

1 **ORDINANCE NO.**

2 **AN ORDINANCE AMENDING SECTION 25-2-773 OF CITY CODE RELATED**
3 **TO FLOOR-TO-AREA RATIO (FAR) AND SQUARE FOOTAGE MAXIMUM**
4 **WHEN CONSTRUCTING TWO NEW DWELLING UNITS AND PRESERVING**
5 **AN EXISTING DWELLING UNIT.**

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

7 **PART 1.** Subsection (E) of City Code Section 25-2-773 (*Duplex, Two-Unit, and Three-*
8 *Unit Residential Uses*) is amended to read:

9 **§ 25-2-773 DUPLEX, TWO-UNIT, AND THREE-UNIT RESIDENTIAL USES.**

10 (E) This subsection applies to the area established in Subsection 1.2.1 of Chapter 252,
11 Subchapter F (*Residential Design and Compatibility Standards*).

12 (1) In this subsection,

13 (a) EXISTING DWELLING UNIT means a dwelling unit that is:

- 14 (i) legally permitted and occupied before December 7, 2023; or
- 15 (ii) described in an application for a residential permit that was submitted on
16 or before December 7, 2023.

17 (b) GROSS FLOOR AREA means the total enclosed area of all floors in a
18 building with a clear height of more than six feet, measured to the outside
19 surface of the exterior walls, except as provided in this subsection.

20 (2) Gross Floor Area Exclusions.

21 (a) For a property that includes an existing dwelling unit that was constructed on
22 or before December 31, 1960, the property owner may exclude the preserved
23 square footage from the gross floor area if the requirements in Subsection
24 (F) are met.

25 (b) For a property that includes an existing dwelling unit that was constructed on
26 or after January 1, 1961, and is at least 20 years old, the property owner may
27 exclude the preserved square footage from the gross floor area if the
28 requirements in Subsection (F) are met.

29 (3) Floor-to-area ratio for a duplex or two-unit residential use.

30 (a) The maximum floor-to-area ratio for the site is the greater of 0.55 or 3,200
31 square feet.

- 32 (b) Except for an existing dwelling unit, a dwelling unit may not exceed the
- 33 greater of 0.4 or 2,300 square feet.

- 34 (4) Floor-to-area ratio for three-unit residential use.

 - 35 (a) The maximum floor-to-area ratio for the site is the greater of 0.65 or 4,350
 - 36 square feet.

 - 37 (b) Except for an existing dwelling unit, a dwelling unit may not exceed the
 - 38 greater of 0.4 or 2,300 square feet.

 - 39 (c) Except for two existing dwelling units,

 - 40 (i) two dwelling units may not exceed the greater of 0.55 or 3,200 square
 - 41 feet if an existing unit on the site is not preserved; or
 - 42 (ii) two dwelling units may not exceed the greater of 0.65 or 4,350 square
 - 43 feet if an existing unit on the site is preserved under Subsection (F).

44 **PART 2.** This ordinance takes effect on _____, 2025.

45 **PASSED AND APPROVED**

46 _____ §
47 _____, 2025 § _____

Kirk Watson
Mayor

50 **APPROVED:** _____

ATTEST: _____

51 Deborah Thomas
52 Interim City Attorney

Myrna Rios
City Clerk