

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2023-024 HOME Phase 2

Description:

Amend City Code Title 25 (Land Development) to revise regulations that apply to lots with one housing unit, including reducing the minimum lot size and regulations that apply to flag lots.

Background: Initiated by [Resolution No. 20230720-126](#).

On July 20, 2023, City Council adopted [Resolution No. 20230720-126](#), tasking staff with the development of amendments to the Land Development Code (LDC) with specific housing related objectives in mind. These objectives included reducing the minimum lot size for properties zoned single-family, permitting up to three housing units on such properties, and establishing a new Three-Unit Residential Land Use designation. Additionally, the changes aimed to introduce flexibility in housing configurations for properties zoned SF-1, SF-2, SF-3, and SF-4A/B. This flexibility would encompass various housing types such as rowhouses, townhomes, duplexes, triplexes, fourplexes, garden homes, and cottage courts.

On December 7, 2023, City Council approved [Ordinance No. 20231207-001](#) adopting code amendments that allow up to three housing units, including tiny homes, on a Single-Family (SF) zoned property, revising the regulations that apply to a property with two housing units, and removing restrictions on the number of unrelated adults living in a housing unit.

Summary of Proposed Code Amendment:

The proposed code amendments will reduce the minimum lot size and revise site development regulations for small lots to facilitate the development of one-unit homes with unit sizes and densities similar to those allowed under HOME Phase 1. The proposed changes:

- Lower the minimum lot size for one unit from 5,750 sq ft to 2,000 sq ft
- Adjust development standards for lots under 5,750 sq ft (i.e., small lots)
- Reduce the minimum lot width
- Include design standards for driveways, front yards, and garage placement
- Allow for a variety of detached and attached housing types
- Remove Residential Design and Compatibility (i.e., McMansion or Subchapter F) standards for small lots
- Increase impervious cover from 40% to 45% in SF-1 for small lots
- Adjust flag lot regulations to facilitate easier subdivision and to ensure sites do not exceed 45% impervious cover

The following is not changed under this proposal:

- Minimum lot size of 5,750 sq ft for two-unit and three-unit uses
- Regulations for one unit on lots that are 5,750 sq ft or greater in lot size
- 45% impervious cover maximum for SF-2 and SF-3
- General size and heights established under the HOME Phase 1 ordinance (Ordinance No. 20231207-001)

The following table summarizes site development standards for one unit on a small lot (under 5750 sq ft) in comparison to existing standards:

| Site Development Regulation | Existing Standard Lot Requirement for One Unit | | Proposed Small Lot Requirement |
|------------------------------|--|-------------------------------|--------------------------------|
| | SF-1 | SF-2 & SF-3 | |
| Lot Size (min.) | 10,000 sq ft | 5,750 sq ft | 2,000 sq ft |
| Lot Width (min.) | 60 ft | 50 ft | 20 - 30 ft ¹ |
| Units per lot (max.) | One | One | One |
| Setbacks (min.) | | | |
| Front | 25 ft | 25 ft | 15 ft ² |
| Side Street | 15 ft | 15 ft | 5 ft - 10 ft ³ |
| Side | 5 ft | 5 ft | 5 ft ⁴ |
| Rear | 10 ft | 10 ft | 5 ft |
| Attached Units | N/A | N/A | 0 ft |
| Impervious Cover (max.) | 40% | 45% | 45% |
| Building Cover (max.) | 35% | 40% | N/A |
| Height (max.) | 35 ft ⁵ | 35 ft ⁵ | 35 ft |
| Floor Area Ratio (max.) | | | |
| Within "McMansion" Boundary | Greater of 2,300 sq ft or 0.4 | Greater of 2,300 sq ft or 0.4 | Greater of 1,450 sq ft or 0.55 |
| Outside "McMansion" Boundary | N/A | N/A | N/A |
| Unit Size (max.) | N/A | N/A | 2,300 sq ft |

¹ 30 ft is required for lots with an individual driveway

² Reduced to 5 ft for flag lots

³ Varies based on street type and curb location consistent with HOME Phase 1

⁴ Reduced to 0 ft adjacent to the "flagpole" of a flag lot

⁵ In areas subject to Residential Design and Compatibility Standards ("McMansion"), additional height restrictions apply

Floor Area Ratio & Unit Size

The proposed floor area ratio (FAR) and unit size regulations align with current allowances for up to three units. FAR is the allowed unit size based on the size of a lot. For example, if a 6,000 sq ft lot has a FAR of 0.4, the largest house that can be built on that lot is 2,400 sq ft (6,000 x 0.4). Under the current code, only the portion of the City subject to Residential

Design and Compatibility Standards (i.e., McMansion or Subchapter F) has FAR limitations for one to three units.

The proposed changes carry forward the use of the [“McMansion” boundary](#) to only apply FAR to the central city. The following table summarizes existing maximums for one to three units.

| One Unit | Two Units | Three Units |
|--------------------------------------|---------------------------------------|---------------------------------------|
| Greater of 2,300 sq ft or 0.4 FAR | Greater of 3,200 sq ft or 0.55 FAR | Greater of 4,350 sq ft or 0.65 FAR |

The proposed changes would allow one unit on a small lot to be the greater of 1,450 sq ft or 0.55 FAR, with a maximum unit size of 2,300 sq ft. The smallest lots are guaranteed a unit size of 1,450 sq ft, the same as the average unit size for three units (4,350 sq ft ÷ 3) under HOME Phase 1. These smallest lots are likely the result of an existing lot being subdivided into three new lots. The proposed 0.55 FAR matches the allowance for two units under HOME Phase 1, which will apply to lots that are likely the result of an existing lot subdividing into two new lots. The 2,300 sq ft maximum comes from the current standards for one unit on existing lots. This ensures that no unit on a small lot (under 5,750 sq ft) will be bigger than one on a standard-size lot (5,750 sq ft or greater).

Design Standards

In combination with lot width standards, proposed design standards are intended to preserve the area for open space along the street, reduce the impact of curb cuts for driveways, preserve curb space for street parking and trash collection, and promote pedestrian-oriented building design. Design standards for lots along the street (i.e. not flag lots) include the following:

- Each home must have one street-facing entrance
- Garages and carports are not allowed between the house and the street
- A front-facing garage or carport is restricted to 50% of the façade width unless it is set back behind the building façade a minimum of 5 feet
- Front yard impervious cover is limited to 50% of the front yard

Lot Width

All lots are required to have street frontage to provide access for utilities. The width of the lot along the street determines how an existing lot can be subdivided into new lots. For lots interior to a block, lot width is the primary constraint to the number of lots that can be created under the new minimum lot size. Corner lots have ample street frontage for driveways and utilities and can be subdivided more easily. For example, an interior lot (i.e., not a corner lot) of 8,000 sq ft has enough lot area to create four 2,000 sq ft lots. However, the lot width likely restricts the lot to subdivide into only two or three lots due to the lot width required for each small lot. Proposed changes to lot width minimums take into account the space needed for driveways, access, and utilities.

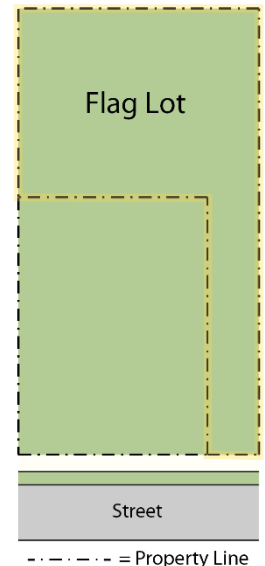
The proposed minimum lot width varies depending on the type of driveway access needed. For homes on interior lots with a single dedicated driveway, the minimum lot width is 30

feet. For corner lots and homes that share a driveway with other units, have alley access, or do not have a driveway, the minimum lot width is 20 feet.

Flag Lots

A flag lot is shaped like a flag with a long, narrow strip of land, like a “flagpole,” extending to the street. The purpose of the flagpole is to provide driveway and water utility access to the lot. The proposed changes reduce the width requirement for the flagpole, which will allow more lots to be subdivided while maintaining enough space for driveways and utilities. The width of the flagpole must be at least 15 feet (currently 20 feet) wide for an individual lot with a dedicated driveway. If a flag lot shares driveway access or does not have a driveway, the flagpole can be reduced to 10 feet (currently 15 feet) wide.

Another proposed change is how impervious cover is calculated on the flagpole. Under the current code, the flagpole does not count toward lot area, and any impervious cover, usually driveways, is not calculated into the impervious cover limits for the lot. Proposed changes include the flagpole area in the total lot area to ensure that sites do not exceed 45% impervious cover.



Proposed Text Amendment(s): See attached draft ordinance.

Staff Recommendation: Recommended

The goals of the resolution include making homeownership more attainable for more people. The purpose of this phase is to establish a reduced minimum lot size for one unit to facilitate fee-simple ownership. Fee-simple ownership means that the homeowner owns the home and the land under it rather than a condominium ownership structure. The regulations established in this phase are intended to mirror the density and size allowances approved under the HOME Phase 1 ordinance.

Staff recommends the proposed modifications to reduce the minimum lot size for single-unit developments in single-family zoning. By reducing the minimum lot size to the proposed 2,000 sq ft, most lots can be subdivided into at least two or three small lots. The proposed modification to minimum lot size is aligned with land use strategies articulated in the ETOD Policy Plan, including legalizing “soft density by right,” which will increase housing types and the number of housing units near employment and transit hubs.

An [analysis of housing construction costs](#) conducted by the Housing Department in 2023 found that land acquisition costs make up to 52% of the development costs for the typical single-family unit. By reducing the minimum lot size and increasing density, land acquisition costs could decrease – potentially resulting in lower sale or rental prices of units developed on smaller lots. [Recent reports](#) of the impacts of minimum lot size reform in the City of Houston indicate that, on average, units produced on newly created smaller lots where an existing single-family home once stood are assessed at almost 25% less (\$133 per sq ft vs \$176 per sq ft) than single-family houses of similar age. Further analysis indicated that newly constructed units on newly created smaller lots where an existing single-family home once

stood are affordable to households earning 105% of the Median Household Income of the Houston area.

Staff recommends the proposed modifications to regulations that apply to flag lots to facilitate the subdivision of existing single-family lots. Reducing the required width for flagpoles to 15 feet for lots with a dedicated driveway and to 10 feet for lots with a shared driveway or no driveway will increase the number of existing lots that can be subdivided. The proposed dimensions will also support the required access for utilities and will not change any utility spacing requirements.

Staff recommends the proposed floor area ratio (FAR) limits and modifications to setbacks and other site development standards to facilitate the development of housing units on smaller lots. The proposed changes are supported by the adopted policy in Phase 1 of the HOME initiative.

Current infill single family subdivisions are complex, onerous to applicants, and have lengthy timelines. Staff recommends the proposed simplification of the infill subdivision regulations being proposed under code amendment case C20-2023-011 Infill-Lot Plat Process to reduce the need for labor-intensive and time-consuming development reviews.

Board and Commission Action:

April 24, 2024 – To be reviewed by the Planning Commission

Council Action:

May 16, 2024 – To be Considered by City Council

Sponsor Department:

Planning Department

City Staff:

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Affordability Impact Statement

HOME Amendments Phase 2

Initiated by: Resolution No. 20230720-126

Date: March 22, 2024

Proposed Regulation

The proposed amendments would:

- Reduce the minimum lot size for one unit from 5750 sq ft to 2,000 sq ft
- Reduce the minimum lot width to 30 ft or less
- Modify driveway and garage standards to minimize curb cuts/disruptions to the pedestrian environment
- Modify standards relating to setbacks, building coverage, and floor to area ratio (FAR) to allow for a sufficient developable envelope on smaller lots
- Adjust flag lot regulations to facilitate easier subdivision

Land Use/Zoning Impacts on Housing Costs

The proposed changes would have a **positive** impact on housing costs via land use and zoning.

- The proposed amendments allow lots zoned SF-1, SF-2, and SF-3 to subdivide into two or three lots. This would enable the production of more ownership units relative to today, at smaller sizes.
- The ability to subdivide one lot into three new small lots depends on the dimensions of the initial existing lot, particularly lot width. The site dimensions of many existing lots preclude them from subdividing into three units.

- Lowering the proposed minimum lot size for one unit in SF-1, SF-2, and SF-3 to 2000 sq ft would enable more existing lots to subdivide into three new small lots as opposed to two, in line with the intent of Resolution No. 20230720-126.
- While the resolution's intent was to achieve three units per lot, for those existing lots that can only subdivide into two new small lots, the subdivision will still substantially lower the land cost of development.
- In many lots platted after 1960, the existing house occupies most of the lot width, and is roughly in the center of the plot lengthwise. The result of this layout is that the original house blocks vehicles and construction equipment from accessing the rear lot area. In many cases, at least part of the initial structure may need to be demolished for the property owner to build additional units. However, the proposed changes to flag lot regulations aim to decrease the width requirement for the "flagpole" strip of land, enabling more subdivisions while ensuring sufficient access for driveways and utilities, and potentially making it easier to preserve the existing houses on the lots.

Impact on Development Cost

The proposed changes would have a **positive** impact on development costs.

- A recent report developed by city staff and UT researchers found that in Austin, land accounts for over half the total development cost for single-family housing. Allowing subdivision will substantially reduce the land cost per unit of single-family housing, in addition to reducing unit size. The report's estimates suggest that construction cost savings are greater for attached units like duplexes and triplexes. In Austin, duplexes have estimated construction costs of \$400,000 per unit compared to nearly \$800,000 per unit for single-family homes pre-HOME Phase One.¹
- The proposal incentivizes comparatively cheaper-to-build attached units by reducing front, rear, and side setbacks for this typology.
- The proposal constrains the maximum unit square footage for units on new small lots to encourage units with lower relative sale price.

Impact on Affordable Housing

The proposed changes would have a **positive** impact on income-restricted affordable housing.

- Lowering the minimum lot size would lower the land cost of building income-restricted single-family, duplex, or triplex ownership units. It would further enable more units to be built per existing lot, in many cases, such that more households could be served.
- Under current conditions, building multiple ownership units on the same lot would only be possible through a condominium regime. Condominium fees can be a barrier to income-restricted unit ownership. The proposed amendments would enable income-restricted units for fee-simple ownership, removing a barrier to homeownership for low-income households.

Other Housing Policy Considerations

None.

Manager's Signature Marla Torrado

1. Kennedy, B., Lopez, S., Hemeon-McMahon, A., Pepper, A. (2022). *Smart Cities Policy Research Project: Cost of Housing in the City of Austin*. City of Austin, University of Texas at Austin.

ORDINANCE NO.

**AN ORDINANCE AMENDING TITLE 25 (LAND DEVELOPMENT CODE) OF
THE CITY CODE RELATING TO REGULATIONS THAT APPLY TO
PROPERTY WITH ONE DWELLING UNIT AND FLAG LOTS.**

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

PART 1. Section 25-1-21 (*Definitions*) of City Code is amended to amend Subdivision (103) to read:

(103) SIDE LOT LINE means a lot line intersecting the front lot line and extending a minimum distance of 25 [~~75~~] feet.

PART 2. Section 25-1-22 (*Measurements*) of City Code is amended to amend Subsection (A) to read:

§ 25-1-22 MEASUREMENTS.

(A) For MF-1 and less restrictive, lot [~~Lot~~] area is the net horizontal area within the lot lines, excluding the portion of the lot that:

(1) [~~that~~] provides street access, if the lot is a flag lot; or

(2) [~~that~~] is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(B) For SF-6 and more restrictive, lot area is the net horizontal area within the lot lines and:

(1) includes the portion of the lot that provides street access, if the lot is a flag lot, and

(2) excludes the portion of the lot that is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(C) Lot depth is the horizontal distance between the mid-point of the front lot line and the midpoint of the rear lot line.

26 (D[E]) Except as otherwise provided in this title, lot width is measured at the front
27 setback line and at a distance of 20 [50] feet to the rear of the front setback line.

28 (E[D]) In determining required yards and setbacks for an irregularly shaped lot or a lot
29 bounded by only three lot lines, the rear lot line is:

- 30 (1) a line ten feet long;
- 31 (2) parallel to the front lot line; and
- 32 (3) at the most distant location from the front lot line.

33 (F[E]) A distance from a structure to a line or location is measured from the exterior face
34 of the nearest wall or vertical support of the structure to the line or location. For a
35 structure that does not have a wall or vertical support, the building official shall
36 determine the point of measurement.

37 **PART 2.** Subsection (B) of City Code Section 25-2-3 (*Residential Uses Described*) is
38 amended to amend the definition of “Small Lot Single-Family Residential Use” to read:

39 **§ 25-2-3 RESIDENTIAL USES DESCRIBED.**

40 (B) Residential use classifications are described as follows:

- 41 (13) SMALL LOT SINGLE-FAMILY RESIDENTIAL use is the use of a small
42 lot for only one [detached] dwelling unit, other than a mobile home.

43 **PART 3.** The table in City Code Section 25-2-491 (*Permitted, Conditional, and*
44 *Prohibited Uses*) is amended to add “Small Lot Single-Family Residential” as a permitted
45 use in SF-1, SF-2, and SF-3 base zoning districts.

46 **PART 4.** City Code Section 25-2-779 (*Small Lot Single-Family Residential Use*) of is
47 repealed and replaced to read:

48 **§ 25-2-779 SMALL LOT SINGLE-FAMILY RESIDENTIAL USE.**

- 49 (A) This section applies to a small lot single-family residential use.
- 50 (B) This section supersedes the base zoning district regulations to the extent of
51 conflict.
- 52 (C) Only one dwelling unit is permitted on a lot.

- 53 (D) This subsection applies to small lot residential use on a property zoned single-
54 family residence small lot (SF-4A) district or less restrictive.
- 55 (1) The minimum lot size is:
- 56 (a) 3,600 square feet; or
- 57 (b) for a corner lot, 4,500 square feet.
- 58 (2) A lot that fronts on a cul-de-sac must have:
- 59 (a) a chord width of not less than 33 feet at the front lot line;
- 60 (b) a width of not less than 40 feet at the front yard setback line; and
- 61 (c) a width of not less than 40 feet at all points 50 feet or more behind the
62 front lot line.
- 63 (3) The maximum height for a structure is 35 feet.
- 64 (4) The minimum front yard setback is 15 feet.
- 65 (5) The minimum street side yard setback is 10 feet.
- 66 (6) The minimum interior side yard setback is three and one-half feet, except:
- 67 (a) an interior side yard setback is not required if the interior side yard is
68 adjacent to property zoned SF-4A; and
- 69 (b) the combined width of the interior side yards of a lot may not be less
70 than seven feet.
- 71 (7) The minimum rear yard setback is five feet, excluding easements.
- 72 (8) The minimum setback between a rear access easement and a building or
73 fence is 10 feet.
- 74 (9) The maximum building coverage is 55 percent.
- 75 (10) The maximum impervious cover is 65 percent.

- 76 (11) A small lot single-family use must comply with the requirements of Section
77 25-4-232 (*Small Lot Subdivisions*).
- 78 (E) Subsections (F) – (L) apply to small lot residential use on property zoned single-
79 family residence small lot (SF-3) district or more restrictive.
- 80 (F) Lot Standards.
- 81 (1) A lot must be at least 2,000 square feet but less than 5,750 square feet.
- 82 (2) Except for a flag lot, a lot must be at least 20 feet wide.
- 83 (3) A flag lot must comply with Section 25-4-175 (*Flag Lots*).
- 84 (4) Except as provided in Subdivision (5), the following setbacks apply.
- 85 (a) The minimum side-street setback:
- 86 (i) on a Level 1 street is the greater of five feet from the property line
87 or 10 feet from curb, or in the absence of curbs, from the edge of
88 the pavement; or
- 89 (ii) on a Level 2, Level 3, or Level 4 street is 10 feet from the property
90 line.
- 91 (b) The minimum side setback is:
- 92 (i) five feet; or
- 93 (ii) zero feet for portion of the lot that provides street access.
- 94 (c) The minimum front setback is:
- 95 (i) 15 feet; or
- 96 (ii) five feet if the lot is a flag lot.
- 97 (d) The minimum rear setback is five feet.
- 98 (5) Except for a side-street setback, when an attached dwelling unit abuts a
99 property line, the minimum setback for that property line is zero.

- 100 (G) Building cover limits do not apply to a property zoned family residence (SF-3)
101 district or more restrictive.
- 102 (H) Impervious Cover.
- 103 (1) The maximum impervious cover is 45 percent.
- 104 (2) Except for a flag lot, the maximum front yard impervious cover is 50
105 percent.
- 106 (I) Except as provided in Subsection (J), Subchapter F does not apply to a property
107 zoned family residence (SF-3) district or more restrictive.
- 108 (J) Gross Floor Area.
- 109 (1) This subsection applies to a property located within the area described in
110 Subsection 1.2.1 of Chapter 25- 1, Subchapter F (*Residential Design and*
111 *Compatibility Standards*).
- 112 (2) GROSS FLOOR AREA means the total enclosed area of all floors in a
113 building with a clear height of more than six feet, measured to the outside
114 surface of the exterior walls, except as provided in this subsection.
- 115 (3) The maximum floor-to-area ratio for the lot is the greater of 0.55 or 1,450
116 square feet.
- 117 (4) The maximum unit size is 2,300 square feet.
- 118 (K) Design standards.
- 119 (1) This subsection does not apply if the property is a flag lot.
- 120 (2) The minimum number of street-facing entrances is one.
- 121 (3) Garage Placement
- 122 (a) In this subsection,
- 123 (i) BUILDING FACADE means the front-facing exterior wall or
124 walls of the first floor of the residential structure closest to the
125 primary street, and the term excludes the building facade of the
126 portion of that structure designed or used as a parking structure.

127 Projections from front-facing exterior walls, including but not
128 limited to eaves, chimneys, porches, stoops, box or bay windows,
129 and other similar features as determined by the building official,
130 are not considered part of the building facade.

131 (ii) PARKING STRUCTURE means an attached or detached garage or
132 carport.

133 (b) A parking structure may not be closer to the front lot line than the front-
134 most exterior wall of the first floor of the building façade.

135 (c) If a parking structure with an entrance that faces a front-yard abutting
136 public right-of-way is less than 5 feet behind the building façade, the
137 width of the parking structure may not exceed the width of the building
138 façade as measured parallel to the front lot line.

139 (L) Access Requirements for Driveways.

140 (1) For lot widths less than 30 feet, the site may only take vehicular access off
141 of an improved alley, from a side street, or through a joint-use driveway with
142 adjoining lots.

143 (2) For lot widths of 30 feet or greater, the site may take vehicular access off of
144 an improved alley, through a joint-use driveway with adjoining lots, or by
145 individual driveway.

146 **PART 5.** Section 25-2-981 (*Applicability; Exceptions*) of City Code is amended to
147 amend Subsection (B) to read:

148 **§ 25-2-981 APPLICABILITY; EXCEPTIONS.**

149 (A) Except as provided in Subsection (B), this article applies in the city's zoning
150 jurisdiction.

151 (B) Division 2 (*Requirements for a Site Plan*) and Division 3 (*Additional Site Plan*
152 *Requirements in Hill Country Roadway Corridors*) do not apply to:

153 (1) property zoned central business district or downtown mixed use district;

154 (2) a lot containing one single-family residence;

- 155 (3) a lot containing one duplex residence, unless the residence exceeds 4,000
156 square feet of gross floor area or has more than six bedrooms;
- 157 (4) a two-unit ~~family~~ residential use;
- 158 (5) a secondary apartment special use;
- 159 (6) a small lot single-family residential use on property zoned SF-1, SF-2, or
160 SF-3;
- 161 (7) substantial restoration of a building within one year after the building is
162 damaged;
- 163 (8) restoration of a building designated as a historic landmark; or
- 164 (9) interior or facade remodeling, if the front and side exterior walls of the
165 building remain in the same location.
- 166 (C) Developed property, or property with an approved site plan, that is affected by
167 right-of-way condemnation may be developed without compliance with this article,
168 as provided by this subsection.
- 169 (1) After condemnation, improvements shown on the remainder of an approved
170 site plan may be constructed, and only the landscaping on the remainder of
171 the approved site plan is required.
- 172 (2) Improvements on developed properties that are lost through condemnation
173 may be replaced. Only the area within the limits of construction for the
174 replaced improvements must comply with this article, except an owner is not
175 required to provide more landscaping than was in existence before the
176 condemnation.

177 **PART 6.** Section 25-2-1406 (*Ordinance Requirements*) of City Code is amended to read:

178 **§ 25-2-1406 ORDINANCE REQUIREMENTS.**

179 An ordinance zoning or rezoning property as a NP combining district:

- 180 (1) must prescribe the special uses described in Section 25-2-1403 (*Special*
181 *Uses*) that are permitted in the district;

- 182 (2) must describe the location of each residential infill special use,
183 neighborhood urban center special use, or neighborhood mixed use building
184 special use, if any;
- 185 (3) may restrict the time of day during which a business in a neighborhood
186 mixed use building special use may be open to the public;
- 187 (4) may restrict a corner store special use, cottage special use, secondary
188 apartment special use, or urban home special use, if any, to a designated
189 portion of the district;
- 190 (5) for a single-family residential use on an existing legal lot platted on or
191 before (insert effective date of this ordinance) or a secondary apartment
192 special use on an existing legal lot:
- 193 (a) may reduce the required minimum lot area to 2,500 square feet;
- 194 (b) may reduce the required minimum lot width to 25 feet; [~~and~~]
- 195 (c) for a lot with an area of 4,000 square feet or less, may increase the
196 maximum impervious coverage to 65 percent; [~~and~~]
- 197 (d) a lot that is aggregated with other property to form a site may not be
198 disaggregated to satisfy this subsection; and[-]
- 199 (6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*),
200 Section 25-2-1603 (*Impervious Cover and Parking Placement*
201 *Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district or a
202 designated portion of the district;
- 203 (7) may restrict front yard parking by including all or a portion of the district in
204 the restricted parking area map described in Section 12-5-29 (*Front or Side*
205 *Yard Parking*); [~~and~~]
- 206 (8) may apply the requirements of Section 25-2-812(N) (*Mobile Food*
207 *Establishments*) to the district or a designated portion of the district;[-]
- 208 (9) may modify the following requirements of Subchapter F (*Residential Design*
209 *And Compatibility Standards*) for the district or a designated portion of the
210 district:

- 211 (a) the maximum floor-to-area ratio and maximum square footage of
212 gross floor area prescribed by Subchapter F (*Residential Design And*
213 *Compatibility Standards*);
- 214 (b) the maximum linear feet of gables or dormers protruding from the
215 setback plane;
- 216 (c) the height of the side and rear setback planes; and
- 217 (d) the minimum front yard setback requirement; and[-]
- 218 (10) may apply the requirements of Section 25-2-1407 (*Affordable Housing*) to
219 the district or a designated portion of the district.

220 **PART 7.** Section 25-4-177 (*Flag Lots*) of City Code is repealed and replaced to read:

221 **§ 25-4-177 FLAG LOTS.**

- 222 (A) In this section, SINGLE-FAMILY RESIDENTIAL means:
- 223 (1) single-family attached residential use;
- 224 (2) single-family residential use; and
- 225 (3) small lot single-family residential use.
- 226 (B) A flag lot may only be approved in accordance with the requirements of this
227 subsection.
- 228 (1) Except as provided in Subdivision (2), flag lot designs are permitted if the
229 director determines that the subdivision conforms to the fire code, utility
230 design criteria, plumbing code and requirements for access.
- 231 (2) In single-family, duplex, two-unit, or three-unit residential subdivisions on
232 previously unplatted land,
- 233 (a) flag lot designs may be used where no more than two dwelling units
234 utilize a shared driveway; and

235 (b) residential flag lot designs with more than two units sharing a
236 driveway may be utilized if the lots conform to the fire code, utility
237 design criteria, plumbing code, and requirements for access.

238 (B) Minimum Width of a Flag Lot.

239 (1) Except as provided in Subdivision (2), the minimum width of a flag lot is:

240 (a) 20 feet; or

241 (b) 15 feet if:

242 (i) two or more contiguous lots share a common driveway and
243 sufficient area is available outside the drive on each lot for
244 utility installation;

245 (ii) the applicant can demonstrate access through an alternative
246 route; or

247 (iii) a driveway is not proposed.

248 (2) The minimum width of a flag lot with up to three dwelling units is:

249 (1) 15 feet; or

250 (2) 10 feet if:

251 (a) two or more contiguous lots share a common driveway and
252 sufficient area is available outside the drive on each lot for
253 utility installation; or

254 (b) the applicant can demonstrate access through an alternative
255 route; or

256 (c) a driveway is not proposed.

257 (C) For residential subdivisions utilizing a flag lot design, all driveways within the
258 subdivision must be located and designed in a manner that:

259 (1) provides adequate space for required utilities;

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- (2) complies with the Utilities Criteria Manual;
- (3) complies with the Drainage Criteria Manual;
- (4) complies with the Fire Code;
- (5) complies with the Plumbing Code; and
- (6) complies with applicable tree preservation requirements detailed in the Environmental Criteria Manual.

(D) All addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders.

PART 8. Section 25-4-232 (*Small Lot Subdivisions*) of City Code is amended to amend Subsection (A) to read:

§ 25-4-232 SMALL LOT SUBDIVISIONS.

(A) This section applies to a subdivision with small lots and zoned SF-4A or less restrictive.

PART 9. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____ § _____
 _____ § _____
 _____, 2024 § _____

Kirk Watson
Mayor

APPROVED: _____

Anne L. Morgan
City Attorney

ATTEST: _____

Myrna Rios
City Clerk