

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2013-023 ADA Ramps

Description: Consider an ordinance amending Title 25 of the City Code to allow placement of ADA compliant ramps in required yards constructed by non-profit initiatives.

Proposed Language: TBD

Background: Initiated by Council Resolution 20130808-060.

On August 8, 2013, the City Council directed the City Manager to initiate an amendment of Title 25 to exempt ADA compliant ramps for dwelling units from rear, side, and front setback requirements.

Staff Recommendation: Staff recommends the proposed code amendment.

Board and Commission Actions

September 17, 2013: To be reviewed by the Codes and Ordinances Subcommittee.

September 24, 2013: To be reviewed by Planning Commission.

Council Action

October 3, 2013: A public hearing has been set for City Council.

Ordinance Number: NA

City Staff: John McDonald **Phone:** 974-2728 **Email:** john.mcdonald@austintexas.gov

ADA Ramps: Sections of the Code to be amended:

ARTICLE 2. PRINCIPAL USE AND DEVELOPMENT REGULATIONS.

§ 25-2-513 OPENNESS OF REQUIRED YARDS.

(A) Except as otherwise provided in this section, a required yard must be open and unobstructed from finished grade to the sky. This restriction does not apply to a yard or part of a yard that is not required by this article.

(B) A window sill, belt course, cornice, flue, chimney, eave, box window, or cantilevered bay window may project two feet into a required yard. The two foot limitation does not apply to a feature required for a passive energy design.

(C) Uncovered steps or a porch or stoop that is not more than three feet above ground level may project three feet into a required yard.

(D) A parking area may be located in a required yard, unless prohibited by [Article 10](#) (*Compatibility Standards*).

(E) In a townhouse and condominium residence (SF-6) or more restrictive district, a pool, including a swimming pool, reflecting pool, or fountain, may be located in a required yard.

(F) Landscaping may be located in a required yard.

(G) This subsection applies to a building located in a multifamily residence medium density (MF-3) or more restrictive district. A covered porch that is open on three sides may project five feet into a required front yard.

§ 25-2-532 IMPERVIOUS COVER LIMIT EXCEPTIONS.

(A) This section applies to property that had existing development or that was included in a released site plan on March 10, 1996.

(B) Development may exceed the impervious cover limits of this article if the director determines that the amount of impervious cover proposed is the minimum necessary to comply with the accessibility standards of the Americans with Disabilities Act or Chapter [25-12](#), [Article 1](#) (*Uniform Building Code*).

RESOLUTION NO. 20130808-060

WHEREAS, non-profit organizations such as the Texas Ramp Project build accessible ramps that enable individuals to enter and exit their dwelling units safely; and

WHEREAS, in many cases, individuals cannot transition from institutional care to home care because they do not have ramp accessibility to their homes; and

WHEREAS, the existing permitting process for ramps can delay an individual's access to his or her home; and

WHEREAS, staff have implemented expedited review processes for certain applications, such as those related to windows and siding; and

WHEREAS, the individuals who receive assistance from the Texas Ramp Project are referred from agencies such as Meals on Wheels and Hospice Austin and have significant financial need; and

WHEREAS, the Texas Ramp Project uses volunteer teams to build ramps in Austin at no cost to the ramp recipient; and

WHEREAS, most ramps can be constructed for less than \$700, and the city permit cost represents a large percentage of the overall cost relative to other construction projects; **NOW, THEREFORE,**

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

The City Manager is directed to consider the following revisions as they would apply to non-profit organizations that use 100% volunteer teams to construct accessible ramps at no financial cost to the ramp recipient. The revisions would only apply to existing single family and duplex residential dwelling units.

The City Manager is directed to consider a revised process that would expedite each required review so that applications to construct access ramps to dwelling units by non-profit entities could be reviewed in five business days or fewer. The City Manager is further directed to report back to Council by August 29, 2013 about the proposed process.

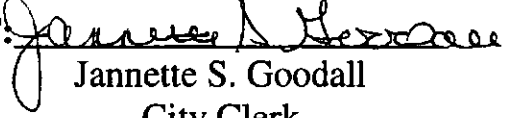
BE IT FURTHER RESOLVED:

The City Manager is directed to review potential amendments to the 2012-2013 Planning Development Review Department fee schedule to reduce or eliminate fees for the construction of ramps for dwelling units built by nonprofit entities for income-eligible individuals. The reduced fees will only apply to an applicant who complies with applicable City regulations. The City Manager should present staff recommendations regarding fees to the Council by August 22, 2013.

BE IT FURTHER RESOLVED:

The Council initiates an amendment of Title 25 to exempt ADA-compliant ramps for dwelling units from rear, side, and front setback requirements and directs the City Manager to process the amendment and present it to Council on or before October 3, 2013. The exemption does not apply if the director determines that ramp construction would violate health and safety provisions or interfere with easements or infrastructure.

ADOPTED: August 8, 2013

ATTEST: 
Jannette S. Goodall
City Clerk