

RD AN No. 4779(1924-A)

November 17, 2014

TO: State Directors,
Administrator RHS
Administrator RBS
Administrator RUS
Rural Development

ATTN: CF Program Directors, WEP Program Directors, Business
Program Directors, State Civil Rights Coordinators and
Managers, State Architects and Engineers

FROM: Doug O'Brien /s/ *Doug O'Brien*
Acting Under Secretary
Rural Development

SUBJECT: Architectural Barriers Act Accessibility Standards
Adoption

PURPOSE/INTENDED OUTCOME:

The purpose of this Administrative Notice (AN) is to notify Rural Development staff that they shall begin to follow the Architectural Barriers Act Accessibility Standards (ABAAS) for all non-residential construction projects financed by the Rural Housing Service, Rural Utilities Service, and the Rural Business-Cooperative Service.

COMPARISON WITH PREVIOUS AN:

No previous AN has been distributed on this subject.

BACKGROUND:

The U.S. Access Board published a revised accessibility guideline in 2004 to update the existing Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Uniform Federal Accessibility Standard (UFAS). This single rule was published as 36 CFR 1191 and contains the scoping provisions specifying what must be accessible and the technical requirements specifying how access is to be achieved.

EXPIRATION DATE:
November 30, 2015

FILING INSTRUCTIONS:
Preceding RD Instruction 1924-A

The General Services Administration (GSA) adopted the newer standard found in 36 CFR 1191 Appendix C and D, now known as the Architectural Barriers Act Accessibility Standard (ABAAS) in 2005.

GSA has the authority to establish the accessibility standard that RD must follow for all non-residential construction projects. Therefore, RD is to follow the ABAAS standard for all new construction of non-residential projects that fall under the Architectural Barriers Act. The ABAAS reduces the number of differences between the UFAS and ADA standard. The ABAAS changes the format and numbering system to use 3 and 4 digit paragraph numbers, similar to the building code format, rather than the old 1 digit system.

Some points to note about the ABAAS standard:

- Section F103 continues to allow “waivers” and the waiver process for instances where the Federal government is unable to lease accessible space.
- Elevator requirements and exceptions are in F206.2.3. This portion of the ABAAS defines the requirements when elevators are required and what exceptions are applicable based on the occupants, the building use and the building size. The UFAS allowed for limited access to a second level for only mechanical spaces. The ABAAS includes an exception reading “Where a two story building or facility has one story with an occupant load of five or fewer persons that does not contain public use space, that story shall not be required to be connected to the story above or below.” (By “connected”, the exception refers to “one accessible route shall connect each story”, e.g. an elevator.) Occupancy load is a term defined in the building codes, based on a certain number of square feet per person depending on the use of the space. This exception will provide some relief from elevators in all new construction projects using direct or grant funds.
- In section F216.5 please note that if parking spaces are assigned to units, and one of those assigned parking spaces is designed as an accessible parking space for an accessible unit, it is exempted from the requirement for the sign with the International Symbol of Accessibility. The logic is that the sign indicates a “common use” parking space, and this is a “private” parking space for that one unit. Spaces with the sign are not required to remove them, but may do so.
- Section 611 covers washing machines. The UFAS required front loading washers, whereas the ABAAS allowed top loading washers. Both standards now allow a choice of a front loading washer or a top loading washer that meets the requirements of section 611. The top loading washer must have the door opening located 36” maximum above the floor. For our properties, this will be a substantial change in that the Agency can no longer require a front loading washer.
- Since the ABAAS is a newer standard than UFAS, and the standard on which the revisions were based, the ABAAS has picked up several new technologies not included before. (Limited-use / limited-application and destination-oriented elevators, ATM machines, assisted listening devices, etc.)

Technical changes:

- Dimensions for children are now included in the standards for toilets, etc.
- Section 308 has reduced the maximum side reach from a wheelchair from 54” to 48”, to be consistent with the forward reach from a wheelchair.
- Section 403.6 requires the same standard for handrails from ramps and stairs for sidewalks if building codes require a handrail due to a drop off along the sidewalk. (The previous standard was written only for ramps and stairs, and would not apply if the slope were 5% or less.)
- Sections 407 through 409 include requirements for elevator design and use, based on various types of elevators – standard, destination-oriented, limited-use/limited application (LULA), or private residential.
- Section 502 addresses angled van parking, noting that the access aisle must be on the passenger side of the van.
- Section 604 notes that in toilets, the water closet may be located 16-18” from the side wall.
- Section 606 allows a parallel approach to sinks in spaces where a cook top or conventional range is not provided. So, for “wet bars”, “break rooms”, “kitchenettes”, and “community rooms” without a cook top or range, the sink will not have to be open underneath or have removable cabinetry.
- Section 607 allows the bottom parallel grab bar for a bathtub to be mounted 8-10” above the tub rather than an absolute of 9”.
- Section 607 and 608 require the hand held spray must now have an “on/off” switch for tubs and showers.
- Section 609 on grab bars now allows grab bars up to a 2” diameter, up from the 1.5” diameter listed previously.
- Section 703 on signage has been reorganized and simplified. Sign locations are standardized at 48 – 60” above the floor to the latch side of the door where permanent signage is provided for rooms.
- Section 804 covers kitchens and kitchenettes, and includes requirements for dwelling unit kitchens as well as break rooms, community rooms, etc. For example, in dwelling unit kitchens, 50% of shelf space must be within the reach range.
- Section 806 covers transient lodging (hotels, motels, and places of “brief” occupancy).
- Section 809 covers residential dwelling units.

“Occupancy Load” calculations

The ABAAS allows an exception for elevators based on the second floor in a building having an “occupancy load” of five or less. The following table lists uses, square feet per occupant allowed for that use, and the maximum square footage allowed for an occupancy load of five. If the square footage for that use exceeds this number, an elevator would be required per UFAS.

OCCUPANCY	AREA PER OCCUPANT (sq. ft.)	MAXIMUM AREA W/O ELEVATOR (sq. ft.)
Agricultural building	300	1500
Assembly with fixed seats	7	35
Assembly without fixed seats		
Concentrated (chair space)	7	35
Standing space	5	25
Unconcentrated (tables / chairs)	15	75
Business areas, offices, etc.	100	500
Courtrooms	40	200
Dormitories	50	250
Educational		
Classrooms	20	100
Shop / vocational rooms	50	250
Exercise rooms	50	250
Fabrication / manufacturing	200	1000
Industrial areas	100	500
Institutional / health facility		
Inpatient treatment	240	1200
Outpatient areas	100	500
Sleeping areas	120	600
Kitchens, commercial	200	1000
Library		
Reading rooms	50	250
Stack area	100	500
Mercantile		
Basement or grade floor	30	150
Other floors	60	300
Storage / stock / shipping	300	1500
Residential	200	1000
Stages and platforms	15	75
Storage area	300	1500
Warehouse	500	2500

This list includes those occupancy types from the building code that would normally be possible in a loan from Rural Development. Other occupancy types are available in the building code. In determining occupancy type, some interpretation will be required. Sleeping space on the second floor of a volunteer fire department can be considered “residential”. A hospice or shelter second floor could be considered “residential” as well. These second floors would be limited to 1000 square feet without an elevator. Storage in a basement of a volunteer fire department would be limited to 1500 square feet.

IMPLEMENTATION:

It is the intention of the USDA Rural Housing Service, Rural Utilities Service, and Rural Business Service to move to the ABAAS in the most expeditious way possible for all non-housing projects. Please direct all questions pertaining to this AN to Ed Duvall, Director, Program Support Staff at (202) 720-9653 or Michel Mitias, Senior Architect, Program Support Staff at (202) 236-3203.