

## CODE AMENDMENT REVIEW SHEET

### **Code Amendments:**

- C20-2023-024 Single Family Lot and Use Modifications Phase I
- C20-2023-033 Tiny Homes and RVs in Single Family Zones Phase I
- C20-2023-012 Eliminate Unrelated Adult Occupancy Limits

### **Description:**

The proposed amendments to City Code Title 25 (Land Development Code) will:

- Allow up to three housing units, including tiny homes,<sup>1</sup> on Single-Family zoned property;
- Revise regulations that apply to a property with two housing units; and
- Remove restrictions on the number of unrelated adults living in a housing unit.

### **Summary of Proposed Code Amendments:**

There are two main groups of proposed code amendments that will be considered at the upcoming public hearing:

- The first group of amendments aims to increase housing opportunities on Single-Family (SF) zoned lots
- The second group of amendments seeks to remove restrictions on unrelated adults living in the same housing unit

The first group of amendments, known as Single Family Lot and Use Modifications (HOME Amendments), will be considered in two phases. The first phase will be reviewed at the upcoming public hearing and potentially adopted in December 2023. The second phase will be reviewed and potentially adopted by Spring 2024.

### **Summary of the Phase 1 Single Family Lot and Use Modifications (HOME Amendments):**

- ✓ Create a new Three-Unit Residential Use permitted in SF-1, SF-2, and SF-3 zoning districts<sup>2</sup>.
- ✓ Revise Two-Unit Residential Use regulations to ease site development restrictions and allow Two-Unit Residential Use in SF-1 and SF-2 zoning districts.
- ✓ Revise Duplex Residential Use regulations to allow the use in SF-1 and SF-2 zoning districts and ease site development restrictions.
- ✓ Remove duplicative Accessory Apartment Use.
- ✓ Remove duplicative Accessory Uses to a Principal Residential Use.
- ✓ Limit the applicability of Residential Design and Compatibility Standards “McMansion” to lots with only one housing unit.
- ✓ Allow tiny homes that meet the International Residential Code (IRC) standards to be considered a dwelling unit.

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<sup>1</sup> City staff is not proposing any regulations related to recreational vehicles (RVs) at this time.

<sup>2</sup> See Exhibit A, Zoning District map.

The second phase of Single Family Lot and Use Modifications (HOME Amendments) will be reviewed and considered for adoption by Spring 2024.

**Summary of Potential Phase 2 Single Family Lot and Use Modifications (HOME Amendments):**

- ✓ Reduce the minimum lot size for single-family zoned lots.
- ✓ Allow more types of housing in single-family neighborhoods to increase opportunities for housing choices.
- ✓ Adjust site development regulations if necessary, including setbacks, height, impervious cover, and floor-to-area ratio (FAR).
- ✓ Create standards for innovative drainage and utility solutions.
- ✓ Develop criteria for the use of recreation vehicles (RVs) as dwelling units on a single-family lot.

In addition to the amendments related to Single Family Lot and Use Modification (HOME Amendments), amendments to remove the dwelling unit occupancy limit in response to [Resolution No. 20230601-048](#) will be considered at the upcoming public hearing.

**Summary of the Proposed Changes to Eliminate Unrelated Adult Occupancy Restrictions:**

- ✓ Remove the zoning limitation on the number of unrelated adults allowed to live together ([§25-2-511](#)).
- ✓ Modify the Group Residential Use definition so that the use will align with license requirements for a Food Enterprise ([§25-2-3](#)).
- ✓ Remove Family Home and Group Home definitions in Civic Uses Described ([§25-2-6](#)) and in Group and Family Homes ([§25-2-841](#)).

Planning Commission held a public hearing on the proposal on Nov. 14, 2023, and voted to recommend approval with the following amendments.

**Summary of Planning Commission Amendments to the Phase 1 Single Family Lot and Use Modifications (HOME Amendments):**

1. Limit Floor-to-Area (FAR) per development and per unit
2. Change methodology for Gross Floor Area calculations
3. Remove 1,100 sq. ft. secondary unit limitations
4. Remove any differences between development standards for Duplex and Two-Unit Residential Uses
5. Modify front, rear, and street side yard setbacks
6. Develop front door, driveway, and garage design standards
7. Provide for Historic and Sustainability Preservation Bonuses
8. Ensure provisions that do not apply to single- and two-unit developments do not apply to three-unit developments
9. Ensure that the effective date is 60 days after final adoption.
10. Planning Commission direction to staff:
  - a. Produce an Annual Report to Planning Commission and City Council
  - b. Develop Single-unit FAR recommendations
  - c. Prioritize permitting and enforcement for STRs

- d. Produce an infrastructure impact assessment for land use changes in residential neighborhoods
- e. Research the distribution of HOAs and deed restrictions and impacts on HOME initiative
- f. Distribute Flood risk and insurance information
- g. Explore density bonus and other programmatic opportunities to increase home ownership opportunities for underserved communities

Please reference Agenda Backup Documents for the Planning Commission amendments and requested design standards.

**Code Amendment Text:** Please reference Agenda Backup Documents.

**Prior City Council Action:**

City Council initiated the above changes to the Land Development Code through the following resolutions:

1. [Resolution No. 20211209-064](#): Expand ADUs
  - Initiated changes on Dec. 9, 2021, directing staff to develop LDC amendments to increase opportunities for Accessory Dwelling Units (ADUs)
2. [Resolution No. 20220609-062](#): Increase ADU Flexibility
  - Initiated changes on Jun. 9, 2022, directing staff to develop LDC amendments to provide additional flexibility for Accessory Dwelling Units (ADUs)
3. [Resolution No. 20230601-048](#): Eliminate Unrelated Adult Occupancy Limits
  - Initiated changes on Jun. 1, 2023, directing staff to develop LDC amendments to remove restrictions on the number of unrelated adults that can live in a housing unit.
4. [Resolution No. 20230720-126](#): Single Family Lot and Use Modifications (Home Amendments)
  - Initiated changes on Jul. 20, 2023, directing staff to develop Land Development Code (LDC) amendments to achieve the following objectives:
    - Reduce the minimum lot size on property zoned single-family
    - Allow up to three housing units on property zoned single-family (SF)
    - Create a new Three-Unit Residential Land Use
    - Allow for flexible housing configurations on property zoned SF-1, SF-2, SF-3, and SF-4A/B, including rowhouses, townhomes, duplexes, triplexes, fourplexes, garden homes, and cottage courts
5. [Resolution No. 20230914-083](#): Tiny Homes and RVs
  - Initiated changes on Sept. 14, 2023, directing staff to develop LDC amendments to allow Tiny Homes and Recreational Vehicles (RVs) on property zoned single-family (SF)

On Sept. 21, 2023, City Council passed [Ordinance No. 20230921-055](#), which authorized a Joint Public Hearing of the Planning Commission and City Council to hear public testimony on these proposed changes to the Land Development Code. The ordinance also established requirements for public notice of the proposed changes.

On Oct. 5, 2023, City Council set a date of Oct. 26, 2023, for the Joint Planning Commission and City Council Public Hearing.

On Oct. 26, 2023, a Joint Public Hearing of the Planning Commission and City Council was held to hear public testimony on the proposed changes to the Land Development Code.

**Review and Adoption Milestones:**

The review and adoption process is scheduled for the following dates and times:

- Joint Planning Commission and City Council Meeting: October 26, 2023, at 2:00pm
- Planning Commission Meeting: November 14, 2023, at 6:00pm
- City Council Special Called Meeting: December 7, 2023, at 10:00am

At the Joint Public Hearing, city staff presented the proposed Land Development Code amendments, and members of the public provided feedback. No action was taken at the meeting.

On Nov. 14, Planning Commission voted to recommend the Land Development Code amendments, as amended, on a vote of 11-2, with Commissioners Cox and Mushtaler voting nay.

On Dec. 7, City Council will conduct a public hearing and deliberate on the proposed changes and Planning Commission's recommendations. At this meeting, City Council can vote on an ordinance that enacts the proposed changes into law.

**Sponsor Department:**

Planning Department

**City Staff:**

Jordan Feldman, Planning Department, [LDCupdates@austintexas.gov](mailto:LDCupdates@austintexas.gov), (512) 974-7220

**For More Information:**

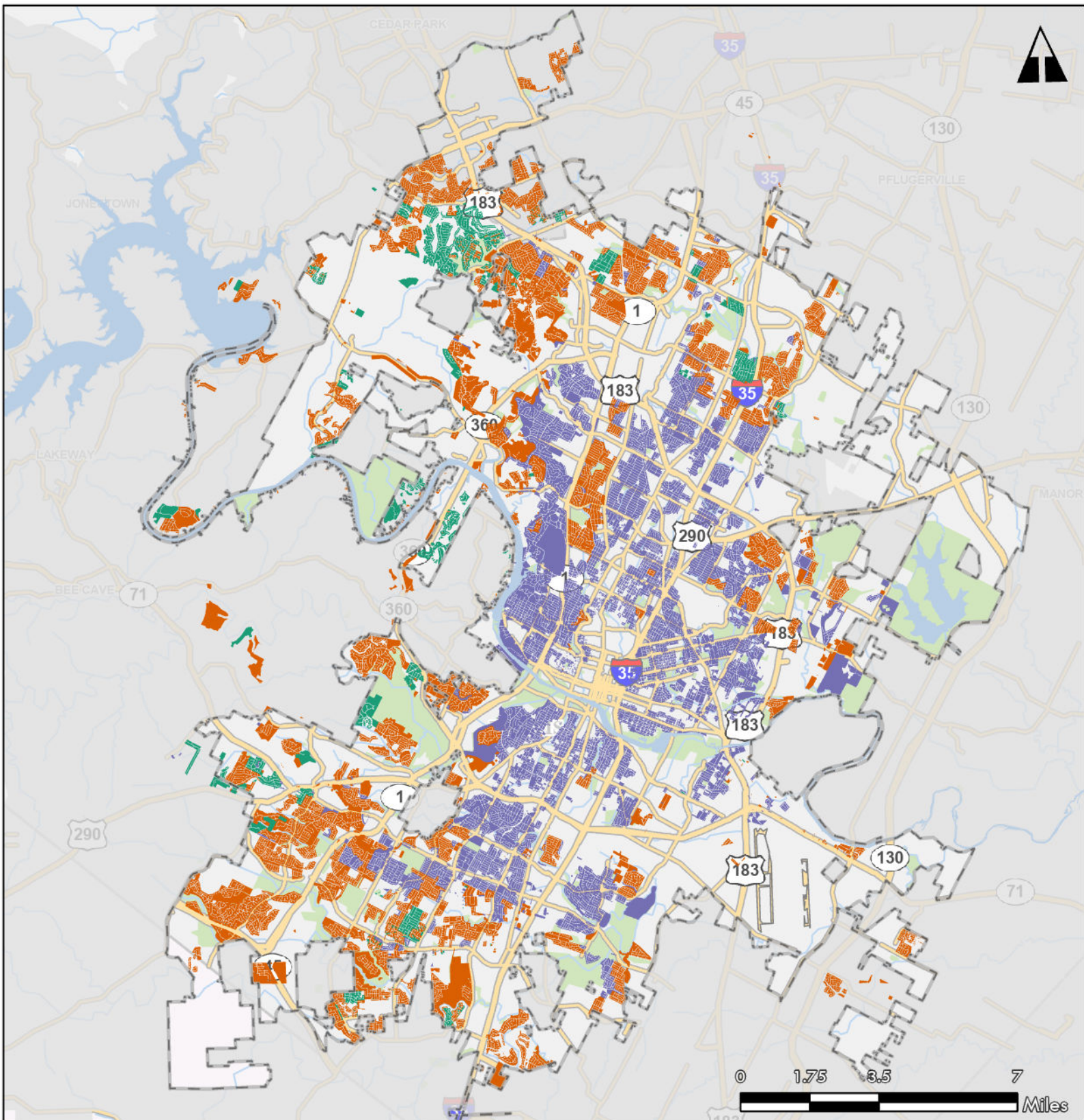
[PublicInput.com/LDCupdates](https://publicinput.com/LDCupdates)

**For Responses to Questions Submitted by Planning Commission and City Council:**

<https://services.austintexas.gov/budget/landdevcode/index.cfm>



# Exhibit A



## Zoning District

- SF-1
- SF-2
- SF-3

Full Purpose City Limits

Areas within Regulating Plans and PUDs were omitted

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.