

RESOLUTION NO. 20220609-066

WHEREAS, Austin is facing an affordability crisis as the housing market reaches record rents and home prices; and

WHEREAS, City Council has recently passed a number of resolutions to address affordability and housing supply, including reforms for accessory dwelling units, Vertical Mixed Use, Equitable Transit Oriented Development, and affordable housing bonus programs for commercial zones; and

WHEREAS, Austin voters approved substantial investments in corridor improvements, active transportation, and Project Connect in 2016, 2018, and 2020; and

WHEREAS, current compatibility regulations, established in the 1980s, limit housing capacity on corridors by limiting the height of developments of properties within 540 feet of single-family properties, which is significantly more restrictive compared to cities with similar regulations; and

WHEREAS, current parking minimums may require more parking than currently needed and conflict with the City's goal of reaching a 50/50 transportation mode share; and

WHEREAS, moderate changes to compatibility and parking regulations on corridors would increase affordable and market-rate housing supply and support the City's transit investments; and

WHEREAS, Planning Commission, Zoning and Platting Commission, City Council, and community members have provided substantial feedback in the last 10 years on potential changes to the compatibility regulations and parking minimums; and

WHEREAS, the Austin City Council is committed to enacting policy changes to increase housing capacity and support transit investments on corridors;
NOW, THEREFORE,

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

The City Council initiates the following amendments to City Code Title 25 (*Land Development Code*) to increase housing capacity and support transit investments on corridors by relaxing compatibility regulations and reducing parking minimums. It is Council's intent that these amendments apply to a property that is front-facing or side-facing a corridor. It is Council's intent that these amendments apply when the property's existing compatibility or parking regulations are more restrictive.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to prepare a code amendment that accomplishes the following for a property located on a Light Rail, Larger, or Medium Corridor:

1. Defines Light Rail Corridors to include Project Connect Light Rail Lines and their Future Extensions (i.e. Orange and Blue Lines);

2. Defines Larger Corridors to include:
 - a. Austin Strategic Mobility Plan (ASMP) Level 5 Streets (i.e., major highways); and
 - b. Project Connect MetroRapid Routes (i.e., Expo Center, Pleasant Valley, Burnet to Menchaca & Oak Hill* [exact route still under development], and Gold Lines), excluding Future Extensions.
3. Defines Medium Corridors to include:
 - a. Imagine Austin Corridors that have been constructed but do not qualify as Light Rail or Larger Corridors; and
 - b. 2016 Bond Corridor Construction Program corridors that do not qualify as Light Rail or Larger Corridors.
4. Modifies the compatibility height and setback regulations to:
 - a. limit the applicability to properties located on the same side of corridors;
 - b. tie the applicability to zoning classification, rather than existing land use;
 - c. end compatibility regulations at a 300' distance from the nearest triggering property;

- d. for any residential or mixed-use property on a corridor, allow more flexibility for what can be located in the 25' setback but not including dumpsters and with consideration of locating green infrastructure, landscape buffering, and green walls and solid fencing for sound attenuation;
 - e. for any residential or mixed-use property on a corridor, amend City Code Sections 25-2-1062 and 25-2-1063 to:
 - i. increase height from 30' to 35';
 - ii. increase height from 40' to 45';
 - iii. increase height from 50' to 55'; and
 - f. exempt the following from compatibility regulations:
 - i. any residential use permitted in an SF-6 or more restrictive zoning district and developed in accordance with site development standards allowed within an SF-6 or more restrictive zoning district; and
 - ii. any building consisting of only residential uses with a maximum of 12 units and a maximum of 35' height.
5. Creates a bonus program for a property on a corridor that provides on-site affordable units and allows:

- a. properties on Light Rail Corridors to end compatibility height and setback regulations at 100' distance from the nearest triggering property; and
 - b. properties on Larger Corridors to:
 - i. reach 65' height at 100' distance,
 - ii. reach 90' height at 200' distance; and
 - c. properties on Medium Corridors to:
 - i. reach 65' height at 150' distance,
 - ii. reach 90' height at 250' distance; and
 - d. properties utilizing fee-in-lieu options to be eligible only if and when the fees are updated to match the equivalent of on-site construction costs.
6. Except for accessible parking, modifies parking for a residential or mixed-use property on a corridor as follows:
- a. require a property on a Light Rail or Larger Corridor to build only 25% of the parking currently required;
 - b. require a property on a Medium Corridor to build only 50% of the parking currently required; and
7. Require a property on a Light Rail, Larger, or Medium Corridor and within 300 feet from a school to maintain existing parking regulations.
8. Prohibit Type 2 and Type 3 short term rental (STR) use in units along these corridors.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to explore the following ideas and, if feasible, include these ideas in the code amendment:

1. with the goal of promoting the use of more sustainable, climate-friendly transportation modes, explore the advantages of requiring implementation of Transportation Demand Management (TDM) measures in the recently updated Transportation Criteria Manual to qualify for the parking reductions, and with Austin Transportation Department Director approval, achieve further reductions as part of a tiered system that applies multiple TDM measures to a development;
2. appropriate reduction in parking requirements for a property on a Larger or Medium Corridor and within 300 feet of a school in exchange for construction of multi-bedroom units; and
3. applying Light Rail or Larger Corridor regulations to Transit Oriented Developments (TODs) and Regulating Plans where current regulations are more restrictive;
4. provide analysis of the affordable housing capacity yield of this Resolution; and
5. explore limiting triggering for civic uses and non-residential uses in residentially-zoned areas.

BE IT FURTHER RESOLVED:

The City Manager is directed to explore collaborating with local school districts on reserving public street space for school use.

BE IT FURTHER RESOLVED:

Provide modeling and visual analysis for a variety of lot sizes and depths.

BE IT FURTHER RESOLVED:

The City Manager is directed to bring an ordinance for Council consideration no later than September 2022.

ADOPTED: June 9, 2022

ATTEST:

G. Brady for

Myrna Rios
City Clerk