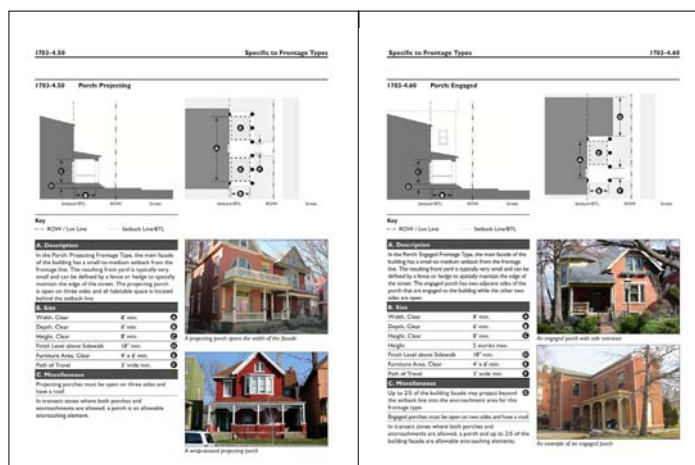
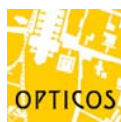


September 2014



# Code Approach Alternatives & Annotated Outlines

Austin Land Development Code Update



**CODENEXT**  
SHAPING THE AUSTIN WE IMAGINE

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# 1 | *Introduction*

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# Imagine Austin and CodeNEXT Initiative Background

## About the Land Development Code (LDC) Update and this Report

In recent years, Austin has been widely acclaimed as one of the most livable and vibrant cities in the country. Austin has also been one of the fastest growing cities in the country, going from a population of approximately 345,000 in 1980 to 843,000 in 2013. The city’s population is projected to nearly double again over the next three decades. Austin’s attractiveness brings a central challenge: how to accommodate more people, in a considered and sustainable fashion, while preserving what community members value so that Austin grows better, not just bigger.

Addressing this central challenge was at the heart of the multi-year process to develop the city’s comprehensive plan. Thousands of Austinites contributed to the creation of the Imagine Austin Comprehensive Plan, which was adopted unanimously by the Austin City Council in June 2012. Imagine Austin provides a roadmap to negotiate the challenges of the coming decades and help realize the community’s vision for its future. Imagine Austin identified 8 Priority Programs to make it easier to implement the plan. These programs organize key policies and actions, building on existing policies and advancing initiatives envisioned by the community during the Imagine Austin process. All priority programs are interrelated; each implements policies and actions from multiple programs. The

structure they provide will allow the City of Austin to more efficiently coordinate its operations, investments, and the provision of core services. The priority programs are:

- 1. Invest in a compact and connected Austin;
- 2. Sustainably manage our water resources;
- 3. Continue to grow Austin’s economy by investing in our workforce, education systems, entrepreneurs, and local businesses;
- 4. Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city;
- 5. Grow and invest in Austin’s creative economy;
- 6. Develop and maintain household affordability throughout Austin;
- 7. Create a Healthy Austin Program;
- 8. Revise Austin’s development regulations and processes to promote a compact and connected city.

Because addressing the City’s development regulations and processes is so central to building the city we’ve envisioned with Imagine Austin, Priority Program 8 was launched to review and revise the City’s land development code (LDC). The LDC has a significant impact on our daily lives, from shaping the kinds of places where we live, work, and hang out, to influencing the design of our streets and public spaces. The LDC is directly and indirectly related to many of the Priority Programs and is one of the key tools to achieve the community’s vision for Austin.

## CodeNEXT Process

In 2013, the city engaged the help of both national and local experts to work with elected officials, staff, appointed representatives, and the community at large on how best to align the land use standards and regulations with the goals of Imagine Austin. From the beginning, this process—called “CodeNEXT”—has placed as much emphasis on listening to people as it has on exploring the technical dimensions of the existing LDC. The first year of this multi-year process has focused on listening to the community, understanding the city and its existing plans, policies and procedures, and gathering input on what people value about their communities, what’s working well and what needs to be improved.

The CodeNEXT Team has also done an extensive analysis of the existing code to “diagnose” major issues that need to be addressed

### Characteristics of Existing and Future Code

| Existing Code                              | Future Code   |
|--|---|
| Ineffective in Implementing Imagine Austin | Supports Creation of Complete Communities and Implementation of Priority Programs |
| Complicated and Inefficient                | Streamlined and Understandable  |
| Unpredictable, Unclear, and Conflicting    | Predictable Outcomes  |
| Difficult to Implement and Administer      | Transparent, Consistent Processes   |
| Based on Community Values                  | Based on Community Values   |

in order for the LDC to enable, rather than create barriers to, the goals of Imagine Austin. This extensive focus on listening, understanding and diagnosing major issues provides a strong foundation for the next steps in the revision process. The process to date has revealed that our current code does not offer what we need in order to create the city we want.

The CodeNEXT Team has developed the “Code Approach Alternatives & Annotated Outlines,” which sets a framework for understanding options for revising key elements of the code and lays out three potential approaches to reorganize and rewrite the LDC. The approaches range from reorganizing the current content of the existing code to rewriting large sections of the LDC. The CodeNEXT Team has provided a recommended approach, based on an analysis of how options within each approach perform against a set of evaluation criteria, as well as how well the overall approach addresses issues identified in the Code Diagnosis and advances the Imagine Austin Priority Programs.

The approach chosen by the city council will establish the general direction for revising the LDC and will allow the consultant team to begin work on more detailed outlines. In early 2015 the preferred approach will be presented to the new city council to allow policymakers to provide additional guidance. Next steps in the process are described in Chapter 5 of this report.

## Listening to the Community Report

The CodeNEXT Team designed a unique approach that began with listening to the community. This initial project phase, called “Listening and Understanding,” created numerous ways for people throughout Austin to be in conversation with the CodeNEXT Team and each other about issues that impact their everyday lives. These conversations explored what is working well, what needs to be improved in the places where they live, work, and play, and how the new LDC could be most effective as a framework for improving quality of life. **Key themes from the Listening to the Community Report are summarized in Chapter 4 of this report.** The full report can be [downloaded here](#).

As CodeNEXT is a multiyear process, this preliminary Listening to the Community Report does not represent an end to the conversation, but rather a recap of input gathered through early January 2014. The CodeNEXT team will continue to foster a robust conversation in Austin about how best to shape the Austin we imagine.

## Code Diagnosis

The Code Diagnosis focuses on summarizing major issues identified by the public, city staff, and the CodeNEXT team within the existing LDC. Input to the diagnosis includes information gathered from stakeholders and city staff during the listening phase of the project, as well as the consultants’ analysis of the text and structure of the existing LDC.

The Code Diagnosis defines the basis or need for revising the current LDC, however it does not prescribe or recommend the direction for the new LDC. In some cases, it also recommends topics to be discussed by the community to help guide the direction for the new LDC. Findings from the report were considered by the CodeNEXT Team in formulating alternative approaches to rewriting and reorganizing the new LDC.

**See Chapter 4 of this report for a summary of how the key themes from the Code Diagnosis relate to the Code Approach Alternatives.** The full report can be [downloaded here](#).

## Community Character Manual

The Community Character Manual can be seen as a visual dictionary and atlas of the unique character of the built environment found in Austin. The manual presents both citywide elements and glimpses of the character of the built environment within each neighborhood reporting area.

Austin residents have been contributing to the Community Character Manual through their involvement in the “Community Character in a Box” process. Community Character in a Box is a do-it-yourself kit for groups to work with their neighbors to capture the assets, constraints, and opportunities for improvement in their local areas. The process involves documenting that input both with photos and on maps. You can view the “in progress” Manual [here](#).

## Alternative Approaches to the Code

This document describes three approaches to the reorganization and rewriting of the LDC. The approaches range from reorganizing the current content of the existing code to rewriting large sections of the LDC. The preferred approach and annotated outline identified by the city council will establish the general direction for revising the LDC and will allow the consultant team to begin work on more detailed outlines. In early 2015 the preferred approach will be presented to the new city council to allow policymakers to provide additional guidance.



## Introduction:

# Overview of This Report

### What is the Purpose of This Document?

This document is intended to assist the community and City Council in understanding the three Approach Alternatives for revising the Land Development Code (LDC) and serve as a guide for Austin City Council to evaluate the preferred approach to the update of the LDC.

### What is Included in This Document?

**Chapter 1** provides a brief introduction and overview of Imagine Austin, the CodeNEXT process, and the three approaches created to date.

**Chapter 2** introduces three key elements that must be considered in the creation of the overall Approach Alternatives and different options for implementing these elements. Each option is evaluated and ranked using a set of defined criteria. Each of these elements impacts the clarity and usability of the Land Development Code. The three elements presented in Chapter 2 are:

- Code Format & Organization—how the LDC is formatted and organized.
- Development Review Models—how the LDC is used to evaluate and permit development projects.
- Development Standards Models—what type of standards comprise the LDC (use-based, form-based, performance-based or some combination).

**Chapter 3** provides an overview of the three Approach Alternatives for the new LDC and explains how the elements described in Chapter 2 are applied in each of the three approaches.

**Chapter 4** discusses the relationship between the proposed approaches and previous CodeNEXT products and identifies the basis for the recommended approach.

**Chapter 5** outlines next steps in the process.

**Supplemental Information** provides detailed annotated outlines and tables of contents for each approach, as well as definitions for some of the terms used in this report.





## Overview of Approaches

In general, Approach 1 represents the lightest approach, Approach 3 the most extensive approach, and Approach 2 represents an intermediate approach. The following is a brief overview of each approach. A more detailed description of each approach is provided in Chapter 3.

### 1 | The Brisk Sweep

Approach 1 provides clean-up of the existing LDC with targeted refinements and the addition of form-based standards that will have limited application, primarily to future small area plans. The appearance, usability, and consistency of the existing LDC are cleaned up without major structural/organizational changes and targeted content is calibrated. Combining districts may be compressed where feasible, though most will remain in place. Additionally, a citywide framework for form-based standards will be created to guide future area plans and code changes.

### 2 | The Deep Clean

This approach substantially improves the appearance, usability, and consistency of the LDC while also significantly reworking its content and structure. Refined and carefully vetted development standards, which include form-based standards applicable to walkable urban contexts and Euclidean standards applicable to drivable suburban contexts, allow for a balanced mix of by-right review, customized zoning, and discretionary review where appropriate. Combining districts are compressed where feasible and a citywide framework for form-based standards will be created and applied to a limited number of interested communities, while a framework is established for easy future application to more areas as desired.

### 3 | The Complete Makeover

Approach 3 provides the most extensive modifications to the LDC. This approach, similar to Approach 2, improves the appearance, usability, and consistency of the existing LDC by reworking its content and structure. Development standards that include form-based standards applicable to walkable urban contexts and Euclidean standards for drivable suburban contexts allow for a development review process that relies primarily on by-right review. Combining districts are compressed where feasible and a citywide framework for form-based standards will be created and applied more widely across the city to contexts that are walkable or are intended to change to a more walkable context.

### What is the CodeNEXT Team's recommended Approach?

While each of the three approaches has its own merits and will provide a basic level of improvement to the code, the CodeNEXT Team recommends Approach 2, "The Deep Clean," based on a combination of factors. These include alignment with Imagine Austin Priority Programs, community and staff input, technical analysis of the LDC in the Code Diagnosis, the best combination of Approach Elements, and our understanding of the desired level of change within the community. We believe that The Deep Clean approach offers the best combination of technical solutions and best fits with Austin's civic character, balancing significant change and maintaining community values.

## Key Questions

### What does choosing a Code Approach do and not do?

The Code Approach will establish a direction for the format and organization of the LDC, the ways in which development applications are reviewed and standards administered, and the broad types of development standards that will be crafted.

As the CodeNEXT team continues to work with the public and stakeholders, it may be helpful to understand that each of the approach elements can be seen as “dials,” with the approach alternatives providing settings for each of the dials. These dials can be adjusted as the new City Council takes office and as discussions with Austinites over the detailed content of the new code continue in the next phase of the CodeNEXT project, beginning in 2015.

The selection of a preferred Code Approach does not in and of itself change development standards, revise zoning districts or create new zoning districts in the LDC, nor does it make specific decisions about what content remains or what content is removed or replaced within the new LDC. Instead it chooses a direction for the CodeNEXT team to explore with Austinites. Decisions on what standards remain the same, what standards change, where standards apply across the city and how they are administered will be explored during the next phase of CodeNEXT.

Selecting an approach also does not decide where revised or new zoning districts will be “mapped”, that is, where in the city particular zoning districts and certain regulations will apply. Decisions on where the revised or new zoning districts are mapped will occur after new draft zoning districts are crafted and will be thoroughly and publicly discussed. At the same time that the new draft zoning districts are being reviewed by the public, the CodeNEXT initiative will begin testing how the new zoning districts can be mapped.

### How will the specific content of the new code be created and what opportunities will the community have to review this content?

To some extent this will depend on the desired level of change included in the Approach. However, in general the development of the specific content of the new code will be based on policy direction from Imagine Austin, adopted Neighborhood Plans and master plans, Council initiatives such as Complete Streets, as well as the Code Diagnosis, and public input received during the Listening and Understanding phase of this project.

Chapter 5 provides a general overview of next steps in the CodeNext initiative.

## Selecting an approach...

### Does

- ✓ **Set a framework**  
Creates parameters to guide the revision of the LDC.
- ✓ **Allow for future flexibility**  
Future City Council will have opportunity to reaffirm selected Approach.
- ✓ **Establish a road map for updating the code**  
Chooses a direction for the CodeNEXT team to explore with Austinites.

### Does Not

- ✗ **Change existing regulations or policies such as neighborhood plans**  
Does not say which regulations will be kept, replaced, or removed.
- ✗ **Revise zoning districts, neighborhood plans, or create new districts**  
No recommendation of districts.
- ✗ **Decide where new or revised zoning districts will apply within the City**  
Code Approach does not provide direction for mapping.

## 2 | Overview of Approach Elements

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# Overview of Approach Elements

## What are the Three Elements?

This chapter provides an overview of three key elements that were considered in the creation of Approach Alternatives for the Land Development Code Update. Each of these elements affects the clarity and usability of the LDC. The three elements are:

1. Code Format and Organization—how the LDC is formatted and organized.
2. Development Review Models—how the LDC is used to evaluate and permit development projects.
3. Development Standards Models—what type of standards comprise the LDC (use-based, form-based, performance-based or some combination.)

## What Information is Provided for Each Element?

A brief description is provided for each element. Several options for implementing each element are presented and rated based on a set of criteria to enable the community and city council to

more easily understand the content and effectiveness of each element option as well as each complete approach option.

## How Does this Inform the Approach Alternatives?

A combination of code format and organization, development review models, and development standards models are combined into three different approach alternatives in the following chapters to enable easy comparison based on the criteria and outcomes desired.

## How are the Three Elements Evaluated?

Options for each of the three elements are evaluated according to criteria related to ease of use and administration. The Oxford English Dictionary definitions for each criterion are summarized here:

### Effectiveness

*The degree to which something is successful in producing a desired result.*

- Code Format and Organization evaluates the effectiveness of revising or replacing the formatting of pages and the overall organization of the document.
- Development Review Model evaluates the effectiveness of different models of reviewing development applications against the standards within the code.
- Development Standards Model evaluates the effectiveness of different types of zoning standards related to the quality of built results.

### Clarity

*The quality of being clear, in particular; The quality of coherence and intelligibility.*

- Code Format and Organization evaluates the clarity of the way information is presented within the code.
- Development Review Model evaluates the clarity of the review process.
- Development Standards Model evaluates how clear the standards are at representing what may or may not be developed.

### Consistency

*The achievement of a level of performance that does not vary greatly in quality over time.*

- Code Format and Organization evaluates the consistency of how and where information is presented.
- Development Review Model evaluates the consistency of the process and results for different review models.
- Development Standards Model does not include consistency as a criteria.

### Predictability

*Able to be predicted; Behaving or occurring in a way that is expected.*

- Code Format and Organization evaluates the predictability of how and where information is presented.

- Development Review Model evaluates how predictable the results are from different methods of reviewing developments.
- Development Standards Model evaluates how predictable the built results are from different methods of regulating development.

### Simplicity

*The quality or condition of being easy to understand or do.*

- Code Format and Organization evaluates how easy it is to understand and use the document.
- Development Review Model evaluates how easy it is to understand and go through different methods of reviewing development applications.
- Development Standards Model evaluates how easy it is to understand the intent of the standards and use the different methods of regulating development.

### Ease of Implementation

*The level of effort it takes to put a chosen direction into effect.*

- Code Format and Organization evaluates how easy it is to implement different levels of change in the way the code is formatted and organized.
- Development Review Model evaluates how easy it is to implement different review models.
- Development Standards Model evaluates how easy it is to implement different development standards.

### Ease of Administration

*The process or activity of running a business, organization, etc.*

- Code Format Organization evaluates how easy it is to administer the code with different levels of change in format and organization.
- Development Review Model evaluates how easy it is to administer different methods of reviewing developments.
- Development Standards Model evaluates how easy it is to administer different development standards.

# Overview of Approach Elements:

## Code Format and Organization

How content in the code is presented and organized.

Code Format and Organization determines the legibility and intuitiveness of the code document. Format refers to the way information is presented on a page; size and style of text, indenting, clear graphics, tables, and paragraph structure which help to make information easy to find and understand. Organization refers to the way information is arranged within

the overall code document (the table of contents) to enable all users to easily navigate and find the information they need. By improving document format and organization the intent of the LDC can be more clearly articulated and understood, making it a much more effective tool.

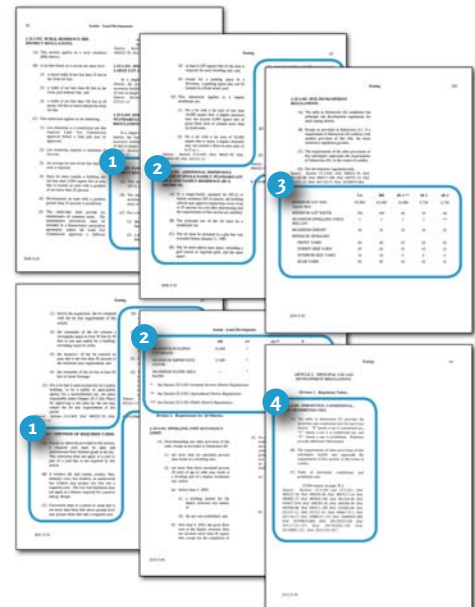
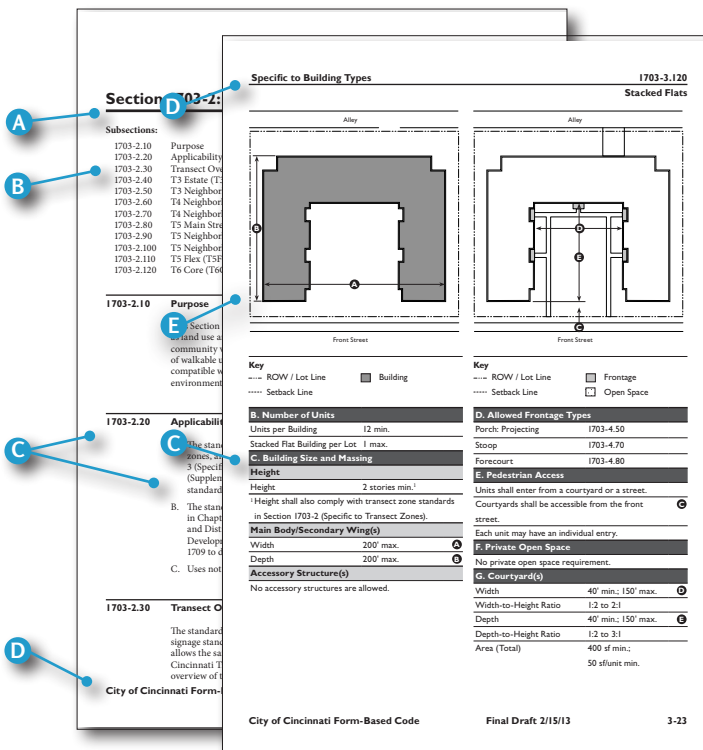
### Sample Code Pages

Clear, straightforward, and easy to understand format.

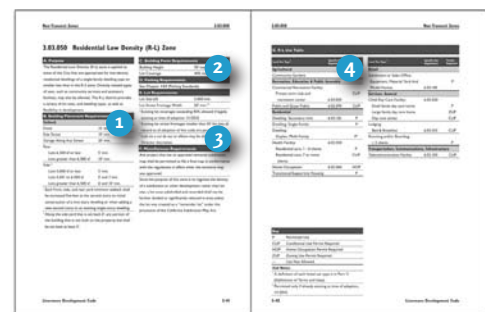
Clear structure and graphic clarity make a code accessible and intelligible to all users.

Logical, consolidated organization.

Consolidating information makes things easier to find.



Existing Code: Many different locations to look for basic regulations.



Potential Code: one location for all of the same regulations.

- A Clear break between major portions of code and clear numbering.
- B Table of Contents at the beginning of each new section.
- C Clear numbering, indenting, section breaks, and labeling.
- D Strong headers and footers explain where you are in the document.
- E Clear tables, graphics and illustrations visually explain regulations.

## Code Format and Organization Options:

The CodeNEXT Team evaluated two options for the code format and organization. These are:

### 1 | Revised Code Format and Organization

Use the existing code framework/organization, with a cleaned up and targeted refinement of existing organization. This might mean creating new districts and collapsing some existing districts, but few changes to the overall code structure.

### 2 | Replacement Code Format and Organization

Replace the entire code framework/organization with a new, alternative format and reorganize the content of the code.

CODE FORMAT AND ORGANIZATION CRITERIA TABLE

| Models                                       | Effectiveness | Clarity | Consistency | Predictability | Simplicity | Ease of Implementation | Ease of Administration |
|--|---------------|---------|-------------|----------------|------------|------------------------|------------------------|
| 1   REVISED CODE FORMAT AND ORGANIZATION     | ●             | ●       | ●           | ●              | ○          | ●                      | ●                      |
| 2   REPLACEMENT CODE FORMAT AND ORGANIZATION | ●             | ●       | ●           | ●              | ●          | ●                      | ●                      |

Key: ● High Level ● Medium Level ○ Low Level

## Description of Criteria/Outcomes:

### Effectiveness

Typically a revision of an existing code format can be as effective as a replacement code format. However, due to the complexity of Austin's existing LDC format a revision to the format would be less effective than a replacement format.

### Clarity

A revision of the existing LDC format would be less clear than a replacement format due to the complexity of the current LDC. Because a substantial revision with significant graphics and major content refinements would be necessary in order for the revised format to broadcast the city's intentions, a replacement format is a more logical choice in terms of achieving clarity.

### Consistency

Both the revised and replacement LDC format would result in consistent content. In both, the long-term consistency would rely on a reduction in the number of amendments to the new LDC.

### Predictability

The replacement LDC format would create predictable results and be more effective in immediately implementing the goals and policies from the Imagine Austin Comprehensive Plan. A revised format would be less predictable and effective due to the lower level of clarity and simplicity of the existing format.

### Simplicity

Replacing the LDC format is simpler than making revisions to the existing, complicated format. Because the existing format is not robust enough to accommodate the complexity of Austin's LDC, a revision based on that format would result in a code that is less simple than what could be achieved with a new code format.

### Ease of Implementation and Administration

Revising the organization of the existing LDC would be easier to implement in the short term due to staff's familiarity with and institutional knowledge of the organization of the existing LDC. However, longer-term administration of the revised LDC would be hindered by the pre-existing structural flaws in the format that would not be changed in a simple revision.

A Replacement Format would require users to go through an adjustment period in the short term, which makes implementation less straightforward, however a reorganized document would be easier to administer over the longer term because of its more logical organizational structure.



## Overview of Approach Elements:

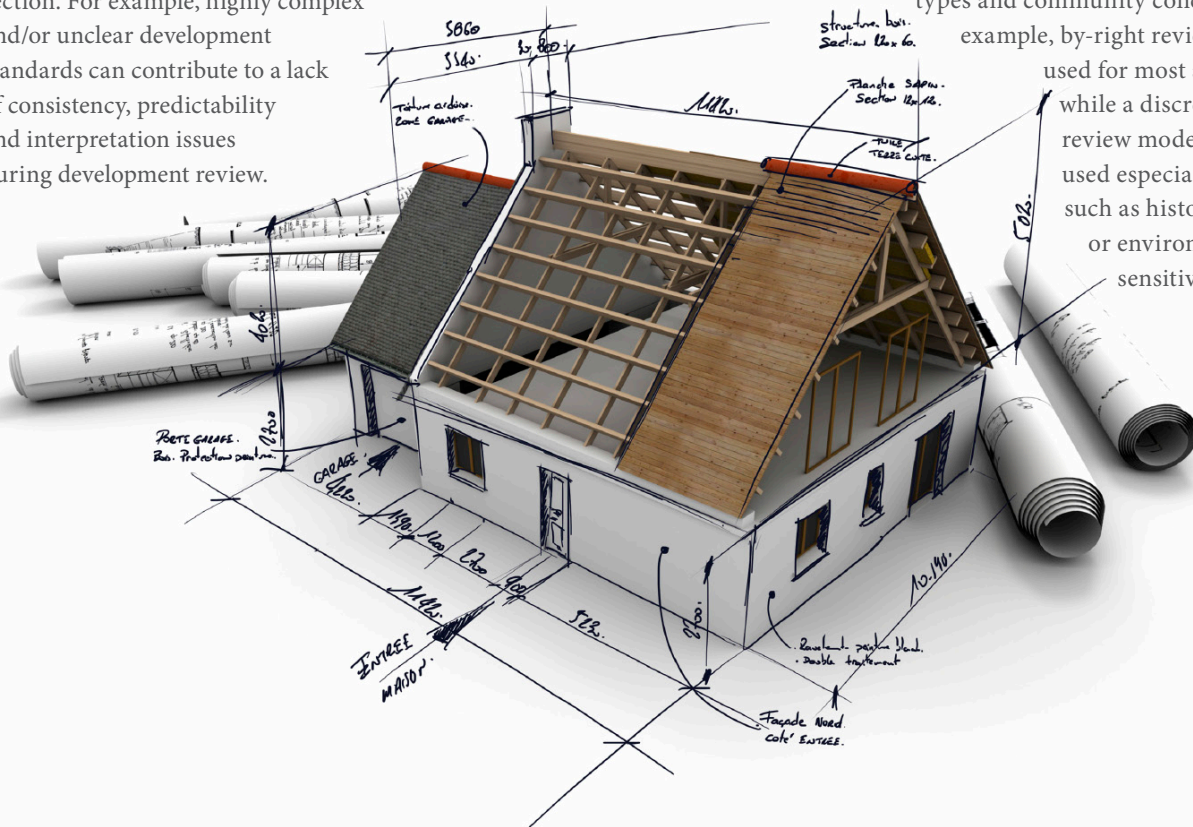
# Development Review Models

## How will the code evaluate and permit development?

Development review is the process by which development applications are submitted, evaluated, and ultimately approved or denied. Or more simply, “how do you use the code.” The three development review models described and compared here are: By-Right, Discretionary, and Customized Zoning. The length of the review process, the number of review cycles, and the subjective or objective nature of the process are all aspects to keep in mind when considering which development review model or combination of models is desired. There is a close relationship between development review models and development standards, which will be discussed in the following section. For example, highly complex and/or unclear development standards can contribute to a lack of consistency, predictability and interpretation issues during development review.

This, in turn, can contribute to the need for development review models that include a higher level of scrutiny and oversight. Clear, more easily-understood and sometimes more prescriptive development standards produce more consistent and predictable outcomes. This makes it possible to use development review models, such as by-right review, that allow for a less extensive, less subjective and therefore more consistent administration of the LDC. While one development review model may be used to process the majority of applications, it is common for several models to be used in order to accommodate a variety of project

types and community concerns. For example, by-right review may be used for most applications, while a discretionary review model may be used especially for areas such as historic districts or environmentally sensitive land.



## Development Review Model Options

### 1 | By-Right (Standards-Based)

In a by-right system, development applications that comply with zoning can move to the building department/permit quickly. This system is most effective when careful attention is taken to create clear development standards that will provide predictable built results. This can be applied to any conventional, performance, or form-based standards. (These standards are discussed in the next section.)

An example of by-right review in the existing LDC is the administrative site plan process. Various sections of the LDC prescribe the basic requirements for an administrative site plan. If an applicant submits a plan which complies with all applicable regulations, City staff approves it.

### 2 | Discretionary Review

In a discretionary review system, a permit is issued at the “discretion” of the review authority (e.g. staff or Planning Commission). In this system, standards are generally less specific and leave more need for interpretation, thus requiring a more extensive, and sometimes more subjective review process to ensure the intent is met. Projects often undergo multiple review cycles to obtain approval.

An example of discretionary review in the existing LDC is a request for a variance or deviation from one or more provisions of the LDC. For example, an applicant who requests a variance from a subdivision regulation must submit a formal letter to the Land Use Commission documenting why strict compliance with the LDC is a hardship and justifying why the variance should be granted. The commission reviews the request in accordance with criteria contained in the LDC and may decide based on the merits of the case whether the variance should be granted. In some cases the applicant may have to demonstrate that the variance requested is the minimum departure from the standard or will result in a product that is superior to one developed under standard regulations. The commission must base its decision upon the facts of the case, but has significant latitude in deciding whether the variance should be granted.

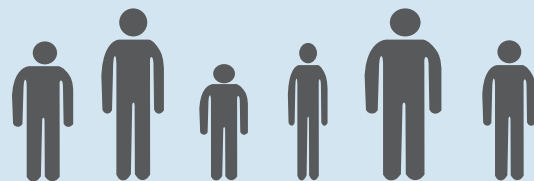
### 3 | Customized Zoning

In a customized zoning system, new and independent regulations are necessary to successfully regulate major projects. These new regulations are not coordinated with the overall LDC. Examples are Planned Unit Developments (PUD) and small area plans (regulating plans).

In a PUD, the city essentially creates a new zoning district or districts that applies only to the property in question. Specific regulations with respect to permitted uses, site development standards, and other provisions are spelled out in detail in a special ordinance adopted by city council. An applicant for a PUD often seeks to relax certain aspects of the standard code in exchange for adopting more stringent provisions in other areas. The applicant is also required to demonstrate that the resulting project will be superior to what could be achieved under conventional zoning and that it offers public benefits that could not normally be achieved. Although the LDC sets forth minimum standards that every PUD must achieve, there is significant latitude in customizing the regulations that apply, and city council has great discretion in whether to approve the creation of a PUD.

#### The Discretion in Discretionary Review

Subchapter E includes a guideline to “create buildings with appropriate human scale,” but who decides what “human scale” means?



DEVELOPMENT REVIEW MODEL CRITERIA TABLE

| Models                         | Effectiveness | Clarity | Consistency | Predictability | Simplicity | Ease of Implementation & Administration |
|--------------------------------|---------------|---------|-------------|----------------|------------|---|
| 1   BY-RIGHT (STANDARDS-BASED) | ●             | ●       | ●           | ●              | ●          | ●                                       |
| 2   DISCRETIONARY REVIEW       | ●             | ●       | ○           | ○              | ○          | ○                                       |
| 3   CUSTOMIZED ZONING          | ○             | ○       | ○           | ○              | ○          | ○                                       |

Key: ● High Level ● Medium Level ○ Low Level

## Description of Criteria/Outcomes

### Effectiveness

By-right reviews based on measurable standards can be well written so that the standards generate the type of development desired. Discretionary review can be very effective in terms of the final product, however the process is often time-consuming and staff intensive. Customized zoning approaches tend to create other problems with regard to consistency and ease of implementation across the entire city.

### Clarity

By-right standards can be very clear, especially when accompanied by illustrations. Customized zoning is often unclear until the final decision has been made, due to its focus on process solutions. Discretionary review can be clear provided that adequate guidelines (illustrated) are developed to support decision-making.

### Consistency

Consistent application of prescriptive standards creates consistent results. Both customized zoning and discretionary review are rarely consistently applied. This is typically due to the learning curve of both staff and review bodies applying the technique, and the variability of review over time.

### Predictability

While the result of by-right review is predictable, neither customized zoning or discretionary review can be considered predictable in their result across the entire city. While customized zoning is predictable for the individual project, it usually requires a costly master planning process to illustrate the

intended outcome. A by-right approach is more transparent and less likely to deliver unexpected outcomes to the public or the development community.

### Simplicity

A by-right review model is less complex than customized zoning or discretionary review. Customized zoning tends to be more complex because it creates standards which are used exclusively in a specific area and which have minimal applicability to other parts of the city. Discretionary review is also more complex because it requires more subjective and sometimes group decision-making, which can be inefficient unless clearly defined intentions and criteria are established.

### Ease of Implementation and Administration

A by-right review model is the easiest to implement and administer. Over the long term customized zoning becomes harder to administer as more and more areas of the city have unique zoning standards. Discretionary review and customized zoning require more applicant and staff time and resources as compared to by-right. Customized zoning or discretionary review can both lead to difficulty in enforcement.

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## Overview of Approach Elements:

# Development Standards Models

## What characteristics will the code regulate?

Development standards determine what and how a code regulates. Generally speaking you can classify the different methods for creating development standards into three categories: Euclidean-based zoning standards; performance-based zoning standards; and, form-based zoning standards. When combined intentionally to form a hybrid code, a mix of different standards can provide

the best strategy for regulating the variety of different contexts that exist in most cities. However when a mix of standards results from years' worth of accumulated additions and changes to the code, the mix can be ineffective, repetitive, and contradictory. Development standards also affect the efficiency of different development review processes.

### Development Standards Model Options:

#### 1 | Euclidean-Based Zoning Standards

Euclidean-based zoning standards, also sometimes called use-based zoning standards, focus on use separation and simple height/bulk standards. Euclidean zoning was designed to limit uses in undesirable locations rather than encourage uses in desired locations. Standards typically addressed by Euclidean zoning are:

- Zoning districts based on highly-detailed, permitted, conditional or prohibited list of uses
- Height
- Setbacks
- Floor area ratio (FAR) – generally for commercial development
- Separation of uses
- Density

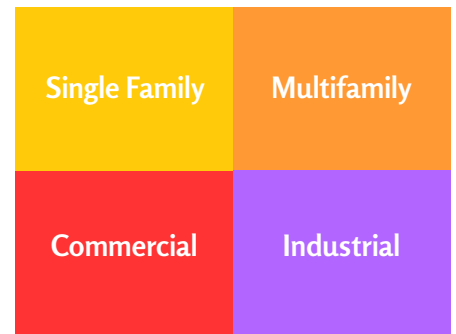
The existing Land Development Code is based primarily on Euclidean zoning. For the most part, zoning districts are designed for one type of use – residential, commercial, or industrial – and mixing of uses is discouraged. Each zoning district contains site development regulations which specify maximum heights and intensities of development, as well as minimum setbacks, lot widths, lot sizes, and other factors. The primary focus is to limit conflicts between uses by spatial separation of uses considered incompatible.

#### 2 | Performance-Based Zoning Standards

Performance-based zoning standards focus on impacts of use and are more complex development standards. Performance zoning is still based on limiting an undesired effect. However it allows for a more precise application of limits than Euclidean zoning.

- Impervious cover
- Landscape or open space ratio
- Buffers
- Standards specific to a use

The existing code contains some provisions which are performance-based. Rather than completely prohibiting a particular land use, a performance-based code allows the use but limits the nuisance effects from the use. For example, when commercial developments are built adjacent to single-family areas, compatibility standards require lower building heights, greater setbacks, walls or fences, shielded lighting, and noise limits for the commercial development. A new development may also be subject to traffic mitigation requirements based upon the amount of traffic that it generates, as well as flood control measures to address the effects of stormwater runoff. Many of the City's water quality regulations are also performance-based.



## Development Standards Model Options: (continued)

### 3 | Form-Based Zoning Standards

Form-based zoning standards focus on a desired building form and definition and activation of public space. Form-based zoning standards go beyond simply limiting an undesired effect by encouraging appropriate building scale and format in places where a specific type and form of development is desired. Typical elements of form-based zoning are:

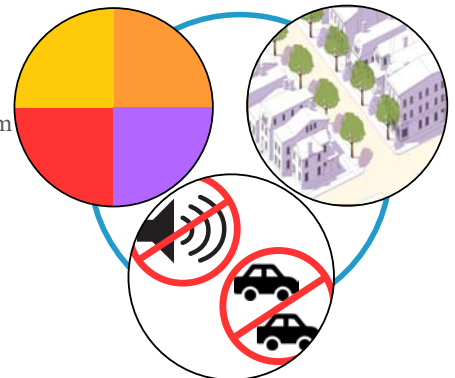
- Zoning districts based on desired form rather than exclusively on desired use
- Build-to lines – a line parallel to the property line where the facade of a building is required to be located
- “Public realm” – Right-of-way plus private property
- Broad approach to uses (still has use tables, but typically shorter)
- Frontages – the way a building engages the public realm
- Specific range of allowed building types



The City of Austin has adopted some zoning regulations which contain certain characteristics of form-based zoning. Station-Area Plans designed to encourage transit-oriented development in the vicinity of commuter rail stations – such as the Plaza Saltillo and Lamar/Justin TOD plans – are examples of form-based elements in the existing code. These codes contain specialized zoning districts tailored to the specific area, as well as circulation and streetscape plans, site development standards, and building design standards which apply throughout the district. The Commercial Design Standards (Subchapter E) and Residential Design and Compatibility Standards (Subchapter F) also contain some aspects of form-based zoning, in which the form of the building and its relationship to the street is of particular importance, but do not fully meet the classification of a form-based code.

### 4 | Mix of Zoning Standards (Hybrid Code)

A hybrid code model uses the development standards models in combination and carefully coordinates the best of Euclidean-based, performance-based, and form-based standards. The hybrid approach typically applies Euclidean-based standards to driveable suburban contexts, such as office parks and auto-oriented regional shopping malls, that best benefit from the strengths of the development standards model. In contexts where a mix of uses are desired, where the form of development is of a high priority and/or where a high level of coordination between land uses and transportation planning is required, such as walkable urban contexts or desired walkable urban contexts, form-based standards could apply. Performance-based standards, such as maximum noise level standards, watershed, tree protection, and impervious coverage would apply where they are needed in different parts of the city, much in the way they apply today.





DEVELOPMENT STANDARDS MODEL CRITERIA TABLE

| Models                                    | Effectiveness | Clarity | Predictability | Simplicity | Ease of Implementation | Ease of Administration |
|---|---------------|---------|----------------|------------|------------------------|------------------------|
| 1   EUCLIDEAN-BASED ZONING STANDARDS      | ●             | ○       | ○              | ●          | ●                      | ○                      |
| 2   PERFORMANCE-BASED ZONING STANDARDS    | ●             | ○       | ●              | ○          | ○                      | ○                      |
| 3   FORM-BASED ZONING STANDARDS           | ●             | ●       | ●              | ●          | ○                      | ○                      |
| 4   MIX OF ZONING STANDARDS (HYBRID CODE) | ●             | ●       | ●              | ●          | ●                      | ○                      |

Key: ● High Level ○ Medium Level ○ Low Level

## Description of Criteria/Outcomes:

### Effectiveness

All forms of development standards can be effective, however it is important to understand the specific strengths of each model in order to match the appropriate model or combination of models to the context in which it will operate. Pure models of most development standards types do not often exist, making evaluation difficult. Most codes in place include a mix of Euclidean, performance, and form-based standards.

### Clarity

All forms of development standards can be clear, however some performance standards are less clear to the layman due to their technical nature and sometimes rely heavily on mathematical formulas to regulate development impacts. The extensive use of graphics in a Form-Based Code can make the intent of standards very clear for any user.

### Predictability

The predictability of the LDC is primarily based on quality, clarity, and specificity of the standards. Overly simple standards based on numeric parameters found in conventional Euclidean-based zoning standards, such as floor area ratio and density, often yield widely variable—thus unpredictable—results. Standards that clearly prescribe a desired form deliver more predictable results.

### Simplicity

The simplicity of the various types of standards can vary. At their best, the standards must include some level of complexity in order to effectively address problems on a citywide basis. Performance standards are the most complex, relying heavily on mathematical formulas to manage development impacts.

### Ease of Implementation and Administration

Due to staff's familiarity with the existing standards, Euclidean zoning has the greatest ease of implementation in the short term, but it may also yield unacceptable results. Performance and form-based standards are more complex to prepare initially, but administration is easier once staff becomes familiar with the new model or models. Retraining of staff would be required for any change in the city's approach to development standards. The application of form-based standards would require re-mapping of the affected portions of the city.



# 3 | Approach Alternatives

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## Approach Alternatives:

# Overview of Approach Alternatives

This chapter describes the three approach alternatives for the new Land Development Code (LDC) and explains how the approach elements described in Chapter 2 are applied in each of three alternatives. Each approach differs in the ways it proposes to implement the approach elements, and the degree to which each element may be applied. These differences are summarized in the comparison table to the right. In general, Approach 1 represents the lightest approach, Approach 3 the most extensive approach, and Approach 2 represents an intermediate approach.

Note: Approach 0, the option of simply making minor refinements to the LDC, which is usually an option explored in most cities' code update processes, has not been included among the three approach alternatives described in this chapter. This option has been omitted because the current code is very dysfunctional and the CodeNEXT team did not feel that this approach would enable the City of Austin to achieve their goals for this process and for implementing Imagine Austin effectively.

### Comparing Approach Elements within Alternative Approaches:

#### Code Format and Organization

All three approaches include “clean-up” of the existing code document to remove inconsistencies and improve clarity and usability, but each achieves this to different levels and with different techniques. In Approach 1, the clean-up occurs within the existing framework, so little reorganization and only targeted refinement to content occurs. Approaches 2 and 3 propose complete replacement of format and organization.

#### Development Review Models

The desired development review processes vary according to each approach. Approaches that include a greater degree of form-based development standards, due to the careful thought that goes into these standards and the detailed level of regulation, allow for a greater degree of by-right review for some aspects of the code. Therefore Approach 1 has the lowest by-right development review and Approach 3 has the highest, due to differing levels of Form-Based Code integration. Approach 1 results in a code that is the most similar to the existing code; It requires a high level of interpretation due to high reliance on customized zoning and a medium level of discretionary review. Approach 2 has a medium level of customized zoning and Approach 3 has the lowest level. Approaches 2 and 3 result in a lower level of discretionary review, although certain regulations such as water quality and storm water detention requirements will still require discretionary review.

#### Development Standards Models

In order to maintain consistent environmental protection regardless of which development standards model is pursued, all approaches include performance-based zoning as either a stand-alone component or as an integrated component of a hybrid code. Approach 1 relies heavily on Euclidean zoning, Approach 3 relies heavily on form-based development standards, and Approach 2 relies equally on both. Approaches 2 and 3 are both hybrid code approaches, meaning there is a careful coordination and integration of all three development standards models in the code.

A key distinction between Approaches 2 and 3 is the scope of implementation of the form-based districts. In Approach 2, form-based districts could be adopted in several areas in conjunction with the CodeNEXT remapping. These areas could be selected based on the level of interest in the neighborhood or other factors determined at the time. In Approach 3, form-based districts could be adopted more widely in conjunction with the CodeNEXT remapping in areas where mixed uses are encouraged, where the quality of the physical form of development is a high priority, and where a high level of coordination between land use and transportation is required. For example, the Imagine Austin activity centers and corridors could be good candidates for form-based districts.



## Approach Comparison Table

### Elements

### Approaches

|                              | 1                          | 2         | 3         |
|------------------------------|----------------------------|-----------|-----------|
| Code Format and Organization |                            |           |           |
| Format                       | Revise                     | Replace   | Replace   |
| Reorganization of Content    | Limited                    | Extensive | Extensive |
| Content Rewriting            | Low/Moderate               | Moderate  | High      |
| Clean up for Consistency     | Same Across All Approaches |           |           |
| Development Review Models    |                            |           |           |
| By-Right Review              | Low                        | Medium    | High      |
| Customized Zoning            | High                       | Medium    | Low       |
| Discretionary Review         | Medium                     | Low       | Low       |
| Development Standards Models |                            |           |           |
| Euclidean Based              | High                       | Medium    | Low       |
| Performance-Based            | Same Across All Approaches |           |           |
| Form-Based                   | Very Limited*              | Medium    | High      |
| Hybrid Code                  | No                         | Yes       | Yes       |

\* Applied only in New Small Area Plans

Approach 2 is the CodeNEXT Team's recommended approach.

## Approach Alternatives:

# 1 | The Brisk Sweep

### Overview

Approach 1 provides clean up of the existing LDC with targeted refinements and the addition of a chapter for form-based standards that will have limited application, primarily to future small area plans. The appearance, usability and consistency of the existing LDC are revised without major structural/organizational changes and targeted content is recalibrated. Combining districts are compressed where feasible, though most will remain in place. Some zoning districts are removed and new zoning districts are added. As mentioned above, the existing TND chapter of the LDC is replaced with a new chapter with form-based standards to guide future small area plans and code changes.

| Code Format and Organization              |                            |
|---|----------------------------|
| Format                                    | Revise                     |
| Reorganization of Content                 | Limited                    |
| Content Rewriting                         | Moderate                   |
| Clean up for Consistency                  | Same across all approaches |
| Development Review Models                 |                            |
| By-Right Review                           | Low                        |
| Customized Zoning                         | High                       |
| Discretionary Review                      | Medium                     |
| Development Standards Models              |                            |
| Euclidean Based                           | High                       |
| Performance-Based                         | Same across all approaches |
| Form-Based                                | Very limited*              |
| Hybrid                                    | No                         |
| * Applied only in future small area plans |                            |

### Elements of Approach | The Brisk Sweep:

#### Code Format and Organization

Under this approach the organization of the code document is minimally revised and reorganized only to address the most urgent usability issues in the existing code. The graphic format will be updated with new font styles and sizes, improvements to the basic page layout, and the addition of some supporting graphics.

#### Development Review Models

Major changes to the content of the LDC will not be made, therefore the development review process in this approach will continue to rely primarily on discretionary review and case-by-case customized zoning. Because form-based development standards will be created only as a framework for future application, new by-right review in this approach will be minimal. In the short term, development review from staff's perspective will be unchanged in this approach due to familiarity with the existing framework, but applicants' experience with the review process will not improve to the extent of Approaches 2 or 3. Longer-term administration will be more difficult since no significant procedural improvements will have been made.

#### Development Standards Models

In this approach the majority of the existing Euclidean-based development standards and regulations would remain with targeted recalibration and refinement focusing on:

- Revising standards to address consistency;
- Refining and creating new zoning districts that compress combining districts where feasible. This may result in the creation of additional zoning districts, however most combining districts would remain in place; and
- Crafting a free-standing citywide framework for form-based standards with limited application, focusing primarily on guiding future small area plans and code changes.

Focused LDC update efforts currently under way by the city, such as Subdivision, Watershed Protection, and Complete Streets will be incorporated into appropriate locations in the LDC.

## Approach 1 Annotated Outline

This annotated outline provides more detail on the organization or structure of this Approach. A Detailed Annotated Outline for Approach 1 can be found in Supplemental Materials.

### Chapter 25-1 General Requirements And Procedures

*This chapter would provide a general overview of the various parts of the LDC and would illustrate how to use it.*

### Chapter 25-2 Zoning

*This chapter would contain development standards for use-based zoning districts, similar to current base zoning districts, which would apply to a majority of the city.*

### Chapter 25-3 Form-Based Code (FBC)

*This chapter introduces a complete Form-Based Code including Form-Based Standards, Frontage Types, Building Types, and Civic Space Types. This chapter would also include an element to enable a developer to utilize the Form-Based Code for applicable sites and project types.*

### Chapter 25-4 Subdivision

*This chapter would provide the detailed process by which land shall be subdivided.*

### Chapter 25-5 Site Plans

*This chapter would include the technical and legal requirements for site plans.*

### Chapter 25-6 Transportation

*This chapter would include the technical and legal requirements for transportation infrastructure.*

### Chapter 25-7 Drainage

*This chapter would include the technical and legal requirements for drainage.*

### Chapter 25-8 Environment

*This chapter would include the technical and legal requirements for environmental regulations.*

### Chapter 25-9 Water And Wastewater

*This chapter would include the technical and legal requirements for water and wastewater.*

### Chapter 25-10 Sign Regulations

*This chapter would include the technical and legal requirements for signage.*

### Chapter 25-11 Building, Demolition, And Relocation Permits; Special Requirements For Historic Structures

*This chapter would include the technical and legal requirements for the demolition or relocation of buildings and requirements for historic structures.*

### Chapter 25-12 Technical Codes

*This chapter would include the technical codes.*

### Chapter 25-13 Airport Hazard And Compatible Land Use Regulations

*This chapter would include the standards applicable to land and development adjacent to the airport.*

**This annotated outline is a working draft that has been provided as an example and is subject to change as code content is revised.**

## Approach Alternatives:

# 2 | The Deep Clean

### Overview

This approach substantially improves the appearance, usability, and consistency of the LDC while also significantly reworking its content and structure. Refined and carefully vetted development regulations, which establish form-based standards for walkable urban contexts, Euclidean-based standards for drivable suburban areas and maintain many of the performance-based standards that exist today, allow for a balanced mix of by-right review, customized zoning, and discretionary review where appropriate. Combining districts are compressed where feasible. Form-based standards will be created and applied to a limited number of interested communities. Form-based standards will be created within a framework that is established for easy future application to more areas as desired.

| Code Format and Organization |                            |
|------------------------------|----------------------------|
| Format                       | Replace                    |
| Reorganization of Content    | Extensive                  |
| Content Rewriting            | Moderate                   |
| Clean up for Consistency     | Same across all approaches |
| Development Review Models    |                            |
| By-Right Review              | Medium                     |
| Customized Zoning            | Medium                     |
| Discretionary Review         | Low                        |
| Development Standards Models |                            |
| Euclidean-Based              | Medium                     |
| Performance-Based            | Same across all approaches |
| Form-Based                   | Medium                     |
| Hybrid                       | Yes                        |

### Elements of Approach 2 | The Deep Clean:

#### Code Format and Organization

Under this approach the format of the code document is entirely replaced and content is reorganized to optimize usability. This approach would reorganize content across all chapters in Title 25—the chapter in the Code of Ordinances that regulates development—as per the annotated outline on the following page. Content is substantially cleaned up with targeted rewriting. The graphic format will be updated with new font styles and sizes, improvements to the basic page layout, and the addition of significant supporting graphics.

#### Development Review Models

Because form-based development standards and revised Euclidean standards will be carefully created and refined, the development review process can rely more heavily on by-right review in addition to some customized zoning in areas where the more detailed standards do not apply. Discretionary review remains in use for certain areas and regulations such as water quality and storm water detention.

#### Development Standards Models

In this approach a hybrid code is created that establishes Euclidean, performance, and form-based standards in different parts of Austin based on the defined context (walkable urban, transitional, or drivable suburban), and which tool best implements existing plans such as Imagine Austin, Neighborhood Plans and other small area plans. Key aspects of this approach include:

- Revising standards to address consistency;
- Refining and creating zoning districts that compress combining districts where feasible to balance the number of base zoning districts and combining districts needed to provide standards that reflect the various places found in Austin; and
- Creating a citywide framework for form-based standards and applying new form-based zoning districts to a limited number of interested communities within the city that can be applied to more communities in the future with little additional code work.

Focused LDC update efforts currently under way by the city, such as Subdivision, Watershed Protection, and Complete Streets will be incorporated into appropriate locations in the LDC.





## Approach 2 Annotated Outline\*

This annotated outline provides more detail on the organization or structure of this Approach. A Detailed Annotated Outline for Approach 2 can be found in Supplemental Materials.

### Chapter 25-1 Title, Purpose and Jurisdiction

*This chapter would include all the administrative and procedural portions of Title 25.*

### Chapter 25-2 General to All

*This chapter would include standards that apply across the city for areas not defined by zoning districts such as resource protection, and water quality protection.*

### Chapter 25-3 Specific to Zoning Districts

*This chapter would include all building form and land use standards for both form-based and use-based zoning districts.*

### Chapter 25-4 Supplemental to Zoning Districts

*This chapter would include standards that supplement the building form and land use standards of the zoning districts. These standards would not necessarily apply across all zoning districts. Standards would include supplemental form standards such as building type and frontage type standards, as well as additional general standards such as parking, signage, landscape, fencing, and screening standards.*

### Chapter 25-5 General to Community Design

*This chapter would include design standards that are applied to larger scale developments. Standards would include such items as civic space design.*

### Chapter 25-6 Specific to Subdivision and Site Plans

*This chapter would include the technical and legal requirements for subdividing property and site plans. Design-based subdivision and site plan standards are located in Chapter 25-5.*

### Chapter 25-7 Specific to Transportation

*This chapter would include the technical and legal requirements for thoroughfare design.*

### Chapter 25-8 Environment

*This chapter would include the technical and legal requirements for environmental regulations and drainage.*

### Chapter 25-9 Specific to Water and Waste Water

*This chapter would include the technical and legal requirements for water and waste water.*

### Chapter 25-10 Specific to Technical Codes

*This chapter would include the technical codes.*

### Chapter 25-11 Administration and Procedures

*This chapter would include the detailed process by which all development will be reviewed and permitted by the city and the requirements related to specific types of submittals including fees.*

\* Approach 2 & 3 share the same organizational structure and outline.



## Approach Alternatives:

# 3 | The Complete Makeover

### Overview

Approach 3 provides the most extensive modifications to the LDC. This approach improves the appearance, usability, and consistency of the existing LDC by significantly reworking its content and structure. Development standards would be refined to the point that would allow for a development review process that relies primarily on by-right review. Performance-based and some Euclidean-based standards will remain. Combining districts are compressed where feasible. Form-based standards will be created and applied widely across the city. In addition, a framework will be established for easy future application to more areas as they seek to transition to walkable urban environments. Code content is extensively rewritten.

| Code Format and Organization |                            |
|------------------------------|----------------------------|
| Format                       | Replace                    |
| Reorganization of Content    | Extensive                  |
| Content Rewriting            | Extensive                  |
| Clean up for Consistency     | Same across all approaches |
| Development Review Models    |                            |
| By-Right Review              | High                       |
| Customized Zoning            | Low                        |
| Discretionary Review         | Low                        |
| Development Standards Models |                            |
| Euclidean Based              | Low                        |
| Performance-Based            | Same across all approaches |
| Form-Based                   | High                       |
| Hybrid                       | Yes                        |

## Elements of Approach 3 | The Complete Makeover:

### Code Format and Organization

Under this approach the format of the code document is entirely replaced and content is reorganized to optimize usability. This approach would reorganize content across all chapters in Title 25 with content found in one chapter likely moving to another (e.g. design standards found outside of chapter 25-2 being moved into 25-2, while the procedural and technical requirements remain in the existing chapter). Content is most substantially cleaned up and rewritten in this approach. The graphic format will be updated with new font styles and sizes, improvements to the basic page layout, and the addition of the most extensive supporting graphics.

### Development Review Models

Because form-based development standards and revised Euclidean standards will be carefully created and refined, the development review process can rely more heavily on by-right review. Customized zoning and discretionary review remains in use in more limited portions of Austin, where it is still needed or desired.

### Development Standards Models

In this approach a hybrid code is created that applies Euclidean, performance, and form-based standards in different

parts of Austin based on the defined context (walkable urban, transitional, or drivable suburban), and which tool best implements existing plans such as Imagine Austin, neighborhood plans, and other small area plans. Key aspects of this approach include:

- Revising standards to address consistency;
- Refining and creating zoning districts that compress combining districts where feasible to balance the number of base zoning districts and combining districts needed to provide standards that reflect the various places found in Austin;
- Creating a citywide framework for form-based standards and applying new form-based zoning districts more widely across the city that can be applied to more communities in the future with little additional code work; and
- Thorough vetting of administration and procedures.

Focused LDC update efforts currently under way by the city, such as Subdivision, Watershed Protection, and Complete Streets will be incorporated into appropriate locations in the LDC.

## Approach 3 Annotated Outline

This annotated outline provides more detail on the organization or structure of this Approach. A Detailed Annotated Outline for Approach 3 can be found in Supplemental Materials.

### Chapter 25-1 Title, Purpose and Jurisdiction

*This chapter would include all the administrative and procedural portions of Title 25.*

### Chapter 25-2 General to All

*This chapter would include standards that apply across the city for areas not defined by zoning districts such as resource protection, and water quality protection.*

### Chapter 25-3 Specific to Zoning Districts

*This chapter would include all building form and land use standards for both form-based and use-based zoning districts.*

### Chapter 25-4 Supplemental to Zoning Districts

*This chapter would include standards that supplement the building form and land use standards of the zoning districts. These standards would not necessarily apply across all zoning districts. Standards would include supplemental form standards such as building type and frontage type standards, as well as additional general standards such as parking, signage, landscape, fencing, and screening standards.*

### Chapter 25-5 General to Community Design

*This chapter would include design standards that are applied to larger scale developments. Standards would include such items as civic space design.*

### Chapter 25-6 Specific to Subdivision and Site Plans

*This chapter would include the technical and legal requirements for subdividing property and site plans. Design-based subdivision and site plan standards are located in Chapter 25-5.*

### Chapter 25-7 Specific to Transportation

*This chapter would include the technical and legal requirements for thoroughfare design.*

### Chapter 25-8 Environment

*This chapter would include the technical and legal requirements for environmental regulations and drainage.*

### Chapter 25-9 Specific to Water and Waste Water

*This chapter would include the technical and legal requirements for water and waste water.*

### Chapter 25-10 Specific to Technical Codes

*This chapter would include the technical codes.*

### Chapter 25-11 Administration and Procedures

*This chapter would include the detailed process by which all development will be reviewed and permitted by the city and the requirements related to specific types of submittals including fees.*

**\* Approach 2 & 3 share the same organizational structure and outline.**

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## 4 | *Basis for Recommendation*

### Table of Contents

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## Basis for Recommendation:

# Relationship to Imagine Austin and Other Documents

Chapter 3 of this Report provided an assessment of the three elements that make up a development code and identified three Alternative Approaches to revising the code. Chapter 4 provides an assessment of how each of these Alternatives relates to the Imagine Austin Priority Programs, public input received to date, and the Code Diagnosis and describes the rationale for identifying Approach 2 as the preferred option.

The technical assessment of Chapter 3, along with the Code Diagnosis, the Priority Programs, and input from the public support Approach 2 as the path forward for Austin's new development code.

## Imagine Austin

### Code Approach Alternatives and Annotated Outline Relationship to Imagine Austin Priority Programs

If the new code is to successfully implement the Imagine Austin Comprehensive Plan it must integrate the Priority Programs to the greatest extent possible. There are numerous reasons to align the city's development regulations with Imagine Austin. First, the City Charter—the equivalent of the city's "constitution"—requires that land development regulations be consistent with the comprehensive plan. In addition, the LDC is one of the key tools, along with the city's capital improvement program and partnerships with other public and private entities, for realizing the community's vision for a more sustainable, inclusive, and equitable city.

While all approach options will support the implementation of Imagine Austin goals to some degree, the extent, efficiency, and schedule on which those goals may be implemented will vary depending on which approach alternative is selected.

The following section describes the Imagine Austin Priority Programs and provides an assessment of how each Approach Alternative implements the individual Priority Programs.



## Imagine Austin Priority Programs

### What are the Imagine Austin Priority Programs?

The priority programs organize Imagine Austin's key policies and actions into related groups to make it easier to implement the plan. These programs build on existing policies and initiatives, as well as the community input provided during the process to create Imagine Austin. All priority programs are interrelated; each implements policies and actions from multiple programs. The structure they provide will allow the City of Austin to more efficiently coordinate its operations, investments, and the provision of core services.

#### The priority programs are:

1. Invest in a compact and connected Austin;
2. Sustainably manage our water resources;
3. Continue to grow Austin's economy by investing in our workforce, education systems, entrepreneurs, and local businesses;
4. Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city;
5. Grow and invest in Austin's creative economy;
6. Develop and maintain household affordability throughout Austin;
7. Create a Healthy Austin Program; and
8. Revise Austin's development regulations and processes to promote a compact and connected city.

### Ranking the Priority Programs

As part of the public review of the draft of the Imagine Austin Comprehensive Plan, the community was asked to rank the priority programs. Investing in our transportation system to create a compact and connected Austin received the most votes from the almost 2,500 responses.

#### What is "Compact and Connected?"

Imagine Austin defines a compact community as one in which housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. A compact community is supported by a complete transportation system, encourages healthier lifestyles and community interaction, and allows for more efficient delivery of public services.

### Why the Focus on Compact and Connected?

The goal of creating compact and connected communities isn't creating "density for the sake of density," but rather to leverage the benefits of a more compact pattern of development to assist in implementing the other Priority Programs. A compact and connected city facilitates household affordability, environmental protection, and complete communities, with easier, greener, healthier transportation options linking residents to jobs, arts and culture, parks, schools, health care, shopping, and other destinations. Each of these programs has important connections to the others that should be recognized throughout implementation.

For example, a compact and connected development pattern can reduce water use for irrigation (Sustainably Manage our Water Resources), reduce the amount of land impacted by development, incorporate more sustainable storm water facilities and multi-purpose open space, and help preserve environmentally sensitive areas (Use Green Infrastructure to Protect Environmentally Sensitive Areas and Integrate Nature into the City). A compact and connected city makes it possible to meet some, or all, of our daily needs through walking, biking or transit (Healthy Austin) and can reduce the cost of living through lower transportation costs and more diverse housing choices (Household Affordability).

Having said this we recognize that each of the Priority Programs warrants equal attention. The City's Priority Program Teams are working hard to advance each of the programs. In Phase 2 of the CodeNEXT process we will work with stakeholders and the Priority Program teams and redouble our efforts to ensure these initiatives are incorporated into the work program for a new code and to further define the close connection between Compact and Connected and the other Priority Programs.



## Other Imagine Austin Priority Program Initiatives

In order to align its internal functions under the vision and policies of the Imagine Austin Priority Programs, the City formed interdepartmental teams for each of the Priority Programs to review and coordinate related work being done across departments. Priority Programs bring together experts from many departments to review and make recommendations on related regulations, public investments, and partnerships. The eight Priority Programs teams are:

1. Compact and Connected
2. Sustainable Water
3. Education and Workforce
4. Green Infrastructure
5. Creative Economy
6. Household Affordability
7. Healthy Austin
8. CodeNEXT

All of these Priority Program teams are working on numerous initiatives to implement Imagine Austin, and many of these initiatives will have an effect on CodeNEXT, which is itself the eighth Priority Program team and will draw upon the efforts of all the others. Regardless of which Code Approach Alternative is selected, the CodeNEXT team will coordinate with the initiatives which are code-related and integrate them into the new LDC.

Some of the major initiatives currently underway which could impact CodeNEXT are listed below, along with the Priority Programs which are most directly involved in them. For more details on these and other initiatives, please refer to the 2014 Imagine Austin Annual Report.

| Imagine Austin Priority Program Initiative | Priority Program Teams |
|--|------------------------|
| Revision of Subdivision Regulations        | 1, 7                   |
| Complete Streets Policy/Green Streets      | 1, 4, 7                |
| Project Connect                            | 1, 3, 6                |
| Urban Trails Master Plan                   | 1, 4, 7                |
| Bicycle Plan Update                        | 1, 7                   |
| Comprehensive Watershed Ordinance Update   | 2, 4                   |
| Urban Forest Plan                          | 4                      |
| Green Stormwater Infrastructure            | 2, 4                   |
| Landscape Ordinance Update                 | 4                      |
| Community Wildfire Protection Plan         | 4                      |
| Cultural Asset Mapping                     | 3, 5                   |
| Creative Needs Assessment                  | 3, 5                   |
| Sustainable Food Policy                    | 7                      |
| South Central Waterfront Plan              | 1, 4, 5                |
| Comprehensive Housing Market Study         | 6                      |
| Colony Park Master Plan                    | 1-7                    |

| Imagine Austin Priority Program Initiative                   | Priority Program Teams |
|--|------------------------|
| Green Infrastructure Code/Criteria Diagnosis                 | 4                      |
| Austin Strategic Mobility Plan and Mobility Corridor Studies | 1                      |
| Housing + Transportation + Jobs Action Team                  | 1, 3, 6                |
| Airport Blvd. Corridor Plan                                  | 1-7                    |
| Housing Preservation Plan                                    | 6                      |
| SMART Housing Revisions                                      | 6                      |
| Analysis of Impediments to Fair Housing                      | 6                      |
| Micro Units  | 1, 6                   |
| Accessory Dwelling Units                                     | 1, 6                   |
| South Austin Combined Neighborhood Plan                      | 1-7                    |
| North Central Austin Study Area Plan                         | 1-7                    |
| South Lamar Neighborhood Mitigation Planning                 | 1, 2, 4                |

### 1. Invest in a compact and connected Austin

The LDC is a crucial tool to encourage compact and connected growth in Austin. All approach alternatives can incorporate the subdivision work, Complete Streets policies, and watershed protection amendments into the LDC update, all of which are important when working towards creating a more connected Austin. Another useful tool when looking to build more compactly are Form-Based standards. Form-Based Codes and standards help to shape the built environment and are typically focused on creating a more walkable and human-scaled environment. The degree to which form-based coding and standards are incorporated into the LDC document will affect the city's ability to implement the goal of a more compact and connected Austin. In Approach 1 a framework for a Form-Based Code is established and implemented only where visioning exercises have already been conducted. In Approach 2 a framework for a Form-Based Code is established and implemented in a small number of interested neighborhoods. In Approach 3 a framework for a Form-Based Code is established and implemented in many neighborhoods.

Under Approach 3 more effort would be required during the remapping process to involve the community in refining the vision of Imagine Austin so that Form-Based Districts could be applied, and consequently the remapping could take longer than in the other two approaches.

### 2. Sustainably manage our water resources

All approach alternatives will continue to implement the policies in place to protect and manage the water resources of Austin. Approaches 2 and 3, however, present an opportunity to better integrate water conservation, watershed and environmental protection, and open space provisions into development regulations. Currently, all of these are addressed as separate, but related, issues in the city code. The greater flexibility in format, organization, and development standards recommended by Approaches 2 and 3 present the opportunity for a more effective and holistic combination of these interrelated issues.

### 3. Continue to grow Austin's economy by investing in our workforce, education systems, entrepreneurs, and local businesses

Approach alternatives have limited direct effect on this priority program, but a clearer and better organized code and more streamlined development process, as envisioned in Approaches 2 and 3, can reduce development review and permitting costs for start-up and expansion of local business, and an LDC that enables more housing choices can provide more options for workforce housing.

### 4. Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city

All approaches can incorporate the work currently underway on subdivision and watershed regulations. These draft regulations, in combination with policies and other existing regulations, will provide clearer guidance on the planning for parks and open spaces and environmental protection.

Approach 1 can accommodate new standards for green infrastructure, but Approaches 2 and 3 can provide a stronger focus on green infrastructure by more thoughtfully integrating the various elements of green infrastructure such as storm water detention, water quality, water conservation, landscaping, open space and urban amenities into a cohesive, coordinated set of new development regulations.

### 5. Grow and invest in Austin's creative economy

A straightforward, easy-to-understand code can make it easier for businesses to build or expand. To the degree that the code can be reorganized to be clearer and more accessible, the code can help to facilitate business growth and development. While all Approaches include basic improvements to format, clarity and organization, Approaches 2 and 3 have more flexibility to create the clearest possible format and organization. All of the approaches can address regulatory impediments and incentives for the facility needs of the creative community.

## 6. Develop and maintain household affordability throughout Austin

The new code can impact affordability in several key ways. First, reformatting and reorganization of the code can improve legibility and potentially help streamline the development review and permitting process. Second, creating new zoning tools can enable a wider diversity and range of housing types. Third, creating a built environment that allows and encourages a range of transportation options can potentially reduce household transportation costs.

Approach 1 will make limited improvements to the format and organization of the code and would offer limited opportunities for new housing types and transportation options. Approaches 2 and 3 propose a much more substantial reformatting of the code and include a greater emphasis on new zoning tools to enable a wider diversity of housing types and transportation options.

## 7. Create a Healthy Austin Program

Numerous studies are demonstrating the connection between the physical form of cities and our physical health. Improved access to green space, pedestrian and bicycle improvements, and retail and other services can help encourage a more active and healthier lifestyle. All three approach alternatives will foster a compact and connected Austin that incorporates nature into the city to some extent. Approaches 2 and 3 can promote the development of new compact mixed-use centers because they encourage the application of Form-Based Codes to guide development in the Imagine Austin activity centers. All approaches also allow for the continued exploration into incorporating urban agriculture into Austin, allowing for better access to locally grown food.

## 8. Revise Austin's development regulations and processes to promote a compact and connected city

Development regulations that promote a compact and connected city integrate with and reinforce many of the other Priority Programs. Priority Program 8 recognizes that a new code must balance code changes needed to achieve the many benefits of a compact and connected city with preservation of community values embedded in the current LDC.

Approach 1 will maintain the general format and organization of the current code and recommends the least change in terms of development standards. As mentioned previously, Approaches 2 and 3 propose a replacement format and organization and recommend a medium and higher level of change in development standards, respectively. Of these, the CodeNEXT team believes that Approach 2 provides the right balance of stability and change.

Form-Based Codes can help to shape the built environment, and are especially useful for generating high-quality, compact development. Though all approach alternatives include Form-Based standards; the approaches vary in the method in which the new Form-Based Zoning Districts are implemented:

- Approach 1 provides tools for implementing Form-Based Codes, but would require additional small area planning to apply and map the zoning districts on parcels after the adoption of the LDC. Therefore, it would take several years at a minimum before Form-Based zoning would be applied to significant areas of the city.
- Approach 2 provides tools for implementing Form-Based Codes and in a limited fashion applies and maps Form-Based zoning districts as part of the LDC update. Under this approach Form-Based Codes could be applied more quickly than in Approach 1 but not as rapidly as in Approach 3.
- Approach 3 provides tools for implementing Form-Based Codes and more widely applies and maps Form-Based zoning districts as part of the LDC update. Under this approach

Form-Based Codes could be applied to larger areas of the city more quickly than in the other two approaches, and in this manner the goal of a compact and connected community could be more quickly realized. It should be noted that all approach alternatives will maintain a mix of different development standard models (Euclidean- Based, Performance-Based, and Form-Based).

While Approach 3 could apply Form-Based Codes more broadly Approach 2 presents a more balanced use of conventional zoning tools which the community is familiar with and new Form-Based tools.

# Listening to the Community Report

## Code Approach Alternatives and Annotated Outline Relationship to Key Themes Identified in the Listening to the Community Report

Input gathered through the public engagement process conducted during the first year of CodeNEXT served as a critical context for the development of the Code Diagnosis document and the identification of a preferred Approach Alternative. Six Key Themes—issues that were raised consistently throughout

the public engagement process—were identified and explained in the Listening to the Community Report. A brief description of these themes and their relationship to the recommended Approach 2 are described below.

### Key Theme Categories from the Listening to the Community Report

#### Affordability

- Business costs
- Housing costs and diversity
- Policies and incentives for affordable housing

The new code can impact affordability by improving legibility of the code, enhancing the efficiency of the permitting process, by providing new zoning tools to enable a more diverse set of housing options, and by increasing transportation options.

Approach 1 will make minimal improvements to the format and organization of the code and offers limited opportunities for new housing types and transportation options. Approaches 2 and 3 propose a much more substantial reformatting of the code and include a greater emphasis on new zoning tools to enable a wider diversity of housing types and transportation options; Approach 3 proposes applying these tools broadly, while Approach 2 includes substantial but more measured use.

#### Code Issues

- Clarity, flexibility, predictability
- Structure and organization of the code
- Staff interpretation & enforcement

All approach alternatives propose improvements that address these issues by reducing inconsistencies and cleaning up the formatting of the LDC.

All three approach alternatives propose improvements to address these issues by reducing conflicting provisions, inconsistencies and cleaning up the formatting of the LDC. However, Approaches 2 and 3 include a replacement format to allow for a “fresh start” in terms of the overall visual and graphic quality of the code. This will allow for the creation of a code document that is as clear, understandable and well-organized

as possible. These enhancements can contribute to more predictable processes and outcomes and reduce the need for staff interpretation of the code. Approach 2 would incorporate more Euclidean-based standards which could help ease the transition to the new code for all users.

#### Design of Development

- Site design
- Subdivision design
- Building form and design
- Land uses and mixed use
- Compatibility
- Special agreements

This theme touches on a wide variety of topics but focuses on how we create the best possible physical environment through our development regulations. Each of the three approaches can address these issues to some extent, but Approaches 2 and 3 offer better opportunities to improve the structure of current elements of the LDC that speak to design, such as Subchapter E, and to provide additional tools, such as a Form-Based Code, to improve design and transitions between land uses.

#### Environment/Open Space

- Green building and infrastructure
- Parks and open space
- Environmental protection

Austin has a long history of environmental protection and this is reflected in the current LDC. While all three approaches would carry these forward with limited changes, Approaches 2 and 3 present the opportunity to consciously and carefully integrate current environmental regulations with emerging green infrastructure techniques.

### Neighborhood Characteristics

- Historic preservation
- Gentrification
- Neighborhood plans
- Social values

The choice of one approach over another does not directly address or affect historic preservation, gentrification or social values. These themes can be addressed after an approach is chosen and new policies and changes to standards and regulations are considered as part of the next phase of work on the CodeNEXT initiative.

Neighborhood Plans are part of the regulatory framework of the city and will shape both the content and application of a new code in the next phase of the project. The CodeNEXT Team understands that there is great concern in some parts of the community over potential impacts to adopted Neighborhood Plans. The selection of a preferred approach does not define whether or how that process will take place. Rather, this will be part of the public dialogue during the next phase of CodeNEXT. However, it is important to note that the consultant team believes that Approaches 2 and 3 will enhance the effectiveness of Neighborhood Plans and better achieve community goals through significant format and organizational changes, new zoning tools, clearer regulations, and a more predictable process. As mentioned earlier, the CodeNEXT team believes that Approach 2 is a better fit for Austin and will allow the community to more easily transition to a new code.

### Transportation

- Parking accessibility
- Traffic congestion
- Bicycling
- Walkability
- Transit

Traffic and transportation are some of the most frequent concerns identified during the Listening and Understanding phase of CodeNEXT. While a new code cannot provide a “quick fix” to many of these issues, it can foster a pattern of development that allows for improved transportation choices. Through Imagine Austin, the Strategic Mobility Plan, and the recent Complete Streets policy, the City Council has underscored the importance of this issue. To the extent that Approach 1 limits changing much of the code content, it will be less effective in addressing these issues. Approaches 2 and 3 provide an opportunity to more holistically and comprehensively address the transportation-related content of the code.

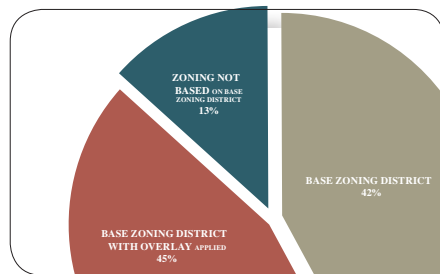
# Code Diagnosis

## Code Approach Alternatives and Annotated Outline Relationship to Top Issues

The Code Diagnosis document combines input gathered through the Listening and Understanding public engagement process with a technical review of the existing Land Development Code by the CodeNEXT team. The Diagnosis identifies 10 key issues that make the existing LDC ineffective and inefficient.

While the code revision will ultimately address all of the top 10 issues identified in the Code Diagnosis, the code approaches vary in the extent to which they address some of the issues. The top 10 issues are listed below and are accompanied by a description of how different approach options may affect each issue.

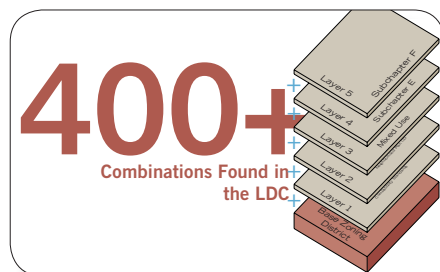
### Potential Impact of Code Approach Alternatives on the 'Top Ten Issues' in the Code Diagnosis



#### 1. Ineffective Base Zoning Districts

One of the key findings of the Code Diagnosis is that Austin's current base zoning districts are not well-equipped to meet community needs, expectations, and the wide variety of conditions found throughout the city. For example, the existing SF-3 residential zoning district applies to areas of the city developed from the 1880s to the present, while the built environment and the community needs and desires in these areas can be radically different. These problems with the base zoning districts have also contributed to a number of the other Diagnosis findings listed below.

Each approach provides opportunities for addressing issues with the existing base zoning districts, with Approach 1 making minimal changes and Approaches 2 and 3 recommending more comprehensive changes. Approach 1 recommends limited consolidation of current zoning districts and the creation of new zoning districts that will allow some zoning layers to be compressed where feasible. Approaches 2 and 3 provide the same opportunity as Approach 1, with additional zoning districts being created based on the existing context and intended form of development. These new districts will provide tools that could be applied to the different contexts within the city. Approach 2 relies on a more balanced use of Euclidean and Form-Based standards in order to better fit with the varying conditions found throughout the city.



#### 2. Competing Layers of Regulations

As mentioned above, one of the results of the ineffective base zoning districts is the addition of many layers of regulations over time in an attempt to address changing community goals. These regulations have been well intended and the content has been generally good, but they have not been well coordinated, contribute to the complexity of the current LDC, and play a role in the challenging development review process.

While each of the approach alternatives provide opportunities to clean up competing layers of regulations, Approaches 2 and 3 seek to incorporate more of these layers into base districts to allow easier understanding of code requirements. In addition, Approaches 2 and 3 provide opportunities to reorganize content and provide a better, long-term framework and avoid unintended, competing layers of regulations.





### 3. Complicated “Opt-in, Opt-out” System

This issue can also be traced to the ineffective base zoning districts problem. The idea of making sure that regulations are relevant for a specific neighborhood is an appropriate consideration. However the system of hand-picking individual pieces of a zoning code during the neighborhood planning process has overcomplicated the process from an administration, and general usability, standpoint.

Each of the approach alternatives can provide a more diverse set of base zoning districts to simplify the existing “opt-in, opt-out” system. However, Approaches 2 and 3 will provide a larger and more refined set of tools to address this issue. While there is concern over how past Infill Option decisions made through the neighborhood planning process could be affected by changes to this system, it is important to keep in mind that the selection of a preferred approach does not determine whether or how that process will take place. Rather, this determination will be part of the public dialogue during the next phase of CodeNEXT.



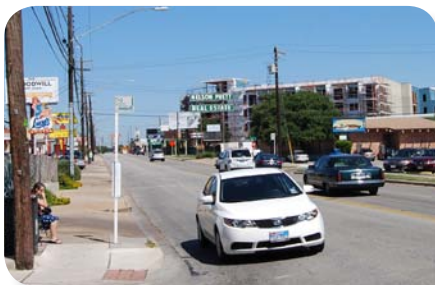
### 4. Lack of Household Affordability and Choice

As documented in the Code Diagnosis, the current Land Development Code includes numerous challenges and barriers to the provision of affordable housing and does not encourage a wide diversity of housing types. Approach 1 recommends limited changes to development standards and would therefore have the smallest effect on this issue. Approaches 2 and 3 include a greater emphasis on new zoning tools to enable a wider diversity of housing types but differ in how widely these tools might be applied. Approach 3 includes a broad application of these tools while Approach 2 includes substantial but more measured application. Approaches 2 and 3 also recommend more substantial format changes which would aid in the creation of a more efficient review process.



### 5. Auto-Centric Code

While Approach 1 provides opportunities to reduce the automobile focus of the current code, it will not entail the significant changes envisioned through various other policies. Approaches 2 and 3 both contemplate more substantial changes to zoning districts and development standards to create a more walkable and multi-modal city. The key distinction between Approaches 2 and 3 is the scope of this change and how widely these tools might be applied.

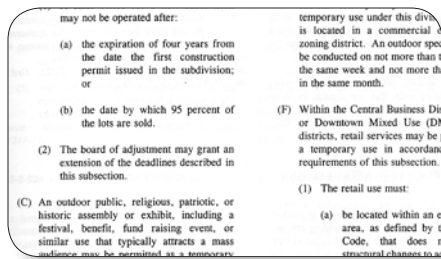


### 6. LDC Not Always In Line with Imagine Austin

Since much of the current code dates to the 1980s it may not come as a surprise that the Code Diagnosis found that the LDC does not actively support many of the goals of Imagine Austin. Consistent with many of the other findings, Approach 1 proposes minimal changes and limited tools to address this issue. Approaches 2 and 3 recommend a more extensive alignment of the new code and Imagine Austin. As previously described, the CodeNEXT Team believes Approach 2 is most closely aligned with the diverse goals of Imagine Austin. This topic is also examined in more detail in the section on the relationship of the Approaches to the Imagine Austin Priority Programs.

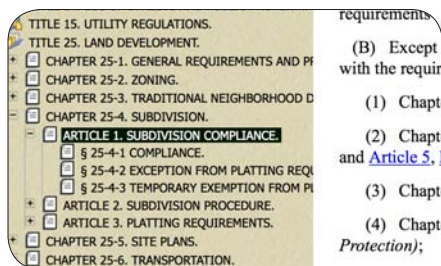


## 4 | Basis for Recommendation



## 7. Lack of Usability and Clarity

The challenging format and organization of the LDC is a legacy of 30 years of amendments and is almost universally recognized as an issue of concern. All approaches would reduce inconsistencies and clean up the formatting of the LDC to some degree. As mentioned earlier in this report, Approach 1 would work largely within the existing format and organization of the current code while Approaches 2 and 3 propose a replacement format and would reorganize the content of the LDC to provide longer-term usability and clarity as amendments are made to the LDC.



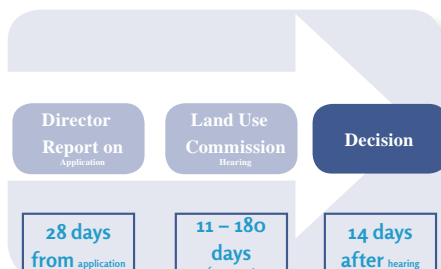
## 8. Ineffective Digital Code

The Code Diagnosis identified the city's online digital code as needing substantial improvement. Each of the approach alternatives can provide a code that is easier to implement in a digital format. However, the replacement format proposed as part of Approaches 2 and 3 will provide a base document that is better organized and easier to navigate, making a better foundation on which to build a digital code.



## 9. Code Changes Adversely Affected Department Organization

One of the key findings of the Code Diagnosis is that increasing community expectations and related code amendments have contributed to the complexity of the current development process and the organization of the Planning and Development Review Department. The CodeNEXT Team is closely coordinating with the consultant for the organizational assessment, Zucker Systems. Many of these issues will be examined as part of a recently-begun, organizational assessment of the Planning and Development Review Department. The recommendations and findings from this study will be presented to the City Council and will inform organizational changes to the process. As the organizational assessment is completed and the draft code is more fully fleshed out changes that are applicable to the new code will be incorporated into CodeNEXT. If required an additional study to align the new code with the development review process will be undertaken.



## 10. Incomplete and Complicated Administration and Procedures

The Code Diagnosis found that a lengthy and unpredictable review process is not only the result of complicated procedures, but is also affected by complex development standards themselves. The development process is also made more difficult as a result of multiple layers of zoning and development regulations, redundancy, and exceptions. The complexity of the regulations adds time and cost to construction projects which affects affordability in the community.

Approach 1 would make some progress in sorting through this complex web of interrelationships but would not comprehensively address the issue. Approaches 2 and 3 recommend more proactive action to address the complexity and contradictions within the code and can facilitate clearer and less complex administration and procedures in the new code.

## Basis for Recommendation:

# Recommendation and Conclusion

This chapter highlighted the connection between the recommended approach for revising the Land Development Code, the Priority Programs of Imagine Austin, and the products of the first phase of CodeNEXT.

The CodeNEXT Team does not recommend Approach 1. We do not believe the minimal change proposed by Approach 1 is broadly supported by public input, the technical analysis of the Code Diagnosis, or Imagine Austin.

The CodeNEXT Team recommends Approach 2, The Deep Clean, based on a combination of factors. These include alignment with Imagine Austin Priority Programs, public and staff input, technical analysis of the LDC in the Code Diagnosis, the best combination of Approach Elements, and our understanding of the desired level of change within the community. We believe that Approach 2 offers the best combination of technical solutions and best fits with Austin's civic character as it includes a balance between significant change and maintaining community values, and provides the best framework for improving Austin's code.

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## 5 | *Next Steps*

### Table of Contents

Next Steps for CodeNEXT

5-2

## Next Steps:

# Next Steps for CodeNEXT

### Setting a Path Forward

The selection of a preferred Code Approach will set a general framework for the format and organization of the LDC. The selection of a preferred Code Approach does not change development standards, revise zoning districts or create new zoning districts in the LDC. Instead it chooses a direction for the CodeNEXT team to explore with Austinites. Decisions on what standards remain the same, what standards change, where standards apply across the city and how they are administered will be explored during the next phase of CodeNEXT.

### Discuss Issues and Themes: CodeTALKS

Multiple public events known as CodeTALKS will be held to allow for thorough discussion of specific topics identified as major concerns in the first phase of the project. The input received during the CodeTALKS and through more detailed follow up will help inform the specific approach for these issues.

### Crafting and Revising New Standards

Once an Approach is selected the consultant team and City staff will work to reorganize and revise the existing Code with additional input from the public, Code Advisory Group, boards and commissions, and City Council. The process of drafting a new code will also be guided by policy direction from Imagine Austin, public input received during the Listening and Understanding phase of the project, the Code Diagnosis, adopted Neighborhood Plans and master plans, Council policies such as Complete Streets, Climate Protection Plan, Urban Forest Master Plan, Families with Children Task Force recommendations and many others. This process will take approximately 18 months.

During this phase of the project the actual content of the Code will be drafted, and the consultant team will make recommendations about specific sections to retain, add, modify, or delete. The process is designed to allow for an extensive and iterative public review and discussion of the draft code with all stakeholders. The consultant team will produce an initial public review draft of the code. Based on public input this draft will be revised and the team will create an adoption draft. This version of the code will undergo another round of stakeholder review, and based on input, the consultant team will prepare a revised adoption draft.

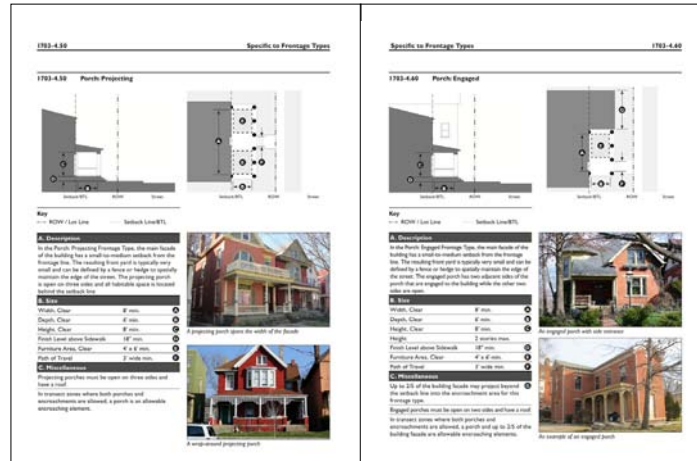
### Adoption

The revised adoption draft of the new LDC, incorporating all changes recommended by the Planning Commission, will be presented to City Council for formal approval. Any additional changes initiated by City Council will be incorporated into a final version which is anticipated to be presented to City Council for adoption in the Fall of 2016.

### Mapping of Revised and New Zoning Districts

Once the new Code is adopted, any new zoning districts contained in the Code will have to be applied to specific parcels of land. There are many options for how this remapping can occur, and City Council will have to determine the process for converting to the new zoning districts when the new Code is adopted. Depending on the process selected, the new districts could be applied throughout the city at one time or phased in over a longer period. The CodeNEXT team will identify mapping strategies used in other communities and work with stakeholders to define a preferred option for mapping prior to adoption of the new LDC.

September 2014



# Supplemental Information

Austin Land Development Code Update



**CODENEXT**  
SHAPING THE AUSTIN WE IMAGINE

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Supplemental  
Information

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| Existing Title 25 Table of Contents               | iii  |
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| Detailed Annotated Outline for Approaches 2 and 3 | viii |
| Useful Terms                                      | xi   |

## Supplemental Information:

# Overview of Annotated Outlines

The following pages provide annotated outlines and detailed tables of contents for each approach. These can be used to compare the current organizational structure of the Land Development Code with the proposed organizational strategy of each approach.

Approach 1 and the Existing Title 25 sort information topically; items are grouped with other items on the same topic.

Approaches 2 and 3 propose a sorting strategy that integrates information by grouping items that are often referenced in combination. For example, in the detailed outline for Approaches 2 and 3, Chapter 25-5 General to Community Design incorporates the design-based standards from the Site Planning and Subdivision chapters listed separately in Approach 1, in addition to regulations for civic space design and thoroughfare design, among other items. While these items regulate different things, they are all necessary in order to design a larger-scale development. This strategy makes it possible for someone seeking to develop a large-scale project to turn to one chapter in the code document, rather than flipping between chapters to reference all the necessary regulations for site planning. Technical details on the drawings required for subdivision and site planning would remain in a separate chapter, Chapter 25-6 Specific to Subdivision and Site Plans.

### Outlines and Tables of Contents Not Set in Stone

These outlines and tables of contents are not set in stone. They are provided as examples only, and will evolve as the CodeNEXT process continues, incorporating input from the public and City Council.

## Supplemental Information:

# Existing Title 25 Table of Contents

The table of contents for existing Title 25, the portion of the code that governs land development, has been provided here for reference.

## Existing Title 25 Table of Contents

**Chapter 25-1 General Requirements And Procedures**

*This chapter provides a general overview of the various parts of the LDC and would illustrate how to use it.*

**Chapter 25-2 Zoning**

*This chapter contains development standards for use-based zones, which would apply to a majority of the city.*

**Chapter 25-3 TND**

*This chapter contains Traditional Neighborhood Districts.*

**Chapter 25-4 Subdivision**

*This chapter provides the detailed process by which land shall be subdivided.*

**Chapter 25-5 Site Plans**

*This chapter includes the technical and legal requirements for site plans.*

**Chapter 25-6 Transportation**

*This chapter includes the technical and legal requirements for transportation infrastructure.*

**Chapter 25-7 Drainage**

*This chapter includes the technical and legal requirements for drainage.*

**Chapter 25-8 Environment**

*This chapter includes the technical and legal requirements for protecting the environment.*

**Chapter 25-9 Water And Wastewater**

*This chapter includes the technical and legal requirements for water and wastewater.*

**Chapter 25-10 Sign Regulations**

*This chapter includes the technical and legal requirements for signage.*

**Chapter 25-11 Building, Demolition, And Relocation Permits; Special Requirements For Historic Structures**

*This chapter includes the technical and legal requirements for the demolition or relocation of buildings.*

**Chapter 25-12 Technical Codes**

*This chapter includes the technical codes.*

**Chapter 25-13 Airport Hazard And Compatible Land Use Regulations**

*This chapter would include the standards applicable to land and development adjacent to the Airport.*

## Supplemental Information:

# Detailed Annotated Outline for Approach 1

## Approach 1

### Chapter 25-1 General Requirements And Procedures

*This chapter would provide a general overview of the various parts of the LDC and would illustrate how to use it.*

### Chapter 25-2 Zoning

*This chapter would contain development standards for use-based zoning districts, which would apply to a majority of the city.*

### Chapter 25-3 Form-Based Code (FBC)

*This chapter introduces a complete Form-Based Code including Form-Based Zone Standards, Frontage Types, Building Types, and Civic Space Types. This chapter would also include an element to enable a developer to utilize the Form-Based Code for applicable sites and project types.*

### Chapter 25-4 Subdivision

*This chapter would provide the detailed process by which land shall be subdivided.*

### Chapter 25-5 Site Plans

*This chapter would include the technical and legal requirements for site plans.*

### Chapter 25-6 Transportation

*This chapter would include the technical and legal requirements for transportation infrastructure.*

### Chapter 25-7 Drainage

*This chapter would include the technical and legal requirements for drainage.*

### Chapter 25-8 Environment

*This chapter would include the technical and legal requirements for protecting the environment.*

### Chapter 25-9 Water And Wastewater

*This chapter would include the technical and legal requirements for water and wastewater.*

### Chapter 25-10 Sign Regulations

*This chapter would include the technical and legal requirements for signage.*

### Chapter 25-11 Building, Demolition, And Relocation Permits; Special Requirements For Historic Structures

*This chapter would include the technical and legal requirements for the demolition or relocation of buildings.*

### Chapter 25-12 Technical Codes

*This chapter would include the technical codes.*

### Chapter 25-13 Airport Hazard And Compatible Land Use Regulations

*This chapter would include the standards applicable to land and development adjacent to the Airport.*

**These outlines are provided as examples and are subject to change as code content is revised.**

## Approach 1 Proposed Table of Contents without Sections

### Chapter 25-1 General Requirements And Procedures

|            |   |
|------------|---|
| Article 1  | General Provisions  |
| Article 2  | Definitions; Measurements                                 |
| Article 3  | Accountable Entities                                      |
| Article 4  | Application And Approval                                  |
| Article 5  | Fees And Fiscal Security                                  |
| Article 6  | Interested Parties, Notice, And Public Hearing Procedures |
| Article 7  | Appeals, Variances, Special Exceptions, And Adjustments   |
| Article 8  | Construction Management                                   |
| Article 9  | Certificates Of Compliance And Occupancy                  |
| Article 10 | Enforcement   |
| Article 11 | Amendment Procedure                                       |
| Article 12 | Reserved  |
| Article 13 | Dormant Project Expiration                                |
| Article 14 | Parkland Dedication                                       |
| Article 15 | S.M.A.R.T. Housing  |
| Article 16 | Neighborhood Plan Amendments                              |
| Article 17 | Interlocal Development Agreements                         |

### Chapter 25-2 Zoning

#### Subchapter A Zoning Uses, Districts, And Map

|           |                  |
|-----------|------------------|
| Article 1 | Zoning Uses      |
| Article 2 | Zoning Districts |
| Article 3 | Zoning Map       |

#### Subchapter B Zoning Procedures

|           |  |
|-----------|--|
| Article 1 | Zoning Procedures Generally                |
| Article 2 | Special Requirements For Certain Districts |

#### Subchapter C Use And Development Regulations

|           |                    |
|-----------|--------------------|
| Article 1 | General Provisions |
|-----------|--------------------|

|            |   |
|------------|---|
| Article 2  | Principal Use And Development Regulations     |
| Article 3  | Additional Requirements For Certain Districts |
| Article 4  | Additional Requirements For Certain Uses      |
| Article 5  | Accessory Uses                                |
| Article 6  | Temporary Uses                                |
| Article 7  | Nonconforming Uses                            |
| Article 8  | Noncomplying Structures                       |
| Article 9  | Landscaping                                   |
| Article 10 | Compatibility Standards                       |
| Article 11 | Hill Country Roadway Requirements             |
| Article 12 | Reserved                                      |
| Article 13 | Docks, Bulkheads, And Shoreline Access        |
| Article 14 | Mobile Homes And Tourist Or Trailer Camps     |

#### Subchapter D Neighborhood Plan Combining Districts

|           |   |
|-----------|---|
| Article 1 | General Provisions  |
| Article 2 | Urban Home Special Use  |
| Article 3 | Cottage Special Use   |
| Article 4 | Secondary Apartment Special Use                               |
| Article 5 | Corner Store Special Use                                      |
| Article 6 | Neighborhood Mixed Use Building Special Use                   |
| Article 7 | Residential Infill And Neighborhood Urban Center Special Uses |
| Article 8 | Additional Requirements For Certain Districts                 |

#### Subchapter E Design Standards And Mixed Use

|           |                            |
|-----------|----------------------------|
| Article 1 | General Provisions         |
| Article 2 | Site Development Standards |
| Article 3 | Building Design Standards  |
| Article 4 | Mixed Use                  |
| Article 5 | Definitions                |

These outlines are provided as examples and are subject to change as code content is revised.

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**Subchapter F Residential Design And Compatibility Standards**

- Article 1 General Provisions
- Article 2 Development Standards
- Article 3 Definitions And Measurement

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**Chapter 25-3 Form-Based Code (FBC)**

- Article 1 General Provisions
- Article 2 Transect Zones
- Article 3 Building Types
- Article 4 Frontage Types
- Article 5 Signage
- Article 6 Community Design
- Article 7 Thoroughfares
- Article 8 Civic Spaces
- Article 9 Definitions
- Article 10 Administration and Procedures

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**Chapter 25-4 Subdivision**

- Article 1 Subdivision Compliance
- Article 2 Subdivision Procedure
- Article 3 Platting Requirements

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**Chapter 25-5 Site Plans**

- Article 1 Site Plans Generally
- Article 2 Administrative Site Plans
- Article 3 Land Use Commission Approved Site Plans

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**Chapter 25-6 Transportation**

- Article 1 General Provisions
- Article 2 Reservation And Dedication Of Right-Of-Way
- Article 3 Traffic Impact Analysis
- Article 4 Street Design
- Article 5 Driveway, Sidewalk, And Right-Of-Way Construction
- Article 6 Access To Major Roadways And In Certain Watersheds

- Article 7 Off-Street Parking And Loading

- Article 8 Road Utility Districts

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**Chapter 25-7 Drainage**

- Article 1 General Provisions
- Article 2 Drainage Studies; Floodplain And Floodway Delineation
- Article 3 Requirements For Approval
- Article 4 Special Requirements In Zoning Jurisdiction
- Article 5 Design And Construction Standards
- Article 6 Responsibilities Of Owner Or Developer

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**Chapter 25-8 Environment**


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**Subchapter A Water Quality**

- Article 1 General Provisions
- Article 2 Waterways Classified; Zones Established
- Article 3 Environmental Assessment; Pollutant Attenuation Plan
- Article 4 Management Practices; Engineer's Certification
- Article 5 Erosion And Sedimentation Control; Overland Flow
- Article 6 Water Quality Controls
- Article 7 Requirements In All Watersheds
- Article 8 Suburban Watershed Requirements
- Article 9 Water Supply Suburban Watershed Requirements
- Article 10 Water Supply Rural Watershed Requirements
- Article 11 Barton Springs Zone Requirements
- Article 12 Save Our Springs Initiative

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**Subchapter B Tree And Natural Area Protection; Endangered Species**

- Article 1 Tree And Natural Area Protection
- Article 2 Endangered Species

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**Chapter 25-9 Water And Wastewater**

- Article 1 Utility Service
- Article 2 Water Districts

**These outlines are provided as examples and are subject to change as code content is revised.**

Article 3 Water And Wastewater Capital Recovery Fees

Article 4 Reclaimed Water

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**Chapter 25-10 Sign Regulations**

Article 1 General Provisions

Article 2 Enforcement

Article 3 Variances

Article 4 Removal Of Certain Signs; Compensation

Article 5 Sign Districts

Article 6 Regulations Applicable To All Sign Districts

Article 7 Regulations Applicable To Certain Sign Districts

Article 8 Special Signs

Article 9 Street Banners

Article 10 Setback And Structural Requirements

Article 11 Installation Permits

Article 12 Registration

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**Chapter 25-11 Building, Demolition, And Relocation Permits; Special Requirements For Historic Structures**

Article 1 General Provisions

Article 2 Building And Demolition Permits

Article 3 Relocation Permits

Article 4 Special Requirements For Historic Structures

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**Chapter 25-12 Technical Codes**

Article 1 Building Code

Article 2 Food Establishments

Article 3 Reserved

Article 4 Electrical Code

Article 5 Mechanical Code

Article 6 Plumbing Code

Article 7 Fire Code

Article 8 Solar Energy Code

Article 9 Property Maintenance Code

Article 10 Reserved

Article 11 Residential Code

Article 12 Energy Code

Article 13 Administration Of Technical Codes

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**Chapter 25-13 Airport Hazard And Compatible Land Use Regulations**

Article 1 General Provisions

Article 2 Height Limits And Airport Hazards

Article 3 Compatible Land Uses

Article 4 Nonconforming Uses, Structures, And Objects; Marking And Lighting

Article 5 Permits

**These outlines are provided as examples and are subject to change as code content is revised.**



## Supplemental Information:

# Detailed Annotated Outline for Approaches 2 and 3

## Approach 2 & 3 Annotated Outline

### Chapter 25-1 Title, Purpose and Jurisdiction

*This chapter would include all the Administrative and Procedural portions of Title 25.*

### Chapter 25-2 General to All

*This chapter would include standards that apply across the city regardless of zoning district such as Resource Protection, and Water Quality Protection.*

### Chapter 25-3 Specific to Zones

*This chapter would include all building form and land use standards for both form-based and use-based zoning districts.*

### Chapter 25-4 Supplemental to Zones

*This chapter would include standards that supplement the building form and land use standards of the zoning districts. These standards would not necessarily apply across all zoning districts. Standards would include supplemental form standards such as Building Type and Frontage Type Standards, as well as additional general standards such as parking, signage, landscape, fencing, and screening standards.*

### Chapter 25-5 General to Community Design

*This chapter would include design standards that are applied to larger scale developments. Standards would include such items as civic space design.*

### Chapter 25-6 Specific to Subdivision and Site Plans

*This chapter would include the technical and legal requirements for subdividing property and site plans. Design based subdivision and site plan standards are located in Chapter 25-5.*

### Chapter 25-7 Specific to Transportation

*This chapter would include the technical and legal requirements for thoroughfare design.*

### Chapter 25-8 Environment

*This chapter would include the technical and legal requirements for environmental regulations and drainage.*

### Chapter 25-9 Specific to Water and Waste Water

*This chapter would include the technical and legal requirements for water and waste water.*

### Chapter 25-10 Specific to Technical Codes

*This chapter would include the technical codes.*

### Chapter 25-11 Administration and Procedures

*This chapter would include the detailed process by which all development will be reviewed and permitted by the city and the requirements related to specific types of submittals including fees.*

**These outlines are provided as examples and are subject to change as code content is revised.**

## Approaches 2 & 3 Proposed Table of Contents without Sections

### Chapter 25-1 Title, Purpose and Jurisdiction

|           |  |
|-----------|--|
| Article 1 | Title                                    |
| Article 2 | Legislative Intent and Purpose           |
| Article 3 | Authority                                |
| Article 4 | Disclaimer of Liability and Severability |
| Article 5 | Effective Date                           |

### Chapter 25-2 General to All

|           |                    |
|-----------|--------------------|
| Article 1 | Purpose            |
| Article 2 | Affordable Housing |

### Chapter 25-3 Specific to Zoning Districts

|              |  |
|--------------|--|
| Article 1    | Purpose  |
| Article 2    | Establishment And Designation Of Zoning Districts  |
| Article 3    | Transect Zoning Districts                          |
| Article 4    | Non-Transect Zoning Districts                      |
| Article 5    | Combining Districts                                |
| Article 6    | Overlay Districts                                  |
| Article 7    | Specific To Use                                    |
| Division 7.1 | Airport Hazard And Compatible Land Use Regulations |

### Chapter 25-4 Supplemental to Zoning Districts

|           |                              |
|-----------|------------------------------|
| Article 1 | Purpose                      |
| Article 2 | Building Types               |
| Article 3 | Private Frontages            |
| Article 4 | Signage                      |
| Article 5 | Landscaping                  |
| Article 6 | Outdoor Lighting             |
| Article 7 | Parking and Loading          |
| Article 8 | Additional General Standards |

### Chapter 25-5 General to Community Design

|           |         |
|-----------|---------|
| Article 1 | Purpose |
|-----------|---------|

|           |                                 |
|-----------|---------------------------------|
| Article 2 | Traditional Neighborhood Design |
| Article 3 | Single Use Areas                |
| Article 4 | Development In Rural Areas      |
| Article 5 | Civic and Open Spaces           |
| Article 6 | Thoroughfare Types              |

### Chapter 25-6 Specific to Subdivision and Site Plans

|           |   |
|-----------|---|
| Article 1 | Subdivision Compliance                  |
| Article 2 | Subdivision Procedures                  |
| Article 3 | Platting Requirements                   |
| Article 4 | Site Plans                              |
| Article 5 | Administrative Site Plans               |
| Article 6 | Land Use Commission Approved Site Plans |

### Chapter 25-7 Specific to Transportation

|           |   |
|-----------|---|
| Article 1 | General Provisions                                  |
| Article 2 | Reservation And Dedication Of Right-Of-Way          |
| Article 3 | Traffic Impact Analysis                             |
| Article 4 | Article 4 Street Design                             |
| Article 5 | Driveway, Sidewalk, And Right-Of-Way Construction   |
| Article 6 | Access To Major Roadways And In Certain Watersheds  |
| Article 7 | Off-Street Parking And Loading—Could Move Into 25-2 |
| Article 8 | Road Utility Districts                              |

### Chapter 25-8 Environment

|              |  |
|--------------|--|
| Article 1    | Water Quality  |
| Division 1.1 | General Provisions                                   |
| Division 1.2 | Waterways Classified; Zones Established              |
| Division 1.3 | Environmental Assessment; Pollutant Attenuation Plan |
| Division 1.4 | Management Practices; Engineer's Certification       |

**These outlines are provided as examples and are subject to change as code content is revised.**

## Supplemental Information

|  |   |            |   |
|--|---|------------|---|
| Division 1.5   | Erosion And Sedimentation Control;<br>Overland Flow     | Article 2  | Definitions; Measurements                                   |
| Division 1.6   | Water Quality Controls                                  | Article 3  | Accountable Entities  |
| Division 1.7   | Requirements In All Watersheds                          | Article 4  | Application And Approval                                    |
| Division 1.8   | Suburban Watershed Requirements                         | Article 5  | Fees and Fiscal Security                                    |
| Division 1.9   | Water Supply Suburban Watershed<br>Requirements         | Article 6  | Zoning Procedures   |
| Division 1.10  | Water Supply Rural Watershed<br>Requirements            | Article 7  | Interested Parties, Notice and Public Hearing<br>Procedures |
| Division 1.11  | Barton Springs Zone Requirements                        | Article 8  | Appeals, Variances, Special Exceptions and<br>Adjustments   |
| Division 1.12  | Save Our Springs Initiative                             | Article 9  | Construction Management                                     |
| Article 2  | Tree And Natural Area Protection;<br>Endangered Species | Article 10 | Certificates of Compliance and Occupancy                    |
| Division 2.1   | Tree And Natural Area Protection                        | Article 11 | Enforcement   |
| Division 2.2   | Endangered Species                                      | Article 12 | Amendment Procedure   |
| Article 3  | Drainage  | Article 13 | Reserved  |
| <b>Chapter 25-9 Specific to, Water and Waste Water</b> |   | Article 14 | Dormant Project Expiration                                  |
| Article 1  | Water and Wastewater                                    | Article 15 | Parkland Dedication   |
| <b>Chapter 25-10 Specific to Technical Codes</b>       |   | Article 16 | S.M.A.R.T. Housing  |
| Article 1  | Building Code   | Article 17 | Neighborhood Plan Amendments                                |
| Article 2  | Food Establishments                                     | Article 18 | Interlocal Development Agreements                           |
| Article 3  | Reserved  |            |   |
| Article 4  | Electrical Code   |            |   |
| Article 5  | Mechanical Code   |            |   |
| Article 6  | Plumbing Code   |            |   |
| Article 7  | Fire Code   |            |   |
| Article 8  | Solar Energy Code                                       |            |   |
| Article 9  | Property Maintenance Code                               |            |   |
| Article 10   | Reserved  |            |   |
| Article 11   | Residential Code  |            |   |
| Article 12   | Energy Code   |            |   |
| Article 13   | Administration Of Technical Codes                       |            |   |
| <b>Chapter 25-11 Administration And Procedures</b>     |   |            |   |
| Article 1  | General Provisions                                      |            |   |

**These outlines are provided as examples and are subject to change as code content is revised.**

# Supplemental Information:

# Useful Terms

Some of the terminology used in this document is specific to zoning codes. The definitions of these terms are provided here:

## Approaches

Unique combination of elements of a code that determines what kind of regulations are included, reviewed, and how the information is presented.

## Annotated Outline

A summary of the code structure and organization for an approach alternative (refined during drafting of the code).

## By-right Review

A development review model where development applications are approved or denied based on compliance with an established, well-articulated set of measurable standards. Applications meeting established standards are approved without further review.

## Customized Zoning

A development review model that requires new and independent regulations for major new projects. Often not coordinated with the overall LDC and are applicable only to the specific project for which they are written (Planned Unit Developments-PUDs and regulating plans).

## Discretionary Review

A development review model that relies on established standards that are generally less specific than other models and that require interpretation by the reviewer, thus necessitating an extensive and sometimes subjective review process to ensure the intent of the standards are met. Projects often undergo multiple review cycles to obtain approval using this review model.

## Elements of a Code

Different aspects of a land development code that provide the standards and means of enforcement that make the code document useful and actionable. These include the format and organization of the code document, development review models and development standards models.

## Mapping

The process of determining where zones are applied within the City; The act of outlining zoning districts on a map.

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