

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is repealed and replaced to read: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;

- (c) single-family residential use;
- (d) two-unit residential use;
- (e) three-unit residential;
- (f) adult-care services use (limited or general); or
- (g) childcare services use (limited or general).

§ 25-2-1053 TRIGGERING PROPERTY.

A triggering property is a site:

- (1) with at least one dwelling unit but less than four dwelling units; and
- (2) zoned Urban Family Residence (SF-5) or more restrictive.

§ 25-2-1054 SITE-SPECIFIC AMENDMENTS.

- (A) 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 council determines that an amendment is appropriate and will not harm the surrounding area.
- (B) A site is not eligible for a site-specific amendment if the site is:
 - (1) zoned:
 - (a) special purpose base zoning district;
 - (b) density bonus (DB) combining district; or
 - (2) subject to the university neighborhood overlay (UNO).
- (C) An applicant may file a rezoning application to request a site-specific amendment to this article.
- (D) A rezoning application filed under this section is subject to the same requirements and procedures established for a rezoning application that changes the base district classification of a property.

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

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

- (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.
- (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.
- (C) A concrete slab used for a refuse receptacle may not be placed within 15 feet of triggering property.
- (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.

(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.

(2) The owner must maintain the screening provided under this section.

PART 4. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk