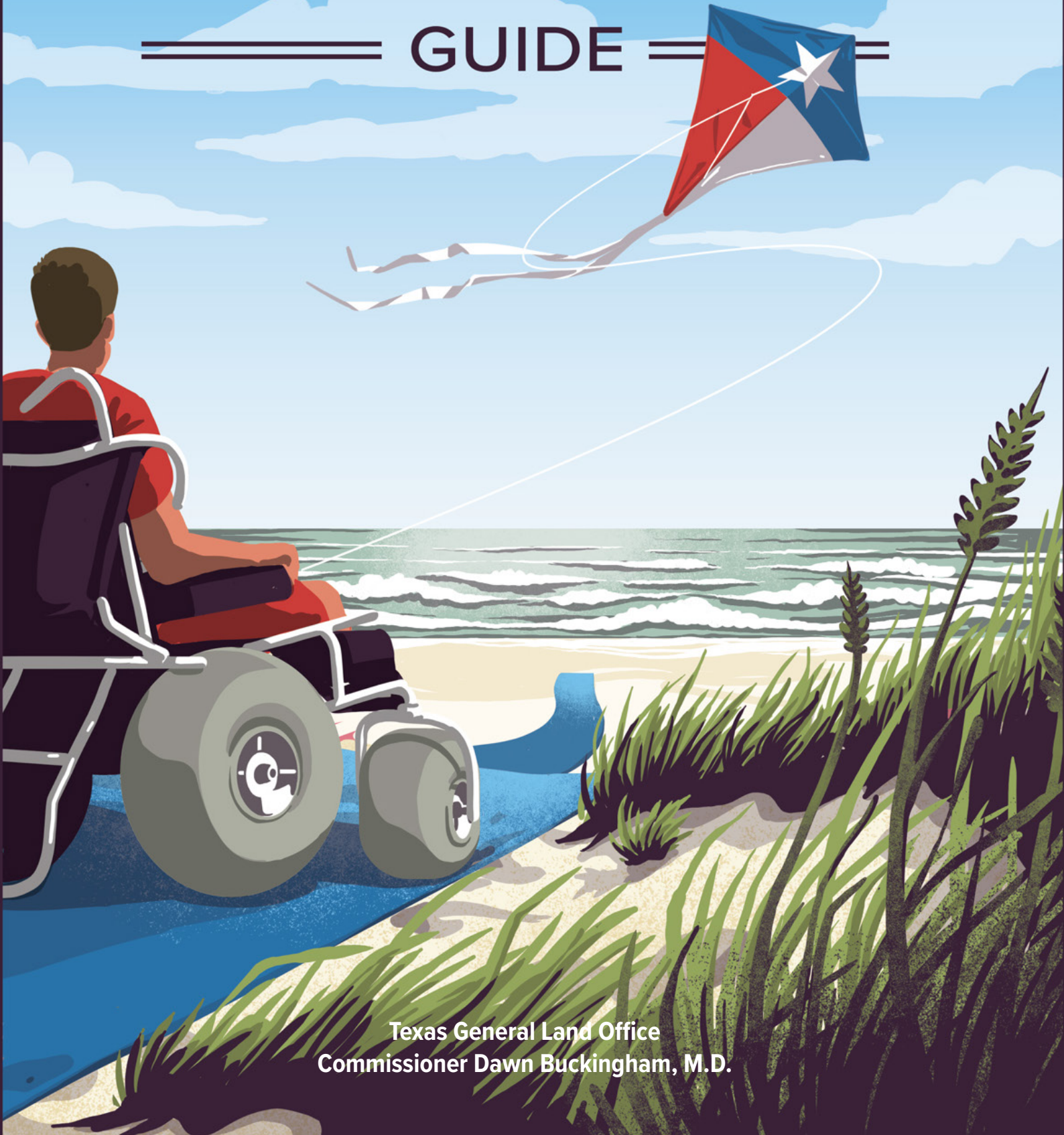


Texas BEACH ACCESSIBILITY

== GUIDE ==



Texas General Land Office
Commissioner Dawn Buckingham, M.D.

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Acronyms

United States Department of Justice (DOJ)

United States Access Board (Board)

Texas Department of Licensing and Regulation (TDLR)

Federal Americans with Disabilities Act (ADA)

Architectural Barriers Act (ABA)

Texas Accessibility Standards (TAS)

Texas General Land Office (GLO)

Introduction

The public has historically used the beaches along the Texas coast for numerous recreational activities ranging from swimming to beach combing. Increasing coastal development and decreasing beach widths have prompted local governments to restrict vehicles from public beaches, particularly in areas with concentrated urban development. Although intended to prevent health and safety hazards, these restrictions often hinder beach access for persons with disabilities.

Local governments are required to establish, preserve, and enhance access to the public beach for everyone, including persons with disabilities. Provisions for beach access for persons with disabilities must be included in local dune protection and beach access plans. Local governments must also assess designated beach access points within their jurisdictions to evaluate beach accessibility for persons with disabilities and address any compliance issues identified to provide persons with disabilities access to the beach to the greatest extent possible.

The purpose of this document is to provide guidance for local governments adopting and implementing beach accessibility measures for persons with disabilities. This document has been developed in consultation with the Texas Department of Licensing and Regulation (TDLR). Standards and specifications contained herein are based on the federal Americans with Disabilities Act (ADA) and the Texas Accessibility Standards (TAS), the U.S. Access Board's (Board) Accessibility Guidelines for Outdoor Developed Areas, and the Texas General Land Office's (GLO) Beach/Dune Rules in 31 Texas Administrative Code (TAC) Chapter 15. In implementing these measures, local governments must coordinate with the GLO and TDLR, as applicable.



Types of Vehicular Beach Access



Unrestricted Vehicular Access

The beaches along the Texas Gulf Coast were historically used as public roadways. Today, this tradition is still recognized in many areas where vehicles are permitted to park and drive without restrictions on the public beach throughout the year. Vehicular access is considered a primary means of access to most Texas beaches for all persons and is recognized by the GLO as an acceptable option for providing access for people with disabilities. However, unrestricted vehicular beach access may not meet all federal and state access requirements, and consultation with other agencies is recommended.

Restricted Vehicular Access

Local governments may impose vehicular controls to restrict or limit motor vehicles along the public beach by either prohibiting vehicles from parking or driving on the entire beachfront or restricting vehicular traffic from accessing a portion of the beach. Vehicular restrictions may be implemented year-round or on a seasonal or temporary basis. The local governments must ensure that public beach access ways and temporary parking provided for special events are accessible to persons with disabilities in accordance with the applicable guidelines.



ADA accessible dune walkover in area with vehicular restrictions

Local governments may only impose vehicular restrictions if the public's right to use and have access to and from the beach is preserved or enhanced, including beach access for persons with disabilities. Beach access is presumed to be preserved if parking on or adjacent to the beach accommodates one car for every 15 linear feet of beach closed to vehicular traffic and conspicuous signage showing the nature and extent of vehicular controls, parking areas, and access points is posted. In areas where vehicles are prohibited from driving on and along the beach, ingress and egress access ways must be located no farther than ½ mile apart in accordance with the presumptive criteria provided in the GLO's Beach/Dune Rules.

In each jurisdiction where vehicles are prohibited from driving to mean high tide, at least one access way with a stable, slip-resistant surface must be provided to the approximate high tide line, and signs identifying the accessible beach access route must be conspicuously posted. Under GLO rules, an alternate means of access for persons with disabilities, such as beach wheelchairs, may be provided in areas where the local government demonstrates that providing and maintaining a stable, slip-resistant surface to the approximate high tide line is not practicable. While this standard meets the requirements in GLO rules, it may require a variance from the TDLR requirements.



Beach wheelchair on stable, slip-resistant surface

In addition, in areas where vehicles are prohibited from driving on and along the beach, golf carts are also prohibited. However, golf carts transporting persons with disabilities may be operated on public beaches regardless of local vehicular restrictions. The local government must allow the use of a golf cart on the beach if the golf cart is being operated by or for the transportation of a veteran with disabilities or other person with a disability, and a disabled parking placard is displayed on the golf cart. At least one access way that accommodates golf carts must be provided in each area of the beach where vehicles are prohibited.

Pedestrian Safe Areas

Local governments may restrict vehicular traffic from a portion of the beach by designating pedestrian safe areas that run parallel to the shoreline. Bollards or other acceptable traffic barriers may be used to delineate a pedestrian-only area (parallel to shore) where motor vehicles are prohibited. Landward of the barrier, vehicles are permitted to drive and park on the beach. In areas with pedestrian safe areas, accessible parking areas and access routes should be provided at intervals no greater than 2 miles apart and must be constructed in accordance with TAS, as applicable.



Pedestrian-only Beaches

On pedestrian-only beaches, motor vehicles are prohibited from driving or parking on any portion of the public beach. To compensate for vehicular restrictions, public access must be provided from designated off-beach parking areas located directly adjacent to the beach or from on-beach parking areas. At pedestrian-only beaches, the Board requires accessible routes at intervals no greater than ½ mile apart to ensure persons with disabilities are afforded equal access to the beach.



Public Pedestrian Beach Access Routes



The beaches along the Texas coastline are diverse in nature and highly dynamic. Local governments should consider all varieties of access routes before deciding which will provide the most practical and reliable access for persons with disabilities. Accessible public beach access routes may include permanent pathways such as dune walkovers and fixed footpaths or temporary pathways such as removable mats. When determining which type of beach access route best suits the conditions of the surrounding beach environment, local governments should consider the beach elevation and slope, seasonal tide fluctuations, the dune system, natural dune vegetation, natural habitats, shoreline change rates, wave action, maintenance capabilities, public use, and vehicular restrictions. Local governments must balance the protection and needs of the natural beach environment while providing access to as many people as possible.

Dune Walkovers

Dunes are a natural defense system for the coastline and provide sand replenishment to beaches following storm events. Damage to dunes and vegetation that stabilizes dunes can have devastating effects on the beach environment and adjacent inland properties and should be avoided or minimized to the greatest extent possible. Properly designed dune walkovers are a type of pedestrian access route that can minimize damage to dunes and dune vegetation and reduce the extent of cut-throughs caused by the creation of footpaths.

Dune walkovers must be constructed in accordance with the Beach/Dune Rules, the local government's beach access and dune protection plan, TAS, where applicable, and any other applicable locally adopted building code (such as the International Building Code) to provide for public safety. Walkovers should commence landward of the back dunes and extend onto the beach beyond the foredune ridge and coppice mounds. The seaward terminus of a dune walkover should





be located far enough landward to prevent regular destruction from wave action, accommodate projected shoreline changes, and be located in a manner that does not create hazards and obstructions on the public beach at high tides.

For all new construction of public dune walkovers in areas where vehicles are prohibited from driving on the beach, local governments are required to construct walkovers to be accessible for persons with disabilities, where practicable. However, in order to comply with federal accessibility standards, it is recommended that beach access for persons with disabilities be provided at all new or altered beach access points, whether the access point is adjacent to a vehicular or to a pedestrian-only beach. Regular maintenance, general repairs, or a minor alteration are not considered new construction or an alteration and therefore are not subject to this requirement.

Public dune walkovers must be constructed in accordance with TAS, and any other locally adopted building code (such as the International Building Code) to provide for public safety.

To prevent mobility complications and minimize damage to dunes and dune vegetation, the slats that form the deck of an accessible walkover must run perpendicular to the direction of travel and be spaced a maximum width of ½ inch apart. With the exception of paired posts constructed on each side of the walkover, the support posts should be placed at intervals no closer than six feet. Support posts should be implanted at least five feet in the ground (or in accordance with structural good practice based on geotechnical conditions) to ensure stability and to allow for erosion during storm events. The support posts should be installed with a hand auger, posthole digger, or other approved means to minimize impacts to the dunes and dune vegetation. Concrete or other similar fills may not be used to stabilize support posts.

Accessible dune walkovers must be constructed to provide a smooth transition from the seaward and landward termini to adjoining surfaces. Walkovers with running slopes that exceed 1:20 must comply with the portions of TAS that are applicable to ramps. To prevent sand accumulation that hinders access, the seaward terminus of a walkover should be oriented at an angle away from the prevailing wind direction. Temporary beach stabilization mats or other approved means of beach surface stabilization may accommodate access from the terminus of the walkover to compacted portions of the beach.

Footpaths

Pedestrian footpaths may be constructed to provide stabilized access from off-beach parking areas to the beach or across the dry beach to the wet beach.

Providing pedestrian access to the beach for persons with disabilities requires surfaces that are stable, firm, and slip resistant. Although concrete and hard surfaces are generally used to stabilize compliant footpaths, these materials may not be suitable for beach routes seaward of the dune protection line. Removable mobility mats or an approved alternative method of surface stabilization that accommodates the required access may be acceptable. If local governments choose to utilize alternative methods of surface stabilization for footpaths, consideration should be given to acceptability, ease of use, durability, and maintenance. All alternative methods of surface stabilization should comply with TAS and ABA guidelines. Level changes (if any occur along an accessible footpath) should also be addressed in accordance with TAS.



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Mobility mats may be preferable in areas with high erosion rates or where a stabilized surface is needed to provide access to compacted portions of the beach. Because maintenance and emergency vehicles may traverse the beach, mats should be durable and able to withstand occasional vehicular crossing. To prevent damage, local governments should remove mats prior to conducting beach maintenance and before high tide or storm events. Mats should be regularly maintained to prevent sand accumulation that may hinder access.

To avoid impacts to critical habitats and dunes, footpaths should be routed through washover areas where possible. If impacts to critical habitats or dunes are unavoidable, local governments should consider constructing dune walkovers.



Technical Standards for Footpaths

Removable beach access routes that cross the surface of the beach and provide pedestrians access to the water are not required to comply with the specific requirements for running slope, cross slope, resting intervals, and dune crossings.

Clear Widths, Passing Space & Surface Openings

When considering the appropriate width to construct a beach access route, local governments should estimate the amount of traffic the pathway will generate. A minimum clear width of 36 inches accommodates one-way passage for a single wheelchair. If the natural conditions of the site do not allow for a 36-inch clearance, the width of a route may be reduced to 32 inches for a distance no greater than 2 feet. A clear width of 60 inches accommodates two-way passage and is highly recommended for public beach access routes. If the width of a beach route is less than 60 inches, a 60-inch by 60-inch passing space should be provided every 200 feet. Any openings (such as grates) in the surfaces of footpaths must run perpendicular to the direction of travel and shall not exceed ½ inch in width.



Running Slopes, Resting Intervals, & Cross Slopes

To enable persons with disabilities access along a beach access route, running slopes must be designed to meet the minimum accessibility standards. Resting intervals should be at least 60 inches long and at least as wide as the public beach access way. The cross slope of public beach access ways shall not exceed 2 percent.

For temporary footpaths, running slopes that exceed 3 percent should provide level landings/resting intervals that allow individuals the opportunity to break before continuing along an inclined access route. Level landings/resting intervals must be provided at least every 50 feet for running slopes up to 1:12 (8.33 percent) and at least every 30 feet for running slopes up to 1:10 (10 percent).

For fixed footpaths, running slopes that exceed 5 percent, there is a requirement to provide level landings/resting intervals. Level landings/resting intervals must be provided every 30 feet for running slopes up to 1:12 (8.33 percent) which is the maximum running slope for fixed footpaths.

Edge Protection

If the drop-off from a pedestrian footpath is 6 inches or higher, edge protection must be provided as a safety precaution. Handrails, rocks, and wood may be used as edge protection. Local governments should consider the type of pathway, the location of the pathway, and the conditions of the area when determining which material is most suitable. For beach access routes with drop-offs greater than 1 inch but less than 6 inches, the vertical edge of the drop-off must be beveled with a slope of 1:2. Edge protection for beach access routes should be constructed to minimize interference with natural sand distribution and prevent sand accumulation, while providing drainage and visual security.

Obstructions

Local governments should regularly inspect accessible beach routes to remove any obstructions that restrict access. Obstructions include objects that extend into the clear width of the route or objects along the pathway greater than 1/2 inch in height. Beach access routes shall provide a vertical clearance of at least 80 inches and be designed to prevent water accumulation along the pathway.



Accessible Parking



On-beach parking between “T-Head” bollards in Galveston

On-beach Parking

Local governments may compensate for restrictive vehicular controls by providing on-beach parking adjacent to pedestrian-only beaches. Within on-beach parking areas, vehicles are permitted to park and drive on the beach. The public may gain access to adjacent pedestrian only beaches on foot. Typically, bollards that run perpendicular to the shoreline delineate on-beach parking areas. To ensure accessibility for persons with disabilities from these parking areas, local governments must incorporate surfaces along the pedestrian access routes that are stable, firm, and slip-resistant. This requirement applies to every accessible parking space, access aisle, and ingress/egress pathway. Beach stabilization mats or an approved alternative means of temporary surface stabilization may accommodate persons with disabilities.

Off-beach Parking

Local governments may designate off-beach public parking to preserve public access to pedestrian only beaches or to enhance access to unrestricted vehicular beaches. Off-beach parking may be provided on public streets or in designated parking lots. To provide public access to the beach from off-beach parking areas, pedestrian pathways such as dune walkovers and footpaths must be constructed as described in this guidance document. Local governments must ensure that persons with disabilities are able to access the landward terminus of accessible beach routes from designated parking areas in accordance with TAS.



Where off-beach parking is provided for public beach access, the required number of accessible parking spaces must be designated as accessible in accordance with TAS. One in every six accessible parking spaces, but never less than one, must be designated as a van accessible parking space. The area designated for each accessible parking space and adjacent access aisles must be in compliance with TAS. Accessible parking spaces must be located on the shortest accessible route of travel to an accessible beach access route. Accessible parking spaces and the adjacent access aisles must be located on an acceptable surface to ensure accessibility to stabilized beach access routes. Refer to TAS for additional information.

Signage & Beach Amenities



Signage

Local governments must identify accessible beach routes as accessible by posting conspicuous signage that complies with TAS at the landward and seaward termini of the access route. Signs complying with TAS must be provided for every accessible parking space and every required van-accessible parking space. In addition, all beach access points that provide accessible access must be identified from the adjacent major roadway with conspicuous signage.

Beach Amenities

In areas where public beach park amenities and restroom facilities are provided, local governments must ensure that all newly constructed, renovated, or modified structures and facilities such as outdoor rinse showers, picnic facilities, and restrooms meet TAS. This also includes providing accessible routes from the beach to accessible facilities and accessible parking.



Beach Wheelchairs & Golf Carts

Beach Wheelchairs

Local governments should provide easy access to beach wheelchairs on the local beaches and within beach parks. There are many different types of beach wheelchairs available and local governments should evaluate which type would work best based on the conditions in the area. Local governments should determine how many chairs are necessary to serve the typical volume of beachgoers with disabilities, taking into account that once facilities and access are enhanced for individuals with disabilities, the demand may increase.

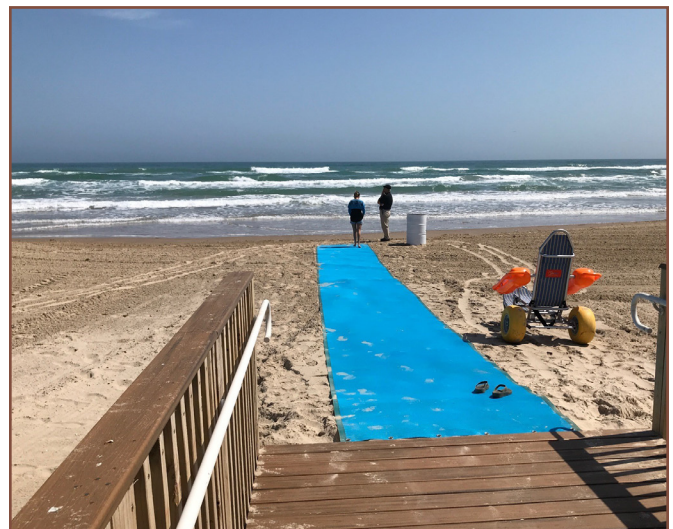


Golf Carts

Golf carts transporting persons with disabilities may be operated on public beaches regardless of local vehicular restrictions. To ensure that access for persons with disabilities is preserved, local governments must provide at least one access way for each area of beach closed to vehicular traffic. In areas where vehicles are prohibited from driving on and along the beach, golf carts transporting persons with disabilities must conspicuously display a disabled parking placard issued under § 681.004, Texas Transportation Code. As it relates to the Dune Protection Act, golf carts are considered motor vehicles and must not be driven on the dunes.



Local governments may limit the use of golf carts for the transportation of persons with disabilities to electric-powered golf carts. If gas-powered golf carts are prohibited, signage about the prohibition must be posted at vehicular access. All-terrain vehicles, neighborhood electric vehicles and recreational off-highway vehicles are not considered golf carts and may not be used to transport persons with disabilities on vehicular-restricted beaches.



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About the Texas General Land Office

The Texas General Land Office's core mission is the management of state lands and mineral-right properties totaling 13 million acres. Included in that portfolio are the beaches, bays, estuaries and other "submerged lands" out to 10.3 miles in the Gulf of Mexico. With 367 miles of Gulf beaches and more than 3,300 miles of bays and estuaries, Texas has one of the longest coastlines in the country. Here, fragile coastal environments and wildlife thrive alongside bustling ports and petrochemical facilities. Coastal industries, tourism and fisheries generate billions of dollars for the state, and the state Constitution protects the right of Texans to access their beaches. That's why the Texas General Land Office is proud to serve as the steward of the Texas coast.

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