



Legislation Text

File #: R-2021-118, **Version:** 1

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2021-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ESTABLISHING A TWO-YEAR PILOT PROGRAM ALLOWING BUILDING PERMIT FEES CHARGED PURSUANT TO SECTION 5-105 OF THE NORMAN CITY CODE TO BE ADJUSTED AND SATISFIED AS AN INCENTIVE FOR ELIGIBLE DWELLINGS ACHIEVING CERTAIN VISITABILITY STANDARDS SET FORTH IN INTERNATIONAL CODE COUNCIL (ICC) SECTION A117.1-2009.

HISTORY OF VISITABILITY CPT MEETINGS: At the May 2, 2019 CPT meeting a Citizen Ad Hoc Committee presented to City staff and Council Members a proposed draft of the Norman Visitability Code. The purpose of the Norman Visitability Code was to establish minimum regulations for the design, installation and construction of single-family homes or other dwellings with less than four units by providing reasonable criteria for Visitability for persons with disabilities or seniors aging in place. A draft copy of the proposed code was provided to staff and Council Members in attendance that was tailored around the Fair Housing Act. It was recommended that staff should review and compare the proposed Norman Visitability Code to applicable and existing code and for Council to discuss its priority during their annual retreat.

DISCUSSION: At this juncture, the proposed Norman Visitability Code has been reviewed by staff. The code comprises a mix of accessibility and visitability concepts using the Fair Housing Act language. The code is not a minimum standard but an elective code that worked around incentives to encourage the building community to build to this higher standard.

Moreover, it is first important to distinguish that the concepts of accessibility and visitability are different as they relate to Single Family Dwellings. Visitability Standards focus around creating a dwelling that's features are welcoming and accommodating to accessible visitors, while also creating a living space that is less challenging for individuals who are ageing in place but may not have defined accessible needs. Accessible Standards for a dwelling go beyond the basic needs and include most all aspects of living, cooking, cleaning, and maintaining the dwelling. An example for an accessible kitchen would be that it requires cooking appliances be installed with considerations for how the owner/occupant will use them with regard to heights, reach ranges and the like. Visitability Standards wouldn't be as concerned with cooking appliances, but that the food preparation areas are dimensioned so individuals could access and use the areas for dining and similar. Another example is an accessible dwelling bathroom would have bathing/showering facilities built to accommodate this need. Bathrooms built to the visitability standard would only have water closets (toilets) and lavatory's (sinks) built to this standard.

CURRENT CODES AND ACTIVITY: Currently, the adopted code for Dwellings for the State of Oklahoma and the City of Norman are the 2015 International Residential Code (IRC). The IRC references the Standard ICC A117.1-2009 for accessible considerations. A section that was added to the standard in the 2009 edition is section 1005 Type C (Visitable) Units. The section deals

specifically with creating a minimum standard for Dwelling Units to comply with to be considered Visitable.

The ICC A117.1 Standard also has requirements for Type A accessible dwelling units, and Type B readily adaptable accessible dwelling units. The ICC A117.1 Standard is written as a compliment to the IRC with similar language and few, if any conflicts.

INCENTIVE: The proposed source of the credit would be the Building Permit fee from Sec 5-105 (1) (D). This fee is .14 cents per sq. ft. of the project area (all areas under the roof) of a home. This incentive would be a pass or fail with either 100% of the fee being credited or 0% credited if the home failed to comply. While this may not seem like a significant amount of monetary incentive, a lot of the principles of a Visitable Home can be achieved without significant changes to a floor plan.

RECOMMENDATION: After consideration, City Staff believe the best course to start an incentive based program would be to implement a Pilot Program with incentives being credited to new One and Two Family Dwellings and Townhouses with less than 4 units. The Pilot Program awards credits when compliance is achieved using the ICC A117.1-2009 Standard for Type C (Visitable) units. This standard is already adopted and enforced for commercial buildings in Norman and throughout the State of Oklahoma. The standard is updated nationally on a regular basis and is written to keep up with other building codes. If in the future the desire is to expand the program for accessible homes, a standard is already in place for Type A accessible units. By starting the program as a Pilot Program staff can collect data about the program's effectiveness and use, learning from it in looking forward for a permanent solution. To create a larger data pool, we recommend the initial program last two years. Our experience with a similar Pilot Program for Energy Efficient Homes is that this longer Program time is really needed to establish the process, allow builders to become educated about the program and adjust their process to work with it.