

ORDINANCE NO. 20120524-139

AN ORDINANCE AMENDING CITY CODE SECTION 25-1-21 AND ADDING A NEW SECTION 25-4-175 RELATING TO REQUIREMENTS FOR FLAG LOTS.

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

PART 1. The definition of “Flag Lot” in City Code Section 25-1-21 (*Definitions*) is amended to read:

- (38) FLAG LOT means a lot that abuts a street by means of a strip of land that does not comply with the requirements of this chapter for minimum lot width[, ~~is not less than 15 feet wide, and may be used for access~~].

PART 2. City Code Chapter 25-4 (*Subdivisions*) is amended to add a new Section 25-4-175 to read:

§ 25-4-175 FLAG LOTS.

- (A) A flag lot may only be approved in accordance with the requirements of this subsection.
- (1) In single-family or duplex residential subdivisions on previously unplatted land, flag lot designs may be used where no more than two dwelling units utilize a shared driveway. Residential flag lot designs with more than two units sharing a driveway may be utilized if the lots conform to the fire code, utility design criteria, plumbing code, and requirements for access.
- (2) In single-family or duplex residential subdivisions on previously platted land, the Land Use Commission shall grant a variance to allow flag lots if:
- (a) the commission finds that the subdivision:
- (i) has provided accessibility for emergency responders;
- (ii) has adequate room for required utilities;
- (iii) enhances environmental and tree protection; and
- (iv) is otherwise compatible with the surrounding neighborhood; and
- (b) the applicant provides a copy of any existing private deed restrictions for informational purposes.

- (3) For property zoned for uses other than single-family residential or duplex residential, flag lot designs are permitted if the Director determines that the subdivision conforms to the fire code, utility design criteria, plumbing code and requirements for access.
- (B) The minimum width of a flag lot is:
- (1) 20 feet; or
 - (2) 15 feet if:
 - (a) two or more contiguous lots share a common driveway and sufficient area is available outside the drive on each lot for utility installation; or
 - (b) the applicant can demonstrate access through an alternative route.
- (C) All residential subdivisions utilizing a flag lot design must submit a driveway plan and a utility plan for review and approval with the final plat application.
- (D) All addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders.

PART 3. This ordinance takes effect on June 4, 2012.

PASSED AND APPROVED

_____ May 24 _____, 2012 §
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 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Shirley A. Gentry
 City Clerk