

**CITY OF LOS ANGELES**  
**INTER-DEPARTMENTAL MEMORANDUM**

**DATE:** October 10, 2018

**TO:** Honorable City Council  
c/o City Clerk, Room 395, City Hall  
Attention: Honorable Mike Bonin, Chair, Transportation Committee

**FROM:** Seleta J. Reynolds, General Manager, Department of Transportation  
Stephen David Simon, Executive Director, Department on Disability



**SUBJECT:** RESTORATION OF THE ACCESSIBLE PARKING ZONE (APZ) PROGRAM (CF 14-1529)

This report is a status update on the City Council's directive to the Los Angeles Department of Transportation (LADOT), in coordination with the Department on Disability (DOD), to re-establish the City's Accessible Parking Zone (APZ) program.

**RECOMMENDATIONS**

That the City Council:

1. AUTHORIZE the proposed modifications to the APZ ("Blue Curb") program, which provide the following:
  - A process to meet "reasonable accommodations" as determined by DOD to provide APZs to disabled constituents;
  - A criteria for the removal of existing "legacy" Blue Curb zones;
  - A multi-departmental APZ evaluation and delivery process.
  
2. AUTHORIZE LADOT, with the support of DOD, to make technical corrections and adjustments to the "APZ Program Rules and Procedures" as necessary, to ensure that the policy remains aligned with ongoing updates to State and Federal ADA standards.

**BACKGROUND**

Federal and State guidelines including the Public Rights of Way Accessibility Guidelines (PROWAG), the California Manual of Uniform Traffic Control Devices (CA-MUTCD), and Caltrans Standard Plans have approved accessibility requirements for APZs. The requirements include provisions for access ramp and sidewalk improvements, the removal of adjacent obstructions, and details about marking and signing the APZs.

On November 5, 2014, Councilmembers Huizar and Bonin introduced CF 14-1529 that instructed LADOT, in coordination with the Bureau of Street Services (BSS) and DOD, to report on the status of installing on-street blue curb zones to create disabled parking spaces and recommendations to establish a viable blue curb installation program. On January 4, 2017, City Council authorized LADOT to designate parking

space for public benefit, typically at the beginning of a block, for accessible parking to serve the entire block. Council also directed LADOT, DOD, BOE, and BSS to establish the City's Accessible Parking Zone program and to report back on challenges, number of zones installed, and recommended modifications to the policy and/or approval and installation processes.

## **DISCUSSION**

Per Council direction, LADOT partnered with DOD to process requests and evaluate APZ installations. LADOT and DOD collaborated on field reviews of 35 APZ sites and other accessibility issues.

### **Number of Zones Installed/Requests Received**

There are currently 685 open APZ requests in the City of Los Angeles. Eighty percent of requests come from residents in the Central, Southern and Hollywood districts.

As of August 2018:

- DOD received over 2,000 inquiries on APZs.
- DOD received over 900 applications for APZs.
- LADOT mailed over 2000 applications for APZs, with 80% for non-corner locations.
- DOD processed over 650 completed APZ applications.
- Five APZs are pending approval from DOD for installation.

### **Challenges**

The scope of the initial APZ pilot project was to create a process to receive requests for APZs, and to install them at either the beginning or the end of the block. Critical challenges were identified during this initial pilot project. These issues included:

- A large number of disabled constituents require immediate assistance to access their homes, and the projected evaluation, design, and delivery times for requested APZs were unable to accommodate their immediate needs.
- Many APZ applicants moved or changed jobs during the evaluation and installation periods, which indicates a need for both a quicker processing time and a procedure to remove any abandoned APZs or legacy Blue Curb zones.
- The pilot program's limited scope restricting APZs to corner locations was misaligned with the desires of the disabled community (80% of the requested APZs were for mid-block locations, creating a potential 80% denial rate simply due to location), leaving many constituents without a "reasonable accommodation."
- The rigidity of the current standards for the design and implementation of APZs required costly or infeasible modifications, such as the addition of ramps, sidewalk upgrades, and removals or relocations of trees, utility poles, fire hydrants, bus shelters and benches, and other roadside obstacles, that could not be accomplished in a timely manner and required coordination with the Department of Public Works (DPW).
- The accepted standards for providing APZs often conflict and new standards were issued during the pilot project evaluation period.
- As a result of untimely response or denial of a request, constituents often submitted duplicate requests to LADOT, 3-1-1, and DOD, which caused confusion and increased the delay in responding to other requests.
- There was no single point of entry to control and monitor the evaluation and delivery process.
- The current Caltrans Standard Drawing RSP A90B (Attachment C) prohibits any curbside obstructions adjacent to APZs, other than the posts that the APZ signs are mounted on,

including street furniture, street trees, guy wires, utility cabinets, fire hydrants, mailboxes, and others. This impacts other Boards, Departments, and Bureaus that construct or permit improvements within sidewalks, which requires new policies and staff training to avoid placing obstructions adjacent to APZs.

### **Proposed Accessible Parking Zone (APZ) Program**

Based upon the numerous and substantial challenges in the initial APZ program, LADOT and DOD have proposed a revised Accessible Parking Zone (APZ) Program, which is intended to be the permanent program upon Council adoption of this report. The attached "Accessible Parking Zone (APZ) Program Rules and Procedures" provides the details of the recommended APZ Program. The new proposed APZ program offers a number of enhancements compared to the pilot program including:

- A broader menu of service options to accept requests for midblock APZs, and to provide DOD the authority to determine "reasonable accommodations" in specific cases, in order to allow interim, or multi-phase, implementation of APZs, especially at midblock locations.
- Coordinated involvement from DPW to address accessibility issues where curb, sidewalk, or removal of roadside obstacles is required before LADOT can install a conditionally approved APZ.
- Opportunity to provide an interim solution while a more complex, ultimate solution is underway.
- A policy for the removal of legacy blue curbs.
- A streamlined process and evaluation strategy to address the backlog of requests and reduce response times moving forward (Attachment C).
- An appeals process.

Other Boards, Departments, and Bureaus involved with planning and permitting development should adopt policies advising developers and applicants about the accessibility requirements for on-street APZs (and also accessible passenger loading zones) early in the review process. This includes the Department of City Planning, Department of Building and Safety, and Housing Authority of the City of Los Angeles. In particular, construction that necessitates long-term removal of accessible zones may/will require alternate accessible facilities. Medical facilities, adult day care facilities, schools, churches, senior housing, and businesses that will require valet parking zones are common requesters for on-street Passenger Loading Zones or APZs after construction is complete. When these types of developments occur, we will advise that street improvements are needed prior to the approval of on-site improvement to prevent denials or costly retrofits, and to provide the desired accommodations after construction has been completed.

### **Staffing and Training**

DOD will be seeking two additional full-time position authorities in its 2019 budget request to accommodate additional staff training. To process requests that have accumulated during the past year and address the surge of studies following the approval of this report, LADOT will hire three Student Professional Workers for the remainder of the current fiscal year. LADOT can sustain this program in future years with an additional staff position that functions as a liaison with DOD, provides dedicated evaluations of APZ requests, and prepares work orders to install and maintain approved APZs. LADOT will include this position in our 2019-20 budget request.

Technical training on ADA issues in the public right-of-way is essential for the sustainability of the APZ program, and we suggest it as mandatory training for staff in LADOT, DOD, and DPW. DOD is the recommended lead agency to identify and coordinate training efforts.

## **FISCAL IMPACT**

Based on the knowledge, experience, and findings of the pilot program, the fiscal impact to the General Fund to re-establish the Accessible Parking Zone program is moderate. The newly identified implementation costs will be borne by existing programs or incorporated into development and capital improvement projects. However, at locations where the implementation of an APZ requires a new sidewalk or curb ramp, removal of a tree, or relocation of a utility pole, the costs may be substantial. This program tries to identify where low cost services can be delivered, and separates those requests from others that may be more costly and time consuming.

## **ATTACHMENTS:**

- A. Accessible Parking Zone (APZ) Program Rules and Procedures
- B. APZ Application Review Flow Chart
- C. Caltrans Standard Drawing RSP A90B

ACCESSIBLE PARKING ZONE (APZ) PROGRAM  
RULES AND PROCEDURES  
(Revised October 11, 2018)

1. GOAL

To provide specially designated on-street parking spaces that provide reasonable accommodations to persons with disabilities.

2. APZ REQUEST CATEGORIES

- a. **New Sidewalk Construction** – When the APZ request is for a location where new sidewalk or curbs are being installed. The following items should also be included by the contractor, developer, or agency responsible for the new sidewalk or curb(s):
  - i. ADA compliant curb ramps at each corner that the sidewalk connects to (Caltrans DIB 82-06), and compliance with Caltrans Standard Plans RSP A88A and A90B, or equivalent adopted City of Los Angeles Bureau of Engineering standard plan, and Caltrans DIB 82-06.
  - ii. Any existing passenger loading zones adjacent to the sidewalk shall be upgraded to the extent technically feasible to provide at least one accessible passenger loading zone in every continuous 100 linear feet of loading zone or fraction thereof (ADA 2010 Section 209, PROWAG Chapter R2, R215).
  - iii. All passenger loading zones shall comply to the extent technically feasible with PROWAG standards, Chapter R2, R215, and Chapter R3, R310-R310.3.4.
  - iv. Accessible passenger loading zones must be provided at these facilities, whether or not passenger loading zones are planned, preferably on-site and out of the public right-of-way, but otherwise in the public right-of-way at the expense of the owner of the facility, to the extent technically feasible:
    1. Licensed medical care and licensed long term care facilities where the period of stay exceeds 24 hours (located at an accessible entrance) (ADA 2010 Section 209.3)
    2. Parking facilities where valet parking service is provided (ADA 2010 Section 209.4)
  - v. When a minimum number of APZs are required (see Section 4), they should be installed taking into consideration that those spaces should be closest to the front door of the facility they serve, providing the sidewalk right of way is wide enough to accommodate an access aisle with access ramp(s) in compliance with Caltrans DIB 82-06 and PROWAG Chapter R3, R309.2.1, and shall be installed according to Caltrans Standard Plan RSP A90B. Where APZs are to be placed at the beginning or end of the block, either because the sidewalk is inadequate, or the location of the APZ will be closest to the front door of the facility it serves,

the space shall be installed according to Caltrans Standard Plan RSP A90B and PROWAG Chapter R3, 309.2.1 and 309.2.2.

- vi. The DOD is authorized to determine when the installation of APZs on a newly constructed sidewalk, curb, and gutter, without the addition of accessible passenger loading zones, as recommended in subsections ii, iii, and iv, above, is a sufficient reasonable accommodation. For locations where the new sidewalk is constructed and accessible loading zones are not installed at that time, any subsequent requests for passenger loading zones, valet zones, or other specialty loading zones where accessible zones are required by the Caltrans DIB, PROWAG, or ADA, will be the primary responsibility of the property owner adjacent to the sidewalk, to provide in the future.

- b. **Existing Infrastructure is ADA Compliant** - When the request for the APZ is at a location that has been verified by DOD or LADOT to be accessible based on the potential to provide a marked on-street parking space and paint a blue curb, as well as a determination that factors such as overall street and sidewalk slopes, curb ramp, parkway features, sidewalk width, absence of any sidewalk furniture, trees, or any other items would not be reasonably considered as an "accessibility obstacle" to persons with disabilities. The following items are recommended to be provided by the City, or private contractor, developer, or agency, to implement an APZ:

- i. See Section 4 for the minimum number of required APZs.
- ii. When a minimum number of APZs are required, they should be installed taking into consideration that those spaces should be closest to the front door of the facility they serve provided the sidewalk right of way is wide enough to accommodate an access aisle with access ramp(s) in compliance with Caltrans DIB 82-06 and PROWAG Chapter R3, R309.2.1, and shall be installed according to Caltrans Standard Plan RSP A90B.
- iii. When APZs are to be placed at the beginning or end of the block, either because the sidewalk is inadequate, or the location of the APZ will be closest to the front door of the facility it serves, the space shall be installed according to Caltrans Standard Plan RSP A90B and PROWAG Chapter R3, 309.2.1 and 309.2.2.

- c. **Existing Infrastructure Requires Modifications** – When the request is considered to require significant modification or alteration of the existing built conditions (i.e. a single feature or combination of non-compliant features needs to be addressed in order to create an APZ), or there is a conflict with the existing usage of the curb zone (i.e. zone being used for other type of loading zone, transit stop, or special use zone), but that the location is otherwise deemed to be appropriate as a reasonable accommodation for APZ placement, by DOD.

- i. In this scenario, LADOT, DPW, and any other involved agency (MTA) shall be engaged until a resolution that provides reasonable accommodations is approved by DOD.
- ii. See Section 4 for the minimum number of required APZs.
- iii. DOD is authorized to determine any “reasonable accommodations” necessary to deviate from the general guidelines, as detailed in Section 8.
- iv. It is acceptable for LADOT to provide a conditional approval of an APZ, pending the installation or removal of the specified items. Conditional approvals will expire after 2 years, unless otherwise specified by LADOT.
- v. Once the required items are installed or removed, and LADOT is notified by DOD that they can proceed, LADOT will provide a prioritized implementation of the APZ.
- vi. The required installation or removal of specific items necessary to qualify the location for an APZ can be accomplished in the following manners:
  - 1. Request can be made to DPW to add the location to the roster of sidewalk repairs.
  - 2. Some cost sharing arrangement can be identified, and approved by Council Motion.

d. **Structurally Impractical or Technically Infeasible** - When the request is completely infeasible, due to physical constraints, otherwise unresolvable field, or safety conditions. These conditions may include the absence of an adequate street surface, the absence of an existing curb or parkway or sidewalk, a slope so severe that life-safety concerns may apply, the prohibition of on-street parking, or any other circumstances for which the application is determined by DOD or LADOT to be technically constrained and must be rejected.

### 3. EVALUATION PROCESS

- a. The DOD will be responsible for accepting, monitoring, resolving, and closing out all requests for APZs. Although requests for APZs may initially be submitted from the public to other departments, it is necessary for those other departments to refer or forward the requests to DOD for their consideration.
- b. Once a request for an APZ is received by LADOT, they will perform an evaluation of the requested location and conditions and assign it a category (Section 2a – 2d).
- c. Deployment of DOD personnel shall commence with the current queue of APZ applications. These include the “backlog” of over 660 completed applications, received by LADOT and DOD since 2017, which have been vetted for validity, and which all application criteria (name, address, copy of valid parking placard, etc.), has been received and qualified. Each new application received shall be subject to the same application process, with evaluations scheduled on an as-received basis.

- d. For each validated APZ application, and upon completion of the evaluation and assignment of category, DOD personnel shall be responsible for “opening” the APZ service request by means of the current 3-1-1 system. The current 3-1-1 system, while containing separate modules for both LADOT and BOE related requests, shall require back-end script changes to allow for DOD personnel to open an APZ request as a numbered Service Request that concurrently feeds into a shared database (ie: an existing location that is cleared by DOD for paint and post requires significant alteration to the curb or parkway or sidewalk, which would go to LADOT for paint and post scheduling and to BOE, BSS, and Urban Forestry Division (UFD)).
- e. It is hoped that 3-1-1 will be able to provide the intake service in the same manner that sidewalk repairs or other services are handled by 3-1-1 operators. In this way, the intake information comes to DOD already cleared for field assignments, and for the critical evaluation and categorization process to commence.
- f. Assuming that intake and application processing can be resolved with minor modifications to 3-1-1, DOD can deploy its field evaluation personnel. These team members will visit each location, create a photo file of four directional pictures (NSEW), draft a short summary of the location, note any critical characteristics, and then assign one of four categories (Section 2a – 2d). This will be used by LADOT to determine placement of paint markings and signs, along with required street, curb, or sidewalk feature alterations.
- g. Depending on the category, assigned, the following actions will then occur:
  - i. **New Sidewalk Construction** – DOD will forward approval information to LADOT and DPW to identify the zone and any obstacles, confirm feasibility and report back to DOD. For new construction, by applicant in most cases, applicant will need to apply for permits and submit plans for approval. Applicant will need to work with DPW and LADOT for approval of design and specific location, on their plans. Applicant will construct APZ, as well as any other required ADA improvements triggered by the new construction at that location.
  - ii. **Existing Infrastructure Is ADA Compliant** - DOD will forward approval information to LADOT to identify the zone, any obstacles, confirm feasibility and install, or to refer back to DOD if not feasible or modifications by DPW required. If LADOT approves for installation, they will issue work orders and install, and DOD will notify the requestor of approval.
  - iii. **Existing Infrastructure Requires Modifications** - DOD will forward approval information to LADOT to identify the zone, any obstacles, confirm feasibility and install, or to refer back to DOD if not feasible or modifications by DPW required. In most cases, construction of sidewalk, ramps, cut-outs, or removal of sidewalk furniture, trees, utility poles, or other objects are required. LADOT is encouraged to provide conditional approval of APZ, pending construction/removal of conflicting items necessary to comply with Caltrans Standard Drawing RSP A90B, and the Caltrans DIB 82-06. DOD will monitor the

DPW improvements, and when completed, will notify LADOT, and LADOT will provide priority installation of APZ, based on previous conditional approval. (Conditional approvals will expire after 2 years, unless otherwise specified)

- iv. **Structurally Impractical or Technically Infeasible** – DOD may discuss with LADOT and DPW, to determine if any other reasonable accommodations are possible, if necessary, and then notify requestor that request is infeasible.
  - 1. When there is a conflict between the desired location and existing curb zone usage, the LADOT shall determine whether an APZ is feasible at that location, and work with the DOD to identify if a reasonable accommodation can be provided at an alternate location.
  - 2. When there is a conflict between the desired location and existing obstacles adjacent to the desired APZ, including storm drain, catch basin, trees, street lights, utility poles, newspaper racks, bus shelters, art, utility cabinets, pull boxes, traffic signal equipment, and other items, the DPW and LADOT shall determine whether their facilities can be relocated, and DOD will work with LADOT to identify if a reasonable accommodation can be provided at an alternate location.
- v. A flow chart detailing the evaluation process is attached.

#### 4. REQUIRED NUMBER OF APZ

- a. Where on-street parking is provided on the block perimeter and the parking is marked or metered, a minimum number of parking spaces must be accessible and comply with the technical requirements for parking spaces in PROWAG Chapter R2, R214. For every 25 marked or metered parking spaces on the block perimeter, up to 100 spaces, one parking space must be accessible. For every additional 50 parking spaces on the block perimeter between 101 and 200 spaces, an additional parking space must be accessible. Where more than 200 parking spaces are provided on the block perimeter, 4 percent of the parking spaces must be accessible. Metered parking includes parking metered by parking pay stations. Where parking is metered by parking pay stations and the parking is not marked, each continuous 20 feet of the block perimeter where parking is permitted is counted as one parking space for determining the minimum number of accessible parking spaces.
- b. Where on-street parking is provided, and none of the parking spaces on the block perimeter are marked or metered, there is no minimum number of accessible parking spaces required.
- c. When requests for multiple on-street APZs are requested on a block with no marked parking spaces, refer to PROWAG Chapter R2, R214 as a guide for how many APZs may be appropriate to provide on the block perimeter. LADOT shall determine whether to provide any APZs beyond the suggested minimum amounts, after discussing with DOD, in order to balance the overall parking needs on the block.

## 5. MARKING APZ

- a. The current version of the Caltrans' Standard Plans for Accessible Parking On-Street RSP A90B shall be used for designing accessible parking facilities. The on-street APZ requires blue painted curb, signs designating the APZ with the disabled person symbol and the minimum fine. Where a conventional, midblock APZ is provided with a curb ramp, then pavement markings are also required to designate the accessibility aisles. There are other requirements specified in Standard Plan A90B. Except for plans being constructed by private contractors, the LADOT shall design, install, and maintain all APZ.
- b. For roadway configurations where Caltrans' Standard Plans for Accessible Parking On-Street RSP A90B are not applicable, such as for some one-way streets, diagonal parking, or where protected bike lanes are used, LADOT will use engineering judgment to provide an operational solution that allows reasonable access to the designated parking zone(s).

## 6. ENFORCEMENT OF APZ

- a. The LADOT will be the primary enforcement agency for APZ violations, although LAPD or other policing agencies may also enforce violations. The blue painted curb zone and the sign designating the space as a disabled persons' parking space are both required for the APZ to be enforceable. Refer to LAMC Section 80.57 for enforcement authority, and 89.60 for penalties.

## 7. REMOVAL OF LEGACY APZ

- a. Existing APZs ("legacy APZ") including any signs, blue curb zones, and pavement markings associated with the existing APZ, may be removed under the following conditions, or where it is necessary to prohibit on-street parking for safety reasons:
  - i. **Single Family Residential (R1 Zone)** - Where there is existing ADA compliant sidewalk AND curb ramp(s) that serve the APZ, the zone may be removed if requested in writing from the property owner of the address where the APZ exists, and where a petition or other document demonstrating support to remove the APZ is submitted from at least 75 percent of the property owners on the same side of the street segment where the APZ is (including the property where the APZ exists).
  - ii. **Single Family Residential (R1 Zone)** - Where there is no existing ADA compliant sidewalk AND curb ramp(s) that serve the APZ, the zone may be removed if requested in writing from the property owner of the address where the APZ exists, and co-signed, or accompanied by written statement, in support of the removal of the APZ, from both neighboring property owners. In some cases, this may include the property owner(s) around the corner(s), as determined by DOD.
  - iii. **Multi-Family Residential or Commercial** - Where there is existing ADA compliant sidewalk AND curb ramp(s) that serve the APZ, the existing APZ is

considered a public benefit, and should not be removed, as long as on-street parking is permitted at that location.

- iv. **Multi-Family Residential or Commercial** - Where there is existing ADA compliant sidewalk AND curb ramp(s) that serve the APZ, the existing APZ may be removed when LADOT is directed to do so by a letter from the Councilmember representing the affected area.
- v. **Multi-Family Residential or Commercial** - Where there is no existing ADA compliant sidewalk OR curb ramp(s) that serve the APZ, the existing APZ may be removed if requested in writing from the property owner of the address where the APZ exists, and co-signed, or accompanied by written statement, in support of the removal of the APZ, from both neighboring property owners. In some cases, this may include the property owner(s) around the corner(s).
- vi. **Other non-residential or non-commercial zones** - Apply standards similar to Single Family Residential (R1 Zone), depending on existing infrastructure, as well as the determination by DOD on whether the existing APZs are required to be retained for public benefit. DOD is authorized to use technical discretion in these cases.
- vii. LADOT retains the right to remove and/or relocate any APZ as part of its function to operate the City's transportation system. LADOT will coordinate with DOD regarding the removal and/or relocation of APZs. This is necessary to accommodate future requests for new traffic control devices, the repurposing of roads, or when standards are updated, to allow flexible accessibility options for new development.

## 8. REASONABLE ACCOMMODATION PROCESS

- a. In some situations, an operational solution may achieve accessibility without the need for construction. Alterations to existing facilities do not have to be made accessible if other methods for providing access are effective (DIB Section 4.1.6). DOD will be authorized to make all final determinations about accessibility and reasonable accommodations.
- b. For midblock APZ locations, the reasonable accommodation standards for street segments zoned as multi-family residential and commercial, are significantly different than those for single-family residential, or other land uses. At locations where requests for midblock APZs are received, and ramps do not exist, the necessity for a ramp in order to provide a reasonable accommodation in a single-family residential neighborhood will be determined by DOD. At locations that are zoned as multi-family residential or commercial, a ramp should be provided for a midblock APZ, unless there are special reasons identified by DOD where a ramp is not necessary, and where alternative reasonable accommodations can be provided. In other land uses, such as industrial or near parks, reasonable accommodations, including the necessity to provide midblock ramps, shall be the determination of DOD.

- c. If a technical infeasibility exists because of topography or another factor, then a transition plan may be set in place to allow for interim accommodations with enough flexibility to accommodate future compliance improvements, when they become feasible (technically infeasible sites have existing physical or site constraints that prohibit modifications or addition elements, spaces or features that are in full strict compliance with the minimum requirements, ADA 2010, Standard 106.5). Examples may include sidewalks with non-compliant limited space that cannot be widened, or a sidewalk on a hillside neighborhood with steep non-compliant topography.
- d. For cases where APZs are requested to address an issue that is more about loading than parking, such as where paratransit, school buses or other specialty transit services desire a designated space to load or unload riders with disabilities, APZs are inappropriate, and LADOT is authorized to identify and implement alternate solutions, if feasible.

#### 9. APPEAL PROCESS

- a. The DOD is authorized to promulgate and administer a review and appeal process for APZ requests that have been denied.
- b. In cases where requests for APZs are received with conflicting levels of requested accommodations, DOD shall work with LADOT and DPW to determine the most reasonable accommodation process.

ATTACHMENT B



