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Alamo Title

# McMansions

## Single-Family Development Regulations for Austin

Site development regulations for single-family, duplexes, and other non-multi-family residential development (the "McMansion Ordinance" and changes to the City's duplex regulations) went into effect on October 1, 2006.

### WHERE DO THE REGULATIONS APPLY?

The McMansion Ordinance does not apply to every property within the City. It applies only within specific boundaries (generally, greater central Austin). The Mueller Planned Unit Development is exempt from the regulations. Properties zoned SF-4A are also exempt unless they are adjacent to properties zoned SF-2 and SF-3.

### WONDERING ABOUT THE POSTCARD YOU RECEIVED IN THE MAIL OR CODE AMENDMENT C20-2010-0002?

The postcard you received in the mail was to notify you of a proposed amendment to the City of Austin's Land Development Code to extend the boundaries of the McMansion Ordinance (a.k.a. Subchapter F Residential Design and Compatibility Standards). The area included in the proposed expansion is Ben White Boulevard to the north, William Cannon Drive to the south, IH-35 to the east and Manchaca Road to the west.

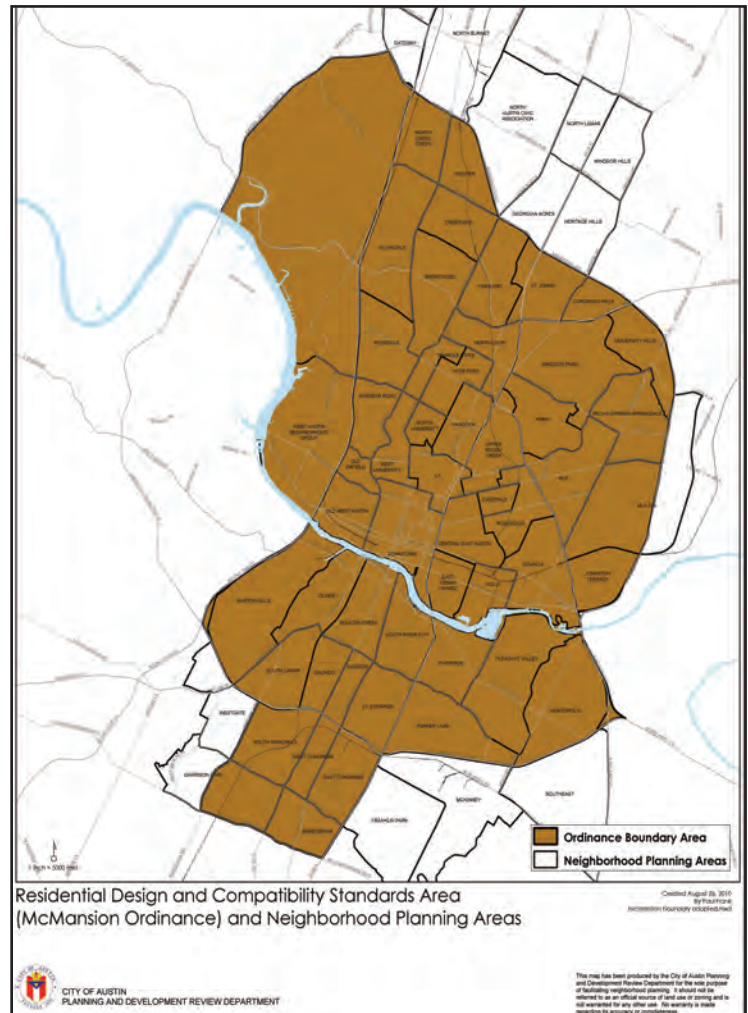
Generally, the McMansion ordinance places additional regulations on single-family structures, two-family structures and duplex structures to limit bulk and volume of residential structures.

### WHAT RESIDENTIAL STRUCTURES ARE SUBJECT TO THE McMANSION ORDINANCE?

- Single-family
- Small-lot single-family
- Single-family attached
- Duplex
- Two-family (a main residence and a secondary dwelling unit)
- Secondary apartment (neighborhood planning tool)
- Urban home (neighborhood planning tool)
- Cottage lot (neighborhood planning tool)

### WHAT DOES THE McMANSION ORDINANCE DO?

- Limits the size of new and remodeled structures to the greater of
  - 2,300 square feet or
  - 0.4 to 1 Floor-to-Area-Ratio (FAR) (the limit applies to the combined square footage of all residential units on a lot)



To figure out what an 0.4 FAR means for your property, simply multiply your total lot size by 0.4. For example, an 0.4 FAR applied to a 10,000 square foot lot would yield an allowable 4,000 square feet of gross floor area).

- Adds provisions to the City's definition of gross floor area that explain how square footage must be calculated for

- Second and third story covered porches (included in your square footage)
- Basements meeting certain criteria (excluded in your square footage)
- Garages and other parking areas (included after a certain amount)
- Areas with ceiling heights of greater than 15 feet (included by counting the square footage twice)
- Mezzanines and lofts (included)
- Habitable attic spaces meeting certain criteria (excluded)

Otherwise, gross floor area means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas. [Land Development Code Section 25-1-21].

- Adds a building envelope requirement, created by side and rear setback planes, so that all structures on a site must fit within this envelope (there is an allowance for remodels; some building features are allowed to protrude through the setback planes).

- Adds a side wall articulation requirement, though the side wall articulation requirement does not apply to new construction that is less than 2,000 square feet in gross floor area and less than 32 feet in height

- Changes how height is measured for uses subject to the McMansion ordinance so that it is measured from the lower of natural or finished grade.

- Changes the maximum height.

- From 35 ft to 32 ft for single-family, small-lot single-family, single-family attached, bed and breakfast (group 1 and group 2) residential structures
- From 30 feet to 32 feet for duplexes
- From 30 feet to 32 feet for two-family residential structures
- (The 35 foot height limit stays in effect for urban home and cottage lot special uses.)
- (The 30 foot height limit stays in effect for secondary apartment special uses.)

- Decreases the minimum rear yard setback from 10 feet to 5 feet for a secondary dwelling unit if the lot abuts an alley.

- Establishes minimum front yard setbacks that are slightly different than the setbacks prescribed previously in the City's Land Development Code.

- Allows neighborhoods within the 'McMansion boundary' modify the McMansion Ordinance.

#### **Other changes approved with the McMansion Ordinance that also went into effect on October 1, 2006**

- Require that the two units of a duplex share a common roof and a common wall for at least 50% of the maximum depth of the building, and prohibit the separation of the two units by a breezeway, carport, or other open building element; instead of a shared common wall, the two units can share a common floor and ceiling (applies citywide to all duplexes, not just those within the "McMansion boundary").

- Amend how noncomplying structures may be modified (applies citywide to all uses, not just residential uses).

- Amend when and how a damaged or destroyed noncomplying structure may be restored (applies citywide to all uses, not just residential uses).

\*\* Please read the ordinance at [http://www.ci.austin.tx.us/zoning/sf\\_regs.htm](http://www.ci.austin.tx.us/zoning/sf_regs.htm) describing the October 1 regulations for more details.

\* The Council also approved an amendment to the new residential design and compatibility standards (the "McMansion ordinance"). This amendment exempts new construction that is less than 2000 square feet in gross floor area and less than 32 feet in height from the side wall articulation requirement.

#### **CAN I APPLY FOR A WAIVER TO THE OCTOBER 1 REGULATIONS?**

Unlike the interim regulations, the Council cannot grant a waiver to the October 1 regulations. However, there will be Residential Design and Compatibility Commission made up of residential design professionals and other citizens appointed by the Council who will have the ability to review projects and grant modifications to certain requirements of the October 1 regulations.

If you have questions about the new regulations, existing site development standards, applying for a building permit, or applying for a modification from the new standards, please call the Residential Review division of the Planning and Development Review Department (PDR) at 974.2380. To visit with a residential reviewer on a first-come, first-serve basis, their walk-in hours are from 8:00 to 11:00 a.m.

