

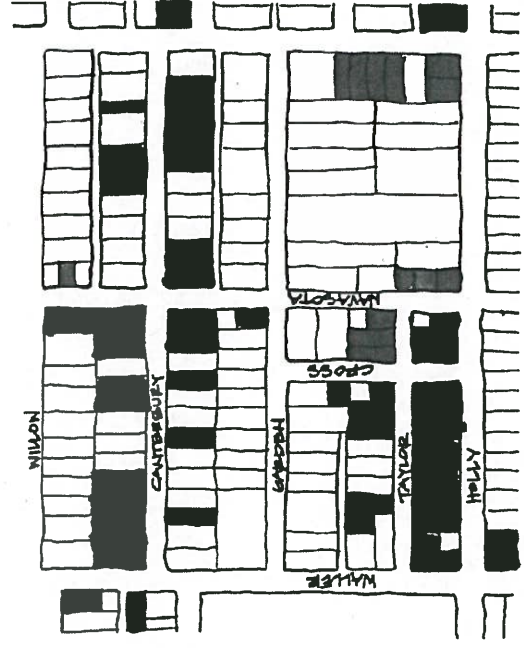
Applied Neighborhood-Wide Only
LDC Chapter 25-2-1406

Small lot amnesty permits construction or major renovation of existing single-family homes on **EXISTING legally-created lots** that do not meet current minimum lot standards. To qualify, the lot must have a minimum area of 2,500 square feet and a minimum width of 25 feet. This special use applies to all zoning districts and overlays that permit single-family homes. Under existing regulations that apply city-wide, an existing, legally-created lot less than 5,750 square feet that does not comply with current zoning regulations cannot be legally developed or have substantial improvements made to existing buildings (unless it is a qualified substandard lot (LDC 25-2-943) with a minimum lot area of 4,000 square feet and platted before March 15, 1946). Many legally subdivided lots in older parts of the city that do not meet current standards or do not qualify as substandard lots are sitting vacant or the homes on those lots are deteriorating because major improvements are not allowed.

- **Front setback:** For lots adjacent to a legally developed lot with a front setback less than 25 feet, the minimum front yard setback is equal to the average of the front yard setbacks applicable to adjoining lots.
- **Other setbacks:** Must comply with base zoning district.
- **Parking:** Must comply with parking requirements for single-family uses.
- **Impervious Cover:** Maximum impervious cover is 65% for lots 4,000 square feet or less. For other lot sizes, maximum impervious cover determined by the base zoning district.
- **Building Coverage:** Must comply with base zoning district.

If small lot amnesty is selected, the neighborhood can also choose to permit the Secondary Apartment Special Use (see page 7) on lots that qualify for small lot amnesty.

Formerly illegal small lots (East Cesar Chavez NP chose small lot amnesty).



SUMMARY OF SPECIAL USES CHOSEN IN ADOPTED NEIGHBORHOOD PLANS

SPECIAL USES CHOSEN IN ADOPTED NEIGHBORHOOD PLANS As of October 2012

Neighborhood Plan/Planning Area	Neighborhood-Wide					Property Specific			
	Small Lot Amnesty	Cottage Lot	Urban Home	Secondary Apartments	Corner Store	Neighborhood Urban Center	Residential Infill	Mixed-Use Building	
Bouldin Creek NP								Yes	
Brentwood/Highland Combined NP									
Brentwood	Yes		Subdistrict	Yes		Yes			
Highland	Yes	Subdistrict		Yes		Yes		Yes	
Central Austin Combined NP									
Hancock	Yes					Yes		Yes	
North University				**See NCCD				**See NCCD	
West University	Yes							Yes	
Central East Austin NP	Yes		Subdistrict	Subdistrict		Yes		Yes	
Central West Austin Combined NP									
WANG	Yes								
Windsor Road	Yes								
Chestnut NP	Yes	Yes	Yes	Yes		Yes		Yes	
Crestview/Wooten Combined NPA									
Crestview	Yes								
Wooten	Yes	Subdistrict	Subdistrict	Subdistrict		Yes	Yes	Yes	
Dawson NP		***	***	Yes				Yes	
East César Chávez NP	Yes			Yes				Yes	
East MLK Combined NP									
MLK	Yes	Subdistrict	Subdistrict			Yes	Yes	Yes	
MLK-183	Yes	Subdistrict	Subdistrict	Subdistrict		Yes	Yes	Yes	
Pecan Springs/ Springdale	Yes	Subdistrict	Subdistrict	Subdistrict		Yes	Yes	Yes	

SPECIAL USES CHOSEN IN ADOPTED NEIGHBORHOOD PLANS
As of October 2012

Neighborhood Plan/Planning Area	Neighborhood-Wide					Property Specific		
	Small Lot Amnesty	Cottage Lot	Urban Home	Secondary Apartments	Corner Store	Neighborhood Urban Center	Residential Infill	Mixed-Use Building
East Riverside/Oltorf Combined NP								
Parker Lane (See Note 1)	Yes							
Pleasant Valley (See Note 1)	Yes							
Riverside (See Note 1)	Yes					Yes		Yes
Govalle/Johnston Terrace Combined NP								
Govalle	Yes					Yes		
Johnston Terrace	Yes							Yes
Greater South River City Combined NP								
South River City						Yes		Yes
St Edwards						Yes		Yes
Heritage Hills/Windsor Hills Combined NP								
Heritage Hills	Yes					Yes	Yes	
Windsor Hills	Yes	Subdistrict	Subdistrict				Yes	
Holly NP	Yes			Yes				Yes
Hyde Park NP	*See NCCD	*	*	*	*	*	*	*
Montopolis NP	Yes	Yes	Yes	Yes				Yes
North Austin Civic Association NP							Yes	Yes
North Burnet/Gateway NP								
North Lamar Combined NP								
Georgian Acres								
North Lamar			Yes				Yes	

SPECIAL USES CHOSEN IN ADOPTED NEIGHBORHOOD PLANS
As of October 2012

Neighborhood Plan/Planning Area	Neighborhood-Wide					Property Specific		
	Small Lot Amnesty	Cottage Lot	Urban Home	Secondary Apartments	Corner Store	Neighborhood Urban Center	Residential Infill	Mixed-Use Building
North Loop NP	Yes			Yes	Yes	Yes		Yes
Oak Hill Combined NP								
East Oak Hill								
West Oak Hill								
Old West Austin NP	Yes			Yes				Yes
Rosewood NP	Yes			Yes		Yes		Yes
South Congress Combined NP								
East Congress	Yes					Yes		Yes
Sweetbriar	Yes	Subdistrict	Subdistrict	Subdistrict	Subdistrict	Yes	Subdistrict	Yes
West Congress	Yes			Subdistrict		Yes		Yes
Southeast Combined NP								
Franklin Park	Yes							Yes
McKinney	Yes					Yes		Yes
Southeast	Yes							
St. John/Coronado Hills NP								
St. John	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Coronado Hills	Yes	Subdistrict	Subdistrict			Yes	Yes	
University Hills/Windsor Park NP								
University Hills						Yes	TBD	
Windsor Park	Yes			Yes		Yes		
Upper Boggy Creek NP	Yes			Subdistrict		Yes		Yes

Subdistrict = chosen, but only for a part of the neighborhood planning area

TBD: To be determined

* The Hyde Park Planning Area has adopted two Neighborhood Conservation Combining District (NCCD) ordinances that may regulate design standards similar to impervious cover and parking placement, garage placement, etc. (see NCCD Ordinance # 020131-20 and # 20050818-064).

Special Use Infill Options & Design Tools

Neighborhood Special Uses

The following special uses are optional uses granted in addition to the uses allowed in the base-zoning district. The only special use proposed to be applied within the Windsor Road and West Austin Neighborhood Group Neighborhood Plan Combining Districts is Small Lot Amnesty. The other special use options could be recommended by Planning Commission and approved by City Council.

Small Lot Amnesty

Small lot amnesty means permitting construction of new single family homes or major renovation of existing single family homes on **existing** single family lots that do not meet current minimum standards.

The Small Lot Amnesty would permit existing lots that have a minimum of 2,500 square feet to be developed with new single-family homes. Special site development standards would apply to ensure new homes are compatible with existing homes. This applies only to existing lots.

Cottage

The Cottage special use permits detached single-family homes on lots with a minimum area of 2,500 square feet and a minimum width of 30 feet. If chosen, the Cottage is permitted in SF-3, SF-5, SF-6, and MF-1 through MF-6 zoning districts, and in the mixed use (MU) combining district. Cottages must comply with specific design requirements relating to front porches, driveway width, vehicular access, open space and parking.

Urban Home

The Urban Home special use permits single-family homes on lots with a minimum area of 3,500 square feet and a minimum width of 35 feet. If chosen, the Urban Home is permitted in SF-3, SF-5, SF-6, and MF-1 through MF-6 zoning districts, and the mixed use (MU) combining district. Urban homes must comply with specific design requirements relating to front porches, garage placement, parking placement, driveway width, and the orientation of front entrances.

Secondary Apartment

The Secondary Apartment special use permits a second dwelling unit 850 square feet or less in size on a lot with a minimum area of 5,750 square feet. If chosen, this accessory unit is permitted in SF-1 through SF-3, SF-5, SF-6 and MF-1 through MF-6 zoning districts. Currently, a second unit with similar regulations as the secondary apartment is permitted city-wide on lots at least 7,000 square feet in the SF-3, SF-5 through MF-6 zoning districts. Choosing the secondary apartment special use opens up the opportunity for homeowners with lot sizes between 5,750 square feet and 7,000 square feet and those in the SF-1 and SF-2 zoning districts to build a second unit.

Corner Store

The Corner Store special use permits a small retail use on a residentially zoned property within a neighborhood. If chosen, the corner store is permitted at intersections in the SF-3 through SF-6 and MF-1 through MF-6 zoning districts. Only small-scale local-serving commercial uses are allowed. A Corner

Smart Growth Infill Options

The following infill options are being recommended as part of the Crestview/Wooten Neighborhood Plan:

Small Lot Amnesty

Small lot amnesty means permitting construction of new single family homes or major renovation of existing single family homes on **existing** single family lots that do not meet current minimum standards.

The Small Lot Amnesty would permit existing lots that have a minimum of 2,500 square feet to be developed with new single-family homes. Special site development standards would apply to ensure new homes are compatible with existing homes. This applies only to existing lots.

Mixed Use Building

A Mixed Use Building is a structure located in a commercial zoning district that has commercial or retail uses on the ground floor and residential units on one or more upper floors. The standards for the Mixed Use Building require pedestrian-oriented design. For example, buildings must be built closer to the street, and parking must be located to the rear of the building. A Mixed Use Building may contain dwelling units in not more than 50% of the gross floor area of the ground floors.

Neighborhood Urban Center

Neighborhood Urban Center refers to the redevelopment of an existing retail or commercial center, or development of a vacant site, into a mixed use, pedestrian and transit-oriented center. The Neighborhood Urban Center would permit residential, multi-family, commercial and retail uses on certain sites with commercial zoning.

The Neighborhood Urban Center includes limits on how much of each type of development may occur. The goal of these standards is to ensure compatibility with existing neighborhoods while permitting flexibility in project design. The minimum standards for various land uses in a Neighborhood Urban Center are:

Residential Uses	25% of Total Building Area
Townhome, Condominium	20% of Total Residential Units
Commercial Uses	20% of Total Building Area
Open Space	10-20% depending on total site area

Residential Infill

The Residential Infill special use requires a diversity of housing types and open space and permits a limited amount of neighborhood compatible retail development. If chosen, this special use is applied to specific properties of at least two acres in the SF-3, SF-5, SF-6 and MF-1 through MF-6 zoning districts.

For a proposed Residential Infill development, a development plan showing the location of land uses and the layout of streets, lots, and open space must be approved by the Planning Commission. The following residential uses are permitted: single-family (including urban home and cottage lot), duplex, townhouse, condominium, multi-family, and secondary apartments. However each plan must show compliance with the following land use mix requirements:

<u>Land Use</u>	<u>Minimum</u>	<u>Maximum</u>
Single-Family	50% of total units	80% of total units
Duplex	None	10% of total units
Multi-Family	10% of total units	20% of total units
Neighborhood Commercial	None	1,000sf per acre
Community Open Space	10% for 2-5 acre Infill parcels	---

Cottage

The Cottage Lot special use permits detached single-family homes on lots with a minimum area of 2,500 square feet and a minimum width of 30 feet. The cottage lot is permitted in SF-3, SF-5, SF-6, and MF-1 through MF-6

Greater South River City Special Use Options

Staff is recommending the following Infill Options for Area A (Town Lake on the north, IH 35 on the east, E. Oltorf on the south, and Blunn Creek on the west) of the Greater South River City Neighborhood:

Applied Area Wide:

Small Lot Amnesty – Allows construction of a single-family use on existing legally-created lots that have a minimum area of 2,500 square feet and a minimum lot width of 25 feet. Lots that are 4,000 square feet or less may be developed with a maximum impervious cover of 65%.

Staff rationale: There are 267 lots, 13 of which are in Area A, in the entire neighborhood planning area that are less than the current minimum legal lot size of 5,750 square feet. Small lot amnesty will allow property owners currently unable to develop a home on their lots less than 5,750 square feet.

Secondary Apartment (Garage Apartment or Granny Flat) - A detached single family residence at the rear of a single-family residence lot. The second unit must be located at least 15 feet behind the principal structure or above a detached garage and may not have an entrance within 10 feet of a lot line. The secondary unit cannot be taller than 30 feet or two stories and is limited to 850 total square feet or 500 square feet on the second story, if any. Allowed in **MF-6** or more restrictive.

Staff rationale: The Greater South River City Neighborhood is a well-established, built-out neighborhood with very few undeveloped lots. Secondary apartment is the most effective way of encouraging infill development in established neighborhoods, thus contributing in some small part to curbing urban sprawl. The secondary apartment ordinance was recently amended to address growing concerns with secondary apartments being developed out-of-scale with the surrounding residences.

Applied within a Subdistrict:

Urban Home - A single family residential dwelling on 3,500 square foot lots. Allowed in **MF-6** or more restrictive. Applied in the Fairlawn Lane Subdistrict. The boundaries of the Fairlawn Subdistrict are Fairlawn on the west, Woodland on the north, IH 35 on the east, and Mariposa on the south.

Staff rationale: Fairlawn Lane is currently developed with duplexes. Urban Home creates the possibility for a 1-to-1 replacement of residential units that encourages home ownership and leads to redevelopment.

Applied to Specific Properties:

Neighborhood Mixed Use Building - A building that has both commercial and residential uses. Allowed in LO, GO, LR, GR, CS, CS-1, CH, and LI. Residential uses may not occupy more than 50% of the ground floor.

Staff rationale: Mixed Use Building requires pedestrian-oriented features (buildings closer to the sidewalk and awnings required), adds to the mix of housing types in the neighborhood, decreases the need for an automobile by housing people within walking distance of work, services, and transit stops.

Design Tools

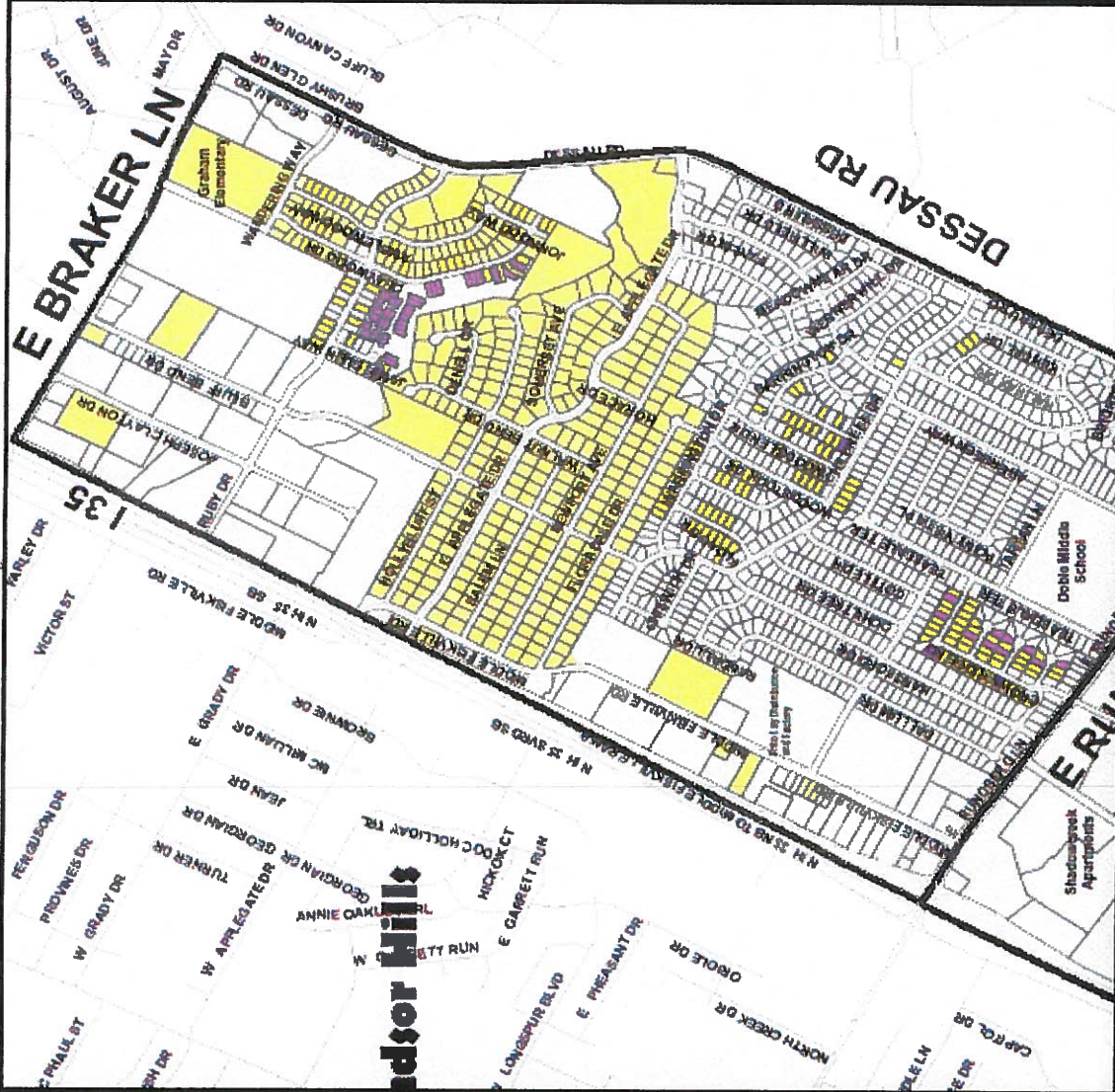
The following design tools may be applied neighborhood wide or in subdistricts. If approved along with the neighborhood plan, these tools would not impact existing development, but would require new ~~construction or major redevelopment single family, two-family, or duplex uses~~ to comply with the standards as described for each design tool.

Small Lot Amnesty

Applied on a neighborhood-wide basis to ensure that there are no undevelopable residential lots.

Encourages a mix of housing types and promotes affordability.

WINDSOR HILLS / WINDSOR HILLS



***Applies to purple lots**

**** PUD would not be covered by this option if chosen for WH**

Small lot amnesty



ST JOHN/ COLONASO HILLS

Creates exceptions for lots
between 2500 and 5750
sq ft:

- Keeps vacant residential
lots from sitting vacant
- Supports major
improvements on
deteriorating homes

Applied neighborhood-
wide

Small Lot Amnesty

- Allows construction of a single-family use on existing legally-created lots that have a minimum area of 2,500 square feet and a minimum lot width of 25 feet.
- **UHWP Staff Recommendation: Adopt**
 - Would allow new construction or redevelopment on (the few) undeveloped lots under 5,750 square feet.
 - Recommended by NPZD for planning areas city wide.
 - Recommended to be applied neighborhood wide.

North Loop Plan

Action 1.4 Allow the construction of single family homes on existing lots that are a minimum of 2,500 square feet, in accordance with the Small Lot Amnesty option of the Smart Growth infill ordinance.

P. 25 says under "Vision for residential areas"

Older homes will be preserved but additional opportunities for housing choice, through secondary apartments, mixed use and small

scale multi-family will be added.

Holly Plan, p. 9

The neighborhood is also interested in allowing "small lot amnesty" which allows people, often with vacant lots, to build homes on lots currently by City Code too small for single family houses.

Objective 1.2: Preserve existing affordable housing

Objective 1.5: Preserve (SF) single family housing throughout the neighborhood.

Action Item 1.5.1: Preserve land for single family homes in Residential District through the future land use plan.

Action Item 1.5.2: Permit small lot amnesty for single family lots currently under 5,750 square feet in order to allow new or reconstruction of houses on lots previously too small to build on.

CURRENT CODE

SLA

§ 25-2-1406 ORDINANCE REQUIREMENTS.

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

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

(2) must describe the location of each residential infill special use, neighborhood urban center special use, or neighborhood mixed use building special use, if any;

(3) may restrict the time of day during which a business in a neighborhood mixed use building special use may be open to the public;

(4) may restrict a corner store special use, cottage special use, secondary apartment special use, or urban home special use, if any, to a designated portion of the district;

(5) for a single-family residential use or a secondary apartment special use on an existing legal lot:

(a) may reduce the required minimum lot area to 2,500 square feet;

(b) may reduce the required minimum lot width to 25 feet; and

(c) for a lot with an area of 4,000 square feet or less, may increase the maximum impervious coverage to 65 percent;

(6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*), Section 25-2-1603 (*Impervious Cover and Parking Placement Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district or a designated portion of the district;

(7) may restrict front yard parking by including all or a portion of the district in the restricted parking area map described in Section 12-5-29 (*Front or Side Yard Parking*); and

(8) may apply the requirements of Section 25-2-812 (N) (*Mobile Food Establishments*) to the district or a designated portion of the district.

(9) may modify the following requirements of Subchapter F (*Residential Design And Compatibility Standards*) for the district or a designated portion of the district:

(a) the maximum floor-to-area ratio and maximum square footage of gross floor area prescribed by Subchapter F (*Residential Design And Compatibility Standards*);

(b) the maximum linear feet of gables or dormers protruding from the setback plane;

(c) the height of the side and rear setback planes; and

(d) the minimum front yard setback requirement.

(10) may apply the requirements of Section 25-2-1407 (*Affordable Housing*) to the district or a designated portion of the district.

Source: Ord. 000406-81; Ord. 020718-83; 030424-57; Ord. 030925-64; Ord. 031211-11; Ord. 040325-Z-1; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-020; Ord. 20060928-022; Ord. 20080618-093; Ord. 20080807-091.

Proposed changes

§ 25-2-1406 ORDINANCE REQUIREMENTS.

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(5) for a single-family residential use or a secondary apartment special use on an existing legal lot:

(a) may reduce the required minimum lot area to 2,500 square feet;

(b) may reduce the required minimum lot width to 25 feet; and

(c) for a lot with an area of 4,000 square feet or less, may increase the maximum impervious coverage to 65 percent;

(d) A lot that is aggregated with other property to form a site may not be disaggregated to satisfy this subsection.

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(6) may apply the requirements of Section [25-2-1602](#) (*Front Porch Setback*), Section [25-2-1603](#) (*Impervious Cover and Parking Placement Requirements*), or Section [25-2-1604](#) (*Garage Placement*) to the district or a designated portion of the district;

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(c) the height of the side and rear setback planes; and

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(10) may apply the requirements of Section [25-2-1407](#) (*Affordable Housing*) to the district or a designated portion of the district.

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25-1 Article 2

Definition of aggregation (example, not finalized): A site on which a structure has been built across two or more lots, at least one of which is substandard.