

## FLORIDA ACCESSIBILITY LAW — PROPOSED LEGISLATIVE CHANGES

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**Interplan LLC** was embedded in the process with the FL Building Commission and the Department of Community Affairs staff to propose changes to Florida's accessibility laws. The overriding purpose of the changes was to incorporate the updated federal 2010 Standards for Accessible Design, which will be mandatory as of March 15, 2012.

During the process, many of the Florida specific items were earmarked to be eliminated with deferral to the updated federal Standards, while others items added clarifications. The legislature is currently considering these changes under Senate Bill 396.

Below is a summary of some of the major proposed changes:

**Vertical Accessibility:** Adds exceptions to the state mandate for providing vertical access to ALL levels of theaters, concert halls, and stadiums, as well as play and recreation areas, provided the federal standards are met. This will also apply to employee areas that are exempted in the federal standards as well. If passed, these added exceptions will allow design and permitting of venues that have previously need to obtain a waiver from the state.

**Assembly Seating:** Eliminates the Florida specific chart for the number of accessible seats required in assembly areas, deferring to the federal standards. This also eliminates the conflict that included restaurants in the large assembly category for accessible seating counts.

**Restaurant Aisle Widths:** Eliminates the 52" aisle width requirement where there are open positions along both sides of the aisles.

**Hotel Guest Rooms:** Modifies the "Florida special" guest rooms to mandate an accessible water closet in lieu of the standard water closet.

**Detectable Warnings:** Eliminates detectable warnings on curb ramps for consistency with the federal standards.

**Accessible Parking Space Location:** Eliminates the language that defines the safest and closest accessible route from parking to a building's accessible entrance; defers to the federal standard for locating the accessible spaces on the closest route to the accessible entrance.

**On-Street Parallel Parking:** Eliminates the requirement for accessible spaces at the beginning or end of a block for on-street parking. This would allow the accessible parking space to be located anywhere within the block.

**Accessible Parking Sign:** Proposes to change the height of the accessible parking sign from the fixed 84" above grade to a minimum 60" height above grade, which is consistent with the updated federal standards.

**Handrail Extensions:** Eliminates the 18" handrail extension currently required in Florida and defers to the federal 12" minimum handrail extension.

**Curb Ramp Side Slopes:** Eliminates the 1:12 side slope for curb ramp flares and maintains the 1:10 side slope requirement in the federal standards.

Keep in mind that these are proposed changes which must be approved legislatively and are not currently in effect.

Also under consideration is the removal of accessibility requirements from Chapter 11 of the FL Building Code. Since the accessibility law in Florida is a stand alone document and simply housed in the Building Code as Chapter 11, there has been some confusion in the application of other building code requirements to chapter 11. For example, where the accessibility law allows an exception for vertical access in “occupiable spaces and rooms that are not open to the public and that house no more than five persons...” often times Building officials apply the occupancy load calculation from Chapter 10 instead of applying an actual five person count.

Additionally, segregating the accessibility law from the FL Building Code will increase the possibility of incorporating the federal supplemental guidance and commentary. The inclusion of this guidance will be very beneficial in assisting both designers and building officials in applying the law more consistently throughout the state.

As the legislative session closes, we will be providing an update with the final provisions and implementation dates.

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## About Interplan LLC / About the Author

Bemmie Eustace is Director of Site Development for Interplan LLC, an architecture, engineering, interior design and project management firm specializing in national multi-unit restaurant, retail, hospitality and commercial development programs. The firm offers site evaluation; image development; architecture; civil, structural, mechanical and electrical engineering; interior design; permitting; project management; ADA and other specialized services. Interplan works with companies of all sizes providing new design, renovation, remodeling and conversion services. The \$30 million company currently employs a staff of over 200 and has produced more than 30,000 sites since founding the company in 1972. Interplan LLC is based in Orlando with additional offices in Chicago, Dallas and Atlanta to service clients nationwide. The company is licensed in 50 states, the District of Columbia, Puerto Rico, Guam and the U.S. Virgin Islands.

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