

Code Revision
Section 1-50 - Definitions
Dwelling Units & Accessory Dwelling Units

DATE: September 16, 2020

BACKGROUND: With the remodeling of a home in Round Rock West, staff was asked by a member of the Planning and Zoning Commission about the City's regulations regarding a second dwelling unit in single family zoning districts. The code currently defines a dwelling unit by whether it contains cooking facilities. A second set of cooking facilities indicates a second dwelling unit, which is prohibited. The code does not define cooking facilities, however, making enforcement difficult. Staff made a presentation and the Commission discussed this issue at their April 15th and May 6th meetings.

On June 17th, the Commission held a public hearing on a code revision to provide a definition for a cooking facility/kitchen and a slight change to the dwelling unit definition. At the public hearing, David Glenn, representing the Home Builders Association of Greater Austin, reported that some builders have a new multi-generational product designed to accommodate an elderly family member or caretaker and that these homes had separate kitchens. The Commission voted 5-3 to table action on the proposed code revision.

On July 15th, the Commission discussed a different approach to regulating second dwelling units. Instead of using cooking facilities/kitchens as the defining feature of a dwelling unit, the number of front doors on the house would be used to define a dwelling unit. After discussion with the Home Builders Association and representatives from Lennar, it was determined that this proposal was not workable for the multi-generational product. Because there was general agreement that the multi-generational product was a desirable option in newly-built neighborhoods, staff agreed to take another approach at revising the code.

DISCUSSION: The Code currently contains the following definition:

Accessory dwelling unit	A dwelling unit built on a legal lot in addition to a principal dwelling unit or structure. Accessory dwelling units are subordinate in size, location, and use to the principal structure.
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This use is permitted in the MU-2 (Mixed-Use Downtown Medium Density) and MU-R (Mixed-Use Redevelopment and Small Lot) zoning districts. It is also permitted, with supplementary standards, in the MU-L (Mixed-Use Limited), C-2 (Local Commercial) and OF-1 (General Office) zoning districts.

A new definition has been proposed, describing a different type of accessory dwelling unit, which would be permitted only in the SF-3 (Single Family – Mixed Lot) zoning district. **Exhibit 'A'** contains this definition, as well as a revision to the existing definition for 'dwelling unit'.

RECOMMENDED MOTION: Recommendation of approval for the amendments to Section 1-50 - Definitions.

EXHIBIT 'A'

Sec. 1-50. - Definitions.

The purpose of this section is to define words, terms and phrases contained within this code, unless otherwise specifically defined elsewhere herein. Definitions for words not defined below may be defined elsewhere in the City of Round Rock Code of Ordinances or found in Webster's Dictionary of the English language, unabridged, subject to interpretation by the PDS director.

Term	Definition
Accessory dwelling unit	A dwelling unit built on a legal lot in addition to a principal dwelling unit or structure. Accessory dwelling units are subordinate in size, location, and use to the principal structure.
<u>Accessory dwelling unit, connected</u>	<u>A dwelling unit which is integrated into the floorplan of a principal dwelling unit and includes a connecting door to the principal unit. A Connected Accessory Dwelling Unit is subordinate in size and use to the principal structure and may include a front door separate from the primary dwelling unit and its own dedicated garage parking space. A connected accessory dwelling unit cannot be a separate structure.</u>
Dwelling unit	A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating and sanitation facilities. <u>The term "dwelling unit" does not include Aa building containing more than one entrance on the front street yard side of the building, or more than one entrance from an attached garage to the building; set of cooking facilities is considered to be a multi-dwelling-unit structure. The term "dwelling-unit" nor</u> does not <u>it</u> include hotels, motels, lodging houses, sheds or similar accessory structures, campers or camp trailers, any recreational vehicle, or vehicle or portable structure having no permanent foundation other than wheels, jacks, or skirting.