

From: [Kate Gorge](#)
To: [Public Comment](#)
Subject: Plan Amendment Request for Disaster Recovery Comment - Disability Access Exceptions
Date: Saturday, September 6, 2025 1:14:04 AM

Dear Commissioners,

As you consider the September 9th plan-amendment request to **streamline fire rebuilds**, please add a simple accessibility lane so disability-related upgrades aren't blocked by "like-for-like" limits. Today, the disaster-replacement rule says the new home must be the **same size and height**, with only a **10% footprint increase**, and that footprint **even counts breezeways**.

For many families, that math quietly rules out **ramps** or an **open-sided, roofed walkway** so a wheelchair user can safely transfer to a vehicle. We heard from neighbors at our August 21st NSA resident discussion night that arbitrary interpretation of NSA rules limiting disability access features for homes is not just a hypothetical, but something they say is already happening to them. That is how good neighbors get displaced after a disaster.

The good news is you don't have to choose between **access** and **scenic** values. The Gorge already has strong mitigation tools like **earth-tone colors, non-reflective finishes, low-profile forms, and landscaping**, to keep accessibility features visually subordinate. Let those tools do their job while we leverage the discretion available to this commission to do right by people.

Please consider adding three lines to the amendment you're already teeing up:

1. **Accessibility exception:** When needed for disability access, allow footprint/height relief **beyond the 10% cap**, limited to the **minimum necessary**, with scenic mitigation. (This aligns with the ADA and the HUD/DOJ guidance that local permitting must make **reasonable modifications/accommodations** so disabled people can **use and enjoy** their homes.) [ADA.gov](#) [HUD Exchange](#)
2. **Clarify "open" features:** Make clear that **open-sided, roofed walkways/transfer canopies** for accessibility are **not** "enclosing" a deck or connecting buildings.
3. **Fast lane + timing relief:** Put accessibility rebuilds on the **expedited track** you're proposing, and **toll** the filing deadline while an accommodation request is pending. (Your current amendment concept already looks at a longer window, **five to seven years**, and longer on-site temporary living; make sure the **accessible** pieces can move just as quickly.)

These tweaks are small, but the impact is huge: a ramp that isn't forced into a variance; a **covered transfer canopy** that doesn't burn the entire 10% allowance; a family that stays together in the Gorge after a fire. That is the kind of recovery our community expects.

Thank you for pairing scenic stewardship with civil-rights stewardship, and for making the rebuild rules work for everyone.

Best wishes,
Kate Bertash - NSA Resident