

**ORDINANCE NO. 20240516-004**

**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 OF THE CITY CODE 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**PART 1.** Article 10 (*Compatibility Standards*), Subchapter C of City Code Chapter 25-2 is repealed and replaced to read: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) district or less restrictive district; 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) small lot single-family residential use;
- (e) two-unit residential use;
- (f) three-unit residential use;
- (g) adult care services use (limited or general); or
- (h) child care 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) district or more restrictive.

**§ 25-2-1054 SITE-SPECIFIC AMENDMENTS.**

- (A) Except as provided in Subsection (B), council may grant site-specific amendments to height and compatibility buffers 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) a special purpose base zoning district;
    - (b) density bonus (DB) combining district; or
  - (2) subject to the university neighborhood overlay (UNO).
- (C) A site-specific amendment to this article is considered a rezoning of property and is subject to the same requirements and procedures established for a rezoning application that changes the base district classification of a property.
- (D) A site-specific amendment may be initiated by:
  - (1) council;
  - (2) the Land Use Commission; or
  - (3) the record owner.

## **Division 2. Development Standards.**

### **§ 25-2-1061 COMPATIBILITY HEIGHT LIMITS.**

- (A) In this section, structure means a portion of a structure.
- (B) Any structure that is located 75 or more feet from any part of a triggering property shall comply with the height limits established by the site's zoning ordinance.
- (C) Except as provided by a site-specific amendment to this section, any structure that is located:
  - (1) at least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet; and
  - (2) less than 50 feet from any part of 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 (B)(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:
    - (a) the site includes only residential uses and the number of dwelling units is 16 or fewer dwelling units; or
    - (b) the site's zoning ordinance establishes a maximum height of 40 feet or less and the site is zoned:
      - (i) neighborhood office (NO) district;
      - (ii) limited office (LO) district; or
      - (iii) neighborhood commercial (LR) district.



- (3) Except as provided in Subdivision (B)(5), the minimum width of a compatibility buffer is 25 feet.
  - (4) A compatibility buffer must comply with Section 25-8-700 (*Minimum Requirements for Compatibility Buffers*).
  - (5) The minimum width of a compatibility buffer is 15 feet for a site that is less than 75 feet wide when measured from site's property line that is shared with a triggering property.
- (C) Setbacks.
- (1) This subsection applies to a site's property line that is shared with a triggering property.
  - (2) The minimum rear yard setback is 10 feet if the site is zoned:
    - (a) neighborhood office (NO) district;
    - (b) limited office (LO) district; or
    - (c) neighborhood commercial (LR) district.
  - (3) The minimum interior side-yard setback is five feet if the site is zoned neighborhood commercial (LR) district.

**§ 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 or alleyway 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 or alleyway 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 shall be screened and may not be visible at the site's property line or alleyway that is shared with a triggering property:

- (1) vehicle lights from vehicles that use or are parked on a parking lot or in a parking structure located on the site;
  - (2) ground floor and rooftop mechanical equipment;
  - (3) outdoor storage;
  - (4) refuse receptacles and collection areas; and
  - (5) common areas for amenities, including outdoor decks, patios, and pools.
- (F) The screening required in Subsection (E) may not impede pedestrian or bicycle access points.
- (G) Rooftop mechanical equipment may be screened by a parapet.

**PART 2.** Subsection 1.3.3 in 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 a property with at least one dwelling unit but less than four dwelling units and is zoned urban family residence (SF-5) district 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 required by this section.

**PART 4.** This ordinance takes effect on July 15, 2024.

**PASSED AND APPROVED**

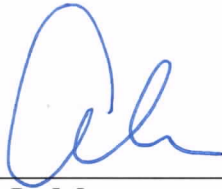
\_\_\_\_\_, May 16, 2024

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Kirk Watson  
Mayor

**APPROVED:**



Anne L. Morgan  
City Attorney

**ATTEST:**



Myrna Rios  
City Clerk