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NEW BUSINESS: CODE AMENDMENT INITIATION REVIEW SHEET

Amendment: Initiate an amendment to Title 25 of the City Code regarding regulations for porch encroachment into street side yards.

Description: Current code allows front porches in zoning districts MF-3 or more restrictive to project up to five feet in a front yard setback; this provision is applicable city-wide. The proposed code amendment will look at whether it would be appropriate for a similar provision for street side yards, such that a porch on a street side yard (ie a corner lot) could project up to five feet into the setback.

Proposed Language: TBD

Background: Initiation recommended by Codes and Ordinances Subcommittee on September 15, 2015.

Staff Recommendation:

Board and Commission Actions:

Council Action:

Ordinance Number: NA

City Staff: Greg Dutton **Phone:** 974-3509 **Email:** greg.dutton@austintexas.gov



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CURRENT CODE

§ 25-2-513 - OPENNESS OF REQUIRED YARDS.

- (A) Except as otherwise provided in this section, a required yard must be open and unobstructed from finished grade to the sky. This restriction does not apply to a yard or part of a yard that is not required by this article.
- (B) A window sill, belt course, cornice, flue, chimney, eave, box window, or cantilevered bay window may project two feet into a required yard. The two foot limitation does not apply to a feature required for a passive energy design.
- (C) Uncovered steps or a porch or stoop that is not more than three feet above ground level may project three feet into a required yard.
- (D) A parking area may be located in a required yard, unless prohibited by Article 10 (Compatibility Standards).
- (E) In a townhouse and condominium residence (SF-6) or more restrictive district, a pool, including a swimming pool, reflecting pool, or fountain, may be located in a required yard.
- (F) Landscaping may be located in a required yard.
- (G) This subsection applies to a building located in a multifamily residence medium density (MF-3) or more restrictive district. A covered porch that is open on three sides may project five feet into a required front yard.
- (H) A ramp for a new or an existing single-family or duplex residential unit may be constructed in a required yard if:
 - (1) a person with a disability requires access to a dwelling entrance that meets the requirements of the Residential Code, Section R320.6 (Visitable dwelling entrance);
 - (2) the ramp:
 - (a) is no wider than 48 inches, except that any portion of a landing for the ramp required for turns may be no wider than 60 inches;
 - (b) may have a hand railing, but may not have a roof or walls; and
 - (c) the building official determines that the ramp will not pose a threat to public health and safety; and
 - (3) encroachment into the required yard:
 - (a) is the minimum amount necessary to provide access for a person with a disability;
 - (b) does not extend more than three feet into a side yard setback; and
 - (c) is not located in a rear yard setback unless:
 - (i) the dwelling is located on a corner lot;
 - (ii) access is from an alley; or
 - (iii) another requirement of this title prohibits location of the ramp in the front or side yard.

Source: Section 13-2-610; Ord. 990225-70; Ord. 031211-11; Ord. 040826-67; Ord. No. 20140522-078, Pt. 1, 6-2-14.

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The Cherrywood Neighborhood is bounded by IH-35, Airport Blvd and Manor Road and is a flourishing neighborhood of homes, businesses, and green spaces in Central Austin.

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1 September, 2015

Members of the Codes and Ordinances Subcommittee
Planning Commission
City of Austin
301 W. 2nd Street
Austin, Texas 78701

Dear Subcommittee members:

This letter is to inform you that, at the regular quarterly general meeting of the Cherrywood Neighborhood Association (CNA) on 19 August, 2015, Mr. Girard Kinney, AIA, presented a proposal to amend § 25-2-513 of the Land Development Code to allow covered open porches to extend five feet into sideyards on corner lots throughout Austin.

Specifically, the proposed amendment would add the phrase "and/or street sideyard" to section § 25-2-513 (G), so that it would read:

This subsection applies to a building located in a multifamily residence medium density (MF-3) or more restrictive district. A covered porch that is open on three sides may project five feet into a required front yard and/or street sideyard.

The Association voted unanimously to support and recommend adoption of this amendment, as detailed in the enclosed document.

I speak for the Cherrywood Neighborhood Association in urging the City to adopt this amendment.

Respectfully,

Jules Kniolek
Chair, Cherrywood Neighborhood Association

Enclosure: Kinney proposal

