

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 25-2-774 (*TWO-FAMILY RESIDENTIAL USE*), 25-2-1463 (*SECONDARY APARTMENT REGULATIONS*), AND CHAPTER 25-6 APPENDIX A (*TABLES OF OFF-STREET PARKING AND LOADING REQUIREMENTS*) OF THE CITY CODE RELATING TO ACCESSORY DWELLING UNITS.

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

**PART 1.** City Code Section 25-2-774 (*Two-Family Residential Use*) is amended to read as follows:

**§ 25-2-774 TWO-FAMILY RESIDENTIAL USE.**

- (A) For a two-family residential use, the base zoning district regulations are superseded by the requirements of this section.
- (B) For a two-family residential use the minimum lot area is 7,000 square feet.
- (C) The second dwelling unit:
  - (1) must be contained in a structure other than the principal structure;
  - (2) must be located:
    - (a) at least ~~[45]~~ 10 feet to the rear or side of the principal structure; or
    - (b) above a detached garage;
  - (3) may be connected to the principal structure by a covered walkway;
  - ~~[(4) may not have an entrance within 10 feet of a lot line;]~~
  - ~~[(5) unless the second dwelling unit has vehicular access from a rear alley, it must be served by a paved driveway, and the portion of the driveway that crosses the front yard must be at least 9 feet and not more than 12 feet wide;]~~
  - ~~[(6)]~~(4) may not exceed a height of 30 feet, and is limited to two stories;  
[and]

1  
2 [~~(7)~~](5) may not exceed a gross floor area of;

3  
4 (a) 850 total square feet; or

5  
6 (b) 550 square feet on the second story, if any;

7  
8 (6) on a wall within 10 feet of a lot line that abuts a lot zoned SF-5 or more  
9 restrictive use, the second story may only have clerestory windows with a sill  
10 height of 66 inches above the second story finished floor.  
11

12 (D) Impervious cover for the site may not exceed 45 percent.

13  
14 (E) Building cover for the site may not exceed 40 percent.

15  
16 [~~(F) Other than in a driveway, parking is prohibited in the front yard.~~]  
17

18 **PART 2.** City Code Section 25-2-1463 (*Secondary Apartment Regulations*) is amended  
19 to read as follows:

20 **§ 25-2-1463 SECONDARY APARTMENT REGULATIONS.**

21 (A) A secondary apartment is not permitted in combination with a cottage or  
22 urban home special use.

23  
24 (B) A secondary apartment must be located in a structure other than the principal  
25 structure. [~~The apartment may be connected to the principal structure by a~~  
26 ~~covered walkway~~].  
27

28 (C) The secondary apartment:  
29

30 (1) must be contained in a structure other than the principal structure;

31  
32 (2) must be located:

33  
34 (a) at least [~~15~~] 10 feet to the rear or side of the principal structure; or

35  
36 (b) above a detached garage;

37  
38 (3) may be connected to the principal structure by a covered walkway;

39  
40 [~~(4) may not have an entrance within 10 feet of a lot line;~~]  
41

1           ~~[(5) unless the secondary apartment has vehicular access from a rear alley, it~~  
2           ~~must be served by a paved driveway, and the portion of the driveway~~  
3           ~~that crosses the front yard must be at least 9 feet and not more than 12~~  
4           ~~feet wide;]~~

5  
6           ~~[(6)]~~(4) may not exceed a height of 30 feet, and is limited to two stories;  
7           ~~[and]~~

8  
9           ~~[(7)]~~(5) may not exceed a gross floor area of;

10  
11                   (c) 850 total square feet; or

12  
13                   (d) 550 square feet on the second story, if any;

14  
15           (6) on a wall within 10 feet of a lot line that abuts a lot zoned SF-5 or more  
16           restrictive use, the second story may only have clerestory windows with a sill  
17           height of 66 inches above the second story finished floor.

18  
19           (D) Impervious cover for the site may not exceed 45 percent.

20  
21           (E) Building cover for the site may not exceed 40 percent.

22  
23           ~~[(F) Other than in a driveway, parking is prohibited in the front yard.]~~  
24

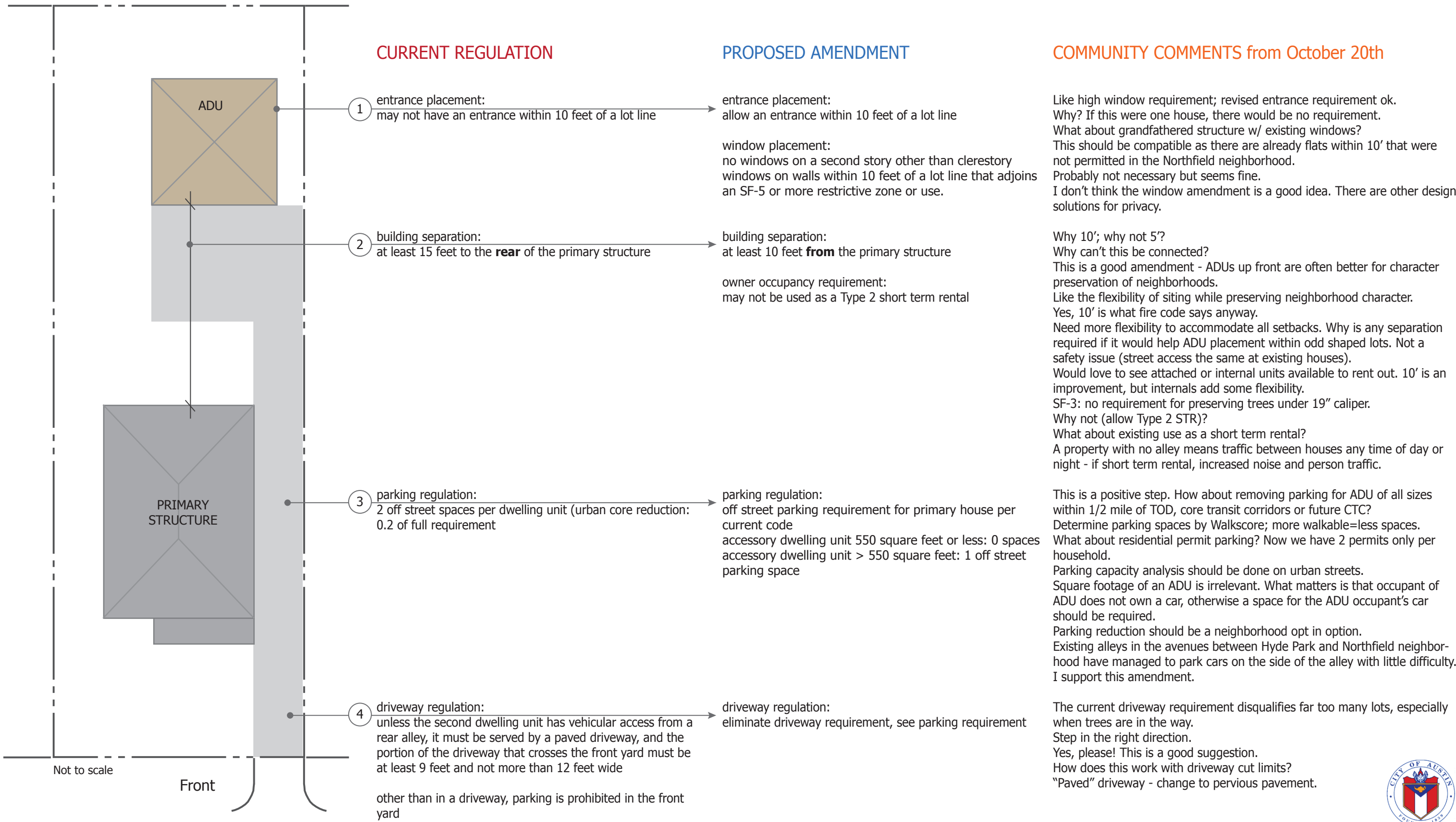
**PART 3.** City Code Chapter 25-6 Appendix A (*Tables of Off-Street Parking and Loading Requirements*) is amended to read as follows:

**CHAPTER 25-6 APPENDIX A.**

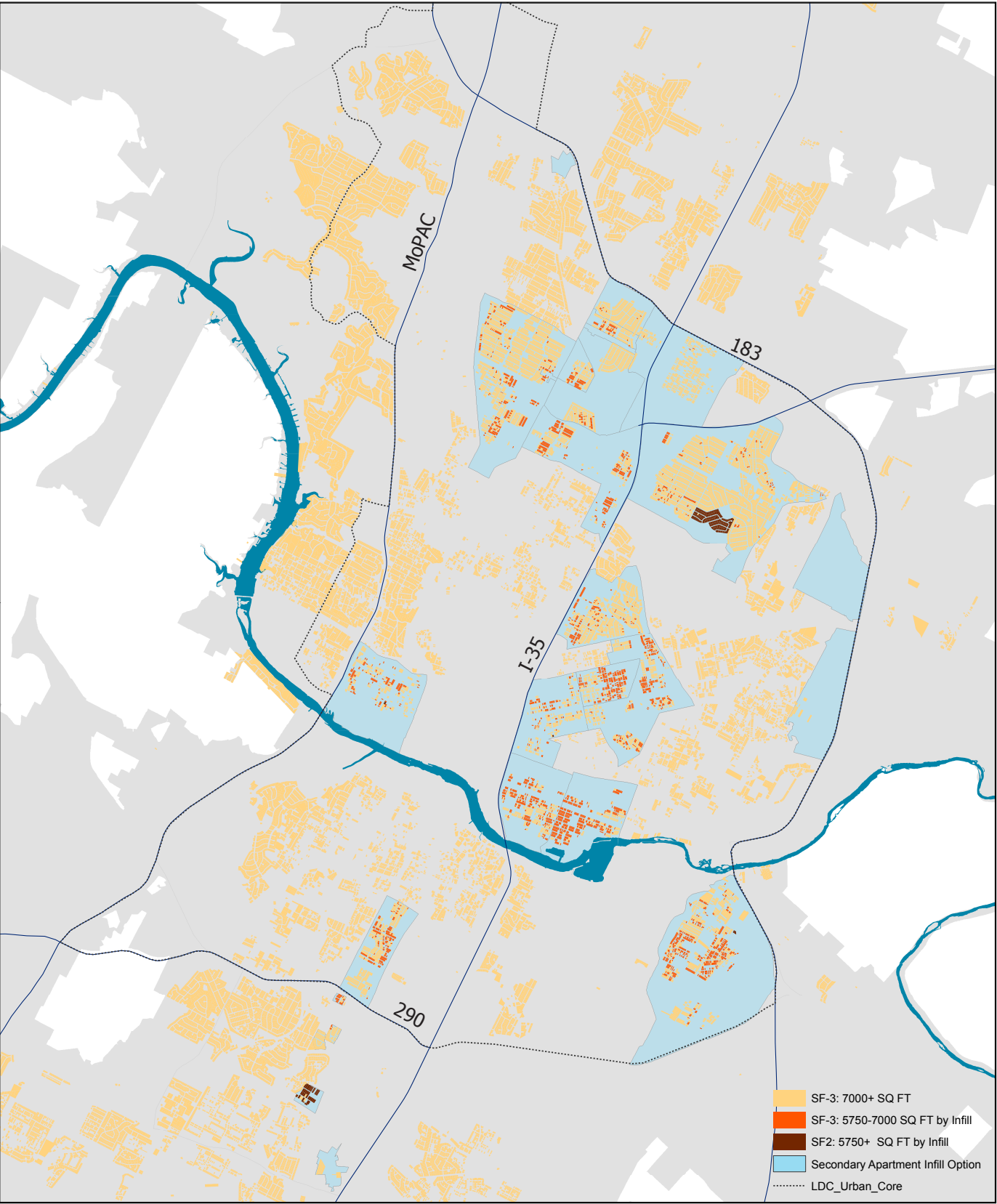
**PART 1 – MOTOR VEHICLES**

Use Classification	Minimum Off-Street Parking Requirement	Off-Street Loading Requirement
<b><i>Residential Uses</i></b>		
Cottage special use Mobile home residential <del>[Secondary apartment special use]</del> Single-family residential Small lot single-family residential Townhouse residential <del>[Two-family residential]</del> Urban home special use	2 spaces for each dwelling unit	None
<u>Secondary apartment special use</u> <u>Two family residential</u>	<u>Principal unit: 2 spaces</u> <u>Second unit: 0 spaces if 550 sq. ft. or less, 1 space if more than 550 sq. ft.</u>	<u>None</u>

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 201\_.



LOTS WHERE ADUs ARE ALLOWED BY RIGHT



CURRENT REGULATION

Accessory dwelling units are permitted in SF-3 zoning districts on lots 7,000 square feet and larger.  
The secondary apartment special infill tool allows a second dwelling on lots 5,750 square feet and larger in SF-1 through SF-3, SF-5, SF-6 and MF-1 through MF-6 zoning districts. The tool could be adopted neighborhood wide or in sub districts during the neighborhood planning process.  
In the map at left, the areas in blue adopted the secondary apartment special use tool.

PROPOSED AMENDMENT

No change in minimum lot size.  
  
No change in zoning districts where ADUs are allowed.

COMMUNITY COMMENTS from October 20th

Why any limits on location?  
  
Can we open up ADU development on all areas? Important for addressing housing issues in the city.  
  
Don't see how this helps with lots < 7,000 sq. ft. The non blue areas are some where > housing density is needed most.  
  
I would prefer to simplify and remove lot size requirement entirely. Let setbacks and impervious cover, etc. rule.  
  
I have a 6600 sq. ft. Deep Eddy lot for which I seek accessory dwelling use. My neighborhood plan did not adopt small unit infill on lots < 7,000 sq. ft. The ADU ordinance does nothing for my situation.  
  
Disappointed more lots won't qualify where we need options most (e.g. Zilker). If ADUs meet all other criteria (setbacks, impervious cover) why is lot size even relevant?

Facilitator	how would adding more ADUs throughout Austin benefit us?		what would adding more ADUs throughout Austin cost us?		how do we address these?	Other Comments
	as individuals?	as a community	as individuals?	as a community?		
Robert A	Able to live close to family/work in Central Austin	ADUs are one of the best ways for builders to build affordable housing stock		If parking is not required, neighborhoods will experience more street parking	Parking Issue - Allow a garage on an ADU without counting it toward the FAR total.	Stopping ADUs won't stop stealth dorms which can be done with attached duplexes or single family large homes
	I want ADUs that are built by builders instead of builders building large, unaffordable houses	ADUs bring more people which brings more retail, which makes Austin more walkable and green;		Parking - Barton Hills Drive, parking is already on the street	Consider incentives for owner + renter ADU developments but do not require them (this was in response to the owner-occupancy requirement)	Builders will build large unaffordable houses if ADUs are stopped
					Consider three bands of regulations:	
	ADUs are more aesthetically pleasing than attached duplexes	Affordable options for young families to buy starter homes			1. 0-500 sf: least 2. 500-850: more 3. 850-up: most restrictive but allowed	ADUs are preferable to large attached duplexes. If builders can't build ADUs they will build more attached.
	Allow for care to be provided to relative in close proximity.	Small houses built to current standards = low energy use per person, so they are better for the environment and affordability			Consider various other surfaces for parking, i.e., porous pavement, pervious pavers, gravel, etc.	If only homeowners can build ADUs and rent them out, then property tax increases will NOT be halted, and increases will be passed to renters. The intention would be negated
	Ability to age in place	Increased housing supply = lower housing cost			Affordable Housing Incentive Task Force Ordinance allows 55% impervious cover on lots with affordable ADU. Can this be improved or made more effective?	To only allow ADUs to be built by homeowners is an unfair preference towards owners, and due to cost, rich owners
	Being close to grandchildren	Smaller unit sizes allow for racial/ethnic/economic diversity within neighborhoods - Austin is VERY SEGREGATED				Consider keeping parking requirement on site, but allowing parking to be separate from ADUs.
	Able to send kids to great schools	Smaller home sizes = less materials used = more sustainability				Es imposible que comprar una casa en la zona central si no eves rico, ADUs se ampliand numero de posibilidades a comprar, a precios bajos
		Condo ADUs allow for income diversity in Central Austin. I want builders to continue building them.				ADUs allow for singles, young couples, and small families to afford central Austin. At this point, unless you brought 20+ years ago, you can't afford central Austin unless you're welathy
		Increasing density while preserving architectural scale/context/character				Make clear what changes may come about to the entitlements to large garage apartments in NPs or on SF3 lots>7000 sf
		Benefitting local business by taking pressure off commercial corridors to redevelop to mixed use (and thus price small business out)				There are some large lots with duplexes already on site - could an ADU be added to create triplex (missing middle)?
		Create housing in central areas closer to offices and commercial establishments, and thus reduce traffic and incentivize biking and walking				Apply owner-occupancy requirements only near UT, or , say, only in McMansion area, etc.



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	as individuals?	as a community	as individuals?	as a community?		how do we address these?
		ADUs increase the number of families in school zones in central Austin, allowing good schools to stay open and keeping more outlying schools from being as overcrowded				Educate persons about how increases in entitlements affects property values - and how doing an entitlement city-wide will be different from allowing in certain neighborhoods.
		Aesthetics of ADUs are superior to Duplex				I want the city to incentivize builders to build ADUs over large houses or unaattractive attached duplexes, not make them illegal
		More people on bikes/walking is less traffic on major roads				Why maximum of 850 sf? We would like to go to at least 1000 sf.
						Educate persons concerned about parking on street regarding neighborhood parking management (like painging hockey sticks in street)
					There should be a special review process to expedite the approval	
Katie	Home for college kids / family members	Reduction of urban sprawl	Added noise in neighborhood	Overlaoding infrastructure (sewer, streets, sidewalks)	Not city-wide (not blanketed)	
	Flexiblity when renovating (front house)	More development in urban core and less in environmentally sensitive areas	Claustrophic - second story in backyard	Impact/overload schools		
	Greater options for living in neighborhood you want	More housing		Streets filled with parked cars (missed garbage pickups, service vehicles cannot access houses)		
	Greater options for living in neighborhood with the school you want to attend	More housing options		Impact on impervious cover leading to flooding		
	"Home-like" atmosphere (backyard)	Connected in neighborhood		Added traffic in neighborhood		
	Rental income for homeowner - ADU or home	Increase community and communication		Low visibility due to parking		
	Allow pepole to stay in their neighborhood	Help with crime?		Neighborhood planning process is threatened.		
	Short term rental income	Discourage teardowns (can do more with your property, pay property taxes)		Short-term commercial rentals		
	On-site office space	Traffic reduction due to on-site office space				
Francis	ADUs allow diversity	Multi-generational living options	Reduced parking requirement: hard to get out of drive, increased parking on street, decreased safety, street becomes one lane, decreased emergency vehicle access	No design standards, contextual design	One size fits all: loss of neighborhood identity	
		Opportunity for central austin residents to age in place	Prohibit STRs	Stressed infrastructure in older neighborhoods	Neighborhood plans should not be over-ridden by ordinance	
		Owner occupant can build ADU, developer cannot	2 story ADUs are a problem when on property line		Honor neighborhood plans - follow Imagine Austin to deep our neighborhoods walkable and safe	
		City tax rates are somehow adjusted when owner lives in ADU	No ADUs on top of non-complying structures		Ordinance should not be shoved down neighborhoods' throat	



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						STRs = loss of housing stock, occupants are transient, do not allow ADUs unless owner occupies house
Renee	Less likely to tear down main house - ability to improve and add an appropriate unit, ie alternative is demolish and build duplex on 7,000+	Most sensitive to neighborhood character - behind house and limited affect on streetscape	Negative effects on homestead exemption	Owner occupancy requirement is barrier to adding ADUs to housing stock		Neighborhood planning process already allows ADUs
	Subsidizes mortgage	Less massing/more compatible with existing homes than duplexes but allows same density - ADUs are invisible density	911 access?	Possible parking problems with high occupancy/ student tenants		Owner occupant not as likely to rent to section 8/low income tenants
	Accommodate relatively affordable rental options	Owner occupancy good for neighborhood and community	Parking?	Don't allow short term rentals		Hard to regulate owner occupancy - compare to duplex on same 7000 sf lot which would have no such requirement
	ADU can be sold separately from main house - more affordable path to ownership, works best where lot configuration allows good access to ADU (corner lot, alley lot, double lot)		Trees?	Opt out option for neighbors		Would drive development/density toward duplexes on lots that allow them
	No common walls are more desirable at all price points		Is it affordable?	Young professionals/low income ingnored		
Emily	Incentives could make property more affordable - if owners get a reduction in permit costs then owner would charge lower rent or \$ from affordable housing incentive	By design, ADUs are an affordable housing option that compliments existing housing stock and neighborhood character		Existing code should remain until the community finishes codenext		If it ain't broke, don't fix it
				Parking requirements should not be reduced		
				Do not reduce impervious cover requirements		
				ADU development needs to be controlled by neighborhood plans		
			Wait for 10-1 Council to be in place			
Daniel	ADUs have a yard which is a big plus in affordable housing	Don't limit ADUs to owner occupied. More ADUs benefit the whole community.				Does an ADU have to be site built?
						ADUs are typically far from an accessible sewage line. Consider alternative sanitary solutions. Oregon allows NSF certified composting toilets. Also reduces water use.
	ADUs give senior citizens more choices and possibilities to stay in their neighborhood.	Increased density makes mass transit more viable.				Make the codes and regs understandable to homeowners
						Express permitting for house moves
						Streamline permitting
						Go as broad as possible in loosening restrictions. Make it as flexible as you can make it.

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						I have grave concerns with restricting ADUs to owner occupied. Cutting out builders would drastically reduce the number of ADUs, limit the variety of housing product that we need to densify appropriately. Staff should not view it as a benefit.
						Consider how R320 visitablity requirements will affect ADUs (clear visitable routes and zero step entry) can dramatically increase the cost of an ADU.
Carol	Short term rental issues: make more money renting full-time, people renting learn they like urban core, ADU is the guest room for family and can rent out to others for income to afford to live in core, people renting often don't have car	People in ADUs drive cars less - not as many cars/or cars make less trips		Impervious cover: 50% impervious cover for affordable (on books now), require rain garden/green infrastructure, don't require parking, remove limit to impervious cover, go vertical, rain water harvesting	Solutions to parking: on street parking should count toward spaces, tandem parking, gov't shouldn't decide parking-market should, only require 2 for entire lot	Create loan program like Santa Cruz to build ADUs: market rate but easy to do, especially good if "land rich, cash poor", use affordable fee in lieu to start loan funds as way to get affordability "for free", or work with local bank, needs to be easy to build
		Need to fit more people in the city	Privacy issue		No windows on side facing neighbors	Get rid of FAR requirement
	Provides financial relief to families that live in these neighborhoods by providing a source of income from the ADU to offset increased taxes, etc.	Mitigates transportation issues by densifying areas of austin that have existing infrastructure		Factoring in: heritage trees, impervious cover, FAR, McMansion, parking leads to many fewer qualified lots and need an architect to go thru design and approval	Come up with 10-20 designs that are pre-approved. Just put it on your lot. (Have a design competition).	
		Provides affordable housing options peppered through our urban community that already has the transportation infrastructure in place	Need to be at least 400-500 sq. ft. to be used and worth the cost of building (400-700 is best)			

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1. Properties with private restrictions limiting one dwelling unit per lot are outside the scope of this ordinance as are SF-2 and more restrictive zoned properties 2. Minimum lot size requirements per dwelling unit are repealed 3. Parking in urban core for single family homes and ADU is two spaces that could be in tandem, in a wider driveway on the private property side or in an approved circular driveway on private property 4. Parking ouside urban core for 3 spaces can be 3 in tandem, combination of wider driveway and in tandem or in an apporved circular driveway 5. All McMansion, impervious cover, building cover, and setback requirements and adopted Neighborhood Plan entitlements and limitations remain in place 6. Private water sub-meter is alternate method for compliance with separate water meter and sewer tap requirements 7. S.M.A.R.T. Housing fee waivers available if rental housing accepts housing vouchers, complies with applicable Visitability Ordinance, is within 1/2 mile of transit route, and serves household at or below 50% median family income for at least 40 years 8. Minimum lot size requirements are eliminated if ADU meets 50% MFI standards for at least 40 years

9. Separation between primary dwelling and ADU may be reduced to 10 feet to comply with fire resistant standards of the adopted residential code, and can be reduced to 6 feet if both dwelling units have an approved residential automatic sprinkler system

Greg	Personal safety	Less car use	Taxes go up (due to value)	Congestion	Need transport options to serve town wherever its allowed	Eastside not represented here - less diversity
	Rental income	Retain old structures	Less privacy for neighbors	Parking issue - everyone has a car		We already have garage apt. tool in the toolbox
						Neighborhoods should be able to decide for themselves, not citywide
	Short term rentals	Choices for property	Bad design - drawback	Could become vacation rentals		
	Sevices trading	Aging in place more feasible	Cost to construct	Infrastructure demands		Certain parts of town can address ADUs
				Could create on street parking and driving problems		
	Personal connections	Chance to provide accessible housing				Can be addressed by zoning classifications
	More housing options	More vibrant dense neighborhoods will make transit easier to provide		Enforcement is difficult		Need to plan streets, bike routes, sidewalks
		More affordable housing due to small size of units		Not coordinated with codenext	Wait until codenext	Form based code is a drawback - codenext needs to address
	Housing family members			Encourages more impervious cover to be built		
	Adds property value	Rreduce sprawl				Should be part of neighborhood planning process

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				Affordability - will it really be addressed by ADUs?	
				Get more data on ADU benefits - affordability and how many units would really be added	
				Getting rid of parking requirements would pose a safety issue	Owner occupancy clause cannot be enforced
				Design requirements are necessary	
Laurie	Rental income for homeowner		Property tax increase		Concerned local representative won't make this decision - want to wait until Jan 2015
	Economic boost to builders		Will rent be affordable for renter?		Concerned the plan is undermining codenext, which is already addressing this issue
				Lose privacy (decimate integrity of neighborhoods), esp. in lots with no alley access	
			Reduced homestead exemption?		How to ensure owner is actually living on property
				Want to make sure owner can live in the small ADU house as well as the main house	Are we really using existing land to be developed first - based on current zoning, use undeveloped, zoned land before building ADUs; eg, what % of opt in has been used?
				In crowded neighborhoods already using RPPs, where will new renters park?	Feels like breaking a trust for homeowners who bought in neighborhoods with privacy expectations - changing the rules
				Consider limiting # of residents in rental house	Establish limits on density - permit no building (ADU or otherwise) beyond that
				Impervious cover lead to increased flooding	Fear of developers - how will they take this idea and exploit it for their benefit?
				Will existing utilities accommodate new structure	Strengthen McMansion rules so ADUs don't turn into little McMansions
Robert F-T	Will help long time friends continue to live in Austin, rather than seek cities with lower rent in retirement		Loss of privacy in my backyard; loss of pleasure spending time in my backyard		McMansion tent should shrink in size in the rear part o the lot
		Will reduce outward sprawl		Reduce "tent envelope" within which ADU can be built	
					The requirement for 15' separation between front house and ADU: how does this benefit the neighbors?
	Generate revenue for homeowner	Greater density helps improve viability of busses and mass transit	Without sidewalks on streets, extra on street parking creates unsafe pedestrian experience	Accelerate implementation of sidewalk master plan	Allow ADU to be closer to the front house
	Wwould help my wife and I afford our property taxes by having a small rental income	Greater density helps enable more dining, shopping, entertainment options within walking and biking distance	More on street parking make driving thru 'hood more difficult	Allow on street parking only on WIDE streets	45% impervious cover and 40% FAR address area; consider a regulation to address maximum volume of structures
	Would provide a place for my low income adult kids to live for cheap while they build their careers	Pprovide more options for inter-generational housing	Doesn't accommodate family		Regardless of FAR, design elements such as roof top deck are allowed on ADUs. Does this make sense for interior (non-corner) lots? Consider better compatibility standards for rear units
	Honors my private property rights		Gives more opportunities for creative housing typologies		Create context sensitive design recommendations that minimize impact on neighbors
					Anti-school: typology doesn't allow for families
					Allow larger ADUs or reduce the setback requirement for ADUs on corner lots (ADUs on corner lots have greater latitude)

Facilitator	how would adding more ADUs throughout Austin benefit us? as individuals?	as a community	what would adding more ADUs throughout Austin cost us? as individuals?	as a community?	how do we address these?	Other Comments
						For one ADU, I'd like to see it built and pros and cons measured through building and permitting process
Susan	Help property owners pay taxes		New apts would rent at going rate so no good achieved for renters	If you don't have one and your neighbor does, his could affect your property tax		Need rules about compatibility in style
						Need pre approved sets of plans to choose from to reduce cost of construction and permits and to allow neighborhood assurance about what is going to be built
	Add housing options for family and others			Changes livability and character because of rising property taxes, less parking available, stress on older infrastructure	Re-do alley and curbs and infrastructure in older neighborhoods	
	Affordable housing				Design standards that match the neighborhood	Clean and pave alleys - get space back to min. 12' with poles at edge, not in middle
					Set of established designs that have been blessed by the city and are selected by a homeowner for construction = less fees, less permitting time	Opt in /out - if neighborhood wants it, let them change neighborhood plan to allow reduction in space, area, parking
	Preserve neighborhood character					Include patio use/parking
	Invisible density					No staff to implement or monitor - creates cost and confusion
						Allow ADUs in neighborhoods that have already adopted 2nd apt - relax the requirements in regard to parking and driveway
						Allow accessory apt. to be rented out and not have affidavit associated with it
						What is overall city zoning capacity @ this time?
						Garage being used for storage, not parking
						City to provide proforma data on excess income of ADUs for property owner and what will property tax increase be for neighbors
						Why are we pushing so hard to get this out by year's end
						Property tax need to be appropriately assessed, commercial vs. residential, mass tax per property per neighborhood, ie, 14k lot=\$350k and 6.8k lot=\$350k
						Don't see getting development of ADUs being different than any other housing option - all are looked at in a vacuum
						Identify process for which the neighborhood can modify their neighborhood plans in a given timeframe
						Tweaks to code are out of control due to developers' pressure
						Yet again another set of rules that won't be regulated
volunteer	Potential for additional income for homeowners (allows for greater age and income diversity)	Increased density			Eliminate off-street parking an/or incentivize on-site parking	Barriers: financing, minimum lot size, parking on small/mid-block lots

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	Taxes are already high, ADUs allow homeowners additional income stream	Ties into/supports existing transit and infrastructure			Allow 2 ADUs if total square feet of space is within 850 limit. Maybe allow if one off-street parking space provided on site.
		Density in urban core is good: supports better transit, uses existing infrastructure, allows renters the <u>option to not own a car</u>			Allow larger, separate structures - 1000-1200 sf - and especially if front house is small/historic
					ADU should allow for basement aea exemptions like housies in Sub Chapter F
					Increase ADU max. from 850 to 1000 sq. ft.
					Important things to consider: relax impervious cover to allow larger ADU, allow ADUs up to 1000 sq. ft., relax building coverage and FAR, allow separate ownership of ADUs, larger ADU will allow master bedroom downstairs, relax parking to 1 space for <850 sq. ft. ADU
					Consider reducing off-street parking requirements for all ADUs
					Like the idea of loans to build affordable units
					Consider less side yard setback for corner lots
					Consider more height for pier and beam designs
					Support smaller lot sizes to add ADUs
					Consider allowing ADUs (larger than 550 on second story) by right within 1/4 or 1/2 mile of rail or bus
					For small, historic houses on narrow, deep lots, consider allowing existing house to be ADU and larger house to be built at rear of lot - maintains historic structures and neighborhood character and avoids tearing down existing house
Email					Opppose occupancy requirement - will reduce # of ADUs built
					Oppose allowing rental properties on virtually every backyard
					Prohibit Commercial Type 2 STR, retain exisitng gross floor area limit, no assurance changes would help property owners, NP must continue to be decider for any reductions in ADU regualtions
					Do not reduce minimum lot size or building separation requirement, do not increase height limit
					Owner occupancy would recuce # of ADUs built
					Support allowing properties < 7,000 sf to build a granny flat, support making it easier for homeowners to build small, detached structures
					Reduction in ADU requirement should be optional tool. Prohibit Type 2 STR. Retain impervious cover limit. Retain parking requirement for safety, visitability, access. Affordability claims are far from clear.

Facilitator	how would adding more ADUs throughout Austin benefit us? as individuals?	as a community	what would adding more ADUs throughout Austin cost us? as individuals?	as a community?	how do we address these?	Other Comments
						Support changes to make more ADUs available and incentivized for other Austinintes Hope to see more smaller units and density in close-in areas Do not support ADUs on smaller lots; concerned about where ADU dwellers will park
						Support reducing barriers to building ADUs - support lowering minimum lots size, increasing impervious cover limit, dropping parking requirement Consider allowing stairs in side yard setback to encourage ADUs Support keeping current code Oppose doubling/tripling population with ADUs
						1. Do not override local deed restrictions or apply to SF-2 2. Waiving parking requirements for these new units should only ccur where there is ample on-street space for additional cars 3. How does the City expect to ensure that residents in these units do not possess cars? 4. There is no suggestion that there would be a prohibition on renting such units as STRs; why add more units when you are already removing units from the market? 5.Increasing maximum gross floor area for second story units undoes regulations hard fought by residents to keep these units compatible with single family housing. Any increase in McMansion FAR should not occur because it undoes another set of regulations that protect single family areas 6. Non complying structures should not have second stories allowed in required setbacks.



**RESOLUTION NO. 20140612-062**

**WHEREAS**, the Imagine Austin Comprehensive Plan prioritizes the need for a mix of housing types across the city, including both rental and homeownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families; and

**WHEREAS**, accessory dwelling units (“ADUs”) can provide new housing units without changing the feeling or texture of established neighborhoods and allow more efficient use of existing housing stock and infrastructure; and

**WHEREAS**, ADUs can help homeowners make ends meet while providing affordable, central-city rental opportunities for single young people, seniors, and multi-generational families by providing a mix of housing that responds to changing family needs and smaller households; and

**WHEREAS**, 34% of Austinites live in single person households; and

**WHEREAS**, currently ADUs of up to 850 square feet are allowed on lots of at least 7,000 square feet by right, or on lots that are 5,750 square feet if that neighborhood has opted in to the Secondary Apartment Special Use Infill Option through their neighborhood plan; and

**WHEREAS**, currently, if an ADU is SMART Housing certified in a neighborhood planning area that has adopted the affordable housing option, it may be allowed increased impervious cover and increased gross floor area; and

**WHEREAS**, a 500 square foot ADU is likely to be relatively affordable; and

**WHEREAS**, Portland and other cities have reduced obstacles to ADUs by means such as waiving development fees and parking requirements in an effort to encourage the development of ADUs; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

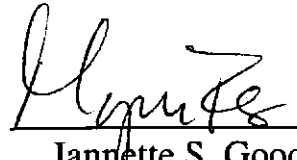
1. The City Council initiates amendments to Title 25 of the City Code and directs the City Manager to develop an ordinance that reduces regulatory barriers to the development of ADUs that are less than 500 square feet in size and located on a lot containing at least one owner occupied structure, whether principal or accessory. The ordinance could be applied citywide or as an infill option.
2. The ordinance should include, but need not be limited to, eliminating parking and driveway requirements.
3. The City Manager is further directed to convene a stakeholder process to develop additional recommendations for ADUs of any size, including but not limited to code amendments that:
  - a. reduce minimum lot size;
  - b. reduce building separation requirements;
  - c. increase maximum gross floor area for 2<sup>nd</sup> story ADUs;
  - d. create design standards for ADUs; and
  - e. allow a legally non-complying structure to add an ADU, if located on a lot with sufficient area.

Construction of this ordinance should take into account the effect of similar ordinances in peer cities on the supply of housing, particularly affordable housing, and on the character of single-family neighborhoods.

4. The City Manager is directed to present the proposed ordinance to the City Council within 120 days.

**ADOPTED:** June 12, 2014

**ATTEST:**

  
Jannette S. Goodall  
City Clerk



## AFFORDABILITY IMPACT STATEMENT

NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT

CITY COUNCIL AGENDA:

RESOLUTION No: 20140612-062

PROPOSED CODE AMENDMENT:	PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE AMENDING SECTIONS 25-2-774 (TWO-FAMILY RESIDENTIAL USE), 25-2-1463 (SECONDARY APARTMENT REGULATIONS), AND CHAPTER 25-6 APPENDIX A (TABLES OF OFF-STREET PARKING AND LOADING REQUIREMENTS) OF THE CITY CODE RELATING TO ACCESSORY DWELLING UNITS.
IMPACT ON REGULATORY BARRIERS TO AFFORDABLE HOUSING DEVELOPMENT	<p><input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL</p> <p>THE PROPOSED CODE AMENDMENT SUPPORTS THE GOALS OF IMAGINE AUSTIN HOUSING AND NEIGHBORHOOD POLICY 1: DISTRIBUTE A VARIETY OF HOUSING TYPES THROUGHOUT THE CITY TO INCREASE THE CHOICES AVAILABLE TO MEET THE FINANCIAL AND LIFESTYLE NEEDS OF AUSTIN'S DIVERSE POPULATION.</p>
LAND USE / ZONING OPPORTUNITIES FOR AFFORDABLE HOUSING DEVELOPMENT	<p><input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL</p>
IMPACT ON COST OF DEVELOPMENT	<p><input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL</p> <p>ALLEVIATING SOME REGULATIONS AFFECTING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS CAN HAVE REDUCE THE COST OF HOUSING DEVELOPMENT. THIS INCLUDES:</p> <ul style="list-style-type: none"><li>- REDUCTION IN THE MINIMUM DISTANCE FROM THE PRINCIPLE STRUCTURE</li><li>- REMOVING THE REQUIREMENT THAN AN ACCESSORY DWELLING UNIT BE SERVED BY AN ALLEY OR PAVED DRIVEWAY</li></ul>

	- REDUCTION IN THE PARKING REQUIREMENT FOR ACCESSORY DWELLING UNITS
IMPACT ON PRODUCTION OF AFFORDABLE HOUSING	<input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL  THE PROPOSED AMENDMENTS COULD HAVE A POSITIVE IMPACT ON THE DEVELOPMENT OF ACCESSORY DWELLING UNITS. ACCESSORY DWELLING UNITS ARE AS A HOUSING TYPE PROVIDE OPPORTUNITIES FOR HOUSING THAT IS MORE AFFORDABLE TO MORE PEOPLE AS WELL AS PROVIDE PROPERTY OWNERS WITH AN OPPORTUNITY TO CREATE AN ADDITIONAL REVENUE STREAM THEREBY INCREASING HOUSEHOLD INCOME.
PROPOSED CHANGES IMPACTING HOUSING AFFORDABILITY:	
ALTERNATIVE LANGUAGE TO MAXIMIZE AFFORDABLE HOUSING OPPORTUNITIES:	
OTHER HOUSING POLICY CONSIDERATIONS:	
DATE PREPARED:	
DIRECTOR'S SIGNATURE: _____	