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NEW BUSINESS: CODE AMENDMENT INITIATION REVIEW SHEET

Amendment: Small Lot Amnesty - Consider initiation of an amendment to Title 25 of the City Code to limit the ability of using small lot amnesty to disaggregate contiguous substandard lots to create a site that is smaller than the minimum lot area requirement.

Description: Clarify that the small lot amnesty infill tool can be used to allow development on substandard lots that do not meet the minimum lot size under today's code, but cannot be used to disaggregate substandard lots that have been combined for a single development.

Proposed Language:

Background: Initiation recommended by the Codes and Ordinances Subcommittee on February 18, 2014.

The small lot amnesty infill tool permits construction or major renovation of existing single-family homes on existing legally-created lots that do not meet current minimum lot standards. To qualify, the lot must have a minimum area of 2,500 square feet and a minimum width of 25 feet. This special use applies to all zoning districts and overlays that permit single-family homes. Under existing regulations that apply city-wide, an existing, legally-created lot less than 5,750 square feet that does not comply with current zoning regulations cannot be legally developed or have substantial improvements made to existing buildings (unless it is a qualified substandard lot (LDC 25-2-943) with a minimum lot area of 4,000 square feet and platted before March 15, 1946). Many legally subdivided lots in older parts of the city that do not meet current standards or do not qualify as substandard lots are sitting vacant or the homes on those lots are deteriorating because major improvements are not allowed.

This infill tool has been used in the past to disaggregate sites into smaller substandard lots. For example, a home that has been built across three substandard lots has been allowed to be demolished to make way for three smaller homes, one on each substandard lot. The intent of the small lot infill tool is to address substandard lots where development/redevelopment would have otherwise been impossible, not to allow existing sites to be broken down into smaller lots that don't meet current minimum size requirements.

Staff feels that initiation of this code amendment is appropriate and that it should be clarified that the small lot amnesty tool should not be used for disaggregation, and that the cottage and urban home infill tools are the best way to allow for disaggregation of lots or subdivision into lots below 5750 square feet. However, because most neighborhood planning areas have not opted into cottage and urban home infill tools, and most of the city does not have access to them, staff would like to explore potential options for allowing disaggregation and subdivision into smaller lots, where appropriate.

Staff Recommendation: Recommends initiation of this code amendment.

Board and Commission Actions:

Council Action:

Ordinance Number: NA

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