

**FLORIDA BUILDING COMMISSION**  
**FLORIDA ACCESSIBILITY CODE WORKGROUP**

**October 12, 2009—Meeting IV**

**Embassy Suites Hotel; 3705 Spectrum Boulevard, Tampa Florida 33612; 1.813.977.7066**

*Meeting Objectives*

- ✓ To Approve Regular Procedural Topics (Agenda and Summary Report)
- ✓ To Review Proposed Integration of Florida Specific Requirements
- ✓ To Discuss and Evaluate Level of Acceptability of Proposed Integration into SAD
- ✓ To Adopt Integration Recommendations for Submittal to Commission
- ✓ To Consider Public Comment
- ✓ To Identify Needed Next Steps and Agenda Items for Next Meeting

*All Agenda Times—including Public Comment and Adjournment—are Subject to Change*

*Meeting Agenda*

**1:00 Welcome and Opening**

**Agenda Review and Approval**

**August 10, 2009 Facilitator's Summary Report Approval**

**Review and Discussion of Integration of Florida Specific Requirements into SAD**

Discussion on integration of vertical accessibility, s.553.509, into the 2004 ADAAG

Review of integration of any other Florida Specific Requirements into the 2004 ADAAG

**General Public Comment**

**Adoption of Recommendations for Integration of FL Specific Requirements into SAD**

**Review of Workgroup Delivery and Meeting Schedule**

**Next Steps: Agenda Items, Needed Information, Assignments, Date and Location**

*Adjourn*

**Contact Information and Project Webpage**

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CONSENSUS SOLUTIONS

**Florida Accessibility Code Workgroup**

Donald Dawkins, Bemie Eustace, Kiko Franco, Skip Gregory, Jeff Gross, Jon Hamrick, Jack Humburg, Diana Ibarra, Julia Kates, Chris Masal, Sharon Mignardi, John O'Conner, Barbara Page, Catherine Powell, Ben Ritter, Larry Schneider, Jim Schock, Shelly Siegal, Julie Shaw, Randy Vann, Steve Watson, and Phillip Wisely.

## **Meeting Schedule for 2009:**

February 2, April 6, August 10, and October 12, 2009.

# **OVERVIEW AND PROJECT SCOPE**

The scope of the Workgroup is to develop recommendations for amending the Florida Accessibility Code for Building Construction once the US Department of Justice completes its adoption of the next generation of the ADA Accessibility Standards. The task is to integrate the relevant Florida standards in ss. 553.501-553.513, F.S., into the 2004 ADAAG as adopted by 28 CFR 36 (prospective). Although DOJ's process is not complete, the Workgroup will begin with the 2004 ADAAG and modify the new draft FACBC to reflect DOJ's amendments when those are available.

The process for developing the new Accessibility Code will be divided into major tasks as follows:

### **Task 1:**

Integration of Florida standards located in the current Florida Accessibility Code into sections of the 2004 ADAAG that have a one for one parallel section.

### **Task 2:**

Deciding what to do with Florida standards that are in sections/subsections of 1994 SAD that do not have a one for one parallel section in the 2004 ADAAG.

### **Task 3:**

Integration of Florida standards into new sections in the 2004 ADAAG that have no parallel in the Florida Accessibility Code (e.g., recreational facilities).

### **Task 4:**

Revising the draft Florida Accessibility Code based on the 2004 ADAAG for changes made by DOJ in its rule making.

## **Workgroup Adopted Project Strategy Consistent with Project Scope**

The Workgroup voted unanimously, 18 - 0 in favor, to integrate all current Florida Specific requirements into the Proposed DOJ SAD (Standards for Accessible Design), June 2008, and concurrently identify issues that should be discussed for possible recommendations regarding Florida Specific requirements and ancillary topics, to be forwarded to the Legislature.

## **Project Documents**

DOJ SAD, June 2008, "Proposed ADA Standards for Accessible Design".  
FACBC 2009, "Florida Accessibility Code for Building Construction".

<b>ACCESSIBILITY CODE FLORIDA SPECIFIC REQUIREMENTS INTEGRATION PAGE INDEX</b>
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**LOCATION OF COMMENTS IN DRAFT INTEGRATED ADAAG/FLORIDA**

**PARKING**

Section 101.4 Code construction	P.2
Section 202.3 Parking scope	P. 17
Section 208.1.1 Parking	P. 31
Section 208.2.3 Residential parking	P. 32
Section 208.3.1 Parking spaces	P. 33
Section 208.3.3 Parking	P. 34
Section 208.3.4 Parking	P. 34
Section 208.3.3.1	P. 34
Section 209.2.1.1 Parking and loading zones	P. 35
Section 502.1.1 Parking	P. 101
Section 502.2 Alternate Van Space Width	P. 101
Figure 502.2 Parking space	P. 102
Section 502.2.1 Parallel parking	P. 101
Section 502.2.4 Curb ramps	P. 101
Section 502.3 Access aisle	P. 103
Figure 502.3 Parking space	P. 102
Figure 9(a) Parking (agrees fig is ok)	P. 103
Section 502.3.5 Parking space	P. 104
Section 502.8 Parking	P. 104

## **OTHER**

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Section 201.1 Dates	P. 16
Section 202.1.1 Churches	P. 16
Section 202.1.1 Conflict with law	P. 17
Section 206.2.5 4. Renumbering	P. 25
Section 207.1 Accessible means of egress	P. 30
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Section 505.10.1.1 Ramp extensions	P. 110
Section 1001 Amusement rides and parks	P. 170

## **VERTICAL ACCESS**

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Section 206.1.1	Residential elevators	P. 21
Section 206.2.3	Accessible route	P. 22
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Section 207.2.7	Accessible route	P. 23
Section 206.2.4	Vertical accessibility	P. 25
Section 206.4.5	Tenant spaces-Vertical Access	P. 28
Section 240.1	Play equipment	P. 59
Section 405.7.3	Ramp landing length <b>NOT APPLICABLE</b>	P. 82

## **EXISTING 28 CFR 36, SUBPARTS A & D**

### **106.5 Defined terms**

Commerce	P. 7
Commercial Facility	P. 8
Disabilities	P. 8
Path of Travel	P. 10
Place of Public Accommodation	P. 10
Primary Function	P. 11
Professional Office of Health Care Provider	P. 12
Shopping Center and Shopping Mall	P. 13

## **CHANGES TO 28 CFR 36, SUBPARTS A & D, PER DOJ 2008 NPRM**

### **106.5 Defined terms**

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Place of Lodging	P. 10
Qualified small business	P. 12
202.1 Existing Building. General	P. 16
202.1.1 Path of Travel upgrade	P. 16
221.1 Assembly areas	P. 44
228.1 Medical Care Facilities	P. 46
224.1 Transient Lodging Guest Rooms	P. 47
233.1 Residential Facility	P. 53

# ACCESSIBILITY CODE WORKGROUP PROCEDURAL GUIDELINES

## **PARTICIPANTS' ROLE**

- ✓ The Workgroup process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator(s) to be recognized. Please raise your hand to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. Avoid stereotyping or personal attacks.
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Participate fully in discussions, and complete meeting assignments as requested.
- ✓ Serve as an accessible liaison, and represent and communicate with member's constituent group(s).

## **FACILITATORS' ROLE (FCRC Consensus Center @ FSU)**

- ✓ Design and facilitate a participatory workgroup process.
- ✓ Assist the Workgroup to build consensus on a package of recommendations for delivery to the Florida Building Commission.
- ✓ Provide process design and procedural recommendations to staff and the Workgroup.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare and post agenda packets, worksheets and meeting summary reports.

## **GUIDELINES FOR BRAINSTORMING**

- ✓ Speak when recognized by the Facilitator(s).
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectfully to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

## **THE NAME STACKING PROCESS**

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak. Facilitator(s) will call on participants in turn.
- ✓ Facilitator(s) may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

## **ACCEPTABILITY RANKING SCALE**

During the meetings, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

<b>Acceptability Ranking Scale</b>	<b>4 =</b> <i>acceptable, I agree</i>	<b>3 =</b> <i>acceptable, I agree with minor reservations</i>	<b>2 =</b> <i>not acceptable, I don't agree unless major reservations addressed</i>	<b>1 =</b> <i>not acceptable</i>
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## WORKGROUP'S CONSENSUS PROCESS

The Workgroup will seek to develop a package of consensus-based recommendations for submittal to the Florida Building Commission. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. *In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on a recommendation, and the Workgroup finds that 100% acceptance or support is not achievable, final decisions will require at least 75% favorable vote of all members present and voting.* This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with. In instances where the Workgroup finds that even 75% acceptance or support is not achievable, publication of recommendations will include documentation of the differences and the options that were considered for which there is more than 50% support from the Workgroup.

The Workgroup will develop its recommendations using consensus-building techniques with the assistance of the facilitator. Techniques such as brainstorming, ranking and prioritizing approaches will be utilized. Where differences exist that prevent the Workgroup from reaching a final consensus decision (i.e. with support of at least 75% of the members) on a recommendation, the Workgroup will outline the differences in its documentation.

The Workgroup's consensus process will be conducted as an open process consistent with applicable law. Workgroup members, staff, and facilitator will be the only participants seated at the table. Only Workgroup members may participate in discussions and vote on proposals and recommendations. The facilitator, or a Workgroup member through the facilitator, may request specific clarification from a member of the public in order to assist the Workgroup in understanding an issue. Observers/members of the public are welcome to speak during the public comment period provided at each meeting, and all comments submitted on the public comment forms provided in the agenda packets will be included in the facilitator's summary reports.

Facilitator will work with staff and Workgroup members to design agendas and worksheets that will be both efficient and effective. The staff will help the Workgroup with information and meeting logistics.

To enhance the possibility of constructive discussions as members educate themselves on the issues and engage in consensus-building, members agree to refrain from public statements that may prejudice the outcome of the Workgroup's consensus process. In discussing the Workgroup process with the media, members agree to be careful to present only their own views and not the views or statements of other participants. In addition, in order to provide balance to the Workgroup process, members agree to represent and consult with their stakeholder interest groups.



