

FOR DISCUSSION PURPOSES ONLY

ORDINANCE NO.

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25-2 (ZONING)
RELATING TO DWELLING UNITS AND OCCUPANCY LIMITS.**

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

PART 1. Subsection (B) of City Code Section 25-2-3 (*Residential Uses Described*) is amended to amend the use descriptions for “Group Residential” and “Multifamily”; to rename “Two-Family Residential” use; to add a new “Three-Unit Residential” use; and to renumber the remaining uses accordingly:

- (5) **GROUP RESIDENTIAL** use is the use of a site for occupancy by a group of more than 16 adults when a third party prepares or provides food [six persons who are not a family,] on a weekly or longer basis. This term includes fraternity and sorority houses, dormitories, residence halls, and boarding houses.
- (7) **MULTIFAMILY RESIDENTIAL** use is the use of a site for four [three] or more dwelling units, within one or more buildings, and includes condominium residential use.
- (15) **THREE-UNIT RESIDENTIAL** use is the use of a lot for three dwelling units other than a mobile home.
- (16) **TWO-UNIT [FAMILY] RESIDENTIAL** use is the use of a lot for two dwelling units, each in a separate building, other than a mobile home.

PART 2. City Code Section 25-2-3 (*Residential Uses*) is amended to add a new Subsection (C) to read:

- (C) A tiny home is a dwelling unit that is 400 square feet or less in floor area excluding loft space.

PART 3. City Code Section 25-2-6 (*Civic Uses Described*) is amended to delete “Family Home”, “Group Home, Class I (General)”, “Group Home, Class I (Limited)”, and “Group Home, Class II” uses; and to renumber the remaining uses accordingly.

PART 4. The table in City Code Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) is amended to delete “Family Home”, “Group Home, Class I (General)”, “Group Home, Class I (Limited)”, “Group Home, Class II” uses from the table; to rename “Two-Family Residential” use; to add additional base districts where “Duplex” use and “Two-Unit Residential” use are allowed; to add “Three-Unit Residential” use to the table; and to make “Three-Unit Residential” use a permitted use in certain base zoning districts:

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Residential Uses	SF-1	SF-2	SF-3
	Duplex	<u>P</u>	<u>P</u>
Two-Unit [Family] Residential	<u>P</u>	<u>P</u>	P
<u>Three-Unit Residential</u>	<u>P</u>	<u>P</u>	<u>P</u>

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PART 5. The table in City Code Section 25-2-492 (*Site Development Regulations*) is amended to change the maximum number of dwelling units per lot in certain base zoning districts; and to delete footnotes for SF-1 and SF-3.

Maximum Dwelling Units Per Lot	SF-1 ¹	SF-2	SF-3
		<u>3</u> [+]	<u>3</u> [+]

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PART 6. City Code Section 25-2-511 (*Dwelling Unit Occupancy*) is deleted.

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PART 7. City Code Section 25-2-773 (*Duplex Residential Use*) is amended to amend Subsections (B) and (D), and to add a new Subsection (E) to read as follows:

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§ 25-2-773 DUPLEX RESIDENTIAL USE.

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(B) For a duplex residential use:

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(1) minimum lot area is 5,750 [7,000] square feet;

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(2) minimum lot width is 50 feet;

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(3) maximum building cover is 40 percent;

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(4) maximum impervious cover is 45 percent; and

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~~[(5) maximum building height is the lesser of:~~

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~~(a) 30 feet; or~~

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~~(b) two stories, except that an attic or basement does not count as a story for purposes of this subsection if it satisfies the requirements for an exemption from gross floor area under Subsections 3.3.2 and 3.4.6 of Subchapter F (*Residential Design and Compatibility Standards*)].~~

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(D) The two dwelling units are subject to the following requirements:

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54 ~~[(1) The two units must have a common floor and ceiling or a common wall,~~
55 ~~which may be a common garage wall, that:~~

56 ~~(a) extends for at least 50 percent of the maximum depth of the building,~~
57 ~~as measured from the front to the rear of the lot; and~~

58 ~~(b) maintains a straight line for a minimum of four foot intervals or~~
59 ~~segments.]~~

60 (1~~[2]~~) The two units must have a common roof.

61 (2~~[3]~~) At least one of the two units must have a front porch that faces the front
62 street and an entry to the dwelling unit, except that units located on a corner
63 lot must each have a front porch that faces a separate street and an entry to
64 the dwelling unit.

65 (3~~[4]~~) The two units may not be separated by a breezeway, carport, or other open
66 building element.

67 (E) Chapter 25-2, Subchapter F (*Residential Design and Compatibility Standards*)
68 does not apply to duplex residential use.

69 **PART 8.** City Code Section 25-2-774 (*Two-Family Residential Use*) is repealed and
70 replaced to read as follows:

71 **§ 25-2-774 TWO-UNIT AND THREE-UNIT RESIDENTIAL USES.**

72 (A) This subsection applies to two-unit residential use.

73 (1) To the extent of conflict, this subsection supersedes the base zoning district
74 regulations.

75 (2) Chapter 25-2, Subchapter F (*Residential Design and Compatibility*
76 *Standards*) does not apply to two-unit residential use.

77 (3) The minimum lot area is 5,570 square feet.

78 (4) Each dwelling unit must be in a separate structure.

79 (5) The dwelling units may be connected by a covered walkway.

80 (6) One of the dwelling units may not exceed 1,100 total square feet.

81 (7) Impervious cover for the site may not exceed 45 percent.

82 (B) This subsection applies to three-unit residential use.

83 (1) To the extent of conflict, this subsection supersedes the base zoning district
84 regulations.

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- 85 (2) Three-unit residential use is not allowed on a substandard lot.
- 86 (3) Chapter 25-2, Subchapter F (*Residential Design and Compatibility*
- 87 *Standards*) does not apply to three-unit residential use.
- 88 (4) Building cover may not exceed 40 percent.
- 89 (5) Impervious cover for the site may not exceed 45 percent.

90 **PART 9.** City Code Section 25-2-841 (*Group and Family Homes*) is deleted.

91 **PART 10.** Subsection (C) of City Code Section 25-2-893 (*Accessory Uses for a*

92 *Principal Residential Use*) is amended to read as follows:

93 (C) The following are permitted as accessory uses:

- 94 (1) recreational activities and recreational facilities for use by residents;
- 95 (2) religious study meetings;
- 96 (3) playhouses, patios, cabanas, porches, gazebos, and household storage
- 97 buildings;
- 98 (4) radio and television receiving antenna and dish-type satellite receivers;
- 99 (5) solar collectors;
- 100 (6) home occupations that comply with Section 25-2-900 (*Home Occupations*);
- 101 (7) on-site sales as authorized by Section 25-2-902~~[1]~~ (*Residential Tours*) or
- 102 Section 25-2-903~~[2]~~ (*Garage Sales*); and
- 103 (8) the keeping of dogs, cats, and similar small animals as household pets; ~~and~~
- 104 ~~(9) a single accessory apartment that complies with the requirements of Section~~
- 105 ~~25-2-901 (*Accessory Apartments*).~~

106 **PART 11.** Subsections (D) and (E) of City Code Section 25-2-893 (*Accessory Uses for a*

107 *Principal Residential Use*) are deleted and the remaining subsections are re-lettered

108 accordingly.

109 **PART 12.** City Code Section 25-2-901 (*Accessory Apartments*) is deleted.

110 **PART 13.** City Code Chapter 25-2 (*Zoning*) is amended to replace all references of

111 “Section 25-2-774 (*Two-Family Residential Use*)” with “Section 25-2-774 (*Two-Unit and*

112 *Three-Unit Residential Uses*)”.