

ORDINANCE NO.

Corrected Line 79.  
Added Section 25-2-555

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:

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>

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

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

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

39 **PART 7.** Subsection (D) of City Code Section 25-2-555 (*Family Residence (SF-3)*  
 40 *District Regulations*) is deleted.

41 **PART 8.** City Code Section 25-2-773 (*Duplex Residential Use*) is amended to amend  
 42 Subsections (B) and (D), and to add a new Subsection (E) to read as follows:

43 **§ 25-2-773 DUPLEX RESIDENTIAL USE.**

44 (B) For a duplex residential use:

- 45 (1) minimum lot area is 5,750 [~~7,000~~] square feet;
- 46 (2) minimum lot width is 50 feet;
- 47 (3) maximum building cover is 40 percent;
- 48 (4) maximum impervious cover is 45 percent; and

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

50 (a) ~~30 feet; or~~

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

- 55 (D) The two dwelling units are subject to the following requirements:
- 56 [~~1~~] ~~The two units must have a common floor and ceiling or a common wall,~~
- 57 ~~which may be a common garage wall, that:~~
- 58 (a) ~~extends for at least 50 percent of the maximum depth of the building,~~
- 59 ~~as measured from the front to the rear of the lot; and~~
- 60 (b) ~~maintains a straight line for a minimum of four foot intervals or~~
- 61 ~~segments.]~~
- 62 (1~~2~~) The two units must have a common roof.
- 63 (2~~3~~) At least one of the two units must have a front porch that faces the front
- 64 street and an entry to the dwelling unit, except that units located on a corner
- 65 lot must each have a front porch that faces a separate street and an entry to
- 66 the dwelling unit.
- 67 (3~~4~~) The two units may not be separated by a breezeway, carport, or other open
- 68 building element.
- 69 (E) Chapter 25-2, Subchapter F (*Residential Design and Compatibility Standards*)
- 70 does not apply to duplex residential use.

71 **PART 9.** City Code Section 25-2-774 (*Two-Family Residential Use*) is repealed and

72 replaced to read as follows:

73 **§ 25-2-774 TWO-UNIT AND THREE-UNIT RESIDENTIAL USES.**

- 74 (A) This subsection applies to two-unit residential use.
- 75 (1) To the extent of conflict, this subsection supersedes the base zoning district
- 76 regulations.
- 77 (2) Chapter 25-2, Subchapter F (*Residential Design and Compatibility*
- 78 *Standards*) does not apply to two-unit residential use.
- 79 (3) The minimum lot area is **5,750** square feet.
- 80 (4) Each dwelling unit must be in a separate structure.
- 81 (5) The dwelling units may be connected by a covered walkway.
- 82 (6) One of the dwelling units may not exceed 1,100 total square feet.
- 83 (7) Impervious cover for the site may not exceed 45 percent.
- 84 (B) This subsection applies to three-unit residential use.

- 85 (1) To the extent of conflict, this subsection supersedes the base zoning district  
86 regulations.
- 87 (2) Three-unit residential use is not allowed on a substandard lot.
- 88 (3) Chapter 25-2, Subchapter F (*Residential Design and Compatibility*  
89 *Standards*) does not apply to three-unit residential use.
- 90 (4) Building cover may not exceed 40 percent.
- 91 (5) Impervious cover for the site may not exceed 45 percent.

92 **PART 10.** City Code Section 25-2-841 (*Group and Family Homes*) is deleted.

93 **PART 11.** Subsection (C) of City Code Section 25-2-893 (*Accessory Uses for a*  
94 *Principal Residential Use*) is amended to read as follows:

- 95 (C) The following are permitted as accessory uses:
- 96 (1) recreational activities and recreational facilities for use by residents;
- 97 (2) religious study meetings;
- 98 (3) playhouses, patios, cabanas, porches, gazebos, and household storage  
99 buildings;
- 100 (4) radio and television receiving antenna and dish-type satellite receivers;
- 101 (5) solar collectors;
- 102 (6) home occupations that comply with Section 25-2-900 (*Home Occupations*);
- 103 (7) on-site sales as authorized by Section 25-2-902<sup>[1]</sup> (*Residential Tours*) or  
104 Section 25-2-903<sup>[2]</sup> (*Garage Sales*); and
- 105 (8) the keeping of dogs, cats, and similar small animals as household pets. ~~]; and~~
- 106 ~~(9) a single accessory apartment that complies with the requirements of Section~~  
107 ~~25-2-901 (*Accessory Apartments*).]~~

108 **PART 12.** Subsections (D) and (E) of City Code Section 25-2-893 (*Accessory Uses for a*  
109 *Principal Residential Use*) are deleted and the remaining subsections are re-lettered  
110 accordingly.

111 **PART 13.** City Code Section 25-2-901 (*Accessory Apartments*) is deleted.

112 **PART 14.** City Code Chapter 25-2 (*Zoning*) is amended to replace all references of  
113 “Section 25-2-774 (*Two-Family Residential Use*)” with “Section 25-2-774 (*Two-Unit and*  
114 *Three-Unit Residential Uses*)”.