

## AGENDA



Thursday, May 8, 2008

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION**
**Item No. 59**

**Subject:** Set a public hearing to consider an ordinance amending City Code Chapter 25-2, Subchapter F (Residential Design and Compatibility Standards), commonly referred to as the “McMansion” ordinance, and the sections of city code relating to site development standards and procedures. (Suggested date and time: May 15, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

**Fiscal Note:** No fiscal note required at this time.

**For More Information:** Jessica Kingpetcharat, 974-2728; Greg Guernsey, 974-2387; Joi Harden, 974-2212

**Boards and Commission Action:** Reviewed by the Planning Commission.

**Prior Council Action:** Resolution 20080306-039 approved March 6, 2008 directing the City Manager to initiate the amendments.

**BACKGROUND**

October 1, 2006 marked the effective date of Chapter 25 Subchapter F: Residential Design and Compatibility Standards (“McMansion Ordinance”). In passing the Ordinance, the City Council also directed the Residential Development Standards Task Force to reconvene in six months to evaluate the Ordinance’s impact and recommend necessary revisions. From April to December 2007, the Task Force conducted a total of 17 meetings, which included time dedicated to taking public comment at all meetings except the final meeting. During the course of their discussions, Council Member McCracken requested the Task Force to also recommend revisions to Land Development Code 25-2-773(D) regarding duplexes. On December 13, 2007, the McMansion Task Force approved their recommendations and later briefed the City Council on February 28, 2008. The City Council initiated the proposed amendments, including the Task Force’s recommendations, and directed the City Manager’s Office to return on or before May 22, 2008 with the recommended coded amendments.

**SUMMARY OF TASK FORCE RECOMMENDATIONS**

The Task Force made recommendations that would clarify and/or modify:

- Requirements for front and rear yard setbacks;
- Requirements for setback planes and allow projects that qualify to choose which tent to apply;
- Requirements for applying side wall articulation;
- How to measure the side wall height;
- Requirements to receive exemptions for floor to area ratio;
- Provide technical definitions for measurements;
- Clarify which portion of the lot shall be used to calculate floor to area ratio for flag lots;
- Rules related to Clubs, Lodges, Day Care Services (general and limited), Family Homes, Group Homes (general and limited), Condo Residential, Retirement Housing (small and large site), Townhouse Residential, requiring these uses to choose between complying with Subchapter F or Compatibility Standards; and
- Ability of sub-districts within neighborhood plans to modify Subchapter F.

Additionally, to encourage duplex units side by side or top and bottom, the Task Force passed a resolution recommending that the common wall required by 25-2-773(D) for Duplex uses be clarified to:

- Be one contiguous plane;
- If the front lot line is straight, be located perpendicular to the front lot line; and
- If the front lot line is not straight; be located perpendicular to the building line.

The resolution further stated that while the language proposed above would meet the stated intent, not all members agreed that it was an appropriate approach.

#### RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION (RDCC)

Staff received additional comments and suggestions from the RDCC. The RDCC is currently unable to grant modifications for projects that are considered “contributing structures,” local historic landmarks, etc. The RDCC recommends amending Subchapter F to give them authority to consider and grant modifications for structures in historic districts under certain conditions.