



# Visitability

## Staff Report

December 1, 2013

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DAN MCNABB, DEPUTY BUILDING OFFICIAL  
PLANNING & DEVELOPMENT REVIEW DEPARTMENT

## **1. VISITABILITY OVERVIEW**

- a. Defined:** Neither federal nor state law establishes visitability requirements. “Visitability” is defined as a very basic level of accessibility that enables people with physical limitations to easily visit homes.

Three architectural conditions usually distinguish a visitable home:

- (1) one entrance with no steps,
- (2) doorways clear opening 32 inches, and
- (3) at least one half-bath on the main floor.

### **b. Research and Public Policy Supporting Visitability**

While federal law does not regulate visitability housing, the Fair Housing Amendments Act of 1988 and Americans with Disabilities Act contain certain accessibility requirements that benefit individuals with disabilities. “Accessible housing” is a more comprehensive design scheme requiring, among other things, kitchens that are accessible for people in wheelchairs and reinforced shower walls to allow for the installation of shower seats.

Accessible housing presumes that a person with a disability will live in the unit, while visitable housing provides merely the ability to visit it.

Towns in a number of states have passed mandatory visitability laws. These laws vary by jurisdiction, but generally apply to publicly-funded homes only or to both publicly- and privately-funded homes. Vermont is the only state that has a comprehensive mandatory visitability law. Many towns and states have implemented visitability initiatives, which include offering reimbursements or tax incentives to builders who voluntarily build visitable homes.

### **c. Visitability Laws in other Municipalities**

#### ***Publicly-Funded Homes Only***

***Town Laws.*** Atlanta, Georgia passed the first visitability ordinance in 1992. The ordinance applies only to private homes that receive local, state, or federal benefits such as city loans, land grants, and tax incentives. It requires one no-step entrance, doorways at least 32 inches wide, electric controls reachable by people in wheelchairs, and reinforced bathroom walls to allow for the installation of grab bars.

In 1998, Austin, Texas passed a visitability ordinance nearly identical to the one in Atlanta. It only applies to newly constructed single family homes, duplexes, and triplexes that receive financial assistance from the city. A number of other towns have passed similar legislation, including: Urbana, Illinois (2000); San Antonio, Texas (2002); St. Petersburg, Florida (2004); Birmingham, Alabama (2007); and Pine Lake, Georgia (2007).

**State Laws.** Within the last 12 years, eight states have passed legislation mandating visitability for specific types of housing built using certain state funds. They are: Georgia, Kansas, Kentucky, Michigan, Minnesota, Ohio, Oregon, and Texas. Minnesota, for example, requires visitability in all new single or multi-family homes financed in whole or in part by the Minnesota Housing Finance Authority. The law requires at least one no-step entrance, interior doors 32 inches wide, and at least one half-bath on the main living level.

### ***Publicly- and Privately-Funded Homes***

**Town Laws.** In February 2002, Pima County, Arizona enacted the first mandatory visitability ordinance for all publicly- and privately-funded homes. This ordinance applies to all new homes and requires a no-step entry, doorways at least 30 inches wide, lever door handles, reinforced walls in ground-floor bathrooms for future installation of grab bars, and reachable electric controls for people in wheelchairs. Builders can obtain an exemption from the no-step requirement where the site makes it impractical. Another Arizona town, Tucson, adopted a similar ordinance in 2007. In addition, three Illinois towns (Bolingbrook, Naperville, and Chicago) have passed legislation mirroring the Pima County ordinance.

**State Laws.** Vermont is the only state to require comprehensive visitability in certain new, single family homes built with and without public funds (20 V.S.A. § 2907). Vermont requires that all homes built without a known owner, must have: 1) one exterior door at least 36 inches wide, 2) first floor interior doors at least 34 inches wide, 3) first floor interior doorways at least 32 inches wide, 4) 36 inch wide hallways, 5) accessible electric controls, and 6) reinforced bathroom walls. Homes built by the owner or for the occupancy of a known owner are exempt from these requirements.

Florida has a less comprehensive visitability scheme, known as the Florida Bathroom Law, which requires builders to design and construct accessible bathrooms in publicly- and privately-funded homes (Fla. Stat. § 553.504(2)).

### **d. Voluntary Visitability Initiatives**

A number of states and towns have initiatives to encourage voluntary and non-voluntary visitability in construction.

*SEE ATTACHED CHART RELATED TO IMPLEMENTATION OF VISITABILITY LAWS IN THE U.S. (Page 22)*

## 2. WHAT LAWS ARE CURRENTLY IN PLACE FOR AUSTIN?

<p>Fair Housing Act City Code Chap. 5-1-1</p>	<p><i>Applies to - <u>MULTIFAMILY DWELLINGS</u></i> Housing Discrimination Based On Disability Prohibited. (4) In connection with the design and construction of covered multifamily dwellings for first occupancy after September 13, 1991, a failure by the owner to design and construct those dwellings in a manner that: (a) the dwellings have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site;</p>
<p>Fair Housing Act  Visitability City Code Chap. 5-1-171  (Visitability ORDINANCE 20040115-045)</p>	<p><i>Applies to - <u>MULTIFAMILY DWELLINGS</u></i> § 5-1-181 BUILDING ENTRANCES. (A) Habitable space in a dwelling unit located on the first story must include at least one building entrance on the first story served by a ramp or no-step entrance. A building entrance door must have a minimum net clear opening of 32 inches. (B) The building entrance may be at the front, side, or back of a dwelling provided it is served by an accessible route, including a walking surface from a garage, ramp, or sidewalk. (C) If a building entrance includes a no-step entrance, the maximum distance between the interior floor level of the building entrance and the adjacent walking surface level may be no greater than one-half inch.</p>
<p>Smart Housing City Code Chap 25-1-701</p>	<p><i>Applies to - <u>PUBLIC FUNDED PROJECTS</u></i> (B) S.M.A.R.T. Housing must: (1) be safe by providing housing that complies with Title 25 of the City Code (<i>Land Development</i>); (2) provide mixed-income housing by including dwelling units that are reasonably-priced, as described in Subsections (C) and (D); (3) provide for accessibility by: (a) including dwelling units that comply with the accessibility requirements of the Building Code in: (1) each building with four or more dwelling units; and (2) at least 10 percent of the dwelling units in each development; or (b) for a development with three or fewer dwelling units, complying with the design and construction requirements of <a href="#">Chapter 5-1</a>, Article 3, Division 2 (<i>Design and Construction Requirements</i>); and (4) comply with the transit oriented guidelines adopted by the director; and (5) achieve at least a one star rating under the Austin Green Building program.</p>

<p>Smart Housing City Code Chap 25-1-703 Exterior Route</p>	<p><b><u>Smart Housing Program Requirements (City Code 25-1-703)</u></b> - as prescribed in the <b>Fair Housing Act, City Code 5-1-133</b></p> <p>(A) The Building Official may waive the requirements for a <u>site or lot</u> if the applicant files a written application that demonstrates that:</p> <ul style="list-style-type: none"> <li>(1) The topography of the site meets the site test; or</li> <li>(2) The lot; <ul style="list-style-type: none"> <li>a) is located in a National Register Historic District;</li> <li>b) has an area of 3,600 square feet or less; and</li> <li>c) has a 10 percent or greater slope from the public right-of-way to the entrance.</li> </ul> </li> </ul> <p>(B) The Building Official or the council may waive the requirements in accordance with this section.</p> <p>(1) For a <u>lot</u> to be eligible for a waiver, the applicant must file a written application that demonstrates that:</p> <ul style="list-style-type: none"> <li>a) the lot has an area of 3,960 square feet or less;</li> <li>b) the lot is a corner lot or adjacent to a corner lot;</li> <li>c) the access to the lot's required off-street parking is from a rear alley; and</li> <li>d) the portion of the alley adjacent to the lot has a slope of 10 percent or more.</li> </ul>
	<p><i>ADA Requirements only apply to Commercial Construction</i></p>

<p>Visitability ORDINANCE 20080618-094</p>	<p><i>Applies to – <u>NON-PUBLIC FUNDED PROJECTS</u></i></p> <p>City Council RCA Agenda Item #94 Conduct a public hearing and consider an ordinance amending City Code Chapter 5-1 (Housing Discrimination), City Code Section 25-12-241 (Residential Code), and the 2006 International Residential Code to require all new single-family homes and duplexes to comply with certain accessibility or “<u>visitability</u>” standards now applicable only to publicly funded housing. Not recommended by the Building &amp; Fire Code Board of Appeals or the Electric Board. (Included No Step Entrance language for ALL new residential construction.</p> <p><u>Council minutes:</u> Approved on a 7-0 vote with amendments:</p> <ul style="list-style-type: none"> <li>A) Blocking in a first-floor bathroom, so that it can be easily converted for wheelchair use; and</li> <li>B) If a bathroom is provided on the first floor, have at least one bathroom with a door that is 30-inches clear or greater in width; and</li> <li>C) Delete the section of the ordinance repealing the current visitability requirements for publicly funded housing. (Deleting the No Step Entrance section).</li> </ul> <p><i><u>Item C language that was deleted:</u></i></p> <p><i>R322.4 Building entrances. Habitable space in a dwelling unit located on the first story must include at least one building entrance on the first story served by a ramp or no-step entrance. A building entrance door must have a minimum net clear opening of 32 inches. The building entrance may be at the front, side, or back of a dwelling provided it is served by an accessible route, including a walking surface from a garage, ramp, sidewalk, or public right-of-way that is within 200 feet of the building entrance If a building entrance includes a no-step entrance, the maximum distance between the interior floor level of the building entrance and the adjacent walking surface level may not be greater than one-half inch.</i></p>
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**ORDINANCE NO. 20080618-094**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25-12, ARTICLE 11 (RESIDENTIAL CODE) RELATING TO ACCESSIBILITY REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX CONSTRUCTION; AND WAIVING THE REQUIREMENT OF CITY CODE SECTION 25-1-502(D).**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-12-241 (*Residential Code*) is amended to repeal and replace Subsection (B) to read

(B) The following provisions of the 2006 International Residential Code are deleted

Section R103	Section R301.2 4	Section R602 8 1
Section 105 2	Table R301 2(1)	Section R602 8 1 1
Section R105.3.1.1	Section R302	Section R702 6
Section R105 3 2	Section R302.1	Section M1305.1.3
Section 105 5	Table R302 1	Section M1305 1 3 1
Section R106 1 3	Section R309 5	Section M2201 6
Section R109 1 3	Section R322	Section E3901
Section R110.3	Section R324	Section E3902
Section R112	Section R602 8	Part IV
Part VI	Part VII	Part VIII

**PART 2.** City Code Section 25-12-243 (*Local Amendments to the Residential Code*) is amended to add the following new sections

**SECTION R322**

**ACCESSIBILITY**

**R322.1 Scope.** The requirements of this section apply to new construction of a single-family dwelling or duplex for which a building permit application is submitted after January 1, 2009 Where there are four or more dwelling units or sleeping units in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

**R322.2 Accessible bathrooms within dwelling units.** If a water closet room or bathroom is provided on the first story of a dwelling unit, the water closet room or bathroom must have a minimum clear opening of at least 30 inches (762 mm)

**R322.3 Wall reinforcement in bathrooms.** If a water closet room or bathroom is provided on the first story of a dwelling unit, the water closet room or bathroom must contain a toilet and a lavatory and have reinforced walls that meet the following standards:

- 1 lateral two-inch (51 mm) by six-inch (152 mm) or larger nominal wood blocking must be installed flush with stud edges of bathroom walls; and
- 2 the centerline of the blocking must be 34 inches (836 mm) from and parallel to the interior floor level

**Exceptions:**


- 1 Blocking is not required in the portion of the water closet room or bathroom wall located directly behind the lavatory
- 2 If more than one water closet room or bathroom is provided on the first floor of a dwelling unit, only one water closet room or bathroom is required to meet the blocking standards in this section

### 3. **BOARD RECOMMENDATIONS and STAKEHOLDER COLLABORATION**

#### a. Stakeholders:

- Austin Mayor's Committee for People with Disabilities
- ADAPT/ PACT
- Stuart Hersh
- Home Builders Association of Greater Austin (HBA)
- Real Estate Council of Austin

Board Recommendations - Austin Mayor's Committee for People with Disabilities 03-11-2012

<div style="text-align: center;"> <b><u>BOARD/COMMISSION RECOMMENDATION</u></b> <u>Austin Mayor's Committee for People with Disabilities</u> <u>Recommendation Number: (20130311-107): The purpose of the recommendation is to include the remaining Visitability Requirements into City Code.</u>  Whereas, Council is scheduled to adopt the international residential code and local amendments in May 2013; Whereas, in 2008 council adopted two elements from the Visitability ordinance requirements; Whereas, the City of Austin has been a leader in accessibility for all citizens; Whereas, cities such as San Antonio, Atlanta, St. Petersburg, Tucson and Long Beach have adopted similar housing ordinances; Whereas, the issue of housing, aging in place, and visitability are critical to a growing number of our citizens; Whereas, approximately 20% of the population has a disability, an increasing number of citizens are reaching retirement age, and an increasing number of our returning veterans will need mobility assistance; Whereas, the City's Architectural Barrier Removal Program (ABR) has expended over 12 million dollars over the last ten years to assist citizens in modifying their homes for needed accessibility such as accessible entrances and modifications to bathrooms for increased independence; Whereas, the ABR program has limited funding and recently reported that at mid-year all fiscal year funding has been expended leaving citizens on waiting lists.  NOW, THEREFORE, BE IT RESOLVED that the Austin Mayor's Committee for People with Disabilities recommends that Council adopt the remaining visitability elements per the attached technical language to the International Residential Code to further enhance the availability of housing for our veterans, senior citizens, and citizens with disabilities.  Date of Approval: March 11, 2012  Record of the vote: Unanimous on a 6-0 vote (one vacancy) Attest: <u>Dolores Gonzalez</u>  See attached Back up next page</div>
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**AUSTIN MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES**

Dear Mr. Haught and Commissioners of the Building and Fire Code Board of Appeals:

My name is Ron Lucey. I am a citizen with a disability and vice chair of the Austin Mayor's Committee for People with Disabilities. I'm submitting this statement in favor of including the International Building Code amendments to the City of Austin Residential Building Code and Electrical Code that apply to Visitability standards for the construction of new homes.

The Mayor's Committee is on record as fully supporting Visitability in residential construction since my tenure with the committee began in the mid 1990s. In 2008, the committee was asked by our former Mayor Pro Tem, Betty Dunkerly, to develop and propose ordinance changes to the Residential Building Code to include all visitability standards. At that time, due to pressure from the Austin Home Builders Association, only a few of the easiest visitability standards were adopted by the City Council at that time.

In 2012, Austin stakeholders with disabilities asked the Mayor's Committee to once again support these changes. The Mayor's Committee negotiated in good faith with representatives of the Home Builders Association on a balanced reasonable approach to these standards including the most important standard, the inclusion of a no-step entrance into newly constructed homes. We agree that due to topographical challenges not every newly constructed home could easily and affordably include a no step entrance. We agree there should be a reasonable variance process to grant exceptions to the no-step entrance in these situations. We also agree that an extended transition - implementation period should be considered when adopting these visitability standards to allow Austin home builders time to implement these changes into their building plans. We agree that implementation of a no step entrance is a flexible standard that could be met through any of several entrances into a home including the garage or front entrance.

We do NOT agree with allowing a single stakeholder organization to once again prevent progress on this issue for the thousands of Austin residents who will build and purchase a new home and later find they have an essential and unplanned need for visitability to their home for themselves, a family member, a neighbor, or guest, or to simply age in place with reasonable access to their home. Visitability takes away nothing from the enjoyment of a new home for all home owners while adding and ensuring that Austin residents with disabilities can enter a home with dignity and equal access. I've witnessed the hardship that was caused to my wife's aging parents who live in an older home without a no-step entrance. The inclusion of a no-step entrance must be viewed as both an accessibility concern and life-safety issue to ensure fair and equal access to housing for all Austin residents. Please do the right thing for Austin and vote to recommend the inclusion of a no-step entrance into Austin's residential building code.

Respectfully,

**Ron Lucey, Vice Chair, Mayor's Committee for People with Disabilities**  
**Phone: (512) 377-0577**

## Board Recommendations - Building & Fire Code Board of Appeals 3-14-2013



### MEMORANDUM

**TO:** Austin City Council Members

**FROM:** Frank Haught, Board Chair, Building and Fire Code Board of Appeals

**DATE:** March 14, 2013

**RE:** Board's Recommendation to adopt the Visitability Stakeholders Group language and include with the proposed code adoption of the 2012 International Residential Code (City Code 25-12-241, Section R322 Accessibility).

#### Timeline - Stakeholder Process

2/27/13 2<sup>nd</sup> Public Hearing at the Building and Fire Code Board of Appeals. The Board heard testimony from numerous stakeholders. Board voted unanimously and recommends adoption of the language proposed by the Visitability Stakeholder Group and City staff. The new language will amend the current local amendments of the *Residential Code* (City Code 25-12-241, Section R322 Accessibility).

12/19/12 1<sup>st</sup> Public Hearing at the Building and Fire Code Board of Appeals. The Board heard testimony from numerous stakeholders regarding the proposed language. The Board postponed the public hearing and directed staff to reorganize the language. Staff also separated the Visitability language from the proposed 2012 International Residential Code in an effort to move that code forward to adoption.

11/28/12 Visitability Stakeholder Group met at the Home Builders Association office.

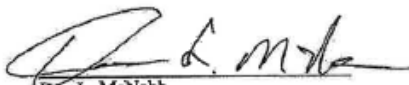
10/22/12 Visitability Stakeholder Group met at the Home Builders Association office.

8/15/12 Visitability Stakeholder Group attended a Visitability briefing at the Austin Mayor's Committee for People with Disabilities (AMCPD) at City Hall.

7/30/12 Visitability Stakeholder Group met at the Home Builders Association office.

6/28/12 City staff held the initial Visitability Stakeholder meeting at 505 Barton Springs Rd. A Stakeholder Group was created to discuss and finalize code language on visitability. Stakeholders included Dolores Gonzalez (Board liaison for AMCPD), Jesus Lardizabal (Board Chair for AMCPD), Stuart Hersh, Harry Savio (HBA), Mitch Schwartz, and numerous volume builders including Meritage Homes, DR Horton, Streetman Homes, Pulte Homes, KB Homes, and David Weekly Homes. City staff included Dan McNabb and Tony Hernandez (PDRD Building Inspections), and Ron Menard (PDRD Commercial Plan Review).

  
Frank Haught  
Chair, Building & Fire Code Board of Appeals

  
Dan L. McNabb  
Board Liaison, Deputy Building Official

#### **4. CITY COUNCIL PUBLIC HEARING (FIRST READING MAY 23, 2013)**

##### **Staff Proposed Draft Ordinance – City Council May 23, 2013**

Item #108 Conduct a public hearing and consider an ordinance amending Article 11 of City Code Chapter 25-12, the Residential Code, to require additional visitability standards for residential single-family and duplex construction.

### **DRAFT ORDINANCE NO.**

AN ORDINANCE AMENDING CITY CODE CHAPTER 25-12, ARTICLE 11 (RESIDENTIAL CODE)  
RELATING TO ACCESSIBILITY REQUIREMENTS FOR  
SINGLE-FAMILY AND DUPLEX CONSTRUCTION;

#### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

Section R320, Article 11 of Chapter 25-12 (*Residential Code*) is repealed and amended to read as follows:

#### **SECTION R320 VISITABILITY**

**R320.1 Application.** A new *dwelling unit* with *habitable space* on the first floor shall be designed and constructed with a *bathroom group* or a half bath on the first story of the *dwelling unit* and comply with the requirements of section R320.2 thru R320.3. Only one *bathroom group* or half bath is required to comply.

**R320.2 Visitability Bathrooms within dwelling units.** On the first story of the *dwelling* the *bathroom group* or the half bath shall have a minimum clear opening of 30 inches (762 mm).

**R320.2.1 Wall reinforcement.** The *bathroom group* or half bath shall have reinforced walls that meet the following standards:

1. lateral two-inch (51 mm) by six-inch (152 mm) or larger nominal wood blocking must be installed flush with stud edges of bathroom walls; and
2. the centerline of the blocking must be 34 inches (836 mm) from and parallel to the interior floor level

**Exceptions:**

Blocking is not required in the portion of the wall located directly behind the lavatory.

**R320.2.2 Light switches, receptacles and other environmental controls** located in the *bathroom group* or a half bath of a *dwelling unit* must be no higher than 48 inches above the interior floor level. Receptacles shall be a minimum of 15 inches above the interior floor level.

**R320.3 Visitability routes within the dwelling unit.** A *dwelling unit* shall provide a visitability route through the living room, dining room, kitchen and bathroom group or half bath on the first story of the *dwelling*. The route must provide a minimum clear width of 32 inches. Lever handle doors shall be provided in the interior for the visitability routes.

**R320.4 Visitability Building Entrance.** Building Entrance requirements shall apply to a new *dwelling unit* with *habitable space* on the first floor as practicable in a newly developed lot in all subdivisions submitted for review after January 1, 2016. Lots identified as visitability lots will be required to comply with section R320.4.1 The developer shall predetermine and identify lots that will comply with this section upon the submission for review of the subdivision.

**R320.4.1 Building entrance.** A new *dwelling unit* with *habitable space* on the first floor where determined to be practicable shall be designed and constructed with at least one building entrance on the first story served by a ramp or no-step entrance. A building entrance door must have a minimum net clear opening of 32 inches.

1. The building entrance may be at the front, side, or back of a dwelling provided it is served by an accessible route, including a walking surface from a garage, ramp, sidewalk, or public right-of-way that is within 200 feet of the building entrance.
2. A no-step entrance maximum distance between the interior floor level of the building entrance and the adjacent walking surface level may be no greater than one-half inch.

**a. Council Direction 5-23-2013**

REGULAR COUNCIL MINUTES

THURSDAY, MAY 23, 2013

108. Conduct a public hearing and consider an ordinance amending Article 11 of City Code Chapter 25-12, the Residential Code, to require additional accessibility or visitability standards for residential single-family and duplex construction. The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved with the following amendment, friendly amendment and direction on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

There was an amendment made by Council Member Spelman to strike the wording "and any interior doors must have handles" in section R320.3 of the ordinance. There was a friendly amendment made by Council Member Morrison to create accessibility from the no step entrance to the accessible route. The amendment was accepted by the maker of the motion.

- 1) Strike interior door handle requirement from the draft ordinance.
- 2) Amend the draft ordinance such that is applicable to all new single family and duplex construction.
- 3) Amend the draft ordinance to include a requirement for an accessible route from no-step entrance to first floor bathroom.

Staff was also directed to:

- 1) Council requested: Provide an itemized break-down of the \$12,500 retrofit estimate (30-inch door, blocking, etc.).

Generally, when the Neighborhood Housing Department retrofits a residence for accessibility, the estimated cost ranges from \$10,000 to \$15,000. The \$15,000 cost would include retrofitting the shower pan for an accessible shower. When the shower cost is not included, then the retrofit would cost is approximately \$12,500. This cost for retrofit would include the visitability features below and includes access to the water closet, relocating light switches and receptacles, widening the interior route including doorways, and adding the no step entry and ramp.

**Estimated Cost – New vs Retrofit**

	New		Retrofit	
	Concrete Change.Org	HBA	Concrete Change.Org	COA Housing
Bathroom Retrofit	-	-		
Light Switches and Receptacles	-	-		
Wider Interior and doors	\$ 10	-		
No step entry and Ramp	\$ 0	\$2,000		
	\$10	\$2,000	At least \$10,000	At least \$10,000

2) Council requested: Develop a waiver policy that is less stringent than what is currently in place. Policy should take into account lot topography and other issues which impact the difficulty and expense of ramp installation.

The Smart Housing Program, City Code §25-1-701, currently has a waiver policy, which is initiated by an application. See application below.

Visitability Ordinance Waiver Request Form	
I am requesting a waiver of the no-step entrance and ramp requirements of Chapter 5-1 of the City Code, Article 3, Division 2 for the single-family home/duplex/triplex (circle one) located at the following address:  _____	
I am making this request because my development meets the following test for Waiver Of Exterior Accessibility Regulations (indicate one):	
<ol style="list-style-type: none"><li>1. Individual Building Test of the Fair Housing Act;</li><li>2. Site Analysis Test of the Fair Housing Act;</li><li>3. National Register Historic District; or</li><li>4. Small Corner Lot.</li></ol>	
The cost for complying with the ramp or no-step entrance requirements of Chapter 5-1 of the City Code, Article 3, Division 2, would be \$_____. The length of the ramp from the parking space closest to the building to the nearest building entrance would be expected to be _____ feet. The slope of the ramp would be ____ in ____ (____%), and this would include ____ (number) 3 foot x 3 foot landings. I am anticipating receiving \$_____ in fee waivers for this development and \$_____ in federal and/or other City assistance (describe in attachment) for this development.	
Owner's Name:	
Owner's Mailing Address:	
Owner's E-Mail Address:	
Owner's Phone Number:	
Owner's FAX Number:	
Applicant's Name:	
Applicant's Mailing Address:	
Applicant's E-Mail Address:	
Applicant's Phone Number:	
Applicant's FAX Number:	
Description of Unique Topographical Conditions:   	
A copy of the plans is attached.	
Owner's Signature and Date	Applicant's Signature and Date
Please mail to: S.M.A.R.T. Housing™, City of Austin - NHCD, PO Box 1088, Austin TX 78767 (512) 974-3100 or fax (512) 974-3161.	

**Smart Housing Program Requirements (City Code 25-1-703)**

- as prescribed in the **Fair Housing Act, City Code 5-1-133**

- (A) The Building Official may waive the requirements for a site or lot if the applicant files a written application that demonstrates that:
  - (3) The topography of the site meets the site test; or
  - (4) The lot;
    - d) is located in a National Register Historic District;
    - e) has an area of 3,600 square feet or less; and
    - f) has a 10 percent or greater slope from the public right-of-way to the entrance.
- (B) The Building Official or the council may waive the requirements in accordance with this section.
  - (2) For a lot to be eligible for a waiver, the applicant must file a written application that demonstrates that:
    - e) the lot has an area of 3,960 square feet or less;
    - f) the lot is a corner lot or adjacent to a corner lot;
    - g) the access to the lot's required off-street parking is from a rear alley; and
    - h) the portion of the alley adjacent to the lot has a slope of 10 percent or more.

Since the inception of the S.M.A.R.T. Housing Program in 2000 through Fiscal Year 2011-12, approximately 6,800 single family units have been built, and out of all this construction, less than 10 structure required waivers.





3) Council requested: Provide information related to the total number of permits issued broken down by subdivision/ SF/ duplex. Provide an estimate of how many projects are submitted with a slope of 3- 4 feet based on a sampling of the referenced permits (per Council discussion).

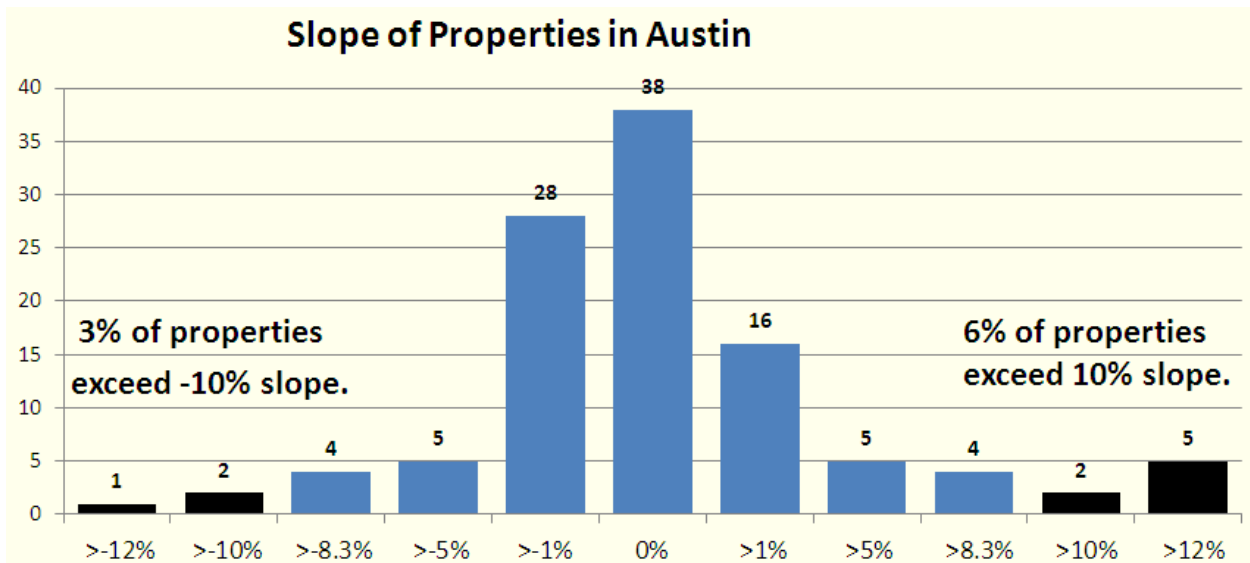
Staff performed a sampling of 3% of Single Family construction in Austin, and randomly selected 110 properties throughout Austin's jurisdiction, as illustrated by the map below.



The chart below summarizes the sampling from the map above. The slope of a property is measured from the front property line to the rear property line.

Staff found that:

- Representation of sampling of new construction throughout Austin.
- Staff looked at the slopes of 3% of new SF construction (110 properties).
- Slope is from the front of the property to the rear property line.
- 6% of properties have >10% slope and 3% have > -10% slope.
- 5% of properties exceed 12% slope and 1% exceeds -12% slope.



4) Council requested: Work with stakeholders to develop a fee-in-lieu option in order to provide a choice to a builder to comply or pay a fee to be used by NHCD for visitability improvements.

Staff collaborated with stakeholders on a Fee in-lieu option:

- Stakeholders supporting mandatory visitability do not support any fee in-lieu option.
- Stakeholders not supporting visitability do support a fee in lieu of option.
- Stakeholders discussed that a reasonable fee could be \$2,000 per structure or 1% of the valuation of construction, whichever is greater.
- Neighborhood Housing Department would manage the program. The fees received must be spent in the general vicinity and for the same purpose.
- Staff discussed a program like this can be cumbersome and require more staff time.



5) Council requested: Bring the item back for second/ third reading after Council has had an opportunity to hear the recommendations of the Mayor's Task Force on Aging, scheduled to present to Council in August.

The Mayor's Task Force on Aging provided a briefing to City Council on August 29, 2013. The Task Force strategy included three Goals.

Goal 1. Focus on Age-Inclusive Policies. Strategy included:

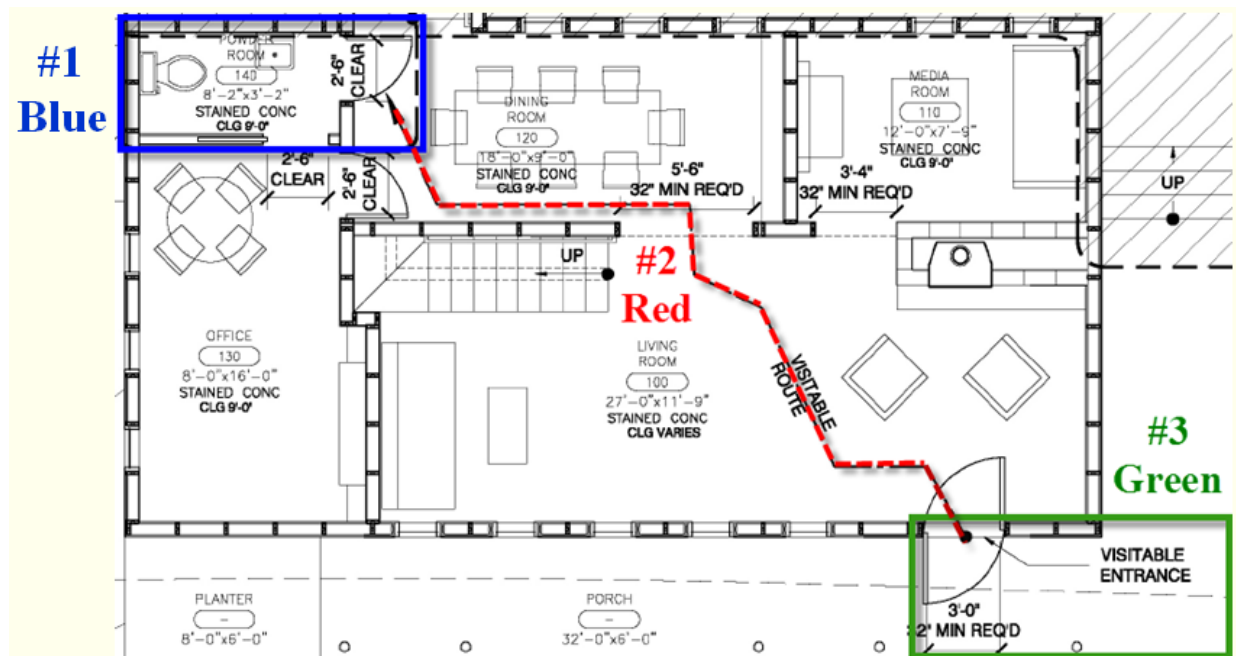
- Integrate Age-Inclusive Policies as Criteria for City Decision-Making, and Promote positive impacts on Seniors.
- Expand Home Modification and Repair Services

Goal 2. Focus on Affordable Housing

Goal 3. Focus on Integrating Seniors into Civic Life.

## 5. VISITABILITY CONSTRUCTION

a. Staff conducted additional Stakeholder meetings and discussed the following 3 components to visitability below.



### 3 Elements to Visitability:

#### **1<sup>st</sup> Element – Visitable Bathroom (Blue)**

- Require a Visitable bathroom or ½ bath on the first floor,
- Require 30 inch clear doorway, and
- Require wall reinforcement/blocking in visitable bathroom.
- Require light switches, receptacles and environmental controls at a reachable height.

#### **2<sup>nd</sup> Element - Interior Visitable Route (Red)**

- Require No Step threshold entrance of the structure,
- Require a minimum clear opening of 32 inches beginning at the visitable entrance continuing through the living room, dining room, and kitchen.

#### **3<sup>rd</sup> Element - Exterior Visitable route (Green)**

- Require exterior visitable route to the No-Step entrance for all new construction effective January 1, 2016.

b. Planning at pre-construction for an Exterior Visible Route




Visitability can be attained through planning. Site development is essential to accomplishing visitability. The Bradshaw Crossing development below consists of slopes from 3% to 11%, and the developer was able to provide visitability for the completed subdivision.



**c. How the Adopted 2012 International Residential Code addresses Extreme Terrain and the Code requirements for Ramps.**

In cases of extreme terrain, the International Residential Code (IRC) provides prescriptive requirements for ramps.

**“Ramp”**- defined by the Adopted 2012 International Residential Code (City Code 25-12-241) as:  
A walking surface that has a running Slope > 5%.

Slope < 5 %	Slope > 5 % < 8.3%	Slope > 8.3 % < 12.5%
		
<p>This is NOT a ramp. This is just a walking surface because the Slope is &lt; 5%.</p>	<p>The walking surface above has a running slope &gt; 5%, so this is a Ramp. The ramp must comply with the IRC requirements:</p> <ul style="list-style-type: none"><li>- have a maximum 1:12 slope (8.3%), and</li><li>- have a 3'x3' Landing.</li></ul>	<p>A walking surface with a running slope &gt; 8.3% (1:12), must:</p> <ul style="list-style-type: none"><li>- have a 3'x3' Landing;</li><li>- requires a handrail on one side; and</li><li>- Maximum allowable slope is 12.5%.</li></ul>

**“Ramp Exceptions “– As provided in the Adopted 2012 International Residential Code,** which is a prescriptive code, currently provides numerous exceptions for a variety of construction requirements relating to Ramps.

The IRC lists the following exceptions for Ramp construction. (City Code 25-12-241)

R311.8.1 Ramps shall have a Maximum slope of 1:12 (8.3%).

**Exception:** Technically infeasible to comply because of site constraints, ramps may have a maximum slope of 12.5%.

R311.8.2 Landing is required.

R311.8.3 Handrails required for all ramps exceeding a slope of 1:12 (8.3%).

## **5. Stakeholders Agreed on the following waivers.**

Staff met with stakeholders in October 2013 for a follow up meeting to discuss the exterior visitable route. All stakeholders agreed on the following 3 exceptions to waiver the exterior visitable route requirement.

### **1. Single Family zoned lots of 3,600 Square feet or less.**

#### **Staff Findings:**

- *The 3,600 SF lot is a SF-4A zoned lot and is used as one of the exceptions for Smart Housing.*
- *SF-4A lot size create design limitations for visitability.*
  1. *Has a minimum width of 40 feet which results in a 90 foot depth.*
  2. *Has a 15 foot front yard setback, creates design limitations to build an exterior visitable path from the street or sidewalk.*
  3. *The visitable route would likely exceed 10% slope.*
  4. *Creates additional challenges with parking, impervious cover limit of 65%, or if a garage can be included in the design.*
- *The exterior visitable route creates the ability for citizens to “age in place”. Visitability does not meet the Federal and State guidelines for accessibility.*
- *The Mueller Development PUD consists of small lots less than 3,600 SF. However visitability was accomplished from the alley access.*
- *There was discussion at the end of the October 2013 stakeholder meeting, but not all stakeholders were present. The discussion involved changing the lot size from 3,600 to 5,750, however, the impact was not discussed nor clarified.*

### **2. Lots with 10% or greater slope at pre-development;**

#### **Staff Findings:**

- *Staff performed a survey of development across the City and found that less than 6% have slopes greater than 10%, and 3% have a negative slope greater than 10%.*
- *Smart Housing (City Code 25-1-703) exempts slopes exceeding 10%, per the Fair Housing Act language (City Code 5-1-133). This exemption has been utilized by the Smart Housing Program as a waiver.*

### 3. Switchback ramps are not required.

#### **Staff Findings:**

- *Switchbacks ramps will not be required because they change the aesthetics and characteristics of a neighborhood.*
- *This ordinance provides for visitability, with reasonable expectation of a developer or builder, and does not provide accessibility.*

Switchback Ramps are not required. See examples below.





## Resources:

<http://www.concretechange.org/>

<http://www.udeworld.com/visitability.html>

Chart below from udeworld.com summarizes Visitability Laws across the U.S.  
Available through the Center for Inclusive Design and Environmental Access.

RERC on Universal Design at Buffalo

School of Architecture and Planning--University at Buffalo

Updated January 2008

Date	Location	County	Types of Homes	Subsidized / Unsubsidized	Mandatory / Voluntary	Number of Homes Built	Link to Ordinance	Enforcement	Contact Information	Entrance to Home	Interior doors & Accessible Route	Bathrooms	Light switches, thermostat, electrical outlets, electrical panel, etc./Added Features /Comments
1992	Atlanta, GA	City of Atlanta	Single family homes	Any federal, state, or city financial benefits dispersed through the City	Mandatory	700-1000	<a href="http://www.concretechange.org/Atlanta.htm">http://www.concretechange.org/Atlanta.htm</a>	Bureau of Buildings	404-330-6150 bobinfo@atlantaga.gov	At least one no-step entrance on accessible route; minimum opening 32 inches	All interior doors, minimum 32 inch opening and lever handles. 36 inch wide level route provided through main floor of unit	Bathroom walls reinforced	Maximum 48 inch height, minimum 15 inch height. Oldest ordinance that requires minimal accessible features; used to help the state of Georgia construct the state accessibility statute.
1997	Freehold Borough, NJ	Monmouth County	Public and Private dwellings		Voluntary/incentive								Waives construction permit fees for the addition or construction of accessibility features. The ordinance does not explicitly define what qualifies as accessibility features, but the city has shown a willingness to waive fees for commonly recognized features such as ramps. To date, however, the fee waivers have only been applied to rehabilitation of existing homes. The applicability of the ordinance to accessibility features offered in new homes has not been tested because Freehold Borough has very little new construction activity.
1998	Austin, TX	Travis County	New single family homes, duplexes, triplexes	Subsidized (any public funds)	Mandatory	2700	<a href="http://www.concretechange.org/austin.htm">http://www.concretechange.org/austin.htm</a>			At least one no-step entrance on accessible route; minimum opening 32 inches	All interior doors on first floor, minimum 30 inches opening and lever handles. 36 inch wide level route provided through main floor of unit.	First floor bathroom walls reinforced	For first floor, max 42 inch height, minimum 15 inch height
1999	Irvine, CA	Orange County	New single family homes		Voluntary								* Universal Design Program - Home builders can offer any combination of 33 features to prospective home buyers including all of the above.
2000	Urbana, IL	Champaign County	New single family dwellings or 1 to 4 units, duplexes and triplexes	Subsidized (city funds)	Mandatory	Approximately 24 homes	<a href="http://www.concretechange.org/urbana.htm">http://www.concretechange.org/urbana.htm</a>	Building Safety Division	Gordon Skinner Building Safety Division Manager 400 S. Vine, Urbana, IL 61801 (217) 384-2431 gskinner@cityofurbana.org	At least one no-step entrance on accessible route; minimum opening 32 inches	All doors or openings minimum 32 inches. Corridors shall be at least 36 inches wide.	Bathroom walls reinforced	Maximum 48 inch height, minimum 15 inch height. Additional requirements for accessible route to the home regarding landing, non-slip surfaces, and slopes; Handicapped Accessibility Retrofit Program (HARP) provides grants to help fund the elimination of barriers and the addition of accessibility modifications
2001	Visalia, CA	Tulare County	New single family homes		Voluntary/Certificate Program					Zero-step entry, usually through the garage. A maximum of 1 inch threshold at this entrance.	32 inch minimum; lever handles	Bathroom walls reinforced	* Voluntary "Visible Home Program" and Guidelines. Builders receive a "Certified Visible Home" logo.

2001	San Mateo County, CA	San Mateo County			Consumer Awareness					At least one no-step entrance. (The location of the no-step entrance is not specific as long as the path of travel to the entrance is accessible.)	A minimum width of 2'8" shall be provided for the no step entry doorway, hallway access to the bathroom and at the bathroom doorway.		Taskforce recently published 2 new brochures on accessible housing, one on Universal Design and one on Residential Viability.
2001	Howard County, MD	Howard County			Consumer Awareness								The mission of the Homes For Life Coalition of Howard County is to increase the number of new and renovated homes that are safe, convenient and welcoming to all residents of Howard County. Public education and awareness are the principal means used to accomplish their goal.
2001-2002	Albuquerque, NM	Bernalillo County	All new homes	Subsidized and unsubsidized	Consumer Awareness/Voluntary								Community conversation on need for accessibility in affordable housing began in 2001. Developed Universal Design "package", which includes 30 UD features. Builders and architects attending orientation and incorporating at least some of the features were included in a brochure. Awards given at annual banquet for homes including UD features. Informational meetings still occur.
2002	San Antonio, TX	Bexar County	New single family homes, duplexes, triplexes	Subsidized (city, state or federal funds)	Mandatory	7000+	<a href="http://www.aacretechange.org/sanantonioink.htm">http://www.aacretechange.org/sanantonioink.htm</a>			Zero-step entry	32 inch minimum	Blocking in Bathroom walls	
2002	Onondaga County, NY	Onondaga County	New single family homes and duplexes	Subsidized (county assistance)	Voluntary					Zero-step entry	32 inch minimum on first floor. Maneuvering clearance on 1st floor bathrooms and kitchens.	Blocking in Bathroom walls	Lowered controls
2002	Southampton, NY	Suffolk County	New one- and two- family detached housing		Voluntary/Incentive Based					One step-less entry	32 inch clearance on first-floor doors - 32 inch wide hallways		1/2 bath on first floor that is wheelchair maneuverable. A \$300 credit is offered for building larger homes that have more expensive permit fees. If builder or homeowner include home modifications to aid persons with impairments, building permits are fast-tracked.
2002	Naperville, IL	Du Page County	All new single family homes	All homes (Subsidized and Unsubsidized)	Mandatory					No Requirements	Wider first floor interior doors	Bathroom walls reinforced	Electrical outlets and light switches that are reachable by someone in a wheelchair

2002	Pima County, AZ (Tucson)	Pima County	All new single family homes	All homes (Subsidized and Unsubsidized)	Mandatory	15,000 plus viable homes built; 100 homes were exempted from zero step entrance because of site conditions - less than one per cent.	<a href="http://www.aacretechange.org/pimacounty.htm">http://www.aacretechange.org/pimacounty.htm</a>			Zero-step entry	32 inch minimum for interior doors and 30 inch hallways.	Grab bars	Electrical outlets and light switches that are reachable by someone in a wheelchair. Initial title "Viability Code" changed to "Inclusive Home Design Ordinance" (See <a href="http://www.cajima.az.us/cd/test/pdf/020502AG.PDF">http://www.cajima.az.us/cd/test/pdf/020502AG.PDF</a> )
2002	Long Beach, CA	Los Angeles County	All single-family or duplex dwelling units	Subsidized (city funds)	Mandatory					At least one no-step entrance on accessible route.	32 inch minimum for interior doors and corridors shall be at least 36 inches wide.	Bathroom door opening shall provide a minimum of 32 inches nominal clear space. A 34 inch door is acceptable. A clear space measuring 30 inch by 48 inch and grab bar backing.	Maximum 42 inch above the floor inside bathroom
2002	Iowa City, IA	Johnson County	All dwelling units	All subsidized	Mandatory		<a href="http://www.aacretechange.org/iowa_city.htm">http://www.aacretechange.org/iowa_city.htm</a>		Housing Authority City of Iowa City - 410 East Washington Street - Iowa City, IA 52240	Zero-step entry	32 inch minimum	Bathroom walls reinforced	
2003	Syracuse, NY	Onondaga County	New single family homes		Voluntary						Including but not limited to the utilization of 36 inch wide doors at entrances and throughout the first floor		*It makes referrals to ICC/ANSI standards and encourages development of homes built to meet these standards. The Viability guideline in Syracuse does not require viability, not because of state law, but because the County Council did not pass an ordinance - just a recommendation.
2003	Bolingbrook, IL	Will County	All new single detached dwelling unit.	All homes (Subsidized and Unsubsidized)	Mandatory		<a href="http://www.aacretechange.org/bolingbrook.htm">http://www.aacretechange.org/bolingbrook.htm</a>			Zero-step entry	36 inches minimum for interior doors and 42 inch wide corridors.	Blocking in bathrooms	Half bath on main floor-- the city is rewriting its building code to require that 10 percent of single-family homes or townhouses in a planned development be viable and 10 percent be adaptable. There is also 32 inch door clearance on the second floor.
2003	Escanaba, MI	Delta County	Property Owners	All homes	Voluntary/C consumer incentive					No-step entry	32 inch clearance on first-floor doors and an accessible route	Bathroom walls reinforced	\$150 rebate from the city to property owners who incorporate these features after a compliance inspection. The Viability Ordinance, No. 1024



2003	Chicago, IL	Cook County	20 percent single family homes and townhomes in planned developments must be "adaptable" or "vitable"	All homes	Mandatory							Visitable Homes: stair-free entrance, wide doors on first floor, usable bathroom and one room that can be used as bedroom. Adaptable Homes have a stair-free entrance, usable kitchen, bathroom and wide door on all floors and a shaft or staircase in which a buyer can install a wheelchair lift.
2003	St. Louis County, MO	St. Louis County	Any homes built with county funds	All homes: New construction and substantial rehabilitation	Mandatory							County council strongly recommends that St. Louis County incorporate into its construction financing programs a requirement that UD principles and features be utilized in the planning, design and construction of residential development projects that serve low and moderate income households.
2004	Houston, TX	Harris County		Affordable housing	Voluntary/Incentives to developers							ORDINANCE 2004-0024: appropriating \$200,000.00 out of Low Income Housing Fund 162 and adopting Guidelines to establish a Voluntary Viability Program to provide incentives to developers of Affordable Housing to Implement the Design Specifications of Ordinance No. 2003-1239 (\$400/per home for affordable housing developers who voluntarily make their units wheelchair accessible)
2004	Pittsburgh, PA	Allegheny County	Pittsburgh Viability Ordinance	Newly constructed or substantially renovated single family dwellings, duplexes, triplexes, town houses and row houses	Tax Incentive							Any structure hit with a property tax increase because of disabled-related building improvements will receive up to a \$2500 tax credit over five years. The credit is only on city property taxes.
2004	St. Petersburg, FL	Pinellas County	All new one to three units homes.	Subsidized (city funds)	Mandatory	64 single-family home permits issued so far. 10 additional plans have been submitted for review, but have not received permits yet.				Kristen Mary Community Affairs Department Phone: 727-892-5507; Fax: 727-892-5064 TDD/TTY: (727) 892-5259 www.stpete.org/comaf/kalm		At least one no-step entrance on an accessible route. (The inclusion of a ramp shall not be required where grading is impractical or when a ramp is not acceptable to the applicant seeking financial assistance from the City.) 32 inch minimum; lever handle hardware is required on all swinging doors along the accessible route. All hallways and passageways on the first floor of the dwelling unit shall be a minimum of 44 inches in width. Bathroom on the first floor shall be designed to allow sufficient clear floor space for a rectangle measuring 30 inches wide by 48 inches long; reinforcement blocking of bathroom walls. Light switches, thermostats or electrical panel maximum 48 inches above the floor; electrical outlets shall be at least 15 inches above the floor. Any electrical panel located outside the dwelling unit shall be no higher than 42 inches above the ground, or at least 18 inches above the ground and adjacent to an accessible route.
2005	Toledo, OH	Lucas County	All new one to three units homes.	Subsidized (any government funds) and built within the City of Toledo	Mandatory					<a href="http://disabled.scohen/index.cfm?Article=1311">http://disabled.scohen/index.cfm?Article=1311</a>		Provide at least one no step entrance. The required no step entrance shall be accessed via a visible route. All doors and openings shall have a minimum net clear width of 32 inches. All hallways and corridors on the main floor shall be at least 36 inches in width. Provide a bathroom or half bath on the main floor with clear floor space of 30 inches wide by 48 inches long. All walls in the required bathroom/half bath shall have reinforcing/bolting in the walls to allow for future installation of grab bars. Wall electrical outlets on the main floor shall be mounted at least 15 inches above the finished floor. Light switches, thermostats and other control devices on the main floor shall be mounted no higher than 48 inches above the finished floor.
2005	Auburn, NY	Cayuga County	All new one to three units homes.	Subsidized (city funds)-single-family homes, duplexes and triplexes which are constructed with public funds	Mandatory							Applicable dwelling units shall be designed and constructed to have at least one building entrance on an accessible route served by a ramp or a slope, in compliance with American National Standards Institute (ANSI) standards, with a maximum slope of 1:12, unless it is impractical due to characteristics of the terrain. This entrance should have an accessible door in accordance with ANSI. All dwelling units, whether or not on an accessible route, shall be designed in such a manner that the doors be sufficiently wide to allow passage into and within all premises by persons in wheelchairs. Lever hardware is required. An accessible route shall be designed and constructed in such manner that a 36" wide level route, except at doors, must be provided through the main floor of the unit with ramped or beveled changes at the thresholds. Usable first floor bathroom with wheelchair maneuvering clearance as set forth in ICC/ANSI A117.1 - 1998. Reinforcement in the walls be provided at designated locations as specified by the American National Standards Institute (ANSI) for future grab bar installation. All applicable dwelling units shall be designed and constructed in such a manner that all premises contain light switches, electrical outlets, thermostats and other controls in accessible locations, no higher than 48" and no lower than 16" from the floor. Usable first floor kitchen with wheelchair maneuvering clearance as set forth by the International Code Council (ICC)/ANSI A117.1 - 1998.
2005	Prescott Valley, AZ	Yavapai County			Voluntary							Exterior Route - provide for one exterior route that may originate from the carport, driveway, or sidewalk. No-step Entry - provide a door entrance with a minimum width of 32 inches Main Pathway - provide a 36-inch wide pathway through; the main floor of the house that provides for access to all Bathroom Wall Reinforcement - provide wall reinforcements to support future installation of grab bars adjacent to the tub and toilet.
2005	Saratoga, PA	Lackawanna County	All new one to three units homes.	Subsidized (city funds)-single-family homes, duplexes and triplexes are constructed with public funds	Mandatory							At least one building entrance must be accessible by ramp. Building entrances, interior doors and hallways must be a minimum of 32 inches wide. Bathroom walls are to be reinforced to accommodate grab bars. Light switches, electrical outlets and thermostats must be within reach of wheelchairs.

2005	Arvada, CO	Jefferson County	15% of all new dwelling units must be visitable or adaptable; an additional 15% must include interior visitable features.		Mandatory	<p>Visitable dwelling unit shall be provided with a step-free or accessible entrance on an accessible route that complies with ANSI A117.1-1998, section 4.8, and that has a maximum slope not to exceed 1:12. The step-free or accessible entrance may be located on the front, side, or rear of the dwelling unit, or may be located through the garage. Adaptable unit must be pre-engineered to easily accommodate a step-free or 1-step entrance.</p>	<p>All interior doors on the accessible floor level of such dwelling unit, except those serving closets, or serving pantries less than fifteen (15) square feet in area, within individual visitable dwelling unit, intended for user passage must provide a minimum net clear opening of thirty-two (32) inches when the door is open ninety degrees, as measured between the face of the door and the opposite stop.</p>	<p>The accessible floor level of such dwelling units shall have a minimum of one (1) bathroom, which bathroom shall, at a minimum, contain a toilet and sink, and be designed and constructed to those with assistive devices can enter and close the door behind them. Walls of the visitable bathroom shall be provided with wood blocking installed flush with</p>	<p>At least one model home within each qualifying residential development shall be built with a step-free building entrance and all interior visitability features. This model home shall be one of the floor plans identified as appropriate for placement on an identified lot within that development. 7.1206.2. Option list, interior visitable features and all building entrance construction options, including a step-free entrance, shall be listed on the option list for qualifying residential developments. Opt-out fee: \$1,000 per subunit unit with interior visitable features; \$2,500 per subunit visitable or adaptable unit; \$10,000 for subunit visitable model home. Fee used to assist in making existing housing stock visitable. Requirements do not apply to custom homes as defined by ordinance.</p>
						<p>All interior hallways on the accessible floor level of such dwelling unit shall have a minimum width of not less than thirty-six (36) inches (914 mm), be level, and provide ramped or beveled changes at door thresholds. Levered hardware required.</p>	<p>All interior hallways on the accessible floor level of such dwelling unit shall have a minimum width of not less than thirty-six (36) inches (914 mm), be level, and provide ramped or beveled changes at door thresholds. Levered hardware required.</p>	<p>wall framing to support grab bars as set forth herein. The wood blocking shall be located between thirty-three (33) inches (829 mm) and thirty-six (36) inches (914 mm) above the finish floor. Height shall be determined by measuring from the finish floor to the center of the wood blocking. The wood blocking shall be located in all walls adjacent to a toilet, shower stall, or bathtub.</p>	

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975	2976	2977	2978	2979	2980	2981	2982	2983	2984	2985	2986	2987	2988	2989	2990	2991	2992	2993	2994	2995	2996	2997	2998	2999	3000	3001	3002	3003	3004	3005	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							Ramp Type 1: between 1:8 and 1:10 for a maximum rise of 3 inches, Ramp Type 2: A slope between 1:10 and 1:12 for a maximum of rise of 6 inches, Ramp Type 3: A slope of 1:12 for a maximum rise of 30 inches, A landing shall be located at the top and bottom of any rise of 30 inches, (2) Width: The "suitable" route shall have a minimum width of 36 inches, (3) Landings: Landings in a "suitable" route shall be not less than 36 inches by 36 inches in size.
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2007	Davis, CA	Yolo County	100 percent of all new market rate and middle income SF residential units shall be developed with visitability and all new SF affordable residential units shall be developed with first floor accessibility (includes bedroom)	Target of 100 percent visitability	Voluntary (Facilitate inclusion of accessibility and visitability features to the greatest extent possible, including use of incentives)			Planning Commission and City Council have authority to issue waivers and/or modify the requirements (Housing Policy 1.41)	One zero threshold at ground or primary floor of the unit. An accessible exterior path of travel to the zero threshold entry.	An accessible interior path of travel within the unit on its ground or primary floor (wider hallways and doorways).	An accessible half or full bath on the ground or primary floor (with the inclusion of grab bar blocking reinforcement to facilitate easy grab bar installation).	An accessible common room (does not include kitchen). Exempt Projects: Projects consisting of fewer than 5 units; projects with net densities of 12.5 units/acre or greater; projects of 15 units or fewer that are developed within the Core Area. Project to be evaluated in 2010 after it has been applied to a variety of projects. Determine if any modification should be made, including consideration of converting the policy to an ordinance.
2007	Lafayette, CO	Boulder County	All new housing	The 25% requirement would apply regardless of whether the development consisted of single-family detached or multi-family units. Mixed-use developments that include a vertical mix of uses and have greater than 75% of the units located above the ground floor will be exempt from the requirements.	Mandatory	None yet due to recent passage		Phillip Patterson, Director of Planning and Building 1290 S. Public Road Lafayette, CO 80026 303-665-5588 303-665-2153 fax www.cityoflafayette.com	The visitability components include one zero-step entrance route with a minimum width of 36 inches and maximum slope of 1:12 or 8%.	The visitable doors would allow for a minimum 32 inch clear opening.	Visitable floor levels would require a minimum one-half (1/2) bath with a clear floor area of 30 x 48 inches. Every bathroom, regardless of its location within the structure, would require blocking in the walls for the purposes of installing grab bars next to toilets, bathtubs and showers.	City Council could accept a cash-in-lieu payment by a developer if requested prior to the preliminary plan review. Any cash-in-lieu payments would be set aside to assist existing, qualified (as determined by Council) homeowners in retrofitting their homes. The Commission may recommend a waiver of the requirements, specifically the zero-step entrance, subject to excessive slope or other site conditions, or existing property restrictions such as excessive easements.
2008	Pittsburgh, PA	Allegheny County	Act 132 Residential Visitability Tax Credit Program	Newly constructed or substantially renovated single family dwellings, duplexes, triplexes, town houses and row houses	Tax Incentive for new construction or renovation projects that build access for people with disabilities into residential housing							The total amount of the tax credit granted through the program is \$2,500 over five years, or the total amount of all increases in property taxes levied as a result of the construction/renovation that is eligible for the credit, whichever is less.