

|                                                                                  |                   |                                  |
|----------------------------------------------------------------------------------|-------------------|----------------------------------|
| State of California - The Resources Agency<br>DEPARTMENT OF PARKS AND RECREATION |                   | MANUAL                           |
| <b>DEPARTMENTAL NOTICE</b>                                                       |                   | Operations                       |
| No. 2005-03                                                                      |                   | CHAPTER                          |
| SUBJECT                                                                          |                   | DOM 1800 (new)<br>DOM 1400 (old) |
| Accessibility and Historic Properties                                            |                   | REFERENCE                        |
| ISSUED                                                                           | EXPIRES           |                                  |
| February 2, 2005                                                                 | When Incorporated | SUPERSEDES DN 2004-05            |

DPR 375 (Rev. 10/2001)(Word 6/25/2002)

**WHEN APPLICABLE, ENTER THE NUMBER AND DATE OF THIS DEPARTMENTAL NOTICE IN THE MARGIN OF THE MANUAL PAGE, ADJACENT TO THE SECTION(S) AFFECTED BY IT.**

This Departmental Notice has been re-created for transmittal in electronic format. The original notice was signed by Theodore Jackson, Jr. Deputy Director, Park Operations Division.

The Americans with Disabilities Act of 1990 requires that all public sites and buildings, including historic properties, be accessible. The California State Park System includes many historic properties that need to be accessible in order to meet the Department's mission to provide a quality recreational experience for all visitors, while at the same time honoring our mission to protect valuable cultural resources.

The California Historical Building Code (CHBC) was created in response to the need for a code that permitted more flexibility in preserving, restoring, rehabilitating and reconstructing historic structures and properties. The CHBC is the prevailing code for projects involving Qualified Historic Properties. It is designed to preserve historical integrity, maintain public safety, and provide access to Qualified Historic Properties for persons with disabilities. The Department owns and/or operates many Qualified Historic Properties. It is essential that projects involving such properties comply with both federal and state accessibility laws. (Regulatory references: 28 CFR 35.150-151; CHBC, 8-101, 102, 601, 602.)

This Departmental Notice establishes a policy to ensure that public access to the Department's historic properties complies with the law. Further, this notice provides standards, guidelines and the process to follow throughout the Department in order to provide compliant access while preserving historical integrity and retaining character defining features.

## **POLICY GUIDELINES**

- The Americans with Disabilities Act requires government agencies to ensure that all of their facilities, services and programs are accessible.
- All historic buildings and sites shall be as accessible as non-historic buildings to the greatest extent possible so that everyone may enjoy them.
- The CHBC (Chapter 8-6) provides alternative solutions for qualified historic buildings while allowing access for disabled persons.
- Any changes from the highest levels of compliance must be decided on a case-by-case basis. Reasons for changes shall be documented and available in public records. (CHBC 8-602.2)
- Project planning for historic sites must include accessibility solutions and be consistent with the park unit's General Plan.

## PROJECT APPROVAL PROCESS

1. All State Park historic sites construction projects shall use their best efforts to obtain and document input from their District Accessibility Resource Group (DARG). Refer to existing department policy on DARG group requirements.
2. Accessibility issues for historic sites and properties shall be reviewed by the Accessibility Section in conjunction with the Project Evaluation Form process. All project designs must be approved and certified by the Accessibility Section.
3. Projects involving historic sites and properties must be formally reviewed under the Department's 5024 Procedures (DN 2002-3 and amendments).
4. District Superintendents should verify that all proposed projects are consistent with the unit's General Plan and/or contact the General Planning Section for assistance.
5. Issues that arise regarding the level of access for a historic structure that cannot be resolved at the district level should be resolved with assistance from the Service Center, the Accessibility Section, and the Division Chief, as appropriate.
6. The Department Preservation Officer will provide the final decision on unresolved issues. All decisions must be documented and incorporated into the project file.

## DEFINITIONS

### Qualified Historic Buildings and Properties:

Structures, buildings, districts or sites that are listed, or eligible to be listed, on the National Register of Historic Places or the California Register of Historical Resources are known as Qualified Buildings and Properties. Other structures on other official State, county or local inventories and surveys may also have qualifying historic status. (CHBC 8-218)

### Character Defining Features:

Physical or visual elements of a structure or property, such as shape, materials, craftsmanship, decorative features, interior spaces and setting, which give it architectural, historical and cultural value. (CHBC 8-204)

### Historical Significance:

The importance for which a property has been evaluated and designated historic by an authority with jurisdiction. This includes buildings, structures, districts or sites, generally at least 50 years old, which possess historical integrity and are associated with important historic events or persons, have distinctive architectural characteristics or have potential to provide important information about pre-history or history. (CHBC 8-209; 36 CFR 63)

### (Historical) Integrity:

The CHBC defines Integrity as the authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. The National Register defines Integrity as the ability of a property to express its significance, that is, the survival of those physical traits—such as character-defining features—that exemplify the significance that makes the property eligible to the Register. The seven aspects of integrity are integrity of location, design, setting, materials, workmanship, feeling and association. (CHBC 8-210; 36 CFR 63)

## GENERAL ACCESSIBILITY PROVISIONS (CHBC Chapter 6)

### 1. Basic Provisions:

The same access code requirements as those for non-historic buildings shall apply to historic structures and properties unless compliance with regular code threatens historical integrity. (CHBC 8-602 ) In the absence of such impacts to historical integrity, the accessibility requirements outlined in Access To Parks Guidelines chapters on buildings, doorways, lifts, ramps, restrooms, routes of travel, etc. should be applied.

### 2. Preferred Alternatives:

If using the Basic Provisions listed above, would threaten or destroy historical integrity, the Preferred Alternatives may be used as long as they are applied on a case-by-case basis. Alternatives are to be used in priority order as listed below. (CHBC 8-603)

#### a. Entry Access Route Alternatives

- 1) Access shall be from any entrance used by the general public and no further than 200' from the primary entry.
- 2) Access to any open and unlocked entry no further than 200' from the primary entry.

#### b. Door Alternatives (Basic Provisions require a 32" clear opening.)

- 1) A single-leaf door with at least a 30" clear opening.
- 2) A single-leaf door with a 29.5" clear opening.
- 3) Double doors where one leaf provides a 29.5" clear opening.
- 4) Double doors with a power-assist device and a combined clear opening of 29.5". Note: Offset hinges may sometimes be used to increase clear openings by as much as an inch and a half.
- 5) Power-Assisted Doors: Power assisted doors may be considered acceptable alternatives for level landings, strike side clearances and door opening forces required by regular code.

#### c. Toilet Room Alternatives

- 1) Where restrooms are provided, make at least one men's restroom and one women's restroom accessible, or provide an accessible unisex restroom.

#### d. Exterior and Interior Ramp and Lift Alternatives

- 1) A lift or ramp may have slopes up to 10% for distances up to 12 feet.
- 2) Access may be by ramps sloped up to 16.6% for no more than 13 inches with signs posting slopes at the top and bottom.

### 3. Equivalent Facilitation

If using the Preferred Alternatives threatens historical integrity or would require a fundamental change in the program, service or activity, then use of alternative designs or technology is permitted under the following conditions: (CHBC 8-604)

- a. Alternatives must be applied on a case-by-case basis.
- b. Alternatives used must provide substantially equivalent or greater accessibility to the facility.
- c. Reasons for the use of Equivalent Facilitation and the effect such alternatives will have on the property must include comments from local groups of peoples with disabilities and must be documented and kept in State Park's permanent file.
- d. Alternatives may include providing services, videos, virtual reality tours, maps, plans, exhibits or other creative solutions at accessible levels.

4. Exceptions:

If use of any alternative access standards as described would threaten or destroy historical integrity and if no equivalent facilitation is feasible, on a case-by-case basis, an exception from requirements for full and equal access may be provided on the following conditions: (CHBC 8-605)

- a. Interpretive exhibits or equal services of the excepted historic structure are provided in a location fully accessible to persons with disabilities.
- b. The accessible location and services provided are equal to those provided in the excepted historic location.
- c. Reasons for the use of alternative technologies and their effect on the significance and character-defining features of the historic structure must be documented.
- d. Opinions and comments of state or local access compliance officials and people with disabilities must be part of the documentation, which shall be part of the permanent file of the enforcing agency.

If you have any questions regarding this notice, contact the Accessibility Section at (916) 445-8949 or [access@parks.ca.gov](mailto:access@parks.ca.gov).

Theodore Jackson, Jr.  
Deputy Director  
Park Operations