

Late Backup

RESOLUTION NO.

WHEREAS, since the time that the University Neighborhood Overlay was adopted, there has been significant development pressure which is manifesting in the proliferation of dorm-style housing in single-family neighborhoods; and

WHEREAS, Austinites in some neighborhoods have raised concerns regarding the development of large houses and duplexes, built under single family development regulations, for the purpose of housing six unrelated occupants in a single family neighborhood; and

WHEREAS, these properties sometimes have disproportionate impacts on neighborhoods in terms of nuisance violations such as over-occupancy, noise disturbances, overflow parking, and overflowing garbage cans; and

WHEREAS, the homes built for this type of use are often out of accordance with the character of the single family neighborhoods where they are located; and

WHEREAS, nationwide, occupancy limits for cities who impose them are often less than 4; and

WHEREAS, though neighbors of these high-occupancy single family properties, also known as "stealth dorms," have reported their occupancy complaints to the City of Austin's Code Compliance department, it is difficult to remedy these issues due in part to the City's high occupancy limits; and

WHEREAS, the Codes and Ordinances Subcommittee of the Planning Commission convened a stealth dorm working group beginning in June of 2013 consisting of representatives from the Austin Board of Realtors, the Austin

Apartment Association, the Real Estate Council of Austin, the Austin Neighborhoods Council, the American Institute of Architects, representatives from impacted neighborhoods and Code Compliance; and

WHEREAS, that working group is in the process of preparing recommendations for presentation to the Codes and Ordinance Subcommittee at their November 2013 meeting; and

WHEREAS, the working group could benefit from hearing the perspectives of additional stakeholders, including students; **NOW, THEREFORE,**

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

The Council initiates a code amendment related to dwelling unit occupancy that will set the maximum number of unrelated adults who may reside in structures allowed on single-family zoned property at four and directs the City Manager to process the code amendment and bring it to Council on or before January 30, 2014.

BE IT FURTHER RESOLVED:

The Codes and Ordinances Subcommittee Stealth Dorm working group (“Working Group”) is requested to convene additional meetings with the purpose of incorporating feedback from additional stakeholders and to continue its review of issues related to stealth dorms and best practices for enforcement, including: (1) expanding the City’s “Repeat Offender” program to include violations of City Code Section 25-2-511 (Dwelling Unit Occupancy Limit) and other laws related to quality of life; and (2) requiring “affidavits of occupancy”.

BE IT FURTHER RESOLVED

In conjunction with the above occupancy limit changes, the Working Group is requested to consider potential adjustments to development regulations so as to accommodate development pressure in ways that are consistent with the Imagine Austin Plan.

BE IT FURTHER RESOLVED

The City Manager is requested to provide support for the additional meetings and to bring the recommendations to Council on or before March 31, 2014.

ADOPTED: _____, 2013 ATTEST: _____

Jannette S. Goodall
City Clerk