

ORDINANCE NO.

**AN ORDINANCE AMENDING CITY CODE TITLE 25 RELATING TO
REGULATIONS FOR THE CONSTRUCTION OF DISABLED ACCESS RAMPS
FOR SINGLE-FAMILY AND DUPLEX RESIDENTIAL UNITS.**

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

PART 1. Section 25-2-513 (*Openness of Required Yards*) of the City Code is amended by adding a new subsection (H) that reads as follows:

(H) A ramp for an existing single-family or duplex residential unit may be constructed in a required yard if:

(1) a disabled individual:

(a) requires access to a dwelling entrance that meets the requirements of the Residential Code, Section R320.6 (*Visitable dwelling entrance*); and

(b) submits an affidavit verifying that a disabled occupant requires access to the dwelling;

(2) the ramp:

(a) is no wider than 48 inches, except that any portion of the ramp required for turns may be no wider than 60 inches;

(b) may have a hand railing, but may not have a roof or walls; and

(c) the building official determines that the ramp will not pose a threat to public health and safety; and

(3) encroachment into the required yard:

(a) is the minimum amount necessary to provide disabled access;

(b) does not extend more than three feet into a side yard setback;
and

(c) is not located in a rear yard setback unless:

(i) the dwelling is located on a corner lot;

- (ii) access is from an alley; or
- (iii) another requirement of this title prohibits location of the ramp in the front or side yard.

PART 2. Subsection (C) of Section 25-8-63 (*Impervious Cover Calculations*) of the City Code is amended to read as follows:

(C) Impervious cover calculations exclude:

- (1) sidewalks in a public right-of-way or public easement;
- (2) multi-use trails open to the public and located on public land or in a public easement;
- (3) water quality controls, excluding subsurface water quality controls;
- (4) detention basins, excluding subsurface detention basins;
- (5) drainage swales and conveyances;
- (6) ponds, pools, and fountains;
- (7) areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base;
- (8) porous pavement designed in accordance with the Environmental Criteria Manual, limited to only pedestrian walkways and multi-use trails, and located outside the Edwards Aquifer Recharge Zone;
- (9) fire lanes designed as prescribed by the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from routine vehicle access; ~~and~~
- (10) an access ramp for an existing single-family and duplex residential unit if:
 - (a) a disabled individual requires access to a dwelling entrance that meets the requirements of the Residential Code, Section R320.6 (*Visitable dwelling entrance*);
 - (b) the disabled individual submits an affidavit verifying that a disabled occupant requires access to the dwelling;

(c) the building official determines that the ramp will not pose a threat to public health and safety;

(d) the ramp:

(i) is no wider than 48 inches, except that any portion of the ramp required for turns may be no wider than 60 inches; and

(ii) may have a hand railing, but may not have a roof or walls; and

(e) the ramp is located in a manner that utilizes existing impervious cover to the greatest extent possible if:

(i) impervious cover on the property is at or above the maximum amount of impervious cover allowed by this title; or

(ii) if placement of the ramp would result in the property exceeding the maximum amount of impervious cover allowed by this title; and

(11) [(40)] a subsurface portion of a parking structure if the director of the Watershed Protection Department determines that:

(a) the subsurface portion of the structure:

(i) is located within an urban or suburban watershed;

(ii) is below the grade of the land that existed before construction of the structure;

(iii) is covered by soil with a minimum depth of two feet and an average depth of not less than four feet; and

(iv) has an area not greater than fifteen percent of the site;

(b) the structure is not associated with a use regulated by Section 1.2.2 of Subchapter F of Chapter 25-2 (*Residential Design and Compatibility Standards*);

(c) the applicant submits an assessment of the presence and depth of groundwater at the site sufficient to determine whether groundwater will need to be discharged or impounded; and

(d) the applicant submits documentation that the discharge or impoundment of groundwater from the structure, if any, will be managed to avoid adverse effects on public health and safety, the environment, and adjacent property.

PART 3. This ordinance takes effect on _____, 2014.

PASSED AND APPROVED

_____, 2014 § _____
Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____
Karen M. Kennard Jannette S. Goodall
City Attorney City Clerk