

RESOLUTION NO. 20221201-048

WHEREAS, Austin must take action to address the local affordability and housing crises; and

WHEREAS, compact residential developments of three to sixteen homes, often referred to as “missing middle” housing, can provide greater affordability and be more easily attainable by moderate-income families and individuals compared to new single-family homes by spreading the cost of the land across more units; and

WHEREAS, missing middle housing facilitates walkability, transit, and community-building while fitting within residential neighborhoods; and

WHEREAS, diverse housing types and price points benefit and support community diversity, including young adults, families and children, adults aging in place, people with disabilities, and anyone else who may not want, need, or be able to afford a single-family home; and

WHEREAS, current City code allows a simpler residential review process for single-family or duplex projects, but small projects with three to sixteen residential units must adhere to the complex, expensive, and time-consuming site plan process required of large multifamily and commercial projects; and

WHEREAS, full site plan review can involve as many as ten to thirteen City departments; and

WHEREAS, a neighborhood-scale fourplex has more in common with a single-family house in terms of its impacts to surrounding areas than a large apartment, mixed-use, or commercial complex; and

WHEREAS, since construction of missing middle housing frequently occurs through the Affordability Unlocked Bonus Program, establishing an easier regulatory process for missing middle housing will increase the supply of affordable units and help to further housing goals adopted in the Austin Strategic Housing Blueprint; and

WHEREAS, Council first initiated revisions to the site plan process for missing middle projects as part of Affordability Unlocked, Resolution No. 20190221-027, with more recent direction provided through water quality code changes, Resolution No. 20220609-061; and

WHEREAS, as part of its actions on the amendments initiated by Resolution No. 20220609-061, Planning Commission recommended deferring amendments related to the site plan process to 2023 in order to allow development of a more comprehensive staff recommendation that addresses the broader range of regulatory challenges confronting missing middle housing; and

WHEREAS, in furtherance of the high priority Council and the Austin community places on simplifying City processes and reducing costs for housing, this resolution provides additional direction to guide development of previously initiated amendments related to missing middle housing; **NOW, THEREFORE,**

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

To facilitate the creation of missing middle housing, Council initiates amendments to City Code Title 25 (*Land Development Code*) to scale site plan review requirements appropriately for developments of three to sixteen residential units. These amendments shall be non-zoning in nature. To the greatest extent possible, these amendments should:

1. **Add Triplexes and Fourplexes to Residential Review:** Establish that the City will review developments of three or four residential units in the manner the City reviews developments of one or two residential units, where no site plan is required.
2. **Create “Site Plan Lite” Review for Missing Middle Housing:** For developments of five to sixteen residential units, create a site plan review process that is tailored appropriately for missing middle housing, with fewer requirements than that of full site plan review.

BE IT FURTHER RESOLVED:

In developing Site Plan Lite, the City Manager shall holistically review all existing non-zoning development requirements for value and impact in application to missing middle projects, including but not limited to drainage and water quality, parking and street impact fees, parkland dedication, trees, and utilities. While zoning regulations are relevant to development of missing middle housing, this resolution is concerned solely with challenges presented by non-zoning regulations and does not initiate changes to impervious cover limits, compatibility, height, setbacks, and other zoning regulations. Informed by this holistic review, the City Manager should then craft Site Plan Lite to modify non-zoning requirements as appropriate for missing middle projects, with the goal of streamlining review in a manner scaled to the impacts of development.

BE IT FURTHER RESOLVED:

Prior to vetting through Boards and Commissions and soliciting broader public feedback, the City Manager shall seek input from market-rate and affordable housing stakeholders on the proposed changes, including testing/modeling for effectiveness in increasing housing capacity and yield, as well as any process changes needed to implement proposed regulatory changes.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to set a goal for average “Site-Plan Lite” review time as follows: In recommending what regulations should apply to missing middle projects, the Manager should ensure that applications can be reviewed within 90 business days. If the Manager determines that a 90-day target is not a feasible goal, the Manager will report back to council on why a 90-day goal is not feasible and develop a goal that is:

- 1) In line with development review times for five- to sixteen-unit projects in nearby and peer Texas cities; and
- 2) Closer to the City’s average time for residential review than average time for full site plan review.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to bring back ordinances for Council consideration in the following manner:

1. Residential review for triplexes and fourplexes, no later than March 9, 2023; and
2. Site Plan Lite review for five to sixteen unit missing middle housing, no later than June 1, 2023.

ADOPTED: December 1, 2022

ATTEST:



Myrna Rios
City Clerk