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December 9, 2013

Mayor & City Council
P.O. Box 1088
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Re: Agenda Item 35, Visitability

Dear Mayor and City Council Members,

As there does not appear to be the opportunity for additional comment on the Thursday, December 12, agenda, we are submitting comments in writing on behalf of the Home Builders Association (HBA) of Greater Austin.

Direction given by the City Council when this item was considered (excerpt of minutes attached with highlights) was to develop a waiver policy that was less stringent than what exists now, a ramp requirement policy (which in our understanding of the discussion was to be practical), and a variance procedure.

Please note that as presented in the agenda packet, the waiver provision did not change in any manner whatsoever. The packet version is unchanged despite a meeting hosted by Building Inspection staff on October 29, by Leon Barba and Dan McNabb with representatives from ADAPT, Mayors Committee on People with Disabilities, the HBA, Stuart Hersh and others. During the discussion regarding small lots, the question was asked, "Would a larger square foot standard of 5,750 address the issue?"

Our response was that it would address the issue on the smaller lots where the amount of space needed for more affordable product is limited. While not an emphatic total acceptance, we were in support of the changed wording. We left the room with what appeared to be uniform acceptance. In full disclosure, two of the handicapped community representatives had left, but many had remained, including all organizations. Also, Mr. Hersh sent a "follow-up" email to all organization representatives summarizing the proposal. From our perspective, an consensus was developed with stakeholders, but has not been presented for this ordinance.

In conclusion, the draft ordinance does not provide alternative provisions for ramp access, it does not provide a less stringent waiver policy, and it does not provide a variance procedure. Most of the Council directives were not addressed.

We respectfully request that the Council table the item with a direction to staff that they do what they were instructed to do by council vote.

Sincerely,

Kathey Comer
Executive Vice President

Harry Savio
Public Policy VP

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. Related to Item #109.

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.

Staff is directed to:

Council Member Spelman

- **Study the ramp requirement and determine which houses it would be required on and which houses it would not.**
- **Create a waiver policy which is less stringent than the current waiver policy in section 5.133.**

Mayor Pro Tem Cole

- **Report back to Council on second and third readings.**
- **Develop a fee in lieu of calculation and bring back to Council on second reading.**
- **Have discussion with stakeholders regarding existing homes that do not have needed accessibility.**

Council Member Martinez

- **Conduct a sampling to determine the percentage of permits that come in with a slope that is larger than three or four feet.**

Mayor Leffingwell

- **Before second reading use the Mayors Task Force on Aging report and recommendations to discuss the unresolved issues.**
- **In the interim come back with consensus numbers on what the items cost.**

Council Member Tovo

- **Provide Council with the cost of retrofitting accessibility verses requiring it at the time of the new construction.**

109. Conduct a public hearing and consider an ordinance repealing and replacing Article 11 of City Code Chapter 25-12 to adopt the 2012 International Residential Code and local amendments. Related to Item #108.

The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved on Council Member Morrison's motion,

Council Member

Martinez' second on a 7-0 vote.