

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 25 (LAND DEVELOPMENT CODE) OF THE CITY CODE RELATING TO REGULATIONS THAT APPLY TO PROPERTY WITH ONE DWELLING UNIT AND FLAG LOTS.

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

PART 1. Section 25-1-21 (*Definitions*) of City Code is amended to amend Subdivision (103) to read:

(103) SIDE LOT LINE means a lot line intersecting the front lot line and extending a minimum distance of 25 [~~75~~] feet.

PART 2. Section 25-1-22 (*Measurements*) of City Code is amended to amend Subsection (A) to read:

§ 25-1-22 MEASUREMENTS.

(A) For MF-1 and less restrictive, lot [~~Lot~~] area is the net horizontal area within the lot lines, excluding the portion of the lot that:

(1) [~~that~~] provides street access, if the lot is a flag lot; or

(2) [~~that~~] is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(B) For SF-6 and more restrictive, lot area is the net horizontal area within the lot lines and:

(1) includes the portion of the lot that provides street access, if the lot is a flag lot, and

(2) excludes the portion of the lot that is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(C) Lot depth is the horizontal distance between the mid-point of the front lot line and the midpoint of the rear lot line.

26 (D[E]) Except as otherwise provided in this title, lot width is measured at the front
27 setback line and at a distance of 20 [50] feet to the rear of the front setback line.

28 (E[D]) In determining required yards and setbacks for an irregularly shaped lot or a lot
29 bounded by only three lot lines, the rear lot line is:

- 30 (1) a line ten feet long;
- 31 (2) parallel to the front lot line; and
- 32 (3) at the most distant location from the front lot line.

33 (F[E]) A distance from a structure to a line or location is measured from the exterior face
34 of the nearest wall or vertical support of the structure to the line or location. For a
35 structure that does not have a wall or vertical support, the building official shall
36 determine the point of measurement.

37 **PART 2.** Subsection (B) of City Code Section 25-2-3 (*Residential Uses Described*) is
38 amended to amend the definition of “Small Lot Single-Family Residential Use” to read:

39 **§ 25-2-3 RESIDENTIAL USES DESCRIBED.**

40 (B) Residential use classifications are described as follows:

- 41 (13) SMALL LOT SINGLE-FAMILY RESIDENTIAL use is the use of a small
42 lot for only one [detached] dwelling unit, other than a mobile home.

43 **PART 3.** The table in City Code Section 25-2-491 (*Permitted, Conditional, and*
44 *Prohibited Uses*) is amended to add “Small Lot Single-Family Residential” as a permitted
45 use in SF-1, SF-2, and SF-3 base zoning districts.

46 **PART 4.** City Code Section 25-2-779 (*Small Lot Single-Family Residential Use*) of is
47 repealed and replaced to read:

48 **§ 25-2-779 SMALL LOT SINGLE-FAMILY RESIDENTIAL USE.**

- 49 (A) This section applies to a small lot single-family residential use.
- 50 (B) This section supersedes the base zoning district regulations to the extent of
51 conflict.
- 52 (C) Only one dwelling unit is permitted on a lot.

- 53 (D) This subsection applies to small lot residential use on a property zoned single-
54 family residence small lot (SF-4A) district or less restrictive.
- 55 (1) The minimum lot size is:
- 56 (a) 3,600 square feet; or
- 57 (b) for a corner lot, 4,500 square feet.
- 58 (2) A lot that fronts on a cul-de-sac must have:
- 59 (a) a chord width of not less than 33 feet at the front lot line;
- 60 (b) a width of not less than 40 feet at the front yard setback line; and
- 61 (c) a width of not less than 40 feet at all points 50 feet or more behind the
62 front lot line.
- 63 (3) The maximum height for a structure is 35 feet.
- 64 (4) The minimum front yard setback is 15 feet.
- 65 (5) The minimum street side yard setback is 10 feet.
- 66 (6) The minimum interior side yard setback is three and one-half feet, except:
- 67 (a) an interior side yard setback is not required if the interior side yard is
68 adjacent to property zoned SF-4A; and
- 69 (b) the combined width of the interior side yards of a lot may not be less
70 than seven feet.
- 71 (7) The minimum rear yard setback is five feet, excluding easements.
- 72 (8) The minimum setback between a rear access easement and a building or
73 fence is 10 feet.
- 74 (9) The maximum building coverage is 55 percent.
- 75 (10) The maximum impervious cover is 65 percent.

- 76 (11) A small lot single-family use must comply with the requirements of Section
77 25-4-232 (*Small Lot Subdivisions*).
- 78 (E) Subsections (F) – (L) apply to small lot residential use on property zoned single-
79 family residence small lot (SF-3) district or more restrictive.
- 80 (F) Lot Standards.
- 81 (1) A lot must be at least 2,000 square feet but less than 5,750 square feet.
- 82 (2) Except for a flag lot, a lot must be at least 20 feet wide.
- 83 (3) A flag lot must comply with Section 25-4-175 (*Flag Lots*).
- 84 (4) Except as provided in Subdivision (5), the following setbacks apply.
- 85 (a) The minimum side-street setback:
- 86 (i) on a Level 1 street is the greater of five feet from the property line
87 or 10 feet from curb, or in the absence of curbs, from the edge of
88 the pavement; or
- 89 (ii) on a Level 2, Level 3, or Level 4 street is 10 feet from the property
90 line.
- 91 (b) The minimum side setback is:
- 92 (i) five feet; or
- 93 (ii) zero feet for portion of the lot that provides street access.
- 94 (c) The minimum front setback is:
- 95 (i) 15 feet; or
- 96 (ii) five feet if the lot is a flag lot.
- 97 (d) The minimum rear setback is five feet.
- 98 (5) Except for a side-street setback, when an attached dwelling unit abuts a
99 property line, the minimum setback for that property line is zero.

- 100 (G) Building cover limits do not apply to a property zoned family residence (SF-3)
101 district or more restrictive.
- 102 (H) Impervious Cover.
- 103 (1) The maximum impervious cover is 45 percent.
- 104 (2) Except for a flag lot, the maximum front yard impervious cover is 50
105 percent.
- 106 (I) Except as provided in Subsection (J), Subchapter F does not apply to a property
107 zoned family residence (SF-3) district or more restrictive.
- 108 (J) Gross Floor Area.
- 109 (1) This subsection applies to a property located within the area described in
110 Subsection 1.2.1 of Chapter 25- 1, Subchapter F (*Residential Design and*
111 *Compatibility Standards*).
- 112 (2) GROSS FLOOR AREA means the total enclosed area of all floors in a
113 building with a clear height of more than six feet, measured to the outside
114 surface of the exterior walls, except as provided in this subsection.
- 115 (3) The maximum floor-to-area ratio for the lot is the greater of 0.55 or 1,450
116 square feet.
- 117 (4) The maximum unit size is 2,300 square feet.
- 118 (K) Design standards.
- 119 (1) This subsection does not apply if the property is a flag lot.
- 120 (2) The minimum number of street-facing entrances is one.
- 121 (3) Garage Placement
- 122 (a) In this subsection,
- 123 (i) BUILDING FACADE means the front-facing exterior wall or
124 walls of the first floor of the residential structure closest to the
125 primary street, and the term excludes the building facade of the
126 portion of that structure designed or used as a parking structure.

127 Projections from front-facing exterior walls, including but not
128 limited to eaves, chimneys, porches, stoops, box or bay windows,
129 and other similar features as determined by the building official,
130 are not considered part of the building facade.

131 (ii) PARKING STRUCTURE means an attached or detached garage or
132 carport.

133 (b) A parking structure may not be closer to the front lot line than the front-
134 most exterior wall of the first floor of the building façade.

135 (c) If a parking structure with an entrance that faces a front-yard abutting
136 public right-of-way is less than 5 feet behind the building façade, the
137 width of the parking structure may not exceed the width of the building
138 façade as measured parallel to the front lot line.

139 (L) Access Requirements for Driveways.

140 (1) For lot widths less than 30 feet, the site may only take vehicular access off
141 of an improved alley, from a side street, or through a joint-use driveway with
142 adjoining lots.

143 (2) For lot widths of 30 feet or greater, the site may take vehicular access off of
144 an improved alley, through a joint-use driveway with adjoining lots, or by
145 individual driveway.

146 **PART 5.** Section 25-2-981 (*Applicability; Exceptions*) of City Code is amended to
147 amend Subsection (B) to read:

148 **§ 25-2-981 APPLICABILITY; EXCEPTIONS.**

149 (A) Except as provided in Subsection (B), this article applies in the city's zoning
150 jurisdiction.

151 (B) Division 2 (*Requirements for a Site Plan*) and Division 3 (*Additional Site Plan*
152 *Requirements in Hill Country Roadway Corridors*) do not apply to:

153 (1) property zoned central business district or downtown mixed use district;

154 (2) a lot containing one single-family residence;

- 155 (3) a lot containing one duplex residence, unless the residence exceeds 4,000
156 square feet of gross floor area or has more than six bedrooms;
- 157 (4) a two-unit ~~family~~ residential use;
- 158 (5) a secondary apartment special use;
- 159 (6) a small lot single-family residential use on property zoned SF-1, SF-2, or
160 SF-3;
- 161 (7) substantial restoration of a building within one year after the building is
162 damaged;
- 163 (8) restoration of a building designated as a historic landmark; or
- 164 (9) interior or facade remodeling, if the front and side exterior walls of the
165 building remain in the same location.
- 166 (C) Developed property, or property with an approved site plan, that is affected by
167 right-of-way condemnation may be developed without compliance with this article,
168 as provided by this subsection.
- 169 (1) After condemnation, improvements shown on the remainder of an approved
170 site plan may be constructed, and only the landscaping on the remainder of
171 the approved site plan is required.
- 172 (2) Improvements on developed properties that are lost through condemnation
173 may be replaced. Only the area within the limits of construction for the
174 replaced improvements must comply with this article, except an owner is not
175 required to provide more landscaping than was in existence before the
176 condemnation.

177 **PART 6.** Section 25-2-1406 (*Ordinance Requirements*) of City Code is amended to read:

178 **§ 25-2-1406 ORDINANCE REQUIREMENTS.**

179 An ordinance zoning or rezoning property as a NP combining district:

- 180 (1) must prescribe the special uses described in Section 25-2-1403 (*Special*
181 *Uses*) that are permitted in the district;

- 182 (2) must describe the location of each residential infill special use,
183 neighborhood urban center special use, or neighborhood mixed use building
184 special use, if any;
- 185 (3) may restrict the time of day during which a business in a neighborhood
186 mixed use building special use may be open to the public;
- 187 (4) may restrict a corner store special use, cottage special use, secondary
188 apartment special use, or urban home special use, if any, to a designated
189 portion of the district;
- 190 (5) for a single-family residential use on an existing legal lot platted on or
191 before (insert effective date of this ordinance) or a secondary apartment
192 special use on an existing legal lot:
- 193 (a) may reduce the required minimum lot area to 2,500 square feet;
- 194 (b) may reduce the required minimum lot width to 25 feet; [~~and~~]
- 195 (c) for a lot with an area of 4,000 square feet or less, may increase the
196 maximum impervious coverage to 65 percent; [~~and~~]
- 197 (d) a lot that is aggregated with other property to form a site may not be
198 disaggregated to satisfy this subsection; and[-]
- 199 (6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*),
200 Section 25-2-1603 (*Impervious Cover and Parking Placement*
201 *Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district or a
202 designated portion of the district;
- 203 (7) may restrict front yard parking by including all or a portion of the district in
204 the restricted parking area map described in Section 12-5-29 (*Front or Side*
205 *Yard Parking*); [~~and~~]
- 206 (8) may apply the requirements of Section 25-2-812(N) (*Mobile Food*
207 *Establishments*) to the district or a designated portion of the district;[-]
- 208 (9) may modify the following requirements of Subchapter F (*Residential Design*
209 *And Compatibility Standards*) for the district or a designated portion of the
210 district:

- 211 (a) the maximum floor-to-area ratio and maximum square footage of
212 gross floor area prescribed by Subchapter F (*Residential Design And*
213 *Compatibility Standards*);
- 214 (b) the maximum linear feet of gables or dormers protruding from the
215 setback plane;
- 216 (c) the height of the side and rear setback planes; and
- 217 (d) the minimum front yard setback requirement; and[-]
- 218 (10) may apply the requirements of Section 25-2-1407 (*Affordable Housing*) to
219 the district or a designated portion of the district.

220 **PART 7.** Section 25-4-177 (*Flag Lots*) of City Code is repealed and replaced to read:

221 **§ 25-4-177 FLAG LOTS.**

222 (A) In this section, SINGLE-FAMILY RESIDENTIAL means:

- 223 (1) single-family attached residential use;
- 224 (2) single-family residential use; and
- 225 (3) small lot single-family residential use.

226 (B) A flag lot may only be approved in accordance with the requirements of this
227 subsection.

- 228 (1) Except as provided in Subdivision (2), flag lot designs are permitted if the
229 director determines that the subdivision conforms to the fire code, utility
230 design criteria, plumbing code and requirements for access.
- 231 (2) In single-family, duplex, two-unit, or three-unit residential subdivisions on
232 previously unplatted land,
- 233 (a) flag lot designs may be used where no more than two dwelling units
234 utilize a shared driveway; and

235 (b) residential flag lot designs with more than two units sharing a
236 driveway may be utilized if the lots conform to the fire code, utility
237 design criteria, plumbing code, and requirements for access.

238 (B) Minimum Width of a Flag Lot.

239 (1) Except as provided in Subdivision (2), the minimum width of a flag lot is:

240 (a) 20 feet; or

241 (b) 15 feet if:

242 (i) two or more contiguous lots share a common driveway and
243 sufficient area is available outside the drive on each lot for
244 utility installation;

245 (ii) the applicant can demonstrate access through an alternative
246 route; or

247 (iii) a driveway is not proposed.

248 (2) The minimum width of a flag lot with up to three dwelling units is:

249 (1) 15 feet; or

250 (2) 10 feet if:

251 (a) two or more contiguous lots share a common driveway and
252 sufficient area is available outside the drive on each lot for
253 utility installation; or

254 (b) the applicant can demonstrate access through an alternative
255 route; or

256 (c) a driveway is not proposed.

257 (C) For residential subdivisions utilizing a flag lot design, all driveways within the
258 subdivision must be located and designed in a manner that:

259 (1) provides adequate space for required utilities;

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- (2) complies with the Utilities Criteria Manual;
- (3) complies with the Drainage Criteria Manual;
- (4) complies with the Fire Code;
- (5) complies with the Plumbing Code; and
- (6) complies with applicable tree preservation requirements detailed in the Environmental Criteria Manual.

(D) All addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders.

PART 8. Section 25-4-232 (*Small Lot Subdivisions*) of City Code is amended to amend Subsection (A) to read:

§ 25-4-232 SMALL LOT SUBDIVISIONS.

(A) This section applies to a subdivision with small lots and zoned SF-4A or less restrictive.

PART 9. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____ § _____
 _____ § _____
 _____, 2024 § _____

Kirk Watson
Mayor

APPROVED: _____

Anne L. Morgan
City Attorney

ATTEST: _____

Myrna Rios
City Clerk