



CITY OF BEND

2017 – 2019 Update

ADA Transition Plan for Curb Ramps in  
Public Rights-of-Way



## INTRODUCTION AND PURPOSE

In 2014, the City of Bend released the [2014 ADA Transition Plan for Curb Ramps in the Public Rights-of-Way](#) which explained and documented the significant work the City had done in accessing, prioritizing, and funding curb ramp design and construction throughout the City. The 2014 Transition Plan included information about funding options and challenges, as well as timelines and the decision-making process.

The City has invested in and demonstrated its commitment to improving accessibility throughout the City. The City’s Accessibility Program is committed to keeping the public aware of ongoing efforts to improve accessibility by updating the Transition Plan on a biannual basis to coincide with the city’s budgeting process. This 2017-2019 Update will inform citizens of recent modifications of policies and programs, as well as current and future projects impacting sidewalks and curb ramps across the City.

### I. **City Curb Ramp Inventory**

The number of curb ramps throughout the City is constantly fluctuating as new private development, franchise utility maintenance/improvements, and City improvements, such as street overlays and other infrastructure improvements (sewer/stormwater), occur. The City is proficient at capturing alterations and improvements that affect curb ramps constructed by or on behalf of City projects but capturing curb ramps constructed through private development continues to be a challenge. Often curb ramps are constructed but not entered into the system, either because inspections are delayed due to staffing challenges, or issues with the City’s internal documentation process have not been fully resolved. This coordination between the departments continues to be a work in progress and an area of focus for the Accessibility Manager and Project Engineer and Construction Manager.

The overall numbers can also be deceptive and not representative of the progress being made. City improvements, such as street overlays, will often remove one noncompliant ramp and replace it with two compliant ramps (two perpendicular or parallel ramps depending on right-of-way availability). While this process greatly enhances usability and connectivity, it does not significantly change the numbers. Therefore, the total curb ramp number will increase steadily, but the number of noncompliant curb ramps will not correspondingly decrease at the same rate.

	Compliant Curb Ramps	Non-Compliant Curb Ramps	Total Curb Ramps*
As of 2010 Survey	1,250	5,899	7,149



	Compliant Curb Ramps	Non-Compliant Curb Ramps	Total Curb Ramps*
As of Jan. 2, 2018	4,179	4,877	9,056

\* The total number of curb ramps within the City will continue to grow as new developments are constructed and as single noncompliant ramps are replaced with two compliant ramps.

**II. Streets Division - Street Preservation Curb Ramp Program**

The City of Bend strives to improve the conditions of its roads through street preservation activities. Federal law requires adjacent noncompliant curb ramps be upgraded to meet current standards when a street is altered. Street preservation, such as overlay work (paving a second layer of asphalt over existing asphalt), is considered to be such an alteration, requiring upgrading of adjacent noncompliant curb ramps. The budget for street preservation for the 2017-2019 biennium is \$14.58 million. However, as stated in the City of Bend’s [2017-2019 Proposed Biennial Budget](#), “transportation needs have outpaced available funding” (p. vi). Many of the improvements to the transportation system, including street preservation activities, are being accomplished through use of one-time revenues and reserves or reductions to central services and are not sustainable solutions (p. vi). Nonetheless, the City’s focus on funding street preservation has had a positive impact on upgrading noncompliant curb ramps.

City crews are the most cost effective method of altering and/or constructing the curb ramps associated with street preservation projects. Street preservation activities may increase the number of curb ramps needing alteration to a level beyond the internal crews’ capacity, thus creating the need to contract out curb ramp work.

The Streets Division is committed to altering approximately 200 curb ramps annually as part of street preservation activities. The locations of these curb ramp alterations will be dependent on where street preservation is to occur. In conjunction with the work done to curb ramps, associated sidewalk work is also completed to transition to the curb ramp. Annually, the Streets Division installs anywhere from a quarter mile to a half mile of sidewalk in conjunction with the curb ramps that they alter or construct.

Prior to each construction year, the City’s Accessibility Manager works with the Streets Division in determining the curb ramps needing alternation based on the list of streets to receive street preservation activities (such as overlays, see **Appendix B**). Although this Update to the Transition Plan covers the fiscal 2017-19 period for to explain financial commitments/expenditures because budgets follow the fiscal year, the number of



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possible constructed ramps as shown in both Appendix A and B cover three construction seasons which do not directly coincide with the fiscal year(s). Departments use a construction year rather than a fiscal year because while the fiscal year ends at the end of June, the construction season will go through summer and as long as the weather permits.

### ***III. Accessibility Program's Barrier Removal Request Program***

On September 17, 2014, a local disability advocacy group (Central Oregon Coalition for Access; COCA) submitted approximately 154 barrier removal requests to City Council during public comment at a Council meeting.

Seven of those requests were found to be duplicates, for an adjusted total of 147.

As of January 8, 2018, 80 of the requests submitted by COCA in September 2014 have been addressed leaving 67 requests to be addressed via other means. 60 of the requests were completed or closed (i.e. not located in City ROW, determined to meet standards), 20 requests are planned for repair/construction via City projects.

Of the remaining 67 requests, 37 of these complaints were about the condition of sidewalks, the other 30 are referring to curb ramps. The City anticipates that a large portion of the remaining Accessibility Construction Fund reserves will be used to rectify a large portion of these barrier removal requests over the 2017-2019 construction seasons.

The City generally completes repairs to curb ramps, but the City Code places the responsibility for sidewalk maintenance on adjacent property owners for the barrier removal requests related to sidewalk maintenance, City staff contact property owners seeking voluntary compliance with City Code by mailing notification of violation letters to adjacent property owners requesting maintenance of their sidewalk. This process is generally successful in obtaining sidewalk repairs, but can be time consuming due to limited availability of concrete contractors, weather, costs, etc.

At the time of receiving the 147 barrier removal requests, City Council desired to not only fix the specific area containing the request, but to also improve the corridor(s) within the neighborhood containing the request. With the help of members of COCA and the City of Bend Accessibility Advisory Committee (COBAAC), neighborhoods and their identified corridors were prioritized. Below is a table of the priority level given by the working group, the name of the neighborhood, any requests completed and the year in which they were completed or are planned for completion, the number of requests submitted by COCA located in the neighborhood, and the number of corridors in each neighborhood.



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<b>Priority Level</b>	<b>Area Name</b>	<b>Completed 2015-2017</b>	<b>Planned 2018-2019</b>	<b>Total Completed or Planned / Total # of Requests</b>
High Priority 1	Wells Acres Neighborhood	8	15	23/23
High Priority 2	Dean Swift Area	0	2	2/2
High Priority 3	Division – North of Revere	0	2	3
High Priority 4	Brookwood/Lodgepole Neighborhood	5	0	5/5
High Priority 5	Industrial Neighborhood (pos. future MMA district)	0.5	0	0.5/2
High Priority 6	West of Hwy 97 btw Wilson & Cleveland	0	0	0/3
High Priority 7	South of Downtown Neighborhood	1	0	1/22
Mid Priority 1	Riverside Neighborhood	0	0	0/7
Mid Priority 2	East of Forum Shopping Center	1	0	1/4
Mid Priority 3	West of 1 <sup>st</sup> St. Rapids Park	0	0	0/7
Mid Priority 4	West of Mt. Washington between Shevlin Park Rd. & Regency St	0	0	0/3
Mid Priority 5	27 <sup>th</sup> St. between Bear Creek Rd & Ferguson Rd.	1	0	1/3
Mid Priority 6	West of River between Portland & Commerce	0	0	0/12
Low Priority 1	West of Mt. Washington Dr. between Perspective Dr. & Starview Dr.	0	0	0/1



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Low Priority 2	Brosterhous between Murphy Rd.& Knott	0	0	0/2
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Resolving these barrier removal requests will significantly draw on the Accessibility Program’s Construction Fund. The Accessibility Manager will continue to work closely with other City departments such as Utilities, Growth Management, and Community Development to ensure that projects completed or reviewed and approved by these departments will include and address, to the greatest extent feasible, curb ramp and sidewalk improvements within their projects’ scope and limits.

**IV. Current & Future Projects Impacting Sidewalks & Curb Ramp**

**A. Sidewalks**

There are two main issues surrounding sidewalks within the city: 1- how, when, and where sidewalks are to be installed when development occurs, and 2 – how to maintain existing sidewalks and infill sidewalks where development is not to occur. As addressed above, sidewalk maintenance is the responsibility of the adjacent property owner, pursuant to Bend Code. When the City receives a complaint about a sidewalk needing repair, the City sends a letter to the adjacent property owner requesting repair. When sidewalks are absent, City code may require construction of a new sidewalk when new construction or renovation occurs on the adjacent property.

The Bend Development Code requires new single-family residential construction, including ADUs and renovation or reconstruction of more than 50% of the existing building, to construct sidewalks if the property is within 600 feet of an existing sidewalk. City Council is currently considering whether to give property owners the option to make a payment to the City for the City to use constructing sidewalks nearby, rather than requiring a property owner to construct a sidewalk on a single parcel that may not connect to any other sidewalks. City Council is also considering whether to require sidewalk construction for any new construction or significant reconstruction, even if the closest sidewalk is more than 600 feet away. This discussion is expected to be ongoing throughout early 2018.

The City is also continuing to develop methods of addressing sidewalk maintenance. The City’s Streets Division is developing a Sidewalk Maintenance Policy that would clarify how the City prioritizes sidewalk maintenance, including through adjacent owner notification and City-performed work. Such a policy may include:

1. Process for identifying sidewalks in need of repair, maintenance or infill construction;
2. Assessment of sidewalk condition; and
3. Notification of adjacent homeowner.



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This policy would work within Bend’s current code that places responsibility for maintenance of sidewalks on the adjacent property owners, but may add criteria for City-initiated sidewalk maintenance or construction.

The City has also recently formed a Citywide Transportation Advisory Committee (CTAC), which will, among other tasks, work on an update to the City’s Transportation System Plan (TSP). The TSP reviews the transportation system and network in Bend for the next twenty years, and has as one objective, balancing the needs of drivers, freight movement, transit users and people who walk and bicycle. It also will describe a feasible financial plan. Therefore, it is expected that CTAC will provide a community input and recommendations on policies and funding strategies on transportation issues, including pedestrian walkways as part of the overall transportation system. As part of the TSP review, City staff and consultants will conduct public outreach, including meetings held in all of the neighborhood association areas in the city to collect local understanding of transportation and pedestrian issues.

**B. Curb Ramps**

In addition to the Street Division’s street preservation activities, other departments such as Growth Management, Utilities (Water, Stormwater, and Wastewater/Sewer), and the Accessibility Program also engage in capital improvement projects (CIP) that may require upgrades to adjacent curb ramps. The Engineering, Infrastructure, and Planning Department (EIPD) is comprised of project engineers/managers who create and manage large scale CIPs identified and paid for through a variety of methods, such as Transportation System Development Charges, Water & Sewer Franchise Fees, Developer-Contributed Proportional Share/Pro-Rata Funds, grants, and private partnerships. **Appendix A** describes the projects planned for 2017-2019 construction seasons that may impact (upgrade) curb ramps and/or sidewalks. Some of these project may even occur in future construction seasons, 2020-2021, thus these timelines and numbers are subject to change. **Appendix B** provides an anticipated list of street corridors to receive street preservation and the approximate number of curb ramps that will be impacted (improved or constructed). The total from both Appendix A and B is provided below.

	Approx. # Curb Ramps	Approx. Sidewalk linear feet (LF) {miles of sidewalk}
Streets Division 2017-2019	811	1,320-2,640 LF {¼ - ½ mile of sidewalk}



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	Approx. # Curb Ramps	Approx. Sidewalk linear feet (LF) {miles of sidewalk}
CIP 2017-2019	386	31,890 LF {approximately 6 miles of sidewalk}
<b>Total 2017 - 2019</b>	<b>1,167</b>	<b>Approximately 6.5 miles</b>

	Compliant Curb Ramps	Non-Compliant Curb Ramps	Approximate Total Curb Ramps*
As of Jan. 2018	4,179	4,877	9,056
Proposed work 2017-2019	9,348	Unknown**	10,046

\* The total number of curb ramps within the City of Bend will continue to grow as new developments are constructed.

\*\* It is unclear at this time how many non-compliant curb ramps will be improved through the identified projects, therefore knowing the number of non-compliant ramps is not provided.



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**Appendix A - EIPD Projects**

EIPD Project Name	Construction Year	Approx. # of Curb Ramps	Approximate sidewalk construction (lf)
Southeast Interceptor Project (SEI) Segments 2S&3	2017	56	0
South 3rd St. Pedestrian Improvement Project	2017	70	10,000
Citywide Accessibility Improvements: NE Kearney Ave (BCC), NE Wells Acres Rd (Burning Tree Village)	2017	10	1,950
Broadway & Delaware Accessibility & Utilities Department Coordinated Project	2017	4	0
14th St. Reconstruction Phase 1	2018	74	6,000
Citywide Safety Improvements: Neff & Williamson, 27th & Conners, 3rd & Hawthorne, 3rd & Franklin, 3rd & Canal, 3rd & Pinebrook	2018	16	0
Accessibility Improvements: Mountain View Neighborhood	2018	51	2,650
Accessibility Improvements: Dean Swift	2018-2019	12	240
Accessibility Improvements: NE Division	2019	41	1000
Colorado & Parkway	2019	6	0
Empire/Purcell Roundabout	2018	8	1,850

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**Appendix A - EIPD Projects**

NE Empire Corridor Improvements	2019	2	2,000
NE Purcell Corridor Improvements	2019	24	1,700
Extension of Empire to Butler Market/27th	2019-2020	8	4,500
Butler Market/Purcell Intersection Improvements	2019-2021	4	0
<b>Total</b>		<b>386</b>	<b>31,890</b>

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**Appendix B - Street Preservation**

<b>Corridor</b>	<b>year</b>	<b># Curb Ramps</b>
Bond (Wall to Industrial)	2017	11
Bond (Scalehouse to Powerhouse)	2017	0
Hill (Greenwood to Franklin)	2017	9
Morningstar (18th to Boyd Acres)	2017	46
Newport (before 9th St. Bridge to College)	2017	13
Portland (9th to College)	2017	12
Shevlin Park (Newport Hills to b4 Mt. Wa)	2017	28
Shepard (Neff to Wells Acres)	2017	34
15th St. (Hwy 20 to Ramsey)	2017	0
Wilson (9th to 15th)	2017	6
SW Division (3rd to before Reed Market)	2017	4
Wall (Industrial to Bond)	2017	15
Riverside & Hixon	2017	2
Total curb ramps	2017	180

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**Appendix B - Street Preservation**

<b>Corridor</b>	<b>year</b>	<b># Curb Ramps</b>
Brooks (Newport to Mirror Pond Lot)	2018	2
China Hat (Hwy 97 to Knott)	2018	15
Cooley (Hwy 20 to High Standard)	2018	17
Country Club (High Lead to Knott)	2018	3
Hunnell (Robal to Cooley)	2018	8
Lodgepole (Mahogany to Brookwood)	2018	26
Lodgepole (Mahogany to Poplar)	2018	1
Oregon (Wall to Harriman)	2018	0
Hawthorne (Harriman to Pkwy)	2018	0
Parrell (Brosterhous to Powers)	2018	17
Poplar (Brookwood to Ponderosa)	2018	18
Idaho (Bond to Broadway)	2018	0
Lava (Franklin to Oregon)	2018	0
Purcell (Butler Market to S. End)	2018	50
Harriman (Franklin to Lafayette)	2018	0
Robal (Hwy 20 to Hwy 97)	2018	13
3rd (Wilson to Badger)	2018	0
4th (Butler Market to Burnside)	2018	19
Franklin Ave (5th to 3rd)	2018	0
Granite (Poplar to Mahogany)	2018	0
Greenwood (Newport Bridge to 3rd)	2018	15
Louisiana (Bond to Riverside)	2018	1
Simpson)	2018	8
Ridge (Mahogany to Granite)	2018	0
Studio (Butler Market to 4th)	2018	16
Shevlin Park RAB	2018	6
<b>Total curb ramps</b>	<b>2018</b>	<b>235</b>

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**Appendix B - Street Preservation**

<b>Corridor</b>	<b>year</b>	<b># Curb Ramps</b>
2nd (Cleveland to Wilson)	2019	6
2nd (Quimby to Burnside)	2019	29
Washomgtpm_	2019	18
Brosterhous (3rd to Frankee)	2019	10
Cultus Mtn (Steens Mtn to Cul de Sac)	2019	0
Steens Mtn (Wilderness to Wilderness)	2019	0
Sac)	2019	0
Dooley Mtn (Wilderness to Cul de Sac)	2019	0
Eagle (Neff to Keytee)	2019	27
Fairway (Parr to Country Club)	2019	2
Fred Meyers (Vogt to Hunters)	2019	6
Greeley (Harriman to Pkwy)	2019	4
Hawthorne (3rd to 5th)	2019	1
High Desert (Empire to Plateau)	2019	29
Irving (Oregon to Pkwy)	2019	6
Madison (Butler Market to Veronica)	2019	40
McClellan (Brookwood to W. End)	2019	13
Merritt (Steens Mts to Cul de Sac)	2019	0
NE Providence (N. End to Neff)	2019	26
NE Providence (Neff to S. End)	2019	14
NW 12th (Newport to Galveston)	2019	18
NW 13th (Newport to Galveston)	2019	7
NW Nightfall (Twilight to Twilight)	2019	8
Olney (8th to Wall)	2019	32
Powers (Elkhorn to Porcupine)	2019	36
Overpass)	2019	6
Rock Bluff (Brookwood to Cliffrose)	2019	30
Skyliners (17th to Mt. Washington)	2019	4
Sac)	2019	0
SW Century (UGB to Mt. Washington)	2019	8
Twilight (Summit to Summit)	2019	16
Wilderness (27th to end)	2019	0
<b>Total curb ramps</b>	<b>2019</b>	<b>396</b>

<b>2017-2019 Total curb ramps</b>	<b>811</b>
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