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ORDINANCE NO.

AN ORDINANCE REPEALING AND REPLACING ARTICLE 10, SUBCHAPTER C OF CITY CODE CHAPTER 25-2 RELATING TO COMPATIBILITY STANDARDS; AND AMENDING SECTION 25-2-1176 RELATING TO DOCKS, MARINAS, AND OTHER LAKEFRONT USES.

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

PART 1. Article 10 (*Compatibility Standards*), Subchapter C of City Code Chapter 25-2 is repealed and replaced to read:

ARTICLE 10. COMPATIBILITY STANDARDS.

Division 1. General Provisions.

§ 25-2-1051 APPLICABILITY.

Except as provided in Section 25-2-1052 (*Exceptions*) or another specific provision of this title, this article applies to a site that is:

- (1) zoned multi-family residence moderate-high density (MF-4) or less restrictive; and
- (2) located within 75 feet of a triggering property.

§ 25-2-1052 EXCEPTIONS.

This article does not apply to:

- (1) a structural alteration that does not increase the square footage, area, or height of a building;
- (2) a site zoned Central Business District (CBD) or Downtown Mixed-Use (DMU); or
- (3) a site that is used for:
 - (a) duplex use;
 - (b) single-family attached residential use;

WORKING DRAFT – SUBJECT TO CHANGE JOINT PUBLIC HEARING - VERSION 1 MARCH 29, 2024 single-family residential use; 26 (c) 27 two-unit residential use; (d) 28 three-unit residential; (e) 29 (f) adult-care services use (limited or general); or 30 childcare services use (limited or general). (g) 31 § 25-2-1053 TRIGGERING PROPERTY. 32 A triggering property is a site: 33 with at least one dwelling unit but less than four dwelling units; and **(1)** zoned Urban Family Residence (SF-5) or more restrictive. 34 (2) § 25-2-1054 SITE-SPECIFIC AMENDMENTS. 35 (A) 36 Except as provided in Subsection (B), council may grant site-specific amendments to height limits established in Section 25-2-1061 (Compatibility Height Limits) if 37 council determines that an amendment is appropriate and will not harm the 38 39 surrounding area. A site is not eligible for a site-specific amendment if the site is: 40 (B) (1) zoned: 41 42 special purpose base zoning district; (a) 43 (b) density bonus (DB) combining district; or 44 **(2)** subject to the university neighborhood overlay (UNO). 45 (C) An applicant may file a rezoning application to request a site-specific amendment to this article. 46 47 (D) A rezoning application filed under this section is subject to the same requirements

classification of a property.

48 49 and procedures established for a rezoning application that changes the base district

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Division 2. Development Standards.

§ 25-2-1061 COMPATIBILITY HEIGHT LIMITS.

- (A) In this section, structure includes a portion of a structure.
- (B) This section does not apply when the site's zoning ordinance establishes a maximum height of less than 40 feet and the site is zoned:
 - (1) neighborhood office (NO);
 - (2) limited office (LO); or
 - (3) neighborhood commercial (LR).
- (C) A structure that is located 75 feet from a triggering property shall comply with the height limits established by the site's zoning ordinance.
- (D) Except as provided by a site-specific amendment to this section, a structure that is located:
 - (1) at least 50 feet but less than 75 feet from a triggering property may not exceed 60 feet; and
 - (2) less than 50 feet from a triggering property may not exceed 40 feet.

§ 25-2-1062 COMPATIBILITY BUFFERS AND SETBACKS.

- (A) This section does not apply to:
 - (1) condominium residential use; or
 - (2) townhouse residential use.
- (B) Compatibility Buffers.
 - (1) Except as provided in Subdivision (2), a compatibility buffer is required along a site's property line that is shared with a triggering property.
 - (2) A compatibility buffer is not required if the site's zoning ordinance establishes a maximum height of less than 40 feet and the site is zoned:

(a) neighborhood office (NO);

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(b) limited office (LO); or

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(c) neighborhood commercial (LR).

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- (3) The minimum width of a compatibility buffer is 25 feet.
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- (4) A compatibility buffer must comply with Section 25-8-700 (*Minimum Requirements for a Compatibility Buffer*).
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- (C) Setbacks.
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- (1) This subsection applies to a site's property line that is shared with a triggering property.
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- (2) The minimum rear setback is 10 feet if the site is zoned:
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(a) neighborhood office (NO);

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(b) limited office (LO); or

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(c) neighborhood commercial (LR).

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- (3) The minimum interior side-yard setback is five feet if the site is zoned neighborhood commercial (LR).

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§ 25-2-1063 SCREENING, NOISE, AND DESIGN REQUIREMENTS.

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- (A) Exterior lighting must be hooded or shielded so that the light source is not visible from the site's property line that is shared with a triggering property.
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- (B) Mechanical equipment may not produce sound in excess of 70 decibels measured at the site's property line that is shared with a triggering property.
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- (C) A concrete slab used for a refuse receptacle may not be placed within 15 feet of triggering property.
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(D) Except for a multi-use trail, an on-site amenity that is available only to residents and occupants of the site and their guests may not be located within 25 feet of a triggering property.

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- (E) Screening Requirements. Except when visible from or through a pedestrian or bicycle access point, the following objects may not be visible at the site's property line that is shared with a triggering property and shall be screened:
 - (1) vehicle lights from vehicles that use or are parked on a parking lot or in a parking structure located on the site;
 - (2) mechanical equipment;
 - (3) outdoor storage;
 - (4) refuse receptacles and collection areas; or
 - (5) common areas for amenities, including outdoor decks, patios, or pools.
- (F) The screening required in Subsection (E) may not impede pedestrian or bicycle access points.
- **PART 2.** Subsection 1.3.3 in Section 1.3 (*Exceptions*) of Subchapter F (*Residential Designs and Compatibility Standards*) of City Code Chapter 25-2 is amended to read:
- 1.3.3.
 - [This Subchapter does not apply to a] A use[s] listed in Subsections 1.2.2(I)-(M) [(K)-(Q)] of Section 1.2 may comply with this subchapter or [if an applicant has agreed, in a manner prescribed by the director, to comply with] the requirements of Chapter 25-2, Article 10 (*Compatibility Standards*).
 - **PART 3.** City Code Section 25-2-1176 (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) is amended to add a new Subsection (E) to read:
 - (E) A person constructing shoreline access, as that term is defined in Section 25-2-1172 (*Definitions*), shall screen the shoreline access from the view of property with at least one dwelling unit but less than four dwelling units and is zoned Urban Family Residence (SF-5) or more restrictive.
 - (1) A person may comply with this subsection by providing vegetation and tree canopy as prescribed by rule and may supplement compliance with other screening methods prescribed by rule.

WORKING DRAFT – SUBJECT TO CHANGE JOINT PUBLIC HEARING - VERSION 1 MARCH 29, 2024 The owner must maintain the screening provided under this section. 126 (2) PART 4. This ordinance takes effect on _______, 2024. 127 128 PASSED AND APPROVED 129 130 ______, 2024 131 Kirk Watson 132 Mayor 133 134 135 **ATTEST:** 136 **APPROVED:** ______ Anne L. Morgan Myrna Rios 137 City Clerk City Attorney 138 139

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