burien)
4. Burien Community Center Annex
5. Burien Community Center/Dottie Harper Park
6. Cedarhurst Elementary
7. Chelsea Park
8. Glendale Lutheran School (private)
9. Gregory Heights Elementary
10. Hazel Valley Elementary
11. Hazel Valley Park
12. Highline Area Food Bank (shared campus with Big Picture School)
13. Highline High School
14. Highline School District Innovative Schools Complex and Puget Sound Skills Center
15. Hilltop Elementary
16. Hilltop Park
17. Jacob Ambaum Park
18. Kennedy High School (private)
19. Lake Burien School Memorial Park
20. Lakeview Park
21. Linde Hill Park
22. Manhattan Park
23. Moshier Park
24. Puget Sound Park

25. Salmon Creek Park
26. Saint Bernadette School (private)
27. Highline School District Administration
28. Seahurst Elementary
29. Shorewood Elementary
30. Shorewood Park
31. Southern Heights Elementary
32. Southern Heights Park
33. Sunnydale Elementary
34. Sylvester Middle School

## VIII. Implementation Schedule

The geographic areas prioritized in this first edition ADA Transition plan are two capital projects completed by Burien in 2008 and 2009. For a variety of reasons, the pedestrian facilities did not conform to the 2005 PROWAG.

- Ambaum Boulevard Southwest and South/Southwest 156<sup>th</sup> Street Corridor Safety Improvements (Ambaum/156<sup>th</sup> St). The Ambaum/156<sup>th</sup> St project limits begin at the intersection of Ambaum Blvd SW and SW 153<sup>rd</sup> St and end at Des Moines Memorial Dr. The intersection of 1<sup>st</sup> Ave S and S/SW 156<sup>th</sup> St is not included, nor is the Des Moines Memorial Dr right of way, which belongs to the City of SeaTac. Ambaum/156<sup>th</sup> St was completed August 2008.
- Burien Town Square and 4<sup>th</sup> Avenue Southwest Street Improvements (BTS & 4<sup>th</sup>). The BTS & 4<sup>th</sup> project limits include 4<sup>th</sup> Ave SW between SW 150<sup>th</sup> St and SW 154<sup>th</sup> St, 5<sup>th</sup> Ave SW and 6<sup>th</sup> Ave SW between SW 150<sup>th</sup> St and SW 152<sup>nd</sup> St, SW 150<sup>th</sup> St, SW 151<sup>st</sup> St, and SW 152<sup>nd</sup> St between 4<sup>th</sup> Ave SW and 6<sup>th</sup> Ave SW. BTS & 4<sup>th</sup> was completed July 2009.

All accessibility barriers within these geographic areas have been identified and inventoried. See Appendix D for the complete inventories. Funding for the necessary repairs has been secured through the ADA Barrier Mitigation Program. Repairs will be designed in 2015 and constructed in 2016.

This ADA Transition plan will be periodically updated in a manner similar to the City Capital Improvement Program. Updates are anticipated to occur every 3 to 5 years, to capture and implement the priorities of the public and interested stakeholder groups. The next scheduled update will occur in 2016 so that the repair projects funded by the ADA Barrier Mitigation Program will continue uninterrupted.

Once a geographic area has been prioritized in the ADA Transition plan, all identified accessibility barriers will be addressed in the year scheduled, unless one of the following events were to occur. Public requests for accessibility barrier mitigation will take priority over programmed mitigation. For example, if the City receives a request from the public in 2015, it is

City policy to address the repairs in the next ADA Barrier Mitigation project, presumably in 2016. If that location was not within the geographic area to be mitigated in 2016, it is possible that some of the repair work programmed for 2016 would be deferred to 2017, due to the limited nature of the ADA Barrier Mitigation Program funds.

Conversely, some or all of the accessibility barriers inventoried for a geographic area in 2016 may actually be repaired by a capital project in 2015. That would free up funds in the 2016 ADA Barrier Mitigation project that could be applied to other prioritized geographic area(s). The City would then accelerate whatever repairs it could afford from the 2017 project geographic area(s) into 2016 based on the funding levels available for 2016. Such acceleration of accessibility barrier repairs is limited to capital projects valued at \$100,000 or more, or where the barrier repairs constitute less than 25% of the total capital investment. In such cases, the barrier mitigation will be deferred to the ADA Barrier Mitigation Program.

The City Overlay Program will also address certain accessibility barriers. A given project will upgrade curb ramps and APS within its project limits, but not other accessibility barriers.

## **IX. Funding**

The City has budgeted \$305,000 in 2014 to address the Ambaum/SW 156<sup>th</sup> St barrier mitigation project and an additional \$440,000 in 2015 for the Burien Town Center and 4<sup>th</sup> Ave SW barrier mitigation project. These two projects will provide valuable cost data that the City will use to develop an appropriate annual budget amount going forward. The data will also allow the public involvement process to appropriately size individual geographic areas when prioritizing projects for each ADA Transition Plan update.

## **X. Monitoring and Status of Compliance**

Given the expected three to five year frequency of ADA Transition Plan updates, the reports themselves will document the progress made since the last edition. The status of each accessibility barrier identified in the previous edition will be detailed in an appendix to the report.

## **XI. Public Participation and Input**

Every 3 to 5 years, the City will seek out representation from local advocacy groups for the disabled, as well as members of the public at large. This ad hoc committee will prioritize geographic areas for the next five years, mindful of the fiscal constraints of the program budget. Once published in the updated ADA Transition Plan, the City will develop and construct projects to implement the prioritization.

## **XII. Filing a Grievance**

The City has established an accessibility barrier grievance procedure in accordance with the requirements of the ADA. The procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, facilities and programs. The complaint should be in writing and contain information about the alleged discrimination such as name, 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 in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**ADA Coordinator, Ramesh Davad**  
**400 SW 152<sup>nd</sup> St. Suite 300**  
**Burien, WA 98166**  
**Phone 206-248-5513**  
**Fax 206-248-5539**

Within 15 business days after receipt of the complaint, the ADA Coordinator or his/her designee (hereafter "ADA Coordinator") will contact the complainant to discuss the complaint and the possible resolutions. Within 60 calendar days of the discussion (unless the complexities of the complaint require additional time), the ADA Coordinator 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 include a determination of the validity of the complaint and description of the accommodation/resolution, if any. The accommodation or resolution might not be the same as requested in the complaint.

### **APPEALS**

If the response by the designated ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision within 30 calendar days after receipt of the response to:

**The City Manager**  
**400 SW 152<sup>nd</sup> St. Suite 300**  
**Burien, WA 98166**  
**Phone 206-248-5508**  
**Fax 206-248-5539**

Within 15 business days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 60 calendar days after the meeting, the City Manager 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 the ADA Coordinator or appeals to the City Manager or his/her designee, and responses from these offices will be retained by the City of Burien six years after final resolution.

Alternative formats are available upon request.

### **XIII. Appendices**

- A. City Standard Details
- B. Transit Priority Corridors
- C. Pedestrian Priority Streets
- D. Barrier Inventory
  - 1. Town Center
  - 2. Ambaum Blvd / 156<sup>th</sup> St Corridor
- E. Cost Estimate
  - 1. Town Center
  - 2. Ambaum Blvd / 156<sup>th</sup> St Corridor
- F. Cost Estimate Intersection Maps
  - 1. Town Center
  - 2. Ambaum Blvd / 156<sup>th</sup> St Corridor

**Appendix A**  
**City Standard Details**

**Appendix B**  
**Transit Priority Corridors**

**Appendix C**  
**Pedestrian Priority Streets**

**Appendix D1**  
**Barrier Inventory**

**Town Center**

**Appendix D2**  
**Barrier Inventory**

**Ambaum Blvd and S/SW 156<sup>th</sup> St**

## **Appendix E1**

### **Cost Estimate**

#### **Town Center**

## **Appendix E2**

### **Cost Estimate**

#### **Ambaum Blvd and S/SW 156<sup>th</sup> St**

## Appendix F1

### Town Center Cost Estimate Map

## Appendix F2

### Ambaum Blvd and S/SW 156<sup>th</sup> St Cost Estimate Map

**Appendix G**  
**Grievance Form**