

ADDITIONAL STAKEHOLDER RECOMMENDATIONS

#	Issue	Stakeholder Recommendation	Current Practice/Impact	Recommendation
1	RDCC authority. Residential Design and Compatibility Commission (RDCC) cannot grant modification requests to properties that are classified as contributing structures, historic districts, etc.	Allow RDCC to grant modifications to properties in historic districts, contributing structures, etc.	If a project is a contributing structure or in a historic district, only the Board of Adjustment can issue a variance from the McMansion standards. Amendment would allow RDCC to grant a modification to a contributing structure if HLC reviews first in certain situations.	Task Force Recommended Planning Commission Recommended
2	Horizontal articulation. Entire second story articulations away from the property line are not accepted as sidewall articulations. Applicants, to keep the desired square footage assumed by a standard 4 x 10 ft articulation, end up increasing the overall size and mass of the structure to accommodate the 4 x 10 ft articulation.	A sidewall articulation may also include a "horizontal articulation" where the entire floor(s) of a story above the first floor is set back further from the property line by at least 9 feet for at least 36 ft.	Currently, if an entire story above the first floor is set back further from the property line than the first floor, even for new construction, the design does not qualify as a sidewall articulation. Amendment would give architects additional design freedom while reducing the impact of the structure upon the adjacent lots. The stories above the first floor must be set back further from the property line than the first floor by no less than 9 ft from the property line.	Task Force Recommended with revision to limit the length of the articulation to 10 feet instead of 36 feet. Planning Commission Recommends Task Force recommendation, with articulation of 10 feet instead of 36 feet.
3	Exempting New subdivisions within McMansion Boundaries. Some new, undeveloped subdivisions are located within the McMansion boundaries and are subject to the new development requirements. Additionally, there are cases where SF4A lots are completely surrounded by SF3 lots and, as a result are subject to McMansion as well.	Allow for new undeveloped subdivisions within the McMansion boundaries to be exempt from compliance with Subchapter F	Any residential lot, with the exception of a lot zoned SF4A, located within the McMansion boundaries is subject to McMansion. If the lot is a SF4A lot and surrounded by SF2 or SF3 lots, then it too is subject to McMansion. Amendment would exempt new undeveloped subdivisions from having to comply with McMansion requirements regardless as to what type of zoning surrounds the subdivision.	Task Force Not recommended Planning Commission Not Recommended
4	Altering McMansion Boundaries. Subdivisions in the northwestern are of Austin are located inside McMansion boundaries but have several homes well over 0.4 FAR. Homeowners experience a difficult time remodeling existing homes or building new homes that are compatible with surrounding homes in the area.	Alter McMansion boundaries to take into consideration subdivisions where at least 50% of the lots are above 0.4 FAR are outside of the boundaries; consider VMU NW boundaries for guidance.	Any lot within the McMansion boundaries are subject to McMansion regulations. Recommendation could remove subdivisions that have 50% of the subdivision boundaries over 0.4 FAR from McMansion boundaries or retract the boundaries to the same north western boundaries used by VMU.	Planning Commission: <u>Action 5/13:</u> Referred back to Task Force. Removed per direction from City Council

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5	Clarifying attic exemption. Attic requirement for “contained within the roof structure” needs clarification.	Clarify that “contained within the roof structure” means that that roof structure is the roof framing. Further clarify that a dormer is allowed as long as the dormer protrudes from the roof’s frame.	Because the language is vague, staff has not been able to counter that roof structure is specific to roof framing. Amendment would clarify that roof structure is roof framing and that a dormer or protrusion out of the roof framing will not prevent the habitable attic space from being exempt from FAR.	Staff Recommendation Instead of a code amendment, staff recommends a policy memo to clarify its interpretation of “contained within the roof structure” and amend the BCM to clarify the language as well. Draft memo attached. Task Force Recommends a policy memo with the additional clarification that when the attic exemption is applied, the space shall include dormers, gables, etc. when calculating the area with height 7’ or less. Also recommends amending the Building Criteria Manual to reflect the clarification. Planning Commission Supports staff and Task Force recommendation, and no change to code.
6	Consider dormers when calculating height. Dormers are being constructed larger than anticipated and allowing taller habitable attic areas.	Modify height to include the higher gabled roof line	For a pitched or hip roof, height is determined to the average height of the highest gable only. Amendment would allow height to be measured to “the gabled roof with the highest average height.” This would include a dormer and be closer to “perceived or real” height of the structure.	Task Force Recommended Planning Commission Recommended
7	Expand RDCC Authority. In some cases, it is difficult to obtain a variance from compatibility or impervious cover requirements because a hardship may or may not exist, even when there is support for the variance.	Expand RDCC’s authority to include the ability to grant modifications or waivers from commercial compatibility requirements and impervious cover restrictions. Give applicants the choice of being heard by the RDCC or the BOA. All appeals to the RDCC’s decision should be considered by the Planning Commission. If the appeal is to an issue where RDCC and BOA share joint jurisdiction, then the appeal shall be considered by the City Council.	Currently, the RDCC only has authority to review residential modification requests within the McMansion boundaries, subject to a complete waiver of sidewall articulation requirements or a 25% increase of FAR or protrusions from the tent. Height, impervious cover, commercial compatibility, nonconforming uses, noncomplying status are considered by the BOA contingent upon a hardship of the lot. Appeals of the RDCC’s decision are heard by the City Council. Amendment would grant the RDCC additional authority to consider: 1. Commercial compatibility for commercial projects 2. Requests for increases to impervious cover RDCC appeals would be heard by the Planning Commission instead of City Council. Where RDCC and BOA shared joint jurisdiction, appeals would be considered by City Council.	Planning Commission: <u>Action 5/13:</u> Referred back to Task Force. Staff: Neutral. RDCC would need to increase the number cases it considers on an agenda. Currently, RDCC considers 10 cases. Removed per direction from City Council.

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#	Affordability Impact Statement	AIS Recommendation	Current Practice/Impact	Recommendation
8	Affordability Impact Statement (Item #1 on page 2)	Establish 2,400 sq ft as the threshold for applicability of wall articulation requirements if development is SMART housing certified and neighborhood is notified	Projects that are less than 2,000 sf in gross floor area and less than 32 feet in height are exempt from sidewall articulation requirement. Recommendation would allow projects that are certified as SMART housing AND 2,400 sq ft to be exempt from sidewall articulation requirement	Task Force Alternative Recommendation for both Items 8 and 9: Expand RDCC Authority to allow Smart Housing certified subdivisions with a minimum of 12 lots on at least one acre with at least 40% of affordable units can apply for a modification from: 1. Sidewall articulation, and/or 2. Setback plane Planning Commission Recommends Task Force's alternative recommendation.
9	Affordability Impact Statement (Item #2 on page 2)	Establish Exemption from Residential Design Standards Ordinance Requirements for new subdivision of tracts of at least one acre if SMART Housing-certified and construction consists of at least five (5) housing units.	All projects that currently fall within the McMansion boundaries are subject to McMansion standards regardless as to whether or not the project is smart housing certified. Amendment would provide administrative authority to exempt smart housing certified subdivisions of at least one acre from McMansion regulations.	
10	Affordability Impact Statement (Item #3 on page 2)	Establish an alternate method of compliance for topographic survey requirement; which adds expense to building permit submittals	As part of an application, the City currently requires a signed and sealed topographic survey when there is a change in grade in excess of two feet to help verify height, tents, etc.	Task Force No vote required. This recommendation does not require a code amendment. Staff will work with Smart Housing program to determine if an alternative method is available. Planning Commission No vote required
11	Affordability Impact Statement (Item #4 on page 2)	Exempt Homes of 1500 sf or less entirely from the residential design standards ordinance	NA	Removed per direction from City Council
12	Affordability Impact Statement (Item #5 on page 2)	Consistent with current SF4A exemption, establish exemption for cottage lot and urban home small-lot developments	Cottage lot and urban home small lot developments are not exempt from McMansion regulations. Amendment would exempt cottage lot and urban home small lot developments regardless if the project were certified by smart housing.	Task Force Not recommended. Alternative recommendation for items 8 & 9 may provide the relief smart housing projects are seeking. Planning Commission Not recommended. Concurs that alternative recommendation for items 8 & 9 will provide the relief smart housing projects are seeking.
13	Affordability Impact Statement (Item #6 on page 2)	Reference the definition of top plate from the 2006 IRC	NA	Task Force. No vote required. See Item #20 on Task Force Recommendations. Planning Commission. No vote required.