City of Austin

Recommendation for Action

File #: 26-3054, **Agenda Item #:** 72. 11/19/2026

Posting Language
Set a public hearing to receive public comment regarding an ordinance to amend Article 11 (Residential Code) of City Code Section 25-12 (Technical Codes) to add a local amendment to the 2024 International Residential Code to create Appendix BP establishing requirements for three- and four-family dwellings (Suggested date: December 3, 2026, at Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). Funding: This item is to set a public hearing regarding a possible future amendment to City Code and has no fiscal impact.

Lead Department
Austin Development Services.

Fiscal Note
This item is to set a public hearing regarding a possible future amendment to City Code and has no fiscal impact.

Prior Council Action:
July 23, 2026 - Council approved Resolution No. 20260723-086 initiating amendments to the 2024 International Residential Code to regulate multifamily housing developments of up to four attached dwelling units on a 9-1 vote, with Council Member Duchen voting no and Council Member Fuentes absent.

For More Information:
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Raistlin Chiovaro, Austin Development Services, Construction and Inspections Program Manager, Raistlin.chiovaro@austintexas.gov or (512)228-2697.

Additional Backup Information:
The International Residential Code (IRC) provides minimum requirements to safeguard the public health, safety and general welfare of occupants of one- and two-family dwellings and townhouses. The proposed ordinance adds Appendix BP to the Residential Code to allow qualifying three- and four-family dwellings to be constructed under the requirements applicable to two-family dwellings, with additional structural, fire protection, and life safety provisions.

If approved, the proposed appendix will apply to a single structure containing three or four attached dwelling units that are not townhouse units, with a maximum gross floor area of 6,000 square feet. These limits are intended to support smaller residential buildings and infill housing while addressing the increased life safety risks associated with additional dwelling units.

The proposed appendix establishes requirements for dwelling unit separation, common egress spaces, automatic sprinkler systems, and smoke alarm notification. It also addresses vertically stacked dwelling units, habitable attics, occupiable roofs, and access for inspection and maintenance of fire and life safety systems. Highlights of the proposed local amendment include:

- Require fire-resistance-rated separation between dwelling units and common egress spaces without the reduced rating otherwise allowed for automatic sprinklers.
- Require common egress spaces to discharge directly to the exterior and be separated from the remainder of the building interior by one-hour fire-resistance-rated assemblies that limit smoke transfer. Doors connecting these spaces to dwelling units or other interior spaces must have a 45-minute rating, smoke gaskets, self-closing devices, and self-latching hardware.
- Prohibit ducts and air transfer openings through assemblies separating common egress spaces from dwelling units and prohibit the use of separating stud wall cavities as air plenums.
- Limit vertically stacked dwelling units to two. Prohibit habitable attics above the third story above grade plane and occupiable roofs serving more than one dwelling unit. Roofs serving one dwelling unit may not be above the third story.
- Require automatic sprinkler systems designed under IRC Section P2904 or NFPA 13D, with supplemental protection for specified garages, carports, common egress spaces, and covered exterior areas of wood construction.
- Require dwelling unit smoke alarms to connect to a notification appliance in a common egress space where one is provided.
- Require an access agreement, submitted with the permit application, allowing a licensed contractor or code official to maintain or inspect fire and life safety systems in a dwelling unit owned or occupied by others.
- The proposed appendix allows fire-flow requirements for qualifying three- and four-family dwellings to be calculated as required for a two-family dwelling.

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