



**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 134
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: Conduct a public hearing and approve proposed amendment to Chapter 5-1 of the City Code relating to accessibility for the mobility impaired in housing constructed with public funds.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Neighborhood Housing **DIRECTOR'S**
DEPARTMENT: and Community **AUTHORIZATION:** Paul Hilgers
Development

FOR MORE INFORMATION CONTACT: Paul Hilgers, Director, Neighborhood Housing and Community Development, 974-3108.

PRIOR COUNCIL ACTION: Visitability Ordinance approved, October 7, 1998 (Ordinance 981007); Visitability Ordinance amended, January 15, 2004 (Ordinance 040115-45).

BOARD AND COMMISSION ACTION: Recommended by Mayor's Committee for People with Disabilities and the Community Development Commission

PURCHASING: N/A

MBE / WBE: N/A

The Neighborhood Housing and Community Development Department recommends amendment to the Visitability Ordinance that will increase the number of new single family homes, duplexes and triplexes that will be accessible to people with disabilities. The major features of the proposed amendments are the following:

1. Allows waiver applications on small lots in historic districts where the slope from the public right-of-way to the entrance is equal to or greater than 10%.
2. Allows waiver applications on small corner lots or small lots next to corner lots where alley slope is equal to or greater than 10% and parking access is from the alley.
3. Requires that a copy of a waiver request be sent to registered interested parties who may comment on the waiver request and appeal decisions on waivers to the Building and Fire Code Board and/or the City Council.
4. Allows an alternate method of compliance for a person with disability to access a home from a parking space located in the public right-of-way.

TO : Mayor and City Council Members

FROM : Austin Mayor's Committee for People with Disabilities

SUBJECT : Amendments to Visitability Ordinance

DATE : May 25, 2005

SIGNED :

On May 9th at the regular monthly meeting of the Austin Mayor's Committee for People with Disabilities (AMCPD), the Committee unanimously voted to support the proposed amendments to the City's Visitability Ordinance presented by the staff from the Department of Neighborhood Housing and Community Development. The Mayor's Committee is satisfied with the level of citizen participation in the process for changing the ordinance that resulted in the final draft of the amendments presented for City Council consideration. Our support comes as a result of four months of work and negotiations with City staff, interested parties and citizens.

The proposed amendments would codify existing administrative procedures for granting waivers under the ordinance. We are pleased with the provisions in the draft ordinance that allow interested parties to register and receive notice of waiver applications and decisions. These provisions further strengthen citizen participation in the waiver process, which includes the notice requirements in the existing ordinance to the Mayor's Committee and the Community Development Commission.

The AMCPD believes the changes to this ordinance will result in an overall greater number of Visitable homes in our community. This goal is enhanced by the proposed alternative method of compliance, which offers greater flexibility to developers while insuring comparable access to visitable homes. Section 5-1-141(B) allows an alternate method of compliance from a parking space located in the public right-of-way within 200 feet of the building entrance connected to a sidewalk in the public right-of-way and/or a sidewalk on the property to the no-step entrance or ramp adjacent to the front, side, or rear building entrance.

The AMCPD strongly supports and encourages the Austin City Council's adoption of the draft amendments to the Visitability Ordinance when this item is placed on the Council agenda.

C: Paul Hilgers, Director, Neighborhood Housing Community Development
Sabino Renteria, Chair, Community Development Commission
