

Mercer Island 2020 PROS Plan

ADA Conditions Overview

Introduction

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. The City of Mercer Island is required to comply with ADA Title II and Title III requirements, which are specific to local governments.

The PROS Plan process includes identification of obvious ADA compliance issues, but it does not record or evaluate every item or detail that should be remediated to provide reasonable universal access and meet ADA standards. This general parks conditions assessment will be used, however, to support development of the comprehensive Citywide ADA Transition Plan, which is in early stages of development in 2021.

The information contained in this report should also be used to inform development of PROS Plan goals and policies, including recommendations related to capital projects.

ADA Transition Plan

The City is required to complete a Self-Evaluation and Transition Plan (ADA Transition Plan) that will address the requirements of ADA Title II. This plan will be used to identify obstacles limiting accessibility, describe and identify methods to make these obstacles accessible, and plan a schedule to bring City facilities and operations into compliance. Funding for ADA Transition planning work was included in the 2021-2022 biennial budget and will incorporate findings and recommendations from the PROS Plan.

Parks & Recreation and Universal Access

Under federal regulations, when parks and recreation facilities are built or altered, they must comply with the ADA Standards for Accessible Design (ADA Standards), which require inclusion of features such as accessible parking spaces, routes, toilet facilities, public telephones, and spectator seating areas. For parks and facilities that were built or altered before the ADA Standards took effect, local governments must devise ways to make the programs and activities in those parks and facilities accessible to people with disabilities. If a local government decides to modify facilities to provide access to a recreation program or activity and has more than one facility available (such as when several ball fields are provided), only some of the facilities may need to be accessible. (From the ADA website: [Equal Access to Parks and Recreation](#))

Outdoor Developed Areas Accessibility Guidelines (Architectural Barriers Act – ABA) have been established for many of the common elements in public parks. Picnic areas, outdoor access routes, outdoor constructed features and trails are described to ensure accessibility standards are met in parks, viewing areas, and at trailheads. These standards allow for a bit more flexibility compared to the ADA Standards for public buildings and public spaces.

Eliminating barriers is a fundamental premise of the ADA to ensure that individuals with disabilities are provided an equal opportunity to access and use a public facility. Barriers include any obstacles that

prevent or restrict the entrance to or use of a facility. Alterations to older buildings and infrastructure may be needed to ensure accessibility, however, there is a greater obligation to first remedy “readily achievable barrier removal” at public facilities.

A local government is not required to take any actions that will result in a fundamental alteration to the nature of the facility, will create a hazardous condition resulting in a direct threat to the participant or others, or will create an undue financial and administrative burden. If a certain course of action is deemed unduly burdensome, other options should be explored to provide reasonable access to similar benefits.

The Department of Justice ADA Title III regulations for places of public accommodation identify the highest priority as accessibility to the approach and entrance of the public facility. This priority is typically the primary focus for providing barrier-free parks and trails. Access to public restrooms is identified as a Priority 3. Accessible design of the amenities within parks (play equipment, benches, picnic tables, shelters, drinking fountains, etc.) are considered Priority 4.

Existing Conditions

All City of Mercer Island parks, trails, and open space areas assessed during the fall of 2019 had some aspect of non-compliance with the ADA guidelines. This is not a surprise as many of the facilities and amenities were constructed prior to passage of the ADA in 1990 and the development of the ADA Standards in 2010. Based on this assessment, the overall score for ADA compliance for the Mercer Island parks system is rated as fair to poor. Additional details and recommendations regarding ADA compliance issues are described below.



Park System Evaluation Rating of Universal Access & Compliance with the Americans with Disabilities Act

A summary of the Conditions Assessment and ADA shortfalls is provided in the table below.

Site Conditions Assessment - ADA Shortfalls

	H/P parking	pkg signs	travel aisles	warning strips	ramps	curb cuts	restrm signs	play access	rec access	trail grade	paved paths	benches	picnic tables	drnkg founts
Aubrey Davis Park								X	X	X	X			
Bicentennial Park						X								
Clarke Beach Park		X	X						X	X	X			X
Deane's Children's Park								X	X		X			
First Hill Park								X					X	
Groveland Beach Park									X	X	X			
Homestead Park			X	X		X				X	X	X		
Island Crest Park									X					
Luther Burbank Park			X				X	X	X		X	X	X	
Mercerdale Park									X					
Roanoke Park								X						
Rotary Park													X	
SE 28th Street Mini Park												X		
Secret Park														
Slater Park						X			X		X			
South Mercer Playfields								X	X					
Wildwood Park									X					

X - denotes a visible non-compliant ADA feature was noted

Captured ADA non-compliant issues highlighted above should not be considered as an ADA audit of site conditions.

Parking & Entrances

The parks conditions assessment evaluated park entrances including the availability and accessibility of ADA parking, marked travel aisles, curb cuts or ramps, tactile warning strips, and designated signage. Issues were noted at many parks related to these requirements including improper installation or the absence of these features altogether. In several developed street end public spaces, ADA access and parking is feasible, but no designated parking space was provided. The total number of ADA parking spaces at each facility was not evaluated but should be reviewed as part of the Citywide ADA Transition Plan.

Accessible Routes

Within each park, paved and unpaved pathways connect different park features and amenities. Pathways provide perimeter routes for walking and links to shelters, tables, benches, sports courts, playgrounds, and other park resources. A significant quantity of pavement cracks, mostly caused by tree root upheavals, were noted in many parks. Gaps between pavement surface changes, such as asphalt pathway to decking, occurred in parks where boardwalks or docks were aging. The need for detectable warning strips was observed where paved pathways enter traffic or parking areas was noted at some park and trail facilities.

Site Furnishings

Site furnishings such as picnic tables, benches, trash receptacles, dog waste dispensers, and drinking fountains need to have accessible routes. The ADA guidelines recommend that at least 50% of each amenity type should be located on an accessible path and designed as ADA-compliant. Many picnic tables and benches in Mercer Island parks were not accessible. The degree of compliance varied from park to park, but most parks will benefit from providing consistent picnic tables with paved access and wheelchair seating and benches with full backs and armrests. Older drinking fountains often lack universal access and should be phased out with ADA-compliant fixtures as they are replaced.

Playgrounds

Mercer Island playgrounds do not meet ADA or universal accessibility requirements. Containment methods, such as timber edging, or safety surfacing like engineered wood fiber, present a barrier to persons with mobility challenges and/or wheelchair use. The timbers used to retain the wood chips blocked smooth transition from pathways or the curbs containing wood chips created drop-off heights that were barriers. Most of the playground equipment itself is not accessible.