

1 **ORDINANCE NO. _____**

2 **AN ORDINANCE AMENDING CITY CODE SECTION 25-2-773 RELATED TO**
3 **FLOOR-TO-AREA RATIO AND MAXIMUM SQUARE FOOTAGE WHEN**
4 **CONSTRUCTING TWO NEW DWELLING UNITS AND PRESERVING AN**
5 **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-Unit*
8 *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 25-
11 2, 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
16 submitted on or before December 7, 2023.

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

21 (2) Gross Floor Area Exclusions.

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

26 (b) For a property that includes an existing dwelling unit that was
27 constructed on or after January 1, 1961, and is at least 20 years old,
28 the property owner may exclude the preserved square footage from
29 the gross floor area if the requirements in Subsection (F) are met.
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- (3) Floor-to-area ratio for a duplex or two-unit residential use.
 - (a) The maximum floor-to-area ratio for the site is the greater of 0.55 or 3,200 square feet.
 - (b) Except for an existing dwelling unit, a dwelling unit may not exceed the greater of 0.4 or 2,300 square feet.
- (4) Floor-to-area ratio for three-unit residential use.
 - (a) The maximum floor-to-area ratio for the site is the greater of 0.65 or 4,350 square feet.
 - (b) Except for an existing dwelling unit, a dwelling unit may not exceed the greater of 0.4 or 2,300 square feet.
 - (c) Except for two existing dwelling units,
 - (i) two dwelling units may not exceed the greater of 0.55 or 3,200 square feet if an existing unit on the site is not preserved; or
 - (ii) two dwelling units may not exceed the greater of 0.65 or 4,350 square feet if an existing unit on the site is preserved under Subsection (F).

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

PASSED AND APPROVED

_____ § _____
 _____ § _____
 _____, 2025 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Deborah Thomas
Interim City Attorney

Myrna Rios
City Clerk