

To: Board of Selectmen, Town of Arlington, MA
From: Disability Commission of Arlington
Date: Wednesday 16 March 2016
Re: Warrant Article #59, Resolution Handicap Parking (HP)

The advance documents for the Monday 21 March hearing on this WA #59 are attached, including the Resolution (draft) below (the Moderator, John Leone, has already reviewed it).

- Handicap Parking (HP) Questions and Answers (includes stats, etc.)
- HP Policy Procedures Placement (includes Placement info with specific examples)
- Vision2020 survey 2015 Disability Commission page
- Announcement (was published in March in the Arlington Advocate and Arlington Email List)

Thank you for your time and attention to this important issue.

Resolution Draft:

Given that Title II of the ADA does require that State and Municipalities must make all their programs and services accessible, and on-street parking is considered a public service, thus some number of accessible parking spaces are required to be accessible. Yet there is currently no precise number specified.

Given that the Town of Arlington should visibly be a community that welcomes diversity, including people with disabilities,

Given that U.S. Census figures, Vision 2020 Survey results, and Registry of Motor Vehicles statistics all verify a substantial (and growing) need for handicapped parking access in the Town of Arlington,

Given that demographic projections indicate that the residents of Arlington and surrounding communities will continue to need public handicapped parking in order to access the many retail and service establishments located in Arlington,

Therefore, so as to facilitate access for people with disabilities, the Town of Arlington embraces, supports and encourages the inclusion and designation of at least five percent (5%), and no more than ten percent (10%) overall, handicapped parking spaces in any on-street public parking located in commercial districts throughout the Massachusetts Avenue and Broadway business corridors, which encompasses Business Districts B1,2,3,4,5.

Questions & Answers for Handicap Parking (HP) Warrant Article

Q1. Why 5-10% of Parking Spaces? Isn't that a lot?

Just under **10%** of licensed drivers in MA have handicap parking (HP) placards/plates. There are ~35,000 cars registered in Arlington, and ~2,400 active HP placards as of Jan 2015, so **6.9%** of the cars. Each year, Arlington adds approximately 200 new permanent placards, 200+ renewals, and 100+ temporaries

U.S. Census Bureau 2013 estimate for ambulatory disabilities is 7.1% of total population, Massachusetts **6.2%**.
U.S. Census AFF ACS 2014: Of Arlington residents 65 years and older, **16%** with an ambulatory difficulty.

Q2. How many (non-residential) HP spaces does Arlington have now?

Counting in the general area of the business districts of Arlington (almost all of Mass. Ave, plus some side streets, but only including 2 blocks of Broadway), there are ~1,000 on-street public parking spaces, of which **23 are on-street HP (2.3%)**. If parking seems scarce for you when only 1 in 35 cars can find a parking space in the business corridor sections, imagine that you are a person with a handicap placard and only 1 in 100 can park.

East Arlington (after MAC Project) = 212, of which **4 are HP (2%)**.

Arlington Ctr (2 Parking Studies) = ~500 on-street, of which **11 are HP (2.2%)**.

Arlgtn Hghts (Whole Foods to TJoes) = ~300 on-street, of which **8 are HP (2.7%)**.

"Realistically, sometimes I just go home without stopping in those [Arlington] shops because I can't park close enough." - J, Somerville.

Vision 2020 surveys also confirmed the current scarcity of HP spaces in Arlington:

Vision2020 survey in 2012: "As you think about living in Arlington, how do you experience the following?" For "handicap accessibility", **27%** (1,000+ respondents) said it is "often or sometimes an issue". (Of course, the people who answered "Not an Issue" probably weren't handicapped.)

Vision2020 survey 2015: "If any members of your household used handicapped accessible parking in Arlington in the past year, how often could accessible parking be found in different areas?" Answer: for street or parking lots in each neighborhood (East Arlington, Arlington Ctr, Arlington Heights), **27-31% answered Never**.

Q3. I thought there were already ADA laws about this. Why don't we follow them?

At this time, neither the 1991 nor the 2010 Americans with Disabilities Act Design Standards (ADA Standards) nor the Massachusetts Architectural Access Board (MAAB) requires a specific number of accessible parking spaces on Public Ways. However, Title II of the ADA does require that State and Municipalities must make all their programs and services accessible. Since on-street parking is considered a public service, some number of public parking spaces are required to be accessible. But no explicit percentage or number is specified. Eventually, the Department of Justice or the MAAB will amend the regulations. In the meantime, given the demographics of aging in Arlington and surrounding communities, we should have **a reasonable, specific goal for accessible parking spaces in business districts**.

Q4. OK, so what are other towns in Massachusetts doing about this?

As with many regulations in Massachusetts, each town decides. Currently, most of the nearby towns don't have a specified percentage of public on-street HP spaces in business districts or even an accurate tally of HP spaces. Most towns designate HP spaces in business districts by individual request, as they do for residential requests. When the Massachusetts Highway Department manages a project (such as the recent Mass. Ave. in East Arlington renovation), *"such curbside allocation ultimately falls to the municipality."*

Q5. But isn't there a lot of fraud with people who don't deserve HP placards using them anyway?

In a 3 ½ year period, the MA RMV issued only 899 citations (out of 400,000+ placards, so 0.02%) for HP misuse. As the MA Inspector General says, the *"incentive for misuse is high in Boston, where parking in garages can cost commuters more than \$6,000 annually and buying a deeded parking space can cost more than \$100,000."* However, that is not the case in Arlington. **People without HP placards parking in HP spaces is much more prevalent:** during a ten-day period at the Burlington Mall (Dec 2014), police issued 154 disabled parking violation tickets and 15 tickets for the misuse of a HP placard. The medical conditions that may qualify for HP status include: unable to walk 200 feet without assistance/pausing to rest; legally blind; chronic lung disease/asthma; cardiovascular disease; arthritis. Because there is some fraud, we need even more HP spaces so that legitimate HP users can find a space.

Q6. Why do we need more HP spaces when I always see empty HP spaces?

Just like a non-HP parking space, HP spaces are not going to be occupied 100% of the time. However, when a blue-painted HP space is empty, it is very noticeable. As you drive along, you probably don't see the HP spaces that have a car legally parked. Also, most people who do have an HP placard will leave the HP space open for "someone who needs it more" if they can park close enough in a non-HP space, so **HP spaces are usually the last spaces filled**. Further, as the V2020 stats indicate, HP spaces is an *"if you build it, they will come"* situation. If Arlington visibly becomes a town that welcomes people with disabilities (residents and visitors), so that there is an adequate supply of HP spaces, then they will come to access Arlington's retail, restaurants, and services. *"Some members report having to leave to go elsewhere to have lunch or shop because they could not find [HP] parking. We strongly support this very fair and reasonable request ..."* – C. Steinberg, U.S. Pain Foundation local chapter leader.

Q7. Where would these HP spaces be?

This Warrant Article is **only applicable to parking spaces in the business districts** of Arlington, along the commercial corridors of Mass. Ave and Broadway, not residential streets. Some HP spaces will be added; some current HP spaces may also be moved. **The goal is an adequate number of HP spaces in optimal places.** There are many factors that affect placement of HP spaces, such as nearness to curb cuts, and whether a handicap lift can lower completely without problems. *"... making it possible to get into/out of a car, onto/off of the sidewalk, and possible for someone with a walker or wheelchair to walk on the sidewalk between the street and those new big, space-eating planters."* – M., East Arlington.

Q8. What's the proposed timeline for these new spaces?

In June, after Town Meeting, members of the Disability Commission will make a ground-level tour of the 3 business districts (East Arlington, Arlington Center, Arlington Heights) to make sure that the parking map is accurate, and the proposed HP spaces will work. The Board of Selectman has the final approval. The DPW would be responsible for implementing the plan. Once the HP spaces are signposted, the GIS Director will upload the map changes to the Arlington town website. If possible, the map will be distributed at Town Day in September.

POLICY (only applies to public parking in business districts).

Residential HP space requests still handled individually by Board of Selectmen (BOS).

Q. How many HP spaces?

A minimum of 5-10% of on-street parking in business districts should be HP parking spaces. (i.e., if 100 on-street spaces, at least 5 of those spaces should be HP spaces). More where necessary (density, town hall + library, or medical, or ...).

Q. When does Disability Commission start process of adding/moving HP spaces?

- Request from business or residents.
- Whenever there is a substantial change to on-street parking, including new paving/stripping, etc.
- Every 3-5 years, gather statistics from U.S. Census, RMV, Town Treasurer, and review/audit.

PROCEDURE (This is a one-time project, to be done this year.)

The goal is an adequate number of HP spaces in the optimal places.

1. Make accurate count and map of all current HP parking spaces (on-street, off-street, public, private).
2. Place new/moved HP spaces on map (using placement criteria below).
3. Review by Board of Selectmen, DPW, Police, Arlington Parking Implementation and Governance Committee, Arlington Chamber of Commerce (or rep), Arlington TAC, Massachusetts Office of Disability. (simultaneous).
4. Consult/notify businesses where proposed HP spaces will be.
5. View potential spaces in person, just to be sure all factors are OK. Maybe with people actually using scooter/wheelchair/walker.
6. Present final list and map of proposed HP spaces (including current spaces to be moved) to BOS. BOS is final decision maker (they are Parking Commissioners).
7. If BOS agrees, send list and map to DPW for implementation. Note: Minimum marking is the legal blue and white sign, with the correct legal language (can also specify fine). Also paint curb and pavement blue, if possible.
8. Follow-up after DPW implementation, make sure spaces are OK.
9. Collaborate with Planning Department (Adam Kurowski, GIS) to update online parking map.
10. Collaborate with Chamber of Commerce to develop postcard/flyer that stores, library, etc. could pass out that shows all HP spaces, all other parking spaces and parking lots, too (to re-distribute usage). Possibly distribute postcard/flyer at Town Day in September (maybe this could be funded by Arlington DAC Fund)? Possibly distribute postcard/flyer once with tax bills?

PLACEMENT: What are criteria for choosing placement of HP spaces?

How far is the nearest HP parking space (on-street vs. off-street, public vs. private)?

Ex. There are currently zero (0) on-street HP spaces between 214 Mass. Ave. (Continental Salon) and #352 (Sabzi restaurant), which is ½ mile. (There are only 4 private HP spaces for Walgreens, set back from the street.) Therefore, we recommend adding 3-4 on-street HP spaces in that distance, at: #240 Mass Ave (Post Office); opposite Harlow St, #292 Mass Ave (Funeral home); Linwood Circle.

How close is the nearest curb cut (ADA-compliant pedestrian ramp)? These are generally at each end of a strip of parking spaces, and at pedestrian bumpouts.

Ex. The HP space to service #908-918 (Regina's, Magic Bites Bakery, Blue Ribbon BBQ, etc.) could be located on either side of the Highland Ave intersection, because there are curb cuts on both sides.

How close are the nearest ADA-accessible building entrances/exits?

Ex. In Brattle Square, there is a parking lot behind the building for Andrina's Pizza, Sanford Camera, etc. However, the only rear entrance has 2 high steps (into the back of A & A deli). So, rather than requesting an HP space in the rear parking lot, 1 on-street HP space should be added in front.

What businesses/offices are nearby? Are their customers more likely to be disabled/have HP placards? Any take-out customers? If so, how many/how often? Delivery vehicle/s? If so, where is it typically parked?

Ex. #820-830 Mass Ave (Marchelle Coiffures, Charlene's Barber Shop, Falcon Graphics, BodyTune, Anderson's Florists). No restaurants, no takeout. Florist has a delivery van, typically parked on private property, beside store. Therefore, HP space at #830 will not interfere with Anderson's delivery service.

Avoid making the HP space the last space before a bumpout (snowplows inevitably collect and pile snow in the last parking space before a bumpout, making those spaces inaccessible).

Ex. Of the current four (4) HP spaces replaced in the Mass Ave Corridor Project in East Arlington, three (3) spaces are located as the last space before the bumpout, and should be moved.

Where possible, HP spaces should be placed at the end/corner of each set of parking spaces and/or next to driveways, bus stops, etc., for several reasons:

- If the HP space is contiguous to a non-space (driveway/bus stop/etc.), even if the one neighboring space is parked badly, the HP space can probably still be used.
- cuts down on pole clutter (because, for example, one pole can carry both a HP sign pointing right and a bus stop or no parking here to corner sign pointing left). Ex. Corner of Peg Spengler Way
- when the HP space is empty, it: gives better sight lines for cornering, exit/enter driveways; serves as an informal loading/dropoff zone for non-HP vehicles; extends bus stops (some bus stops in Arlington are still under the minimum number of feet).

Note that HP spaces should not be under overhanging branches/poles, etc. that would interfere with height of HP van and/or deployment of wheelchair lift. Likewise, handicap lift must be able to lower completely (or walker able to be used) without problems (no street furniture, no planters, curb must be correct height).

Ex. There is currently a HP space for #177- #201 (Ristorante Olivio to the Fox Library). It is located before a bumpout, so it needs to be moved. However, the other end of that set of parking spaces, while it does have a curb cut, also has bicycle racks that would impede passengers exiting/entering vehicles. The solution may be to locate the HP space around the corner on Cleveland St, in front of the Fox Library, or perhaps at #173 (Olympic Pizza).

Vision 2020 Annual Survey Results for 2015

Disability Commission

We want to understand the needs of our residents so we can seek more targeted solutions. Questions about disabilities were last asked in the 2005 Annual Survey. Capturing information on the types of disabilities our residents manage provides a baseline for future surveys. Comparing 2005 to 2015, we see a slight increase in households that report having members with a disability – from 15% to 21%.

The %'s shown on this page represent the % of total responses for each question.

If no members of your household have disabilities, please fill the bubble on this line and go to Question 4.

#		% No Disabilities	
No disabilities	No Response	No disabilities	No Response
No Disabilities	4,786	1,272	79% 21%

If you or members of your household have disabilities, please indicate which categories best describe the disabilities:
(Fill all bubbles that apply)

	#	%		#	%
Visual Impairment	146	7%	Mental Health/Behavioral Challenge	206	10%
Hearing Impairment	252	12%	Cognitive Impairment	124	6%
Sensory Impairment	34	2%	Physical Impairment/Disability	494	23%

If any members of your household used handicapped accessible parking in Arlington in the past year, please indicate how often accessible parking could be found in the following locations.

	#					% No Disabilities				
	Always	Often	Usually	Never	No Opinion	Always	Often	Usually	Never	No Opinion
Town Administration Buildings	54	80	133	254	339	6%	9%	15%	30%	39%
School Buildings	39	42	72	238	450	5%	5%	9%	28%	54%
Street or Parking Lot - Center	61	66	182	244	318	7%	8%	21%	28%	37%
Street or Parking Lot - East Arlington	43	52	122	259	370	5%	6%	14%	31%	44%
Street or Parking Lot - Heights	49	64	162	232	351	6%	7%	19%	27%	41%
Recreational facilities or parks	38	56	105	219	420	5%	7%	13%	26%	50%

We would like to know if outdoor seating at restaurants in Arlington is creating challenges for residents with disabilities.

Has sidewalk seating at an Arlington restaurant obstructed you or any member of your household from easily navigating past a restaurant?

	#		% Navigating Sidewalk Seating	
	Yes	No	Yes	No
Navigating Sidewalk Seating	105	1,353	7%	93%

Have you or household members had issues with accessibility when trying to utilize outdoor seating at an Arlington restaurant?

	#		% Navigating Seating	
	Yes	No	Yes	No
Accessibility Issues Sidewalk Seating	44	1,366	3%	97%

In response to requests and complaints from persons with disabilities, and the results from the 2015 Vision2020 survey, the Disability Commission (DC) of Arlington has started a Handicapped Parking (HP) Policy and Process Subcommittee. The Commission has also sponsored Warrant Article (Resolution) #59 to Town Meeting to increase the number of designated HP parking spaces in the business districts of Arlington.

People with disabilities want to be able to access Arlington's shops, restaurants, and services. However, currently, the percentage of HP spaces is too low to accommodate the number of people with HP placards. The goal of the Subcommittee is to ensure an adequate number of HP spaces in the optimal places. In order to achieve this, the Subcommittee will be auditing the current HP spaces, and recommending changes to the Board of Selectmen.

The criteria for locating HP spaces are complex, so while adding some HP spaces, current HP spaces may also be moved. The variables include nearness to curb cuts, whether a handicap lift can lower completely without problems, lack of overhead obstacles, and so forth.

Once the map of rationalized HP spaces in business districts is complete, members of the subcommittee will be making a ground-level tour of the 3 business districts: East Arlington, Arlington Center, Arlington Heights. The dates for these tours will be announced after Town Meeting has ended, and we hope that you will join us to hear about the specific proposed changes in your area. Your experiences and opinions are welcome, and you may always send emails to the Chair of the Subcommittee, Cynthia.deangelis@gmail.com.

Thank you.