

PROPOSED ZONING CHANGES – FOR CITY COUNCIL MEETING (Dec. 7th)

** = Planning Commission (PC) Recommendation

**** THE CHANGES DESCRIBED IN THIS DOCUMENT WOULD GO INTO EFFECT 60 DAYS AFTER ADOPTION.**

ALLOWING UP TO THREE HOUSING UNITS, INCLUDING TINY HOMES, ON A SINGLE-FAMILY (SF) ZONED PROPERTY

USE	SF- 1	SF- 2	SF- 3	USE	SF- 1	SF- 2	SF3 1
Duplex Residential	<u>P</u>	<u>P</u>	P	Family Home	P	P	P
Group Residential	—	—	—	Group Home, Class I (General)	G	G	G
<u>Three-Unit Residential</u>	<u>P</u>	<u>P</u>	<u>P</u>	Group Home, Class I (Limited)	P	P	P
Two- <u>Unit Family</u> Residential	<u>P</u>	<u>P</u>	P	Group Home, Class II	—	—	—

	SF-1 ¹	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	10,000	5,750	5,750
MINIMUM CORNER LOT AREA (square feet):			
MINIMUM LOT WIDTH:	60	50	50
MINIMUM CORNER LOT WIDTH:			
MAXIMUM DWELLING UNITS PER LOT:	<u>3</u> ¹	<u>3</u> ¹	<u>3</u> ⁻²
MAXIMUM HEIGHT:	35	35	35
MINIMUM SETBACKS:			
FRONT YARD:	25	25	25
STREET SIDE YARD:	15	15	15
INTERIOR SIDE YARD:	5	5	5
REAR YARD:	10	10	10
MAXIMUM BUILDING COVERAGE:	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	40%	45%	45%
MAXIMUM FLOOR AREA RATIO			

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CHANGES TO DEFINITIONS/TERMINOLOGY

- (1) Multifamily Use: Change the number of dwelling units from 3 to 4 to avoid conflict with the new “Three- Unit Residential” Use.
- (2) Tiny Home is a housing unit that is 400 square feet or less in floor area excluding loft space. (Will be added to Section 25-1-21)
- (3) ** For duplex and two- and three-units: Gross Floor Area, within Subchapter “F” boundary, is the same as § 25-1-21 with exclusions for carports and parking structures.
 - (a) A parking structure is excluded from Gross Floor Area calculation when the parking structure is 450 square feet or less and is:
 - (i) a detached rear parking area that is separated by at least 10 feet from the principal¹ structure; or
 - (ii) a detached rear parking area that is separated by 10 or more feet from the principal structure; or
 - (iii) a rear parking area that is separated by 10 or more feet and attached to the principal structure by covered breezeway that is completely open on all sides; or
 - (b) A parking structure is excluded from Gross Floor Area calculation when the parking structure is 200 square feet or less and:
 - (i) the parking area is attached; or
 - (ii) the garage is less than 10 feet from the rear of a structure and is detached or is attached by a covered breezeway that is completely open on all sides.

REMOVING RESTRICTIONS ON THE NUMBER OF UNRELATED ADULTS LIVING IN A HOUSING UNIT.

- (1) Delete Section 25-2-511 (*Dwelling Unit Occupancy Limit*); Family Home, Group Home uses; and related restrictions.
- (2) Change Group Residential use from 6 unrelated adults to 16 or more adults plus a third party prepares or provides food (requires Austin Public Health permit).

¹ It is likely that the phrase “principal structure”, which is used throughout this document, will be replaced with “each” or something similar in the ordinance because the proposed changes to the City Code will remove the distinction between principal, primary, and secondary structures.

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REVISING REGULATIONS THAT APPLY TO A PROPERTY WITH TWO HOUSING UNITS.

Code	Current Code Requirements	Proposed Standards ** Same for both uses
Duplex (25-2-773)	- Min lot area is 7,000 sq. ft. (and 10,000 sq. ft. in SF-3) - Min lot width is 50 feet; - Max building cover is 40%; - Max impervious cover is 45%; and - Max building height is the lesser of: (a) 30 feet; or (b) two stories with some exceptions. - The two units must have common roof; common floor and ceiling or a common wall as defined in this section	- Min. lot size: 5,750 square feet. - If there is a conflict between the regulations of this use and the regulations of the base zoning district, this section controls. - Chap. 25-2, Subchap. F “McMansion” standards will not apply. - Height established by base zoning. - Max Impervious Cover: 45%; Max Building Coverage: 40% - No STR-specific regulations.² **Remove 1,100 square foot cap on a detached second unit. **Within the Subchapter F “McMansion” Boundaries, two units are subject to the following Floor-to-Area Ratios (FAR): (a) No unit may exceed the greater of .4 or 2,300 sq. ft. (does not apply to an existing unit). (b) Max FAR for the site is the greater of .55 or 3,200 sq. ft. **Front Yard Setback Minimum: Lesser of base zoning district or average front yard calculation (see pg. 6 for more information). **Rear Yard Setback Minimum: Base zoning district; may be reduced to 5 when adjacent to an alley or lot with a non-SF use. **Street Side Yard Setback: Reduced to 10 feet for corner lots. **At least one street-facing entrance. **Must comply with design standards (see pg. 5 for more information).
Two- Unit Family (25-2-774)	Subsection controls over base zoning district. The secondary unit: - Must be detached; - Must be located 10 feet from the rear of the principal structure or above detached garage; - May not exceed a height of 30 feet or is limited to two stories; - Limited use as a short-term rental (STR); - Has square footage requirements; - Max 45% Impervious Cover; and - Max 40% Building Cover.	
Guesthouse (25-2-893(D)) ADU for Employees (25-2-893(E)) Accessory Apartment (25-2-901)		Delete these accessory uses.

² This is consistent with PC’s recommendation to treat duplex use and two-unit use the same and with the original summary that removed STR-specific regulations for two-unit.

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NEW THREE-UNIT RESIDENTIAL USE:

- (1) Property owners must build three housing units on one lot for this use.
- (2) Min Lot Size is 5,750 square feet.
- (3) If there is a conflict between the regulations of this use and the regulations of the base zoning district, this section controls.
- (4) Max Building Coverage is 40%.
- (5) Max Impervious Cover is 45%.
- (6) Chapter 25-2, Subchapter F “McMansion” standards will not apply.
- (7) ** Within the Subchapter F “McMansion” Boundaries, three units are subject to the following Floor-to-Area Ratios (FAR):
 - (a) No unit may exceed the greater of .4 or 2,300 sq. ft. (does not apply to an existing unit).
 - (b) The FAR for two of the three units cannot exceed the greater of .5 or 2,900 sq. ft. (does not apply to existing units).
 - (c) Max FAR for the site is the greater of .65 or 3,750 sq. ft.
- (8) ** Front Yard Setback Min.: Lesser of base zoning district or average front yard calculation. See pg. 6 for more information.
- (9) ** Rear Yard Setback Min.: Base zoning district; may be reduced to 5 when adjacent to an alley or lot with a non-single-family use.
- (10) ** Street Side Yard Setback: Reduced to 10 feet for corner lot.
- (11) ** At least one street-facing entrance.
- (12) ** Regulations that apply to driveway and garages for one and two-unit units apply to this use.
- (13) ** Must comply with design standards. See pg. 5 for more information.

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****DESIGN STANDARD RECOMMENDATIONS³**

- (1) Porch: "Porch" means a porch that is open on three sides and that may have a roof. A porch may project into the front yard.
 - (a) A porch must be at least 15 feet from the front lot line; and
 - (b) A porch roof overhang or porch step must be at least 13 feet from the front lot line.
- (2) Impervious Cover and Parking Placement: Impervious cover in a front yard may not exceed 40 percent.
 - (a) The director may waive front yard impervious cover if the director determines backing a motor vehicle onto the adjacent roadway is unsafe and that a circular driveway or turnaround in the front yard is required.
 - (b) Not more than four parking spaces may be located in the front street yard, or for a corner lot, not more than four parking spaces may be located in the front street yard and side street yard combined.
- (3) Garage Placement.
 - (a) BUILDING FACADE means the front-facing exterior wall or walls of the first floor of the principal structure on a lot, and the term excludes the building facade of the portion of the principal structure designed or used as a parking structure. Projections from front-facing exterior walls, including but not limited to eaves, chimneys, porches, stoops, box or bay windows, and other similar features as determined by the building official, are not considered part of the building facade.
 - (b) PARKING STRUCTURE means a garage or carport, either attached or detached from the principal structure.
 - (c) A parking structure with an entrance that faces the front yard abutting public right-of-way:
 - (i) may not be closer to the front lot line than the front-most exterior wall of the first floor of the building facade; and
 - (ii) if the parking structure is less than 20 feet behind the building facade, the width of the parking structure may not exceed 50 percent of the width of the building facade, measured parallel to the front lot line, or the line determined by the building official if located on an irregular lot.

³ PC Recommendation: Staff generally proposes these requirements as the design standards but may propose some modifications.

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****AVERAGE FRONT YARD SETBACK.**

The following rules apply for the purpose of calculating the average front yard setback.

- (1) A front yard setback is the distance between the front lot line and the closest front exterior wall or building façade of the principal residential structure located on the lot.
- (2) Except as provided in paragraph 3, average front yard setback is determined using the front yard setback of the four principal residential structures that are:
 - (a) built within fifty feet of the front lot line; and
 - (b) closest to, and on the same side of the block, as the property subject to the setback required by this section.
- (3) If less than four structures satisfy the criteria in paragraph 2, average front yard setback is calculated using the number of existing residential structures on the same side of the street block as the property subject to the setback required by this section.
 - (a) If there are no structures on the same side of the block, average front yard setback is calculated using the front yard setbacks of the four structures on the opposite side of the block that are closest to the property subject to the setback required by this section.
 - (b) If there are less than four structures on the opposite side of the block, the lesser number of structures is used in the calculation.

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** BONUSES⁴

- (1) Preservation Bonus. If the preserved existing structure was constructed in or before 1960:
 - (a) An additional fourth unit can be constructed on the lot.
 - (b) If at least 50 percent of the existing structure and 100 percent of the street-facing façade are preserved, the square footage that is preserved is exempt from the FAR calculation.
 - (i) For a structure with a side-gabled, cross-gabled, hipped, or pyramidal roof form: Remodeling and alterations are limited to the area behind the existing roof ridgeline or peak.
 - (ii) For a structure with a front-gabled, shed roof or flat roof form: Remodeling and alterations are limited to the lesser of 15 feet from the front façade or one-half of the width of the front wall.
 - (c) If the development requires a 15-foot clearance on the side of the existing preserved structure to build other allowable dwelling units, an existing or converted carport or garage may be altered or removed to provide the clearance.
 - (d) If the existing structure is designated as a historic landmark or located within a historic district, the Historic Design Standards or applicable design standards apply.
- (2) Sustainability Bonus. If the preserved existing structure was constructed in or after 1961 and is at least 20 years old: If at least 50 percent of the existing structure is preserved, the square footage that is preserved is exempt from the FAR calculation.

⁴ There are operational and legal issues associated with this set of PC recommendations. Staff will provide a memorandum detailing these concerns on or before November 28, 2023.