

Version 2 - Clean

RESOLUTION NO.

WHEREAS, on April 10, 2025, Council amended City Code Title 25 (Land Development Code) by adopting the 2024 International Residential Code (IRC) and local amendments and the 2024 International Building Code (IBC) and local amendments; and

WHEREAS, the IRC was specifically developed to ensure that safety, constructability, and affordability remain in balance for everyone; and

WHEREAS, the IRC regulates construction of single-family houses, duplexes, and buildings consisting of townhouse units up to three stories; and

WHEREAS, the IBC applies to all occupancies, including residential projects that are outside the scope of the IRC, and includes regulatory requirements designed for industrial hazards, commercial buildings, and large multifamily buildings that add cost and complexity when applied to smaller residential projects; and

WHEREAS, the assignment of small-scale multi-unit buildings to the IBC has contributed to the high cost of small-scale multi-unit housing development, limited the production of historic American housing types, and has acted as a barrier to the production of affordable middle housing in Austin and throughout the United States; and

WHEREAS, small multi-unit buildings (“Houseplexes”) can be safely constructed using residential construction means and methods, and a residential workforce without the need for additional engineering, permitting, and specialty subcontracting standards typically associated with IBC projects; and

24 **WHEREAS**, the IRC contains robust life-safety provisions, including fire-
25 resistance-rated assemblies, sprinkler systems, penetration protections, and draft-
26 stopping; and

27 **WHEREAS**, comparisons between residential-scale NFPA-13D sprinkler
28 systems and the NFPA-13R sprinkler systems typically found in large multifamily
29 construction indicate similar life-safety performance at a fraction of the cost; and

30 **WHEREAS**, other local jurisdictions, states, and code-writing authorities
31 have already adopted or are actively considering code revisions to allow
32 construction of small multifamily buildings under the IRC's regulatory scope—
33 including adopted codes in Shelby County, Tennessee (up to six units) and Dallas,
34 Texas (up to eight units) demonstrating feasibility; and

35 **WHEREAS**, Shelby County, Tennessee adopted a local amendment,
36 Appendix M (Middle-Scale Housing IBC Amendment), to their IBC to provide an
37 alternative compliance path for small-scale, low rise multifamily buildings of up to
38 24 dwelling units; and

39 **WHEREAS**, Austin Development Services issued Policy Memo PM2024-
40 0002, Modification Criteria for Review of Triplexes Under the IRC, which allows
41 for buildings up to three stacked units under similarly modified IRC regulations;
42 and

43 **WHEREAS**, Council approved resolutions directing staff to create new
44 Middle Residential and Mixed-Use zoning districts that align with four or more
45 dwelling units, and Affordability Unlocked allows six to eight dwelling units in
46 SF-4 and more restrictive zones; and

47 **WHEREAS**, the Middle Residential and Mixed-Use zoning study published
48 by Austin's Planning Department in January 2026 identifies the building codes as a

potential barrier to constructing missing middle housing and recommends considering middle scale housing to be allowed to use the IRC; and

WHEREAS, the same study finds that allowing compliance with the IRC could reduce material and labor costs by enabling the existing network of single-family homebuilders and contractors to build middle missing housing without learning a separate building code, and may incentivize builders who typically work on larger projects to bid on smaller missing middle projects or charge less; and

WHEREAS, Site Plan Lite Phase 2 provides a simplified review process and streamlined drainage requirements for “Residential Infill Projects” up to sixteen dwelling units; and

WHEREAS, four units represent a well-established threshold in existing City land development policy, including Site Plan Lite 1 (which allows up to four units without a site plan), Austin Water and Austin Resource Recovery utility provisions, residential driveway requirements, and federal Fair Housing Act loan eligibility; and

WHEREAS, expanding the IRC to cover Houseplexes up to and including four units, and reducing barriers to small-scale multifamily buildings under the IBC, will enable more four-unit buildings to be permitted and built in Austin at residential scale and cost, increasing the total number of accessible homes produced;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Council initiates amendments to City Code Title 25 (Land Development Code) to amend the 2024 IRC by adopting local amendments to expand the scope

of the IRC to regulate construction of Houseplexes of up to and including four attached dwelling units that do not include internal common spaces or shared utilities and that are limited to a maximum of three stories above grade plane (Houseplex Code Amendment).

BE IT FURTHER RESOLVED:

The City Manager is directed to initiate a review and adoption of the proposed Houseplex Code Amendment, and incorporate the following minimum life-safety requirements:

1. Houseplexes with three or four units:
 - (a) two-hour fire-resistance-rated assemblies between dwelling units and supporting construction; or
 - (b) one-hour fire-resistance-rated assemblies where an automatic sprinkler system based on NFPA 13D is installed throughout the building.
2. For Houseplexes with two units, existing IRC regulations for two-family dwellings will apply without modification.
3. All projects under the IRC:
 - (a) shared external means of egress, where applicable;
 - (b) no electrical receptacles in shared external means of egress; and
 - (c) all penetration protection and draft-stopping measures currently required by the IRC.

BE IT FURTHER RESOLVED:

The City Manager is further directed to coordinate the implementation of this resolution with Resolution No. 20260326-040, or “Missing Middle.”

Implementation should include matching any new middle housing zoning categories that allow two to four attached units by right with a corresponding IRC pathway that allows those units to be permitted and built under minimum Code requirements, without requiring IBC compliance, site plan review, or commercial-grade engineering.

BE IT FURTHER RESOLVED:

Recognizing that the intent of the this resolution is only to expand the scope of the IRC to include the regulation of construction of up to four attached dwelling units, the City Manager is further directed to ensure that any associated building code amendments or policies do not modify, expand, or otherwise affect the number of dwelling units permitted on a lot, which remains governed by the applicable zoning district under City Code Title 25 (Land Development Code).

BE IT FURTHER RESOLVED:

The City Manager is further directed to explore and propose local amendments to provide a simplified pathway to compliance with IBC requirements for residential buildings containing five to sixteen attached dwelling units that aligns with the goals of Middle Residential and Mixed-Use Zoning, as well as Site Plan Lite Phase 2.

BE IT FURTHER RESOLVED:

The City Manager is further directed to convene a team of City staff that may include members from Austin Development Services and Austin Fire Department, and the Austin Building Official, to review City Code Chapter 25-12 (Technical Codes) and related development application review processes to:

1. identify provisions that apply to small-scale residential Houseplexes due to unit count thresholds rather than actual hazard or occupancy risk;
2. identify any aspects of three- to four-unit Houseplexes that pose a greater life-safety risk compared to un-sprinklered single-family and two-family dwellings of equivalent size with respect to building resilience and life safety and establish reasonable life-safety criteria to address those aspects;
3. propose targeted amendments or alternative compliance pathways that maintain equivalent life-safety outcomes at reduced cost and complexity for Houseplexes of five to sixteen units; and
4. identify any conflicts between proposed IRC and IBC Houseplex pathways and make recommendations to resolve them.

BE IT FURTHER RESOLVED:

The City Manager is further directed to report back to Council by December 2026 with the proposed Houseplex Code Amendment, recommended local amendments to the IBC for Houseplexes containing five to sixteen dwelling units, the results of City staff's review of Chapter 25-12 and related review processes, and any other amendments to City Code necessary to implement this resolution.

ADOPTED: _____, 2026 **ATTEST:** _____

Erika Brady
City Clerk