I. Introduction

The Americans with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals based on disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. Title II of the ADA[1] requires public entities to operate their services, programs, or activities so that each "is readily accessible to and usable by individuals with disabilities" (ADA, 1990). Prior to the ADA, the Rehabilitation Act of 1973, Section 504 required the same of recipients of federal funding, such as public entities. As a public entity that owns, operates, and maintains 84 miles of sidewalk, 6.5 miles of shared use path, 1,394 curb ramps, and 94 signalized intersections, in addition to 334 vehicular lane miles and 29 bike lane miles, the City of Harrisonburg, Public Works Department has developed this Transition Plan to guide the adaptation of transportation facilities to ensure compliance with the accessibility requirements of Title II of the ADA, the Rehabilitation Act, and the federal regulations implementing them under the United States Department of Transportation, 28 CFR Part 35, and 49 CFR Part 27. As required by Title II, this plan:

- Identifies physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities (i.e. conduct a self-evaluation);
- Describes in detail the methods that will be used to make the facilities accessible;
- Specifies the schedule for taking the steps necessary to make the facilities accessible, including an annual schedule of activities to occur during the transition period; and
- Indicates the official responsible for implementation of the plan and administration of the grievance procedure.

This plan was developed specifically for public rights-of-way in the City of Harrisonburg and does not include any other city facilities, including public transit facilities, other than bus stops. The Harrisonburg Department of Public Transportation may be consulted for information regarding the City's public transit service compliance with the ADA. This Plan is considered a living document, and is subject to revision, as circumstances dictate. It is available for public inspection at www.harrisonburgva.gov/ADA-transition-plan and at the Public Works Department office, 320 E. Mosby Road, Harrisonburg, Virginia.

Designation of Responsibility

In accordance with 28 CFR 35.107(a), the City of Harrisonburg has designated the following person to serve as ADA Title II and Transition Plan Implementation Coordinator. This individual oversees the City's policies and procedures:

Name: Brian Vandenberg Job Title: Assistant to the City Manager

Contact information: Brian.Vandenberg@harrisonburgva.gov; (540)432-7701

In accordance with 28 CFR 35.150(d)(3), the City has designated the following person to serve as the Public Rights-of-Way Transition Plan Implementation Coordinator, to monitor the City's progress and manage review and updates of this document for the Public Works Department:

[1] Americans with Disabilities Act, Title II. Public Services. www.ada.gov/law-and-regs/ada/#subchapter-ii---public-services-title-ii

Name: Jakob zumFelde Job Title: Public Works Planning Manager

Contact information: Jakob.zumFelde@harrisonburgva.gov; (540)434-5928

The Grievance Procedures adopted pursuant to 28 CFR 35.107 is included in Appendix A and is administered by the Director of Public Works.

II. Self-evaluation

The City of Harrisonburg conducted a partial ADA compliance self-evaluation, over the summer of 2023. The intent of the self-evaluation was to review facilities within public rights-of-way to identify any obstacles or barriers to accessibility that need to be addressed. The ADA is primarily concerned with pedestrian facilities, including sidewalks, curb ramps, crosswalks, shared use paths, pedestrian signals at signalized intersections, and bus stops that are located within the City right-of-way. Data was collected on city assets to inform a comparison of existing conditions to the ADA compliance standards established in the 2023 Public Right of Way Accessibility Guidelines. The city's level of compliance with the standards for the assets that were evaluated in 2023 is summarized in Table 4. Asset assessments, to the extent that they are completed, can be found on the Transition Plan website (www.harrisonburgva.gov/ADA-transition-plan), in the Self-evaluation webmap. Public Works will update these maps, as data collection progresses, and invites the public to provide comments on them, at any time.

Assets that have not yet been evaluated for their level of compliance with the ADA/PROWAG include pedestrian signals at signalized intersections and crosswalks. Data will continue to be collected incrementally, until the self-evaluation is complete, using Public Works interns and staff.

Assets Included in the Self-evaluation

SIDEWALKS

Attributes making up the data collection on sidewalks included width, obstructions, protruding objects, surface, changes in level, horizontal openings, and presence of vehicular entrances. Table 1 identifies three classes of sidewalks, based on impediment severity. It follows a scale of 'least' to 'most' severe, with 'least' representing minimal or no accessibility issues, while 'most' represents concentrations of, and/or severe impediments. Note that it takes only one of the column attributes from lower (more severe) in the table to be present for any given sidewalk to be classified as the more severe category. Geographic illustrations of sidewalk impediments are included in Appendix D.

Compliance was not assessed for entrances, but it can reasonably be assumed that ~25% of all entrances are compliant, based on entrance design standards including accessibility specifications by 2008 (maybe earlier), and the trajectory of development over time, in Harrisonburg. Grade and cross slope were not measured. The grade of sidewalks is generally assumed to follow the grade of the street, since sidewalks in the right-of-way are exclusively located adjacent to streets, and very rarely follow a grade different than the street. Entrances are used as a proxy of cross-slope issues, as we assume they represent the majority of such issues. The public involvement process is anticipated to be sufficient in identifying any anomalies regarding grade and cross-slope problems.

Table 1. Sidewalk impediment factors and classes

Severity of Impediment(s)	Width[1]	Obstruction present, effective width	Protruding Object	Change in level	Horizontal opening
none / minor (least)	≥ 5’	≥ 4’	No	≤0.25”	≤ 0.5”
moderate	4 - 4.99	3.5’ – 3.99’	Vegetation, only	0.26” – 1”	0.51” – 1”
severe (most)	< 3.99’	< 3.49’	Yes	> 1”	> 1”

SHARED USE PATHS

Note that while no data has been collected for shared use paths, as of yet, the vast majority of shared use paths are assumed to be fully compliant, or compliant to the maximum extent feasible, because most of them were constructed in more recent years, when the ADA and the PROWAG were already being applied, regularly. Known non-compliance was included in the evaluation.

CURB RAMPS

Curb ramps are graded based on factors identified below as well as determination of whether the curb ramp is directional (aligns with the direction of the crosswalk and opposite ramp) or diagonal (apex of the radius). A ‘minus’ is added to grades to signify that the ramp is diagonal, instead of directional. Note that it takes only one of the column attributes from lower (less accessible) in the table to be present for any given ramp to be classified as the less accessible category.

Table 2. Curb ramp compliance factors and severity

Grade	Ramp Width	Detectable Warning Surface	Material Condition
A (rated only if all listed conditions exist)	48” or greater	Truncated Dome	Fair or Better Condition Limited or tight cracking, faulting (<1/4”), isolated spalling
B (maximum rating if any of the listed condition exists)	>36” to <48”	Exposed Aggregate Surface	Poor Condition Moderate cracking, faulting (1/4”-3/4”), moderate spalling
C (maximum rating if any of the listed condition exists)	36” or less	No detectable warning surface	Very Poor Condition Severe cracking, faulting (>3/4”), extensive spalling
D	A curb ramp is needed but does not exist at the location to access an existing sidewalk where it crosses a curb.		
N/A	A curb ramp is NOT needed at the location (typically because either a sidewalk does not exist or there is no curb at this location).		

Reference: VDOT IIM-TE-376.1

Procedure

All feature data was collected by walking the approximately 84 miles of sidewalks in the City's right-of-way, making observations and measurements of pedestrian impediments, and entering them into the ArcGIS Field Maps mobile application. The mobile app delivers the collected data to the City's GIS data management system.

Standardized feature and attribute fields and categories were created to facilitate data collection and analysis. Domains were created for each pedestrian asset identified above, to identify the nature and severity of noncompliance, where it exists. The domains were created to identify categories that indicate the type of noncompliance and information for comparison to the PROWAG standards to identify the scale of noncompliance. For example, sidewalk obstructions that narrow the width of the sidewalk were recorded with the identification of both the category of obstruction (i.e. utility pole) and the effective width of the sidewalk for easy comparison to the clear width standard. Similarly, changes in level were recorded in height categories for easy comparison to the ¼ inch standard. These measurements will assist with prioritization of efforts to address noncompliant locations. Domain parameters for all data collected are presented in Table 3.

Table 3. Data collected for sidewalk assessment

GIS Layer	Features identified	Layer Type	Fields	Field Options
Sidewalk	typical width of sidewalk	line	Width	under 4', 4-4.5', 4.5-5', then additional categories of 0.5' increments up to 10'
Obstructions	Poles, signs, etc. that narrow width of PAR under 4'	point	Type	Sign post, Utility Pole, Building, Fire hydrant, Mailbox, Other
			Effective Width	0.5', 1', 1.5', 2', 2.5', 3', 3.5'
Protruding Objects	Guy wires, vegetation, signs that encroach on sidewalk (per ADA guidance)	point	Type	Vegetation, Private sign, Public sign, Guy wire, Mailbox, Other
Surface	Changes in level, horizontal openings, or other surface issues	point	Type	Rough surface, Change in Level*, Gravel/Debris, Horizontal opening*, No solid surface, Other
Entrance	Presence	point	Type	Single Home, Other
Curb Ramps	Type and Grade of ramp, using VDOT table	point	Type	Directional, Diagonal
			Grade	Grade A, Grade B, Grade C, Grade D, Grade N/A, Unknown
Bus Stops	Adequate bus access pad	point	Pad	Yes, No

*When this option was selected, an additional option was selected based on severity in comparison to the standard.

Results

Table 4 provides the results of the self-evaluation, completed to-date. Note that the data represents a snapshot from Summer 2023, and that staff began resolving impediments that August. After the data collection phase concluded, 520 service requests were submitted into Public Works' workorder system,

Table 4. Self-evaluation results

Asset[1]	Total in City Inventory	Level of Compliance
Sidewalk	84 miles	Unknown; See Appendix D
Width	--	75%
Individual Impediments (includes ~2K driveways)	~4,530	--
Shared Use Path	6.5 miles	~90%
Bus Stops	238	18%
On-street Parking	Unknown	0%
Marked Crosswalks	515	Unknown
Pedestrian Signalized Intersections	70	Unknown
with Accessible Pedestrian Signal	56	--
Curb Ramps – Total[2]	1,394 ramps	14%
A / A-	191 / 581	14% / 42%
B / B-	56 / 330	4% / 24%
C / C-	24 / 142	2% / 10%
D	25	2%
Other	20	1%

[1] Does not include JMU assets.

[2] The minus sign indicates the ramp is diagonal.

[3] Disclaimer: Assume a margin of error (inherent in collecting large datasets that are not subsequently verified). This, and the existence of many unique cases that could be classified differently by two reasonable people, is likely to cause 'before implementation' and after implementation' of the Transition Plan, differentials in data that may be difficult to track 100% accurately.

to expedite the resolution of the most severe items observed. Figure 1 shows the service requests by type. As of February 1, 2024, 32% of the service requests have been addressed. These changes will be reflected in the 2025 assessment of work completed.

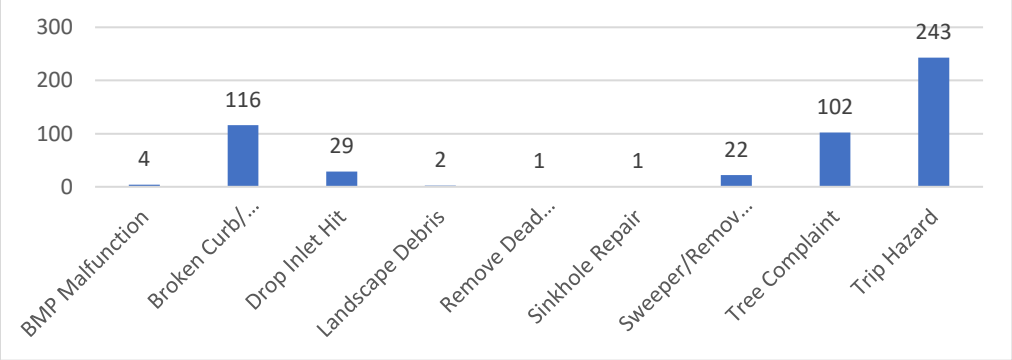


Figure 1. Service requests by type.

In accordance with 28 CFR 35.105, public input was sought to assist in developing the self-evaluation. Information gathered from public input produced a collection of site-specific challenges for people with lived experience. Public Works will evaluate each item, individually, and determine the most appropriate pathway for them to be resolved. See section IX for a description of public participation activities completed. A record of the interested persons consulted, and the problem areas identified through public input are provided in Appendix B. Modifications completed to resolve impediments identified in the Self-evaluation, as of February 2024, are identified in Appendix E. These items will be maintained on file and made available for public inspection, as required by the regulation, for a minimum of three years.

III. Methods to be Used to Make Facilities Accessible

The Public Works Department responds to accessibility concerns that can be addressed in the short-term, with existing resources, as a matter of standard practice. Service requests and work orders are used to resolve these matters, as they arise. When barriers to access cannot be immediately resolved, Public Works addresses them using the methods included in this section. All accessibility upgrades of existing assets will be documented in Cityworks (asset management software), as they are completed.

Alterations of Existing Facilities & Technically Infeasible / Maximum Extent Feasible

In recognition that there are locations where it is "technically infeasible" to bring facilities or features into compliance due to existing physical site constraints, the PROWAG allows flexibility in providing accessibility when altering existing infrastructure. Chapter two of the PROWAG specifies certain flexibility and exceptions to standards for *alterations*. Technical infeasibility does not apply to new construction in "greenfield" settings because there should always be the opportunity to design infrastructure to be fully accessible, when existing developed facilities do not pose constraints, according to the United States Access Board.

However, alterations (including added new facilities in previously developed areas) to features, spaces, or facilities within public rights-of-way are considered "technically infeasible" when existing physical site constraints such as underlying terrain, underground structures, adjacent developed facilities or buildings, drainage, or the presence of a notable natural or historic feature, make it impractical to bring the altered elements into full compliance. Note that the Access Board removed the availability of right-of-way as a consideration for technical infeasibility in the 2023 PROWAG, but specifically acknowledged curb, gutter, sidewalk, stormwater and sanitary sewer, and utilities as "adjacent developed facilities" the 2023 rule-making. The City will address deficiencies to the "maximum extent feasible (MEF)", when full compliance is not possible due to technical infeasibility, to achieve as much accessibility of transportation facilities as possible.

MEF shall not be used to justify reconstructing less-than-compliant features in an alteration, based on cost alone, as the Access Board has established that cost is not a consideration in the determination of technical infeasibility for pedestrian facilities in the public right-of-way[2].

[2] Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way. 76 CFR 44664, pg 44672. www.govinfo.gov/content/pkg/FR-2011-07-26/pdf/2011-17721.pdf

Deviations from the standards must not pose a significant safety risk, and the determination of when MEF must be used, and circumstances that allow MEF to be used, instead of full compliance with standards, must be made by "a high-level official, no lower than a Department head, having budgetary authority and responsibility for making spending decisions," and "must be accompanied by a written statement of the reasons for reaching that conclusion" (Americans with Disabilities Act, Title II). Any time MEF is used, documentation of the reason and approval by the Director of Public Works or his/her designee, is required. This documentation will be maintained in Public Works' asset management software for a minimum of 3 years.

Reasonable Accommodation

Under title II and 28 CFR 35.130(b)(7); 49 CFR 27.7(e), the Public Works Department performs curb ramp construction or alteration as a "reasonable modification/accommodation" in response to a request by, or on behalf of, someone with lived experience. Such a request may be made to address non-compliant elements outside of the Transition Plan schedule provided in this document. Requests may be made by contacting the Public Works Department, directly, or through the formal grievance procedure provided in Appendix A and online. Public Works staff will prioritize such requests, to the best of its ability, by identifying the appropriate pathway to address them with the resources and/or implementation planning processes available.

Prioritization

28 CFR 35.150(d)(2) requires entities that own and/or operate streets, roads, and walkways to prioritize accessibility improvements for public institutions, transportation, places of public accommodation, and employers. A broad assessment of these categories, throughout the City, as well as acknowledging that the majority of the City's pedestrian infrastructure is located downtown, leads to the conclusion that downtown is a priority area for accessibility improvements. Severe cases of noncompliance identified in the self-inventory, by public comment on the plan, and from requests for reasonable accommodation, will be prioritized.

The Public Works annual maintenance schedule is created based on the condition assessment of the assets, prioritizing those in the worst condition. While some of the pedestrian impediments identified in the self-evaluation are currently considered in the asset condition assessment, they will be more systematically incorporated into the assessment, so that they may influence the order in which sidewalk reconstruction occurs, with less accessible sidewalks rising in priority. Assets altered due to a maintenance need other than accessibility improvement will be brought into compliance with the PROWAG, without regard to priority criteria, when the maintenance need is addressed.

III.a Annual Maintenance Program

Assets will be updated to fully comply with the PROWAG, when alterations are made. Alterations are different from typical maintenance activities. ADA compliance requirements are not compulsory for maintenance activities. Table 5 distinguishes maintenance activities from alterations. However, it is not a comprehensive list of all maintenance activities. For those activities not included in the table, the Director of Public Works will be responsible for determining whether an operation is better described as

maintenance or an alteration. Public Works, in consultation with City administration, is currently assessing options for increased annual maintenance funding, to offset the increase in costs of routinely implementing accessibility improvements with street and traffic maintenance programs.

Maintenance schedules will be determined and reviewed for ADA items two years or more in advance of their implementation, to provide time for necessary preparation work related to the ADA improvements, such as engineering, ROW/easement acquisition, and funding arrangements. Generally, the approach to achieving compliance for alterations will be to either realign the facility or relocate or eliminate the impediment, depending on factors such as cost, feasibility, functionality, safety, schedule,

Table 5. Maintenance versus alteration activities

Activity Type	Maintenance	Alteration
Pavement Activities	Crack filling and sealing	Open-graded surface courses
	Surface sealing	Cape seals
	Fog seals	Hot in-place recycling
	Chip seals	Latex overlays / Microsurfacing
	Slurry seals	Thin lift overlays
	Joint seals and repairs	Overlays
	Dow bar retrofit	Mill & fill / mill & overlay
	Spot high-friction treatments	Rehabilitation
	Diamond grinding	Major Rehabilitation*
	Patching	Reconstruction*
Other Activities	Signal operational adjustment	Signal install/replacement
	Sidewalk repair	Pedestrian signal install/replace
	Sign repair	Sidewalk replacement
	Sign replacement	

* require compliance with PROWAG Standards for all ADA features within project limits

Reference: VDOT IIM-TE-376.1

and exemptions or flexibility permitted in the PROWAG or regulations. The increased scope of alterations necessary to comply with ADA/PROWAG requirements may turn maintenance projects into capital projects, in some circumstances, in order to overcome costly constraints. Maintenance operations that do not trigger ADA compliance: Table 5 identifies typical maintenance activities that are not considered alterations, and therefore ADA compliance is not compulsory. However, Public Works will evaluate maintenance activities for inclusion of ADA improvements that are not otherwise required.

Curb ramps, Crosswalks, & Pedestrian Refuge Islands

Standard: The most recent version of the following:

- § 15.2-2021. Ramps on curbs of certain streets; specifications.
- VDOT Road and Bridge standards, Section 200
- VDOT Road Design Manual, Appendix A1 (pg A(1)-72-76) – ramps permissible in alterations
- MUTCD 3B. Pavement and Curb Markings
- PROWAG:
    - R203 & R302 – Pedestrian Access Routes

- R306 – Crosswalks
- R304 – Curb Ramps & Blended Transitions
  - note the minimum dimension requirements are different for shared use paths than for sidewalk
- R407 Ramps
- R205 & R306 Detectible Warning Surface

Procedure:

Table 5 identifies maintenance operations identified as alterations. When curb ramps are affected by alteration operations, they shall be reconstructed to current standards, whenever technically feasible, and to the maximum extent feasible (MEF), when technically infeasible. Reconstructed compliant ramps may connect to the pedestrian circulation path (existing noncompliant sidewalk) using a *transitional segment*. R203.2.1 explains that there need not be any ripple effect of ADA requirements beyond the project footprint, other than to provide the transitional segment.

As the most common alteration conducted by the maintenance program, many curb ramps will be reconstructed with resurfacing operations. The paving schedule will be assessed by Public Works staff two or more years in advance of implementation, to identify all ramps impacted by the operation, determine the existing condition level of compliance of each ramp, and identify site constraints that may hinder compliance. These factors inform which ramps need to be reconstructed, as well as the need for preparatory work to overcome constraints, a MEF request, scoping, and documentation. When ramp relocation causes pedestrian signal components to no longer comply with spacing/distance requirements, the pedestrian signal assembly will also be relocated to meet the PROWAG standards. Refer to Appendix C for the curb ramp assessment checklist used in preparation for alterations.

When a maintenance activity necessitates a plan, each curb ramp or entrance that does not fully comply with VDOT's Road and Bridge Standard shall be designed and shown in detail on the plans. When a crosswalk or any curb ramp is altered, the ramps **on both ends of the crosswalk shall be updated** to the current standard (or MEF, as applicable), as the PROWAG considers ramps to be part of the crosswalk. See United States Department of Justice guidance[3] and 2023 PROWAG Final Rule Making[4] for additional clarity regarding crosswalk alterations. The following direct quotes are provided from Final Rule Making, issued by the United States Access Board, to assist in interpreting R203.6.2, Alterations to Crosswalks.

> "At R203.6.2, the Board has clarified that when alterations are made to crosswalks, curb ramps or blended transitions must be provided on both ends of the crosswalk where the pedestrian

[3] Department of Justice/Department of Transportation Joint Technical Assistance1 on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing https://archive.ada.gov/doj-fhwa-ta.htm;

QUESTIONS & ANSWERS
Supplement to the 2013 DOJ/DOT Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements To Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing https://archive.ada.gov/doj-fhwa-ta-supplement-2015.html

[4] Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way www.federalregister.gov/documents/2023/08/08/2023-16149/accessibility-guidelines-for-pedestrian-facilities-in-the-public-right-of-way

access route crosses a curb. This provision provides consistency with DOJ's and USDOT's joint technical assistance document on the requirements to provide curb ramps when streets, roads, or highways are altered through resurfacing."

and

"The Board notes, however, that when alterations are made to crosswalks, R203.6.2 requires curb ramps or blended transitions to be provided on both ends of the crosswalk where a pedestrian access route crosses a curb, thus making such curb ramps or blended transitions part of the crosswalk being altered. **Accordingly, existing curb ramps and blended transitions are not considered existing physical constraints under R202.3**. Similarly, existing curbs within the crosswalk where there is no curb ramp or blended transition, are not considered existing physical constraints under R202.3."

Maximum Extent Feasible: The items below are provided to assist with common questions regarding curb ramp alterations. It is not a comprehensive set of solutions.

- Ramp reconstruction conflict:
  When a required ramp reconstruction affects the other ramp at that corner, maximum extent feasible means either reconstructing the affected ramp, also; or, removing a crosswalk(s) so that it does not affect another ramp. When a crosswalk/ramp is removed separation between the sidewalk and the back of curb must be provided to prevent visually impaired persons from proceeding toward an inaccessible intersection approach and applies to both sides of the crosswalk (R203.6.1.1).

- Obstructions:
  The VDOT Road Design Manual, Appendix A1 (pg A(1)-72-76) contains guidance on approaching maximum-extent-feasible design options for curb ramp alterations. Public Works will also consider all other alternatives and design modifications that can be made to achieve accessibility to the maximum extent feasible.

- Singular diagonal/apex ramps:
  When one ramp for each crosswalk is technically infeasible, the ramp types listed below may be used. See these figures in the VDOT Road Design Manual, Appendix A(1) for design guidance. The choice of which ramp type to use will be dependent on the corner radius, road grades at each intersection approach, grade of each sidewalk section leading to the intersection radius, the location of the crosswalk, and other site conditions, including the constraints present.

    - **FIGURE A(1)-24** - Blended Transition Detail (one wrap-around ramp that serves directional crosswalks)

  15-foot maximum curb radius

    - **FIGURE A(1)-23** - Single CG-12, Type B - Parallel Curb Ramp

  Curb radius must be between 25 to 35 feet long

    - **FIGURE A(1)-22** - Single CG-12, Type A - Perpendicular Ramp

  No constraint for the intersection curb radius

Pedestrian Signals at Signalized Intersections

Standard:

- Latest version of the MUTCD Chapter 4E. Pedestrian Control Features
- PROWAG
    - R206 Pedestrian Signal Heads and Pedestrian Activated Warning Devices
    - R306 Crosswalks
    - R307 Pedestrian Pushbuttons and Passive Pedestrian Detection
    - R308 Accessible Pedestrian Signal Walk Indications
    - R406 Reach Ranges

Procedure: Public Works will install pedestrian signals (pedestrian signal heads, push buttons, and the Accessible Pedestrian Signal (APS) feature), at all signalized intersections that have sidewalk leading to the intersection and continuing on the other side, when pedestrian signals are altered (such as, when a ped head/ped pole must be moved to be collocated with a new ramp). Additionally, when ramp relocation causes pedestrian signal components to no longer comply with spacing/distance requirements, the pedestrian signal assembly will also be relocated to meet the PROWAG standards.

Alteration of the vehicle control features of a traffic signal (signal heads, for example) and associated supports and equipment, software updates, pedestrian signal timing changes, and changes in the traffic cabinets do not constitute an alteration. Similarly, emergency repairs involving signals and/or pedestrian signals do not necessitate adding APS. These tasks are considered maintenance and therefore do not trigger ADA improvements.

Sidewalk, Shared Use Path, & Accessory Assets

Standard: Latest versions of the following:

- Harrisonburg Design and Construction Standards Manual, Appendix F. Typical Street Cross Sections
- VDOT Road and Bridge standards, Section 200
- AASHTO Guide for the Development of Bicycle Facilities
- PROWAG
    - R203 & R302 Pedestrian Access Route
    - R207 & R402 Protruding Objects & Vertical Clearance
    - Several others for less common applications (pedestrian signs, handrails, clear spaces, passenger loading zones, knee and toe clearance, stairs, etc)

Procedure:
Where sidewalks, shared use paths, or accessory assets are reconstructed or otherwise altered, a *pedestrian access route* meeting PROWAG standards shall be provided with the reconstruction, whenever technically feasible, and to the maximum extent feasible (MEF), when technically infeasible. The *pedestrian access route* must be connected to the *pedestrian circulation path* (noncompliant existing facility) using a *transitional segment* to tie the altered and unaltered parts of the facility together. Transitional segments and all other accessibility design standards apply to both city-owned

facilities and facilities held in easement for use by the public, whether they are owned and/or maintained by the city or the owner.

Sidewalks, shared use paths, the accessory assets listed below, and any transitional segments will be included in the advanced review of the annual maintenance schedule, as described above, to allow the necessary time for preparatory work, such as obtaining right-of-way, and/or temporary construction easements, where work to bring assets into compliance will affect private property.

- Entrances: Where commercial, multifamily, and residential entrances cross sidewalks being altered, they shall be reconstructed with an accessible way across them, following the VDOT standard entrance designs. Detectable warning surface shall be provided at all commercial/multifamily entrances (a Harrisonburg-specific practice, not required by PROWAG). Access management improvements should be pursued as part of this process.
- Bump-outs (aka curb extensions)
- Street Furniture R209 – examples include benches, bike racks, planters, tables/chairs
- Pedestrian Signs – R208 & R410 - examples include shared use path etiquette signs, path mile marker signs, and transit signs. For multiple exceptions, check R208.
- Vegetation – Trees, planters, and shrubs are considered protruding objects, while minor vegetation is not. Protruding objects and vertical clearance requirements apply to the full pedestrian circulation path (full width of the facility), not only a "clear width" (as applies to the Pedestrian Access Route (R302)). Vegetation can become an impediment, if not maintained appropriately. Public Works has a variety of methods to address vegetation that interferes with transportation infrastructure, depending on the scenario.

Maximum Extent Feasible: The items below are provided to assist with common questions regarding curb ramp alterations. It is not a comprehensive set of solutions.

For independent alignment facilities (facilities that don't follow a street right of way), the grade of the underlying terrain is considered a technical infeasibility that can keep a facility from meeting the 5% maximum running slope requirement. Alterations may meet MEF requirements with steeper segments, if needed. In these cases, one method of compliance would be to use Part 1191, Sec. 1017.7 and 1017.8 of the Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines[5], which provides guidance on making recreational trails more accessible to people of all abilities.

On-street Parking

Standard:

- PROWAG:
  - R211 On-street Parking Spaces
  - R310 On-street Parking Spaces

[5] Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Part 1191, Sec. 1017.7 and 1017.8 https://www.ecfr.gov/current/title-36/chapter-XI/part-1191

Procedure:
On-street parking and associated elements will be updated to PROWAG standards whenever delineation of on-street parking occurs by installing pavement markings and/or signage, as well as when it is altered by resurfacing or eradication operations. These requirements do not apply to parking that is exclusively residential, or to spaces that are designated specifically for commercial or law enforcement vehicles, at all times. Changing regulations for on-street parking spaces that necessitate changing of signs delineating on-street parking spaces shall not constitute an alteration.

BUS STOPS

Standard:

- PROWAG
    - R210 Transit Stops and Transit Shelters
    - R309 Transit Stops and Transit Shelters
    - R208 Pedestrian Signs

Accessible bus stops pads will be installed when curb and gutter is replaced, as the face of curb is altered with curb and gutter replacement, and the curb is part of the bus stop boarding/alighting space. Bus stop locations may also be affected by the implementation of microtransit, which is proposed to be piloted in fiscal year 2026. Additionally, a transit bus route study is currently in progress, and may affect bus stop locations in the near future. Decisions on bringing bus stops into compliance with the current standard will consider whether the bus stop is anticipated to be removed due to these transit system modifications. Additionally, capital projects funded by VDOT that alter bus stops will follow VDOT protocol for accessibility design, if it is different than the City's policy.

III.b Capital Projects

Capital projects provide the opportunity to build new accessible facilities. When a capital project alters existing facilities, or adds new facilities to existing developed areas, inaccessible facilities will be brought into full compliance with the PROWAG, when possible, and to the maximum extent feasible, when technically infeasible. Capital projects that alter existing assets shall follow all applicable design guidelines and procedures identified in Section IIIa, relating to those specific assets.

When the annual maintenance schedule produces a maintenance project with ADA scoping that is outside of the budgetary means of the annual maintenance program, the project may become a capital project. Capital projects must follow the same work zone requirements stated in section IIIa. Alternate Pedestrian Access Route, and each curb ramp or entrance that does not fully comply with VDOT's Road and Bridge Standard must be designed and shown in detail on the plans.

III.c Temporary Impacts to Right of Way Accessibility

WORKS ZONE ALTERNATE PEDESTRIAN ACCESS ROUTE

Standard:

- PROWAG
    - R204 Alternate Pedestrian Access Route, Transit Stops, and Passenger Loading Zones
    - R303 Alternate Pedestrian Access Route
- MUTCD Part 6. Temporary Traffic Control, sections 6D, Pedestrian and Worker Safety & sections 6F Temporary Traffic Control Zone Devices
- VDOT Work Zone Pedestrian and Bicycle Guidance

Procedure:

Any construction or maintenance work that impacts pedestrian circulation paths, and other accessibility features identified in the self-evaluation, must establish an alternate pedestrian access route, for use during construction. This applies to all private and public entities authorized to work in the right-of-way, including Public Works Department, as well as other City Departments' forces. Public Access Permits will include the expectation that any entity working in the City ROW comply with these standards and indicate that non-compliance will result in the cancelation of the permit.

SNOW REMOVAL

Snow and ice are considered obstructions of the pedestrian circulation route, if not cleared in a reasonable amount of time. During snow and ice events, the Public Works Department clears certain sidewalks, while the City ordinance requires the majority of sidewalks to be cleared by private property owners. Public Works begins clearing sidewalks after streets are cleared and are determined to be in minor condition, or better. The subset of sidewalks cleared by the Public Works Department prioritizes sidewalks in areas of high pedestrian traffic, around public property, and on bridges or overpasses.

Residents, business owners, and property owners must clear snow from the sidewalk in front of their home or business (City Code Section 6-1-15) within 24 hours, if snowfall is six inches or less; and within 36 hours if snowfall is greater than six inches. This time begins after the snow has stopped falling. If the occupant or property owner fails to clean off the sidewalk, and if Public Works is notified of the uncleared sidewalk (notification must be address specific), a notice of violation will be given. After 24 hours of notice being given, if the sidewalk is still not clear, the City will clear the sidewalk at the owner's expense. People with lived experience and the elderly may request a waiver to this policy by providing a doctor's note and explanation. Public Works will clear sidewalks at waived locations.

CITY TRASH SERVICE

Trash receptacles placed in the right-of-way for City trash collection weekly can become obstructions to sidewalks if City policy for placement of trash receptacles is not adhered to. When residents receive the receptacles for use from the City, education is provided on proper placement of the receptacle either on the gutter pan of the curb, on the grass strip between the curb and the sidewalk, or behind the sidewalk on the private property, if there is on-street parking that precludes the placement of the receptacle on the gutter pan. City sanitation workers are trained to return the receptacle to the required location,

after emptying. When sanitation workers find receptacles in places blocking the pedestrian accessible route, they report it to staff, who then follow up with the property owner to remind them of the policy. Additionally, Public Works will be creating educational material to post online to remind residents about placing the receptacle appropriately, so as not to block sidewalks or other features of the pedestrian access route. Enforcement of this policy is otherwise complaint driven.

Special Event

Public Works arranges for access and mobility accommodations during special events, when street closures or other temporary impacts to the right-of-way affect the pedestrian accessible route and/or accessible parking resources. Accessible event parking will be advertised with other parking information for special events that use the City right-of-way or City parking lots.

III.d Private Development Review

The Public Works Department reviews all site plans for private development and ensures all new or altered facilities in the right-of-way, and all facilities constructed to be dedicated to the City, comply with the PROWAG. The PROWAG will be adopted by reference in the City's Design and Construction Standards Manual, which governs both public and private development, and the requirement that each curb ramp or entrance that does not fully comply with VDOT standard entrance detail to be designed and shown in detail on the plans, will also be added to the DCSM. Development that is located at a site with existing non-compliant assets shall modify or reconstruct the asset(s) to PROWAG standards.

III.e Regulations for Private Use of the Right-of-way

Public Access Permits

Public Access Permits for entrances require a VDOT standard entrance design to be used, ensuring an accessible pedestrian route is provided across the entrance. Public Works provides the standard to the applicant, and a Public Works inspector coordinates with the contractor to ensure correct installation. Similarly, Public Access Permits are required for private utility companies to maintain assets within the right-of-way, and for any other private party to temporarily or permanently occupy the public right-of-way. Public Works will provide the standards cited in Section III.a. for Alternate Pedestrian Access Routes to all permittees, when temporary or partial closures, construction, or other activities affect accessible pedestrian features in the right-of-way, and require compliance with them as a condition of the permit.

Special Use Permits & Outdoor Dining Permits

Public Works reviews outdoor dining permits, which allow restaurants to serve patrons at tables placed outside the restaurant in the public right-of-way, and Special Use Permits for encroaching on the public right-of-way. ADA compliance is one of multiple items for which Public Works reviews these applications. While each of these applications for permission to use the right-of-way is unique, the following PROWAG standards are usually relevant: Pedestrian Access Route (R203, R302), Clear Spaces (404), Knee and Toe Clearance (R405), Protruding Objects (207 & 402), Street Furniture (R209). The

reviewer should be cognizant that other standards may apply, depending on the features and assets in the vicinity. Additionally, Public Works may regulate outdoor dining above and beyond restrictions required by the ADA, as it sees fit, to maintain the desired pedestrian environment for users of all abilities. Compliance with all applicable PROWAG standards will be made a condition of these permits. Public Works will provide the applicable standards to the Department of Community Development, who, as the administrator of these permits, will provide the standards to the permittee, following approval by the City Council.

Outdoor dining permit conditions may include, but are not limited to the following minimum standards as required by the PROWAG:

- If space is available, restaurant operations (food running and bussing) should not take place in the 4' minimum clear width.
- The Permittee shall ensure a 4' clear width of the sidewalk is maintained at all times; no personal items of patrons are permitted in the minimum clear width, including strollers, bikes/trailers, bags, purses, etc.
- Restaurant employees shall always yield the right of way to pedestrians of any ability when they seek to occupy the sidewalk space at the same time.

IV. Policies for New (Greenfield) Pedestrian Facilities

The capital project scoping process includes identifying specific ADA improvements at the earliest stage of design, so they may be properly cost-estimated, and allow the appropriate funding to be secured. Any new facility constructed in a "greenfield" environment must fully comply with the PROWAG, and are not afforded flexibility granted to alterations by PROWAG R202. However, as of the 2023 final rule making, the PROWAG states that both existing facilities *and added (new) facilities* in previously developed settings are both considered alterations and as such, both may follow the PROWAG guidelines for alterations (PROWAG R202). See Section III for an explanation of technical infeasibility, maximum extent feasible requirements, and City of Harrisonburg policies that apply to alterations. Additionally, 28 CFR 35.151 states that full compliance with the relevant accessibility requirements is not required in the context of new construction where a public entity can demonstrate that it is structurally impracticable to meet the requirements, and qualifies this exception by requiring compliance to the maximum extent feasible, for the most amount of people, regardless of ability (ie. designing to meet full accessibility needs for the most different types of disability).

V. Schedule

All right-of-way assets over which the ADA has jurisdiction, that are altered by the paving schedule, are expected to be made compliant, or compliant to the maximum extent feasible within approximately 20 years of adoption, and within 50 years, for those altered by sidewalk/shared use path reconstruction. Therefore, all assets will be made compliant, or compliant to the maximum extent feasible, within these timeframes. Improvements made outside of the maintenance schedule, to provide reasonable

Table 6. Estimated schedule for right-of-way to fully comply with the ADA/PROWAG.

Asset	Total in City Inventory	Estimated Years to Full Accessibility/MEF	Average Amount to be made accessible/year	Estimated Fully Accessible Year
Sidewalks	84 miles	50	1.68 miles	2074
Shared use paths	6.5 miles	50	< 1	2074
Bus Stops – w. sidewalk	238 stops	50	unknown	2074
Paving Schedule				
Curb Ramps	1,394	20	68	2044
Crosswalks	515	20	26	2044
On-street Parking	TBD	20	TBD	2044
Pedestrian Signalized Intersections	70	20	1.4	2044

accommodation, and under the prioritization process (Section III), will provide for a portion of assets achieving compliance earlier than expected, while others may lag behind this schedule, due to constraints requiring deferral to the Capital Improvements Program.

Below is a generalized, average representation of annual maintenance activities for the assets covered by this plan. It presents a planning-level estimation of the schedule for bringing public right-of-way assets into compliance with PROWAG standards. The amount of work completed each year will vary depending on funding availability and staff resources. Future capital projects and private development will play a role in the schedule, but not enough is known about them to include their contribution in the schedule.

VI. Assessment

Progress on making assets accessible will be tracked using work orders in Cityworks asset management software, and by updating City GIS inventories as capital projects and private developments are completed. Progress will be assessed annually by the number of assets in each asset category that were made compliant, by what method, and the approximate dollar amount invested per year in accomplishing this work. The Schedule section may be updated, in the future, if implementation trends indicate that the timeframe to compliance is significantly different than the schedule currently states.

VII. Adoption of Grievance Procedure

Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints (28 CFR Sec. 35.107(b)). This requirement provides for a timely resolution of problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal grievance process. Public Works has adopted the grievance procedure found in Appendix A. It is located online at www.harrisonburgva.gov/ADA-transition-plan.

VIII. Training

The Public Works Senior Leadership Team will identify training needs for the various divisions within the department and other City departments. Training will include both design and policy issues concerning ADA/PROWAG compliance. Public Works presently sends administrators, engineers, planners, and supervisory field maintenance staff to transportation-specific ADA training, when offered by the Local Technical Assistance Program, the National Highway Institute, and other training providers. The Senior Leadership Team will engage the Human Resources Department to determine the best mode(s) of training delivery, moving forward. Training methods will be added to the Transition Plan, as they are determined.

IX. Public Involvement

28 CRF Sec. 35.105 requires public participation in the self-evaluation, and 28 CFR Sec. 35.150 requires public participation in the development of the Transition Plan, by submitting comments. The Public Works Department conducted public outreach on the completed elements of the self-evaluation, and development of the Transition Plan, in partnership with the Valley Association for Independent Living. On February 2, 2024, a focus group of people with lived experience was held, and on March 14, 2024, a public open house was hosted, both at City Hall. A public survey was also made available at the open house, and online for a 2-week public comment period following the open house. Appendix B contains a report on the feedback received through the events and public comment period.