

ORDINANCE NO.

**AN ORDINANCE AMENDING TITLE 25 (LAND DEVELOPMENT) 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.** City Code Section 25-1-21 (*Definitions*) is amended to amend the definition of "Side Lot Line" 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.** City Code Section 25-1-22 (*Measurements*) is amended to read:

**§ 25-1-22 MEASUREMENTS.**

(A) For property zoned multi-family residence limited density (MF-1) district and less restrictive base zoning districts, 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 property zoned townhouse and condominium residence (SF-6) district and more restrictive base zoning districts, 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.

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

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

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

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

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

40 **§ 25-2-3 RESIDENTIAL USES DESCRIBED.**

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

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

44 **PART 4.** The table in City Code Section 25-2-491 (*Permitted, Conditional, and*  
45 *Prohibited Uses*) is amended to add “Small Lot Single-Family Residential” as a permitted  
46 use in SF-1, SF-2, and SF-3 base zoning districts.

47 **PART 5.** City Code Section 25-2-779 (*Small Lot Single-Family Residential Use*) is  
48 repealed and replaced to read:

49 **§ 25-2-779 SMALL LOT SINGLE-FAMILY RESIDENTIAL USE.**

50 (A) This section applies to a small lot single-family residential use.

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

74 (8) The minimum setback between a rear access easement and a building or  
75 fence is 10 feet.

76 (9) The maximum building coverage is 55 percent.

77 (10) The maximum impervious cover is 65 percent.

78 (11) A small lot single-family use residential must comply with the requirements  
79 of Section 25-4-232 (*Small Lot Subdivisions*).

80 (E) Subsections (F) through (L) apply to small lot single-family residential use on  
81 property zoned single-family residence small lot (SF-3) district or more restrictive.

82 (F) Lot Standards.

83 (1) A lot must be at least 2,000 square feet but less than 5,750 square feet.

84 (2) Lot Width.

85 (a) Except for a flag lot, a lot must be at least 15 feet wide.

86 (b) Except for the portion of a flag lot that provides street access, a flag  
87 lot must be at least 20 feet wide.

Commented [PL1]: New text: PC amendment to reduce the minimum width of a lot that is not a flag lot.

88 (3) A flag lot must comply with Section 25-4-177 (*Flag Lots*).

89 (4) Except as provided in Subdivision (5), the following setbacks apply.

90 (a) The minimum street side yard setback:

91 (i) on a Level 1 street is the greater of five feet from the property line  
92 or 10 feet from curb, or in the absence of curbs, from the edge of  
93 the pavement; or

94 (ii) on a Level 2, Level 3, or Level 4 street is 10 feet from the property  
95 line.

96 (b) The minimum side yard setback is:

97 (i) five feet; or

98 (ii) zero feet if adjacent to the portion of a flag lot that provides street  
99 access.

100 (c) The minimum front yard setback is:

101 (i) 15 feet; or

102 (ii) five feet if the lot is a flag lot.

103 (d) The minimum rear yard setback is five feet.

104 (5) Except for a street side yard setback, when an attached dwelling unit abuts a  
105 property line, the minimum setback for that property line is zero.

106 (G) Building cover limits do not apply to a property zoned family residence (SF-3)  
107 district or more restrictive.

108 (H) Impervious Cover.

109 (1) The maximum impervious cover is 45 percent.

110 (2) Except for a flag lot, the maximum front yard impervious cover is 50  
111 percent.

112 (I) Subchapter F (*Residential Design and Compatibility Standards*) does not apply to a  
113 property zoned family residence (SF-3) district or more restrictive except as  
114 provided in Subsection (J).

115 (J) Gross Floor Area.

116 (1) This subsection applies to a property located within the area described in  
117 Subsection 1.2.1 of Subchapter F (*Residential Design and Compatibility*  
118 *Standards*).

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

122 (3) The gross floor area may not exceed the greater of 1,450 square feet or a  
123 floor-to-area ratio of 0.55.

124 (4) The maximum unit size is 2,300 square feet.

125 (K) Design standards.

126 (1) This subsection does not apply to a flag lot.

127 (2) The minimum number of street-facing entrances is one.

128 (3) Garage Placement

129 (a) In this subsection,

130 (i) BUILDING FACADE means the front-facing exterior wall or  
131 walls of the first floor of the residential structure closest to the  
132 primary street, and the term excludes the building facade of the  
133 portion of that structure designed or used as a parking structure.  
134 Projections from front-facing exterior walls, including but not  
135 limited to eaves, chimneys, porches, stoops, box or bay windows,  
136 and other similar features as determined by the building official,  
137 are not considered part of the building facade.

138 (ii) PARKING STRUCTURE means an attached or detached garage or  
139 carport.

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

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

146 (L) Access Requirements for Driveways.

147 (1) For lot widths less than 20 feet, the site may only take vehicular access off  
148 an improved alley or from a side street.

Commented [PL2]: 5/9/2024: This provision has been reworded for clarity.

No substantive change to the provision.

Original Text: The maximum floor-to-area ratio for the lot is the greater of 0.55 or 1,450 square feet.

- 149 (2) For lot widths 20 feet or greater but less than 30 feet, the site may only take  
150 vehicular access off of an improved alley, from a side street, or through a  
151 joint-use driveway with adjoining lots.
- 152 (3) For lot widths of 30 feet or greater, the site may take vehicular access off of  
153 an improved alley, through a joint-use driveway with adjoining lots, or by  
154 individual driveway.

Commented [PL3]: Modified text: Staff recommends changes to this subsection to account for the lowered minimum lot width recommended by PC.

155 **PART 6.** Subsection (B) of City Code Section 25-2-981 (*Applicability; Exceptions*) is  
156 amended to read:

157 **§ 25-2-981 APPLICABILITY; EXCEPTIONS.**

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

- 160 (1) property zoned central business district (CBD) or downtown mixed-use  
161 (DMU) district;
- 162 (2) a lot containing one single-family residence;
- 163 (3) a lot containing one duplex residence, unless the residence exceeds 4,000  
164 square feet of gross floor area or has more than six bedrooms;
- 165 (4) a two-unit [family] residential use;
- 166 (5) a secondary apartment special use;
- 167 (6) a small lot single-family residential use on property zoned single family  
168 residence large lot (SF-1) district, single family residence standard lot (SF-2)  
169 district, or family residence (SF-3) district;
- 170 (7) substantial restoration of a building within one year after the building is  
171 damaged;
- 172 (~~8~~[7]) restoration of a building designated as a historic landmark; or
- 173 (~~9~~[8]) interior or facade remodeling, if the front and side exterior walls of the  
174 building remain in the same location.

175 **PART 7.** City Code Section 25-2-1406 (*Ordinance Requirements*) is amended to read:

176 **§ 25-2-1406 ORDINANCE REQUIREMENTS.**

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

- 178 (1) must prescribe the special uses described in Section 25-2-1403 (*Special*  
179 *Uses*) that are permitted in the district;
- 180 (2) must describe the location of each residential infill special use,  
181 neighborhood urban center special use, or neighborhood mixed use building  
182 special use, if any;
- 183 (3) may restrict the time of day during which a business in a neighborhood  
184 mixed use building special use may be open to the public;
- 185 (4) may restrict a corner store special use, cottage special use, secondary  
186 apartment special use, or urban home special use, if any, to a designated  
187 portion of the district;
- 188 (5) for a single-family residential use on an existing legal lot platted on or  
189 before August 15, 2024 or a secondary apartment special use on an existing  
190 legal lot:
- 191 (a) may reduce the required minimum lot area to 2,500 square feet;
- 192 (b) may reduce the required minimum lot width to 25 feet; ~~and~~
- 193 (c) for a lot with an area of 4,000 square feet or less, may increase the  
194 maximum impervious coverage to 65 percent; ~~and~~
- 195 (d) a lot that is aggregated with other property to form a site may not be  
196 disaggregated to satisfy this subsection; ~~and~~[-]
- 197 (6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*),  
198 Section 25-2-1603 (*Impervious Cover and Parking Placement*  
199 *Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district or a  
200 designated portion of the district;

Commented [PL4]: This change aligns with the staff proposed change to delay implementation by 90 days. See Part 20.



- 201 (7) may restrict front yard parking by including all or a portion of the district in  
202 the restricted parking area map described in Section 12-5-29 (*Front or Side*  
203 *Yard Parking*); ~~and~~
- 204 (8) may apply the requirements of Section 25-2-812(N) (*Mobile Food*  
205 *Establishments*) to the district or a designated portion of the district;[-]
- 206 (9) may modify the following requirements of Subchapter F (*Residential Design*  
207 *And Compatibility Standards*) for the district or a designated portion of the  
208 district:
- 209 (a) the maximum floor-to-area ratio and maximum square footage of  
210 gross floor area prescribed by Subchapter F (*Residential Design And*  
211 *Compatibility Standards*);
- 212 (b) the maximum linear feet of gables or dormers protruding from the  
213 setback plane;
- 214 (c) the height of the side and rear setback planes; ~~and~~
- 215 (d) the minimum front yard setback requirement; and[-]
- 216 (10) may apply the requirements of Section 25-2-1407 (*Affordable Housing*) to  
217 the district or a designated portion of the district.

218 **PART 8.** City Code Section 25-4-177 (*Flag Lots*) is repealed and replaced to read:

219 **§ 25-4-177 FLAG LOTS.**

220 (A) In this section, SINGLE-FAMILY RESIDENTIAL means:

- 221 (1) single-family attached residential use;
- 222 (2) single-family residential use; and
- 223 (3) small lot single-family residential use.

224 (B) A flag lot may only be approved in accordance with the requirements of this  
225 subsection.

- 226 (1) Except as provided in Subdivision (2), flag lot designs are permitted if the  
227 director determines that the subdivision conforms to the Fire Code, utility  
228 design criteria, Plumbing Code and requirements for access.
- 229 (2) In single-family, duplex, two-unit, or three-unit residential subdivisions on  
230 previously unplatted land,
- 231 (a) residential flag lot designs may be used where no more than two  
232 dwelling units utilize a shared driveway; and
- 233 (b) residential flag lot designs with more than two units sharing a  
234 driveway may be used if the lots conform to the Fire Code, utility  
235 design criteria, Plumbing Code, and requirements for access.

236 (C) Minimum Width of a Flag Lot.

- 237 (1) Except as provided in Subdivision (2), the minimum width of a flag lot is:
- 238 (a) 20 feet; or
- 239 (b) 15 feet if:
- 240 (i) two or more contiguous lots share a common driveway and  
241 sufficient area is available outside the drive on each lot for  
242 utility installation;
- 243 (ii) the applicant can demonstrate access through an alternative  
244 route; or
- 245 (iii) a driveway is not proposed.
- 246 (2) The minimum width of a flag lot with at least one but no more than three  
247 dwelling units is:
- 248 (a) 15 feet; or
- 249 (b) 10 feet if:

Commented [PL5]: 5/9/2024: Reworded this provision for clarity.  
Original text:  
The minimum width of a flag lot with up to three dwelling units is:

- 250 (i) two or more contiguous lots share a common driveway and  
251 sufficient area is available outside the drive on each lot for  
252 utility installation;
- 253 (ii) the applicant can demonstrate access through an alternative  
254 route; or
- 255 (iii) a driveway is not proposed.

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

- 258 (1) provides adequate space for required utilities;
- 259 (2) complies with the Utilities Criteria Manual;
- 260 (3) complies with the Drainage Criteria Manual;
- 261 (4) complies with the Fire Code;
- 262 (5) complies with the Plumbing Code; and
- 263 (6) complies with applicable tree preservation requirements detailed in the  
264 Environmental Criteria Manual.

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

267 **PART 9.** Subsection (A) of City Code Section 25-4-232 (*Small Lot Subdivisions*) is  
268 amended to read:

269 **§ 25-4-232 SMALL LOT SUBDIVISIONS.**

270 (A) This section applies to a subdivision with small lots that are zoned single family  
271 residence small lot (SF-4A) district or less restrictive.

272 **PART 10.** This ordinance applies only to an application filed on or after August 16,  
273 2024.

