

WHEREAS, Austin is in a housing crisis; and

WHEREAS, staff has recommended limiting compatibility to 100 feet from a triggering property in the past; and

WHEREAS, height limits imposed by compatibility are consistently identified as one of the largest impediments to building housing, especially in central corridors; and

WHEREAS, Austin's current compatibility limits that end at 540 feet from a single-family property are far stricter than the limits in other cities; and

WHEREAS, the City Council adopted Ordinance No. 20221201-056, which created the Corridor Overlay; and

25 **WHEREAS**, the Corridor Overlay modified compatibility requirements on
26 approximately 122 segments of Austin’s roadways; and

27 **WHEREAS**, the Corridor Overlay modified height limitations, distance
28 requirements, properties that trigger compatibility; and

29 **WHEREAS**, the Corridor Overlay removed caps on the number of stories
30 within height limits; and

31 **WHEREAS**, the type of changes made in the Corridor Overlay would be
32 positive changes if implemented city-wide; and

33 **WHEREAS**, a simple city-wide wide approach to compatibility reform will
34 provide more consistency and be easier to understand for neighbors, the
35 development community, and development review staff; and

36 **WHEREAS**, in December of 2022, the City’s equity analysis concluded that
37 the compatibility changes adopted in Ordinance No. 20221201-056 were
38 inequitable due to it not being city-wide; and

39 **WHEREAS**, the City Manager is analyzing the impact of compatibility and
40 the analysis (“Study”) is expected to be presented in July; **NOW, THEREFORE,**

41 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

42 City Council initiates amendments to City Code Title 25 (Land
43 Development) to modify height and setbacks triggered by proximity to single-
44 family zoning and uses (also known as “Compatibility Standards”). The
45 amendments should, at a minimum, achieve the following goals:
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1. Change the application of Compatibility Standards so that the standards are triggered when a proposed structure is within 100 feet of a triggering property or to a lesser distance (ex: 50 or 75 feet) if recommended by the City Manager. The City Manager's recommendation should be informed by the Study.
2. Re-define "triggering property" so that the property contains only residential units and is zoned SF-1, SF-2, SF-3, SF-4A, SF-4B, or SF-5.
3. When triggered, mirror the Corridor Overlay and apply height and setback limits established in the Compatibility Standards to the following types of developments:
 - a. A development that includes a residential use that is developed under the site development regulations that apply to multi-family or commercial base zoning districts.
 - b. A development that includes at 17 residential units and a structure (or a portion of a structure) will exceed 40 feet in height and will be constructed within 100 feet of a triggering property.
 - c. A development that includes non-residential uses.
4. Set height limits in no-build setbacks (0 to 25 feet from the triggering property) to be equal to or less restrictive than height limitations applied to single-family structures.
5. Modify the existing waiver provisions for Compatibility to allow for (a) a larger variety of waivers, and (b) more opportunities for waivers.

69 6. Remove the maximum number of stories and increase height limitations
70 by at least five feet for structures constructed within 100 feet of a
71 triggering property.

72 7. Modify the limitations on what can be constructed within the “no-build”
73 setback to mirror the uses allowed in the Corridor Overlay and found in
74 City Code Section 25-2-769.04 (*Compatibility and Setback*
75 *Requirements*).

76 **BE IT FURTHER RESOLVED:**

77 In addition to the amendments described above, City Council initiates
78 amendments to Compatibility Standards that are recommended by the City
79 Manager. City Council encourages the City Manager to consider recommending
80 regulations that are similar to those adopted by other Texas cities.

81 **BE IT FURTHER RESOLVED:**

82 The City Manager is directed to process the amendments necessary to
83 accomplish the goals of this Resolution and return with a draft ordinance for City
84 Council consideration no later than December 1st, 2023.

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88 **ADOPTED:** _____, 2023 **ATTEST:** _____

89 Myrna Rios
90 City Clerk
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