



# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686

## Meeting Agenda - Final Planning and Zoning Commission

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Wednesday, May 23, 2018

7:00 PM

Council Chambers

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### Regular Meeting

#### REGULAR AGENDA - 7:00 PM

#### I. CALL TO ORDER

#### II. ROLL CALL

#### III. APPROVAL OF MINUTES

1. [Approval of the Planning & Zoning Commission Regular Meeting Minutes of April 11, 2018.](#)
2. [Approval of the Planning and Zoning Commission Regular Meeting Minutes of April 25, 2018.](#)

#### IV. PUBLIC BUSINESS FROM THE FLOOR

#### V. NEW BUSINESS

1. [Approval of Temporary Land Use Permit #18-01 for Karen Ables for Fat Mermaid Restaurant for Six Months on 600 Square Feet of Public Right of Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision.](#)

#### VI. REPORTS

#### VII. COMMISSION BUSINESS FROM THE FLOOR

#### VIII. ADJOURNMENT



## Agenda Statement

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**File #:** 18-0200      **Version:** 1

**Type:** Minutes      **Status:** Agenda Ready

**File created:** 4/27/2018      **In control:** Planning and Zoning Commission

**On agenda:** 5/9/2018      **Final action:**

**Title:** Approval of the Planning & Zoning Commission Regular Meeting Minutes of April 11, 2018.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [MeetingMinutes11-Apr-2018](#)

Date	Ver.	Action By	Action	Result
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### **ITEM TITLE:**

Approval of the Planning & Zoning Commission Regular Meeting Minutes of April 11, 2018.

**SUBMITTED BY:** Sue Moeller, Community Development Senior Administrative Assistant

### **FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

### **RECOMMENDATION:**

Approve the Planning and Zoning Commission Regular Meeting Minutes of April 11, 2018.

### **SUMMARY STATEMENT:**

Draft regular meeting minutes attached for Commission review and approval.



## Agenda Statement

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**File #:** 18-0225      **Version:** 1

**Type:** Minutes      **Status:** Agenda Ready

**File created:** 5/14/2018      **In control:** Planning and Zoning Commission

**On agenda:** 5/23/2018      **Final action:**

**Title:** Approval of the Planning and Zoning Commission Regular Meeting Minutes of April 25, 2018.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Planning and Zoning Meeting Minutes 04-25-2018](#)

Date	Ver.	Action By	Action	Result
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### **ITEM TITLE:**

Approval of the Planning and Zoning Commission Regular Meeting Minutes of April 25, 2018.

**SUBMITTED BY:** Sue Moeller, Sr. Administrative Assistant

### **FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

### **RECOMMENDATION:**

Approve the Planning & Zoning Commission regular meeting minutes of April 25, 2018.

### **SUMMARY STATEMENT:**

Draft regular meeting minutes attached for Commission review and approval.



## Agenda Statement

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**File #:** 18-0226      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 5/21/2018      **In control:** Planning and Zoning Commission

**On agenda:** 5/23/2018      **Final action:**

**Title:** Approval of Temporary Land Use Permit #18-01 for Karen Ables for Fat Mermaid Restaurant for Six Months on 600 Square Feet of Public Right of Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [TLUP 1801 Application Form Fat Mermaid](#)  
[VMC 17.48.140 Temporary Land Use Permit](#)  
[2010 ADA Requirements for Accessible Routes](#)  
[Fat Mermaid Awning Photo 01](#)  
[Fat Mermaid Awning Photo 02](#)  
[Fat Mermaid Awning Photo 03](#)

Date	Ver.	Action By	Action	Result
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### **ITEM TITLE:**

Approval of Temporary Land Use Permit #18-01 for Karen Ables for Fat Mermaid Restaurant for Six Months on 600 Square Feet of Public Right of Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision.

**SUBMITTED BY:** Kate Huber, Community Development Senior Planner

### **FISCAL NOTES:**

Expenditure Required: N/A  
Unencumbered Balance: N/A  
Funding Source: N/A

### **RECOMMENDATION:**

Approve temporary land use permit #18-01 for Fat Mermaid Restaurant and Karen Ables for six months, for the 600 square feet area of the sidewalk, within the public right of way, directly in front of her restaurant on Lot 1A, Block 39A, Harbor Subdivision.

### **SUMMARY STATEMENT:**

On April 17, 2018, Karen Ables owner of the Fat Mermaid Restaurant, applied for a building permit for a temporary summer awning that allows her to expand table seating for her restaurant outside during

the warmer months. She has received building permits for this same structure for the past two years.

As a part of the zoning review for the permit application, we must confirm that setback requirements are met. In the case of this parcel, zoned general commercial, per VMC 17.030.070, there are no setback requirements other than those required regarding fire walls and separation of buildings. That being said, through review it was clear that all or part of the temporary structure falls outside of the lot on which the restaurant sits and instead sits on the City of Valdez (COV) owned public right-of-way and sidewalk for North Harbor Drive. It is unclear why a zoning review was not completed for the past permit applications in 2016 & 2017.

After inquiring with Community Development Director, Rochelle Rollenhagen, regarding the approval of this structure, City Attorney, Jake Staser was consulted. Staser recommended that the applicant seek a temporary land use permit (TLUP) to account for the area of use that falls within the public right-of-way.

The use of the TLUP gives the Planning and Zoning Commission oversight to approve or deny use of COV property and addresses issues of liability by requiring, per VMC 17.48.140 B2, that 'the permittee shall have liability insurance valuing not less than one million dollars and shall name the COV as an additionally insured.' Other requirements of the code stated include that 'no permanent structures shall be erected on the property' and that 'no permanent alteration of the land shall occur'.

The structure that will sit in the area requested by the applicant covers an area of 12' X 32'. The applicant has also requested an additional uncovered roped off area to be included that measures 12' X 18'. The total area is 600 square feet. The applicant requested the permit for May 1st - November 1st of 2018, however the permit can only be issued for 6 months maximum.

The attached photos that show the temporary structure were taken on May 20, 2018. As you can see, the structure was erected before permits were issued. At the time the structure was put back into place for the season, Community Development contacted Karen Ables. On April 17, 2018, Ables submitted the building permit application retroactively and has been fully cooperating with Community Development to find a solution to the concerns regarding use of the public right-of-way.

As shown in the photos, the posts of the covered awning structure are secured by moveable cement pier blocks. Also shown in the photos are some additional posts that expand the roped off seating area beyond the awning structure to form the additional 12' X 18' included in the application. These posts were originally put in place in 2015 without a permit. The documentation from that time is limited and there is no record of any approval given for these posts by the Community Development Department. It appears from the documentation that the shorter posts require holes drilled in the sidewalk, which may violate the restrictions for the TLUP regarding permanent alteration of land. Staff recommends that a condition of this permit should be to remove those posts and fill the holes in the sidewalk. All barricades for the area of this permit should be temporary and moveable.

Fees for a TLUP of this type were established by City Council with Resolution 12-36. The resolution states that "for permits not exceeding two acres in size and for a period of six months or less, the fee shall be \$250 per month." Given that decision by Council, the fee for a TLUP of this type will be \$1500 for the 6 month period.

The size of the structure allows for a 52" wide clear pathway on the sidewalk. The attached ADA guidelines show a requirement of a minimum of 36" clearance for accessible routes. The City does not enforce ADA Accessibility requirements for businesses but these guidelines are included as a

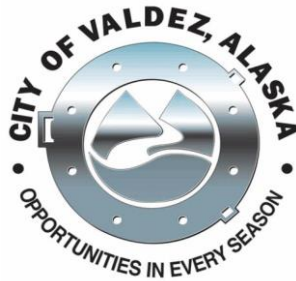
reference point, as we do not wish to allow for a temporary land use permit that inhibits ADA accessibility. Although 52" is above the ADA requirement, staff is somewhat concerned that overhang from vehicles parked in the street will inhibit clear flow of pedestrians on the sidewalk.

Staff believes that the request by Karen Ables and the Fat Mermaid Restaurant should be approved with appropriate conditions. The area created by this temporary awning is enjoyed by many community members and it is in the City's best interest to support local endeavors of this type. While we support the approval of this permit, we firmly believe that measures should be taken to ensure that use of the public right-of-way by local businesses does not inhibit the use of the sidewalk for all Valdez citizens and visitors, including those that may require a wheelchair or walker or other adaptive aids for mobility.

If TLUP 18-01 is approved by the Planning and Zoning Commission, staff will prepare a temporary land use permit using standard language approved by City attorneys and to include any conditions required by the commission.

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Wednesday, April 11, 2018

7:00 PM

Regular Meeting

Council Chambers

## Planning and Zoning Commission

REGULAR AGENDA - 7:00 PM

## **I. CALL TO ORDER**

## **II. ROLL CALL**

**Present -** Chair Jess Gondek  
Commission Member Don Haase  
Commission Member Brandon Reese  
Chair Pro Tempore Harold Blehm  
Commission Member Grant Uren  
Commission Member Roger Kipar

**Also Present -** Director Rochelle Rollenhagen  
GIS/Senior Planner Paul Nylund  
Planning Technician Kate Huber  
Administrative Assistant Sue Moeller

## **III. APPROVAL OF MINUTES**

1. Approval of the Planning & Zoning Commission Regular Meeting Minutes of 03/14/2018.

MOTION: Commission Member Reese moved, seconded by Commission Member Kipar, to approve the Planning and Zoning Commission Regular Meeting Minutes of 03/14/2018. The minutes were approved as presented by the following vote:

**Yays:**7 - Commission Member Haase, Chair Gondek, Commission Member Reese, Chair Pro Tempore Blehm, Commission Member Uren, and Commission Member Kipar

## **IV. PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

## **V. NEW BUSINESS**

1. Approval of Preliminary Plat for Robe Lake Wilderness Estates Block 3 Replat (SUBD 18-01), Creating Lots 1-A, 4-A and 5-A, Block 3, Robe Lake Wilderness Estates.

MOTION: Commission Member Reese moved, seconded by Commission Member Kipar, to approve the Preliminary Plat for Robe Lake Wilderness Estates Block 3 Replat (SUBD 18-01), Creating Lots 1-A, 4-A and 5-A, Block 3, Robe Lake Wilderness Estates.

Commissioner Haase noted that as a neighbor to the group proposing the re-plat, it may be construed as a conflict of interest. There was no objection from the Commission, and Commissioner Haase remained at the dais.

Paul Nylund, GIS/Senior Planner, opened the discussion by saying that the re-subdivision of the parcels was a condition of their vacation of right-of-way and snow storage agreement. By vacating the right-of-way and the snow storage lot, they basically land-locked what is lot 4A on



the preliminary plat. They're creating a flag pole shaped lot on the west side of the property allowing for access off of Cummings Way. This makes the plat compliant with code. Commission Uren asked if, by combining the properties, they would have controlling interest of the subdivision for by-laws and amendments to the by-laws for land in the covenants. Mr. Nylund was not aware of the effect on the areas covenants, and pointed out that they were not adding any acreage to their property. Commissioner Blehm wondered if each property owner had just one vote regardless of the amount of property owned. Commissioner Reese pointed out that neighborhood covenants were private, and therefore outside of the responsibilities of the Commission.

After the discussion, the motion passed by the following vote:

Yays: 6 - Commission Member Haase, Chair Gondek, Commission Member Reese, Chair Pro Tempore Blehm, Commission Member Uren, and Commission Member Kipar

2. Discussion Item: Alpetco Road Proposal, Request for Easement, Rydor Enterprises.

Commissioner Haase offered his support for the proposal despite the recommendation of the engineer. Commissioner Reese was also in support of the proposal, and felt that the recommendations of the engineering firm were a means by which the proposal could move forward and be done right. He added that there was a possibility of doing a legally binding promise to grant the easement pending environmental permitting and design. Commissioner Reese asked about the process – once an easement had been granted, what would happen if the route was not the best one for the easement? Nate Smith, Rydor Enterprises, responded that it was their intent to use local knowledge to guide the placement of the easement, walking the area to ensure the easement was put in the proper area with the idea of someday constructing a road.

Rochelle Rollenhagen, Director of Community Development, asked whether anyone knew of or had reviewed a plan developed in 2015 for this area. Mr. Smith responded that it was a feasibility study done by Snow Engineering, assessing three areas: Mile High, Sugar Loaf, and for the area purchased by Rydor Enterprises. Ryan McCune, Rydor Enterprises, stated that getting an engineer on the ground would be the best way to gather good information for a survey. Ms. Rollenhagen said she would try and locate that study for further review.

Commissioner Haase noted that one of the drivers for this proposal is that the City has been selling pieces of that property to residents in Corbin Creek. At one point around 2013, there was concern that some of the property for sale was coming awful close to the trails that were out there, so there is a need to establish a right-of-way, especially near the narrow neck that transitions to the dike as there is no other place for it to go.

Commissioner Kipar echoed that it would be great to bring in engineers to assess the most suitable place for access to the property, especially given that Rydor Enterprises has done the bulk of the work already. The only question he had was what action would come after granting the easement? And if the property was going to be partially surveyed, what else could we do with this land? How many one acre lots can we put up for sale as a cost recovery strategy?

Ms. Rollenhagen reminded the Commission that the Comprehensive plan was in the process

of being developed, and as this is such a large piece of property there will probably be a lot of public input on its proposed development. She encouraged Rydor Enterprises to attend the Comprehensive Plan Development meetings.

Mr. Smith offered to go out with whomever to identify where they thought the easement should be. Rydor Enterprises is available to do whatever it takes to move the process along, even to flying a helicopter over the area.

Mr. McCune asked who was working on the Comprehensive Plan at this point. He added that it would be nice to be involved in this, but sometimes follow-through was lacking.

Chair Gondek asked if Staff felt they had the proper amount of direction from the Commission to keep moving forward with this proposal. Ms. Rollenhagen asked what the Commission wanted to see next, adding that more work would be necessary before it was ready to be considered an action item. Commissioner Haase wanted to know if the Department had money to pay for the survey. When told it does not, he suggested that a written recommendation be developed asking the City Council for money to survey the area and progress the easement and Comprehensive Plan. Chair Gondek suggested modeling the recommendation after the work done previously on the bridge easement. Mr. Nylund reiterated that this was a large chunk of well placed City land that, once opened up, will go a long ways to helping with some of the land issues. That being said, the attachment in the agenda packet sums it up when it says that it's hard trying to dedicate areas after things had been developed. Public input is vital.

Mr. McCune and Mr. Smith estimated that there were between 450-500 one acre lots that were high and dry. Mr. Smith added that the area was popular for getting back to Hogback and other areas.

## **VI. REPORTS**

There were no reports presented.

## **VII. COMMISSION BUSINESS FROM THE FLOOR**

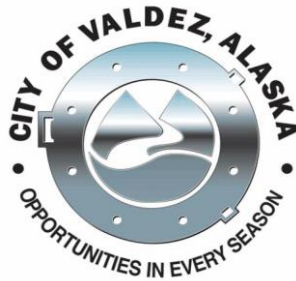
Commission Kipar was impressed with the cooperation shown by the Commission in the desire to move this proposal forward. He also noted that years ago the sewer system was promised to be extended to Robe River – now, he said, the roads are in really bad shape. Perhaps both of these can be taken care of together.

## **VIII. ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 8pm.

# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Wednesday, April 25, 2018

7:00 PM

Regular Meeting

Council Chambers

## Planning and Zoning Commission

## **REGULAR AGENDA - 7:00 PM**

### **I. CALL TO ORDER**

The meeting was called to order at approximately 7pm

### **II. ROLL CALL**

Present: Chair Jess Gondek  
Chair Pro Tempore Harold Blehm  
Commissioner Brandon Reese  
Commissioner Don Haase

Excused: Commissioner Kipar  
Commissioner Uren

Also Present: Paul Nylund, GIS/Senior Planner  
Sue Moeller, Sr. Administrative Assistant

### **II. PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

### **IV. NEW BUSINESS**

1. Approval of Final Plat for Robe Lake Wilderness Estates Block 3 Replat (SUBD 18-01), Creating Lots 1-A, 4-A and 5-A, Block 3, Robe Lake Wilderness Estates.

MOTION: Commission Member Reese moved, seconded by Chair Pro Tempore Blehm, to Approve the Final Plat for Robe Lake Wilderness Estates Block 3 Replat (SUBD 18-01), Creating Lots 1-A, 4-A and 5-A, Block 3, Robe Lake Wilderness Estates.

Commissioner Haase noted that he was a member of that neighborhood, and wanted to make the Commission aware of that as a potential conflict of interest. The Commission, seeing no conflict, agreed that Commissioner Haase would remain at the dais as part of the Commission.

Paul Nylund, GIS/Senior Planner, said that the only thing that had changed on this plat from the preliminary plat was a name correction-Jeff Gondek to Jess Gondek- and a change to the 'flagpole' portion coming from Block 3. That portion was straightened out a bit to cut down on the monumentation; it still meets the width requirements.

The motion carried by the following vote after the above discussion occurred:

Yeas: Chair Jess Gondek  
Chair Pro Tempore Harold Blehm  
Commissioner Brandon Reese  
Commissioner Don Haase

Excused: Commissioner Kipar  
Commissioner Uren

**V. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Blehm asked for an update on the extension of utilities to Corbin and Atigun. Mr. Nylund noted that that project was not slated for commencement this year, but had been submitted to Capital Facilities as a suggested Capital Improvement Project for 2019.

Commissioner Haase reported that he would be absent at the May 9<sup>th</sup> meeting.

**VI. ADJOURNMENT**

Hearing no further business, Chair Gondek adjourned the meeting at approximately 7:10pm.



**CITY OF VALDEZ  
TEMPORARY LAND USE PERMIT APPLICATION FORM**

**Application Fee: \$50.00 (Non-Refundable) Waived 2013 per Resolution #12-72**

File No. \_\_\_\_\_

Date Recv'd. \_\_\_\_\_

**Directions:**

1. Please type or print legibly.
2. Please submit this application form to the Office of Community & Economic Development, P.O. Box 307, Valdez, Alaska 99686.
3. Please answer all questions on this form, or put N/A (not applicable) in the spaces provided, as the answer applies.

\*\*\*\*\*

Applicant name: Karen Ables

Mailing address: P.O. Box 1999

City, State, Zip: Valdez, AK 99686

Daytime telephone: 831-0274

SIGNATURE: Karen Ables

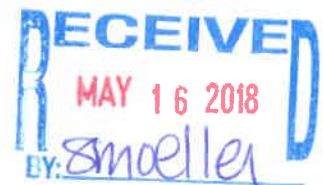
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Representative name: Same

Mailing address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime telephone: \_\_\_\_\_



\*\*\*\*\*

Legal Description of Property Affected by Application:

Located in Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, CRM  
Lot/Block/Tract/Subd. 1A BLK 39A Harbors Plat # 2000-4  
Street Address/Other description 143 N. Harbor Dr  
Tax # 70300390010 Size of Property 3.28 ac

Type of business to be placed on the property: restaurant seating

Size of temporary building(s) to be placed on the property: wood frame awning & fence, total area 600'sq

Duration of lease requested (6 months maximum): may 1st to Nov 1st

Special lease requirements: \_\_\_\_\_

\*\*\*\*\*

Submitted materials attached - The following submitted materials must be submitted when applying for a lease on City land.

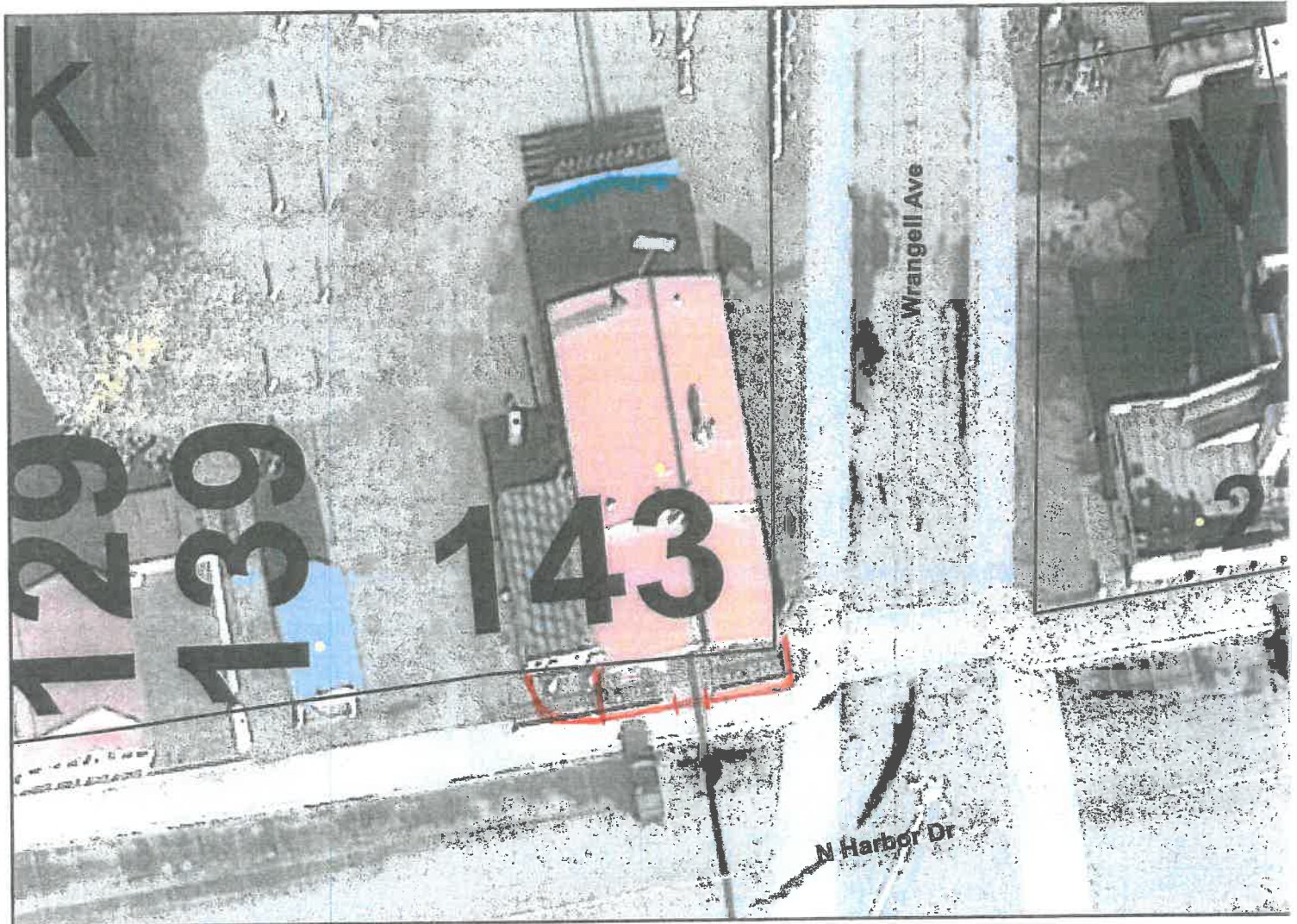
1. Plot Plan - A drawing of the proposed lease property showing:

- 1 a. Size of lot (to scale)
- 1 b. Placement and size of buildings, storage units, miscellaneous structures planned (to scale)
- NA c. Water & sewer lines, locations of septic tanks, if needed
- NA d. Parking spaces (numbered on the drawing with a total number indicated).

2. Fees - All applicable fees must be submitted prior to the execution of a lease.

- a. Application Fee (\$50.00). Covers the costs associated with processing the application (Non-refundable).





NOTE: Map depicting approximate parcel boundary only.  
Use recorded plat for accurate delineation.

Avening goes side by side by 12' however there is a 52" clear pathway between street side walk and, avening, leaving ample room for pedestrians



#### **17.48.140 Temporary land use permit.**

The city will allow for temporary uses of city property under the following conditions:

A. The community and economic development department is authorized to grant temporary land permits for the use of city owned property.

1. The permit shall not exceed one month (thirty-one days) in duration;
2. The permittee shall (in advance) pay a flat monthly fee; except that a pro-rated daily fee may be paid for permits lasting less than one month. Fees will be determined by council resolution;
3. The permittee shall have liability insurance valuing not less than one million dollars and shall name the city as an additional insured party;
4. The use is in conformance with the existing zoning and/or the comprehensive plan;
5. No permanent structures shall be erected on the property;
6. No permanent alteration of land shall occur;
7. The area of use does not exceed two acres;
8. Use under the permit shall not adversely impact public access or city operations;
9. The permittee shall vacate the property within three days of receiving notification from the city;
10. The permit shall be effective immediately upon receipt of required items and issuance by the community and economic development department;
11. Issuance of the permit shall be reported to the planning and zoning commission and city council at the next regularly scheduled meetings.

B. The Valdez planning and zoning commission is authorized to grant temporary land permits for use of city owned property.

1. Permits Not Exceeding Three Months in Duration and Two Acres in Size.

- a. The permit shall not exceed three months in duration;
- b. The permittee shall (in advance) pay a flat monthly fee; except that a pro-rated daily fee may be paid for permits where an entire month is not used. Fees will be determined by council resolution;
- c. The permittee shall have liability insurance valuing not less than one million dollars and shall name the city as an additional insured party;
- d. The use is in conformance with the existing zoning and/or the comprehensive plan;
- e. No permanent structures shall be erected on the property;
- f. No permanent alteration of the land shall occur;

- g. The area of use does not exceed two acres;
- h. Use under the permit shall not adversely impact public access or city operations;
- i. The permittee shall vacate the property within fifteen days from receiving written notification from the city;
- j. The permit shall be effective immediately upon approval by the planning and zoning commission, receipt of required items and issuance by the community and economic development department;
- k. Issuance of the permit shall be reported to the city council at the next regularly scheduled meeting.

2. Permits Not Exceeding Six Months in Duration.

- a. The permit shall not exceed six months;
- b. For permit areas not exceeding two acres the permittee shall (in advance) pay a flat monthly fee; except that a pro-rated daily fee may be paid for permits where an entire month is not used. Fees will be determined by council resolution;
- c. For permit areas exceeding two acres the permittee shall (in advance of each month) pay a monthly fee of ten percent of the fair market value per acre of the property divided by twelve and multiplied by the number of months for which the permit is issued. For the purposes of determining the fair market value the council will routinely pass a resolution updating the per acre values of land as identified by zoning;
- d. The permittee shall have liability insurance valuing not less than one million dollars and shall name the city as an additional insured party;
- e. The use is in conformance with the existing zoning and/or the comprehensive plan;
- f. No permanent structures shall be erected on the property;
- g. No permanent alteration of the land shall occur;
- h. Use under the permit shall not adversely impact public access or city operations;
- i. The permittee shall vacate the property within thirty days from receiving written notification from the city;
- j. The permit shall be approved by the planning and zoning commission;
- k. The approval of the permit shall be reported to the city council at the next regularly scheduled meeting. The permit will become effective only after review and under no objection by the city council;
- l. The permit shall be effective immediately upon approval by the planning and zoning commission, no objection from the city council, receipt of required items and issuance by the community and economic development department.

C. Administration and Processing of the Permit.

1. A complete application for a temporary land use permit shall be submitted to the community and economic development prior to review and consideration.
2. The city manager is authorized to sign the temporary land use permit on behalf of the city.
3. No more than one of each type of permit shall be issued each year for the same location to the same applicant. (Ord. 11-03 § 1)

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## CHAPTER 4: ACCESSIBLE ROUTES

### 401 General

**401.1 Scope.** The provisions of Chapter 4 shall apply where required by Chapter 2 or where referenced by a requirement in this document.

### 402 Accessible Routes

**402.1 General.** Accessible routes shall comply with 402.

**402.2 Components.** Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4.

**Advisory 402.2 Components.** Walking surfaces must have running slopes not steeper than 1:20, see 403.3. Other components of accessible routes, such as ramps (405) and curb ramps (406), are permitted to be more steeply sloped.

### 403 Walking Surfaces

**403.1 General.** Walking surfaces that are a part of an accessible route shall comply with 403.

**403.2 Floor or Ground Surface.** Floor or ground surfaces shall comply with 302.

**403.3 Slope.** The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

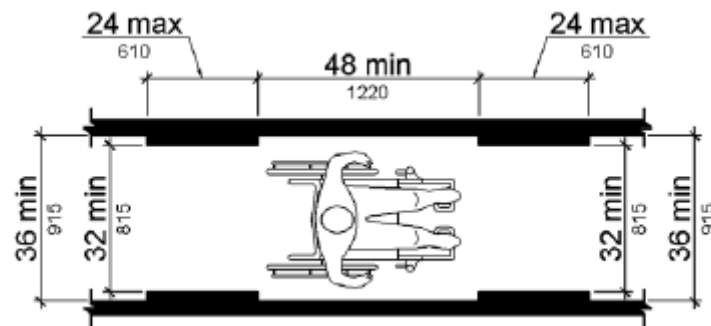
**403.4 Changes in Level.** Changes in level shall comply with 303.

**403.5 Clearances.** Walking surfaces shall provide clearances complying with 403.5.

**EXCEPTION:** Within employee work areas, clearances on common use circulation paths shall be permitted to be decreased by work area equipment provided that the decrease is essential to the function of the work being performed.

**403.5.1 Clear Width.** Except as provided in 403.5.2 and 403.5.3, the clear width of walking surfaces shall be 36 inches (915 mm) minimum.

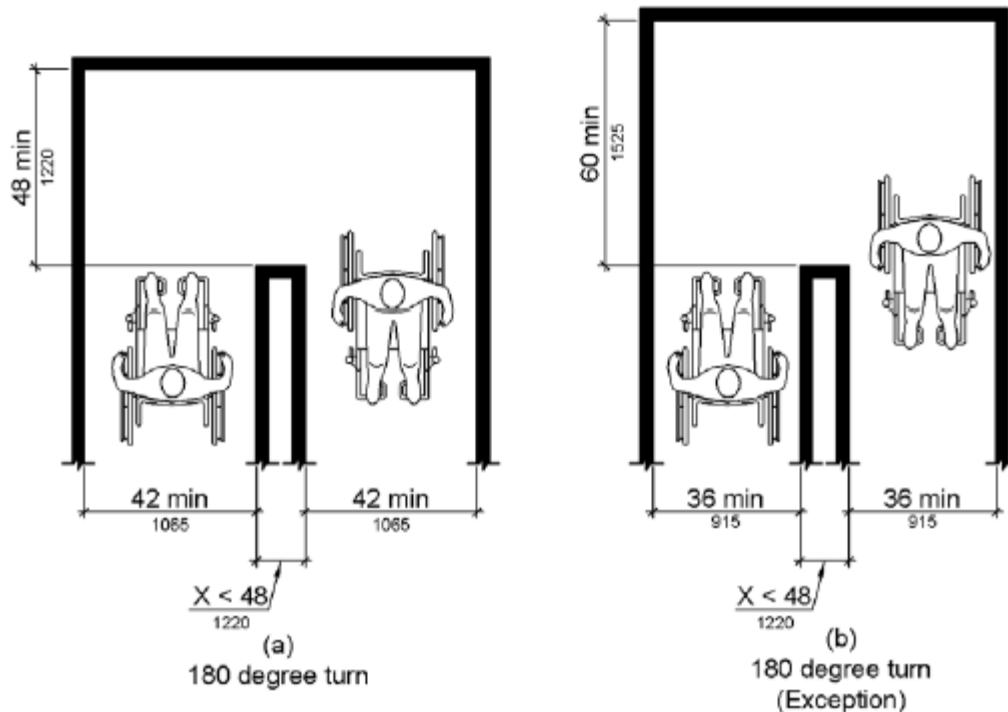
**EXCEPTION:** The clear width shall be permitted to be reduced to 32 inches (815 mm) minimum for a length of 24 inches (610 mm) maximum provided that reduced width segments are separated by segments that are 48 inches (1220 mm) long minimum and 36 inches (915 mm) wide minimum.



**Figure 403.5.1 Clear Width of an Accessible Route**

**403.5.2 Clear Width at Turn.** Where the accessible route makes a 180 degree turn around an element which is less than 48 inches (1220 mm) wide, clear width shall be 42 inches (1065 mm) minimum approaching the turn, 48 inches (1220 mm) minimum at the turn and 42 inches (1065 mm) minimum leaving the turn.

**EXCEPTION:** Where the clear width at the turn is 60 inches (1525 mm) minimum compliance with 403.5.2 shall not be required.



**Figure 403.5.2 Clear Width at Turn**

**403.5.3 Passing Spaces.** An accessible route with a clear width less than 60 inches (1525 mm) shall provide passing spaces at intervals of 200 feet (61 m) maximum. Passing spaces shall be either: a space 60 inches (1525 mm) minimum by 60 inches (1525 mm) minimum; or, an intersection of two walking surfaces providing a T-shaped space complying with 304.3.2 where the base and arms of the T-shaped space extend 48 inches (1220 mm) minimum beyond the intersection.

**403.6 Handrails.** Where handrails are provided along walking surfaces with running slopes not steeper than 1:20 they shall comply with 505.

**Advisory 403.6 Handrails.** Handrails provided in elevator cabs and platform lifts are not required to comply with the requirements for handrails on walking surfaces.









