


LEGISLATIVE #

100560C

Memo



To: Commissioner Wells
VIA: Russ Blackburn 
From: Teresa Scott, P.E.
Date: July 18, 2011
Subject: ADA Parking in Downtown

Staff is not recommending any changes in regards to current ADA parking in the Downtown area in conjunction with the proposed Downtown Parking Plan.

The Florida Building Code – 2004, Chapter 11 - Florida Accessibility Code for Building Construction (FACBC) requires that the City provide 1 compliant accessible parking space for every 150 on-street metered parking spaces. A breakdown of ADA on-street parking spaces is provided as follows:

In the southeast quadrant, we have approximately 250 metered and non-metered parking spaces, which would require 2 on-street compliant accessible spaces. In this quadrant, we have 11 on-street spaces that comply with the FACBC requirement. These on-street parking spaces that were counted are in the vicinity of the County Courthouse, County Admin Building, Federal Building and the new Union Street Station.

In the southwest quadrant, we have approximately 100 metered and non-metered parking spaces. This would require 1 on-street complaint accessible space. In this quadrant, we have 4 on-street spaces that comply with the FACBC requirement. These spaces are in the unit block of S.W. 1st Avenue and the 100 block of S.W. 1st Avenue. Additionally, there are 2 spaces in the 100 block of S.W. 1st Street.

In the northeast quadrant, we have approximately 160 metered and non-metered parking spaces. This would require 1 on-street complaint accessible space. In this quadrant, we have 2 on-street spaces that comply with the FACBC requirement. One space is in the unit block of N.E. 1st Street and the other is in the 100 block of N.E. 1st Street.

Additionally, the City-owned Southwest Parking Garage contains 19 ADA compliant spaces. This facility is located in the between S.W. 2nd Street and 3rd Street in the unit block. This facility is located near the new County Judicial Complex and other government facilities in the CCD.

City lot # 4 (beside the Federal Building) contains 30 parking spaces, 2 of which are disabled parking and meets the FACBC requirement. The FACBC requirement for this lot is 2 accessible spaces (26 – 50 space parking lot).

City Lots 5 & 6 (beside City Hall) contains 79 parking spaces, 4 of which are disabled parking and meet the FACBC requirement. The FACBC requirement for this lot is 4 (76 – 100 space parking lot)

It is the opinion of staff that the City meets the ADA Code in the downtown. This is based upon the Florida Building Code – 2004, Chapter 11 - Florida Accessibility Code for Building Construction (FACBC) which the City Enforces. Specifically, the parking rules contained in sections 11-4.1.2(5)(a), 11-4.1.2(5)(a)(ii) & 11-4.1.2(5)(b). The Florida Building Code – 2004, Chapter 11 - Florida Accessibility Code for Building Construction (FACBC) has been enacted by the Florida Legislature to meet and/or exceed the Federal ADA Accessibility Guidelines as adopted by the U.S. Department of Justice at 28 CFR, part 36, Appendix A. The State of Florida opted to adopt the document as opposed to the ADA because the State already had an accessibility codes and parts of the code were more stringent than the requirements of the ADA. The State wanted to maintain those more stringent provisions because they better provided for the needs of the disabled.

In the overall downtown plan, we currently provide approximately 550 on-street metered and free designated spaces. With a requirement of 1 ADA space every 150 provided spaces; we must provide 4 ADA spaces in the downtown area. The City currently provides 17 ADA compliant on-street spaces. The City also provides ADA complaint parking spaces in our parking lots in conjunction with those requirements.

In regards to state law regarding charging for ADA parking the following provisions apply: F.S. 316.1964 Exemption of vehicles transporting certain persons who have disabilities from payment of parking fees and penalties.--

(1) A state agency, county, municipality, or any agency thereof, may not exact any fee for parking on the public streets or highways or in any metered parking space from the driver of a vehicle that displays a disabled parking permit or a license plate issued under s. 316.1958 or s. 320.0848 or a license plate issued under s. 320.084, s. 320.0842, s. 320.0843, or s. 320.0845 if the vehicle is transporting the person who has a disability and to whom the disabled parking permit or license plate was issued.

(5) Notwithstanding subsection (1), when an on-street parking meter restricts the duration of time that a vehicle may be parked, a vehicle properly displaying a disabled parking permit is allowed a maximum of 4 hours at no charge; however, local governments may extend such time by local ordinance.

(8) Notwithstanding subsection (1), a county, municipality, or any agency thereof may charge for parking in a facility or lot that provides timed parking spaces any vehicle that displays a disabled parking permit, except that any vehicle with specialized equipment, such as ramps, lifts, or foot or hand controls, for use by a person who has a disability, or

any vehicle that is displaying the Florida Toll Exemption permit, is exempt from any parking fees.

Copy: Mayor Lowe
City Commission
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