SHAPING THE AUSTIN WE IMAGINE

# AUSTIN *LAND DEVELOPMENT CODE*

*CodeTEXT*
*Code Draft Preview*
*Spring 2017*

CODE NEXT

# IN THIS PRESENTATION

1

## PROCESS

how we got to this point

2

## PRIORITIES

to improve quality of life

3

## OVERVIEW

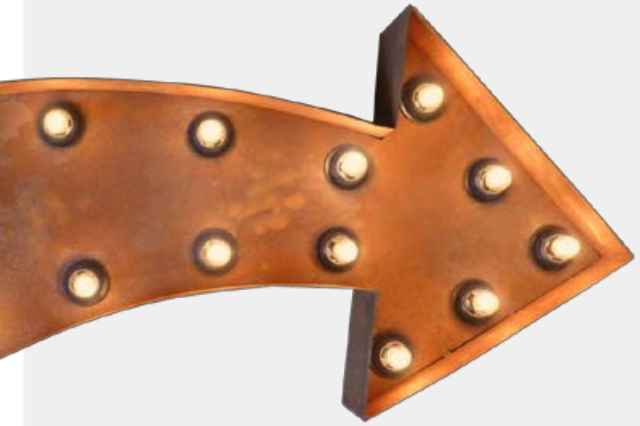
understanding the new code and how to contribute

CODE NEXT

PART 1

# PROCESS

CODE/NEXT



# What sort of city do we want Austin to be?

2009

2012

**The imagine Austin Comprehensive Plan was adopted by Austin City Council in June 2012**

**Imagine Austin** *lays out our citizens' vision for a complete community that responds to the pressures and opportunities of our growing modern city.*

## Core Principles for Action

Grow as a compact, connected city

Integrate nature into the city

Provide paths to prosperity for all

Develop as an affordable and healthy community

Sustainably manage water, energy and other environmental resources

Endorse innovation and creativity throughout the city

CODE NEXT
SHAPING THE AUSTIN WE IMAGINE

**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 our land use standards and regulations with the goals of Imagine Austin.**

## Process To Date

**2013 – 2014**
**Listening to the Community**

**2014**
**Code Diagnosis**

**2014 – 2015**
**Community Character Manual**

**2015**
**Alternative Approaches to the Code**

**2016**
**Code Prescriptions**

**2017**
**Draft Code**

*Past reports and documentation of the CodeNEXT process can be reviewed at* **austintexas.gov/codenext**

CODE DIAGNOSIS SUMMARY

# Top 10 Issues

1.
**Ineffective Base Zoning Districts**

2.
**Competing Layers of Regulations**

3.
**Complicated "Opt-in, Opt-out" System**

4.
**Lack of Household Affordability and Choice**

5.
**Auto-Centric Code**

6.
**Not Always In Line with Imagine Austin**

7.
**Lack of Usability and Clarity**

8.
**Ineffective Digital Code**

9.
**Code Changes Adversely Affect Department Organization**

10.

**Incomplete and Complicated Administration and Procedures**

# LIMITATIONS OF CONVENTIONAL ZONING

**The conventional, use-based approach to zoning has been shown to be ineffective for regulating diverse, urban, mixed-use environments.**

*These three parcels have "CS – Commercial Services" as their base zone.*

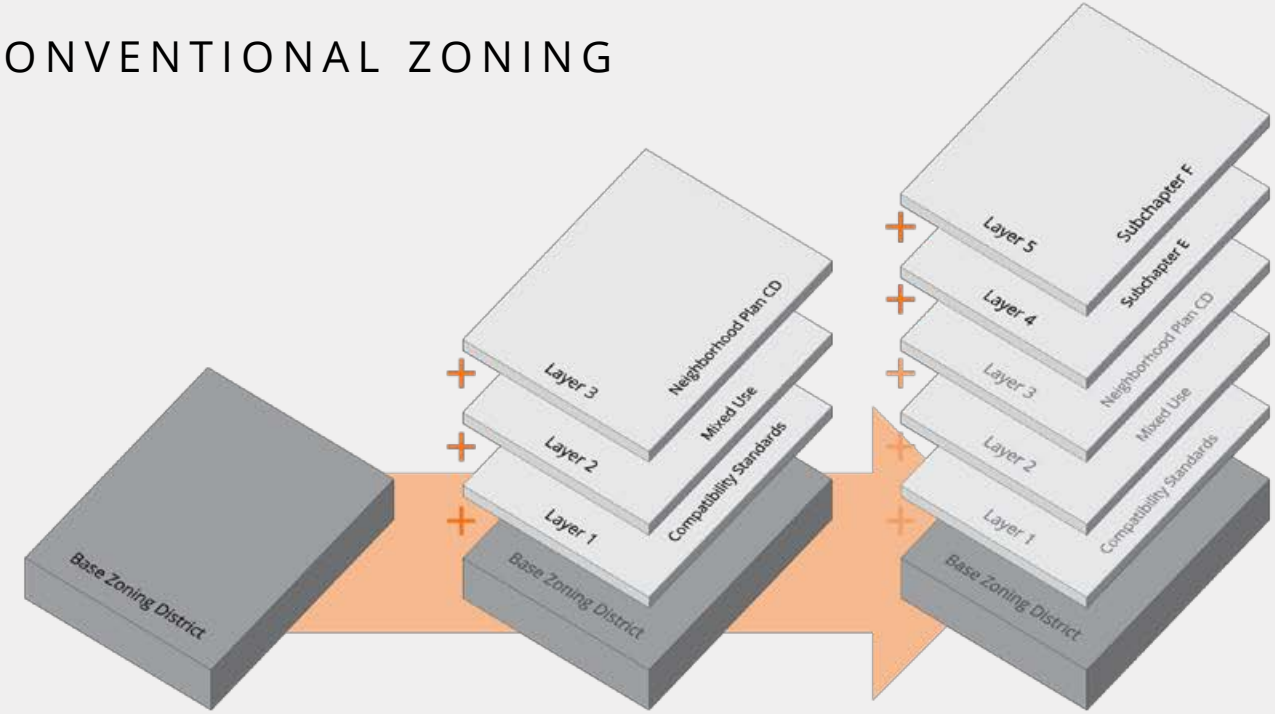
CS-V-CO-NP

CS-1-MU-CO-HD-NP

CS-1-V-NP

# LIMITATIONS OF CONVENTIONAL ZONING

**Over the years, supplemental layers of regulations have been added to address incompatibilities and issues of the day, resulting in complexity and reduced usability.**




Base Zoning District — Conditional Overlay — Combining District

**SF-3 - CO - NP**

*Family Residence*

*Limits Land Uses or Other Zoning District Standard*

*Neighborhood Plan Combing District*

## Other SF-3 Combinations

SF-3
SF-3-CO
SF-3-CO-H-NP
SF-3-CO-NCCD-NP
SF-3-H
SF-3-H-CO-NP
SF-3-H-HD-NCCD-NP
SF-3-H-HD-NP
SF-3-H-NCCD-NP
SF-3-H-NP
SF-3-HD
SF-3-HD-NCCD-NP
SF-3-HD-NP
SF-3-NCCD-NP
SF-3-NP

# LIMITATIONS OF CONVENTIONAL ZONING

## Existing Base Zoning Districts

**RESIDENTIAL**

| | |
|---|---|
| **LA** | Lake Austin Residence District |
| **RR** | Rural Residence District |
| **SF-1** | Single Family - Large Lot |
| **SF-2** | Single Family - Regular Lot |
| **SF-3** | Family Residence |
| **SF-4A** | Single Family - Small Lot |
| **SF-4B** | Single Family - Condominium |
| **SF-5** | Urban Family Residence |
| **SF-6** | Townhouse and Condominium |
| **MF-1** | Multifamily - Limited Density |
| **MF-2** | Multifamily - Low Density |
| **MF-3** | Multifamily - Medium Density |
| **MF-4** | Multifamily - Moderate Density |
| **MF-5** | Multifamily - High Density |
| **MF-6** | Multifamily - Highest Density |
| **MH** | Mobile Home Residence |

**COMMERCIAL**

| | |
|---|---|
| **NO** | Neighborhood Office |
| **LO** | Limited Office |
| **GO** | General Office |
| **CR** | Commercial Recreation |
| **LR** | Neighborhood Commercial |
| **GR** | Community Commercial |
| **L** | Lake Commercial |
| **CBD** | Central Business District |
| **DMU** | Downtown Mixed Use |
| **W/LO** | Warehouse/Limited Office |
| **CS** | Commercial Services |
| **CS-1** | Commercial - Liquor Sales |
| **CH** | Commercial Highway |

**INDUSTRIAL**

| | |
|---|---|
| **IP** | Industrial Park |
| **LI** | Limited Industrial Service |
| **MI** | Major Industrial |
| **R&D** | Research and Development |

## Combining and Overlay Districts

- ☐ Central Urban Redevelopment (CURE)
- ☐ Conditional Overlay
- ☐ Historic Landmarks
- ☐ Historic Area
- ☐ Neighborhood Conservation
- ☐ Capitol Dominance
- ☐ Capitol View Corridor Overlay
- ☐ Congress Avenue
- ☐ East Sixth / Pecan Street
- ☐ Downtown Parks
- ☐ Downtown Creeks
- ☐ Convention Center
- ☐ Planned Development Area
- ☐ Criminal Justice Center Overlay
- ☐ Barton Springs Zoning District Overlay
- ☐ Waterfront Overlay
- ☐ University Neighborhood Overlay
- ☐ Neighborhood Plan
- ☐ Mixed Use
- ☐ Vertical Mixed Use

## Special Purpose Zoning Districts

| | |
|---|---|
| **DR** | Development Research |
| **AV** | Aviation Services |
| **AG** | Agricultural District |
| **P** | Public |
| **PUD** | Planned Unit Development |
| **TN** | Traditional Neighborhood |
| **TOD** | Transit Oriented Development |
| **NBG** | North Burnet/Gateway |
| **ERC** | East Riverside Corridor |

# 400+

Combinations Found in the Existing Code

# CODE NEXT: PRIMARY OUTCOMES

1. Promote character by introducing form-based transect zones
2. Update, simplify and roll forward existing use-based zones
3. Improve organization of code and introduce graphics to demonstrate intent

PART 2

# PRIORITIES

CODE NEXT

# *Creating a framework to help improve quality of life.*

- **M** MOBILITY
- **C** COMMUNITY
- **E** ENVIRONMENT
- **H** HOUSING
- **P** PERMITTING

# MOBILITY

## *walkable+ CONNECTED*

> *"It creates a certain community pride where there are shops around you and it's affordable to live there... you can walk there."*

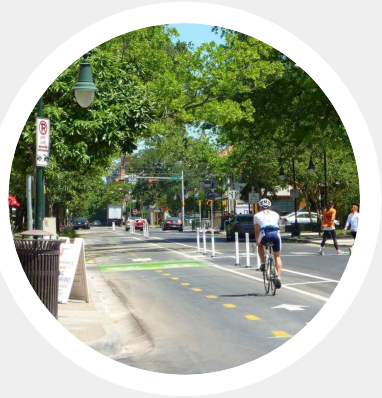
**Eiler Rodriguez**
*Barista and renter*

# MOBILITY

**Urban Trail Connections**

**Walk to Shops and Services**

**Design for People**



**Getting Around**

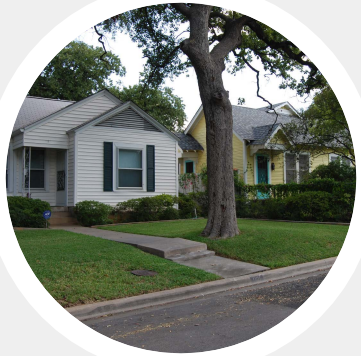
# COMMUNITY

## *vibrant+ PROSPEROUS*

> *"We create a lot of culture here, and there's a lot of innovation. If we squeeze people out, we'll lose that."*

**Amanda Lewis**
*Homeowner, Community Organizer*

# COMMUNITY



**Strengthen Neighborhoods**

**Enable Small Businesses**

**Focused on Context**

**Diverse Places for People**

**Anticipate Future Growth**

# ENVIRONMENT

## *natural+ RESILIENT*

> *"Trees clean our air and water, lower hot summer temperatures, and are our first line of defense against flooding. It's important to plant new trees and help them grow, and more important to protect the ones we have inherited."*

**Thais Perkins**
*Executive Director, TreeFolks*

# ENVIRONMENT

**Water Stewardship**

**Urban Forest Preservation**

**Nature in the City**

**Flood Mitigation**

**Open Space and Parks**

# HOUSING

# *inclusive+ AFFORDABLE*

> *"People are really constricted in their housing choices— making a lot of sacrifices and barely getting by."*

**Thomas Echolz**
*Musician and renter*

# HOUSING

**More Diverse Housing Choice**

**More Units**

**Affordability Incentives**

**Flexible Live/ Work Places**

**Connected Subdivisions**

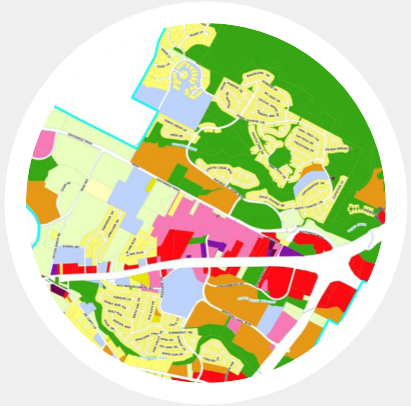
# PERMITTING

## *streamlined+ USER-FRIENDLY*

> *"The code shouldn't stand in the way. It should be neutral, so that those who are engaged in the community, trying to inspire, be inspired, can excel at those things and allow it to happen."*

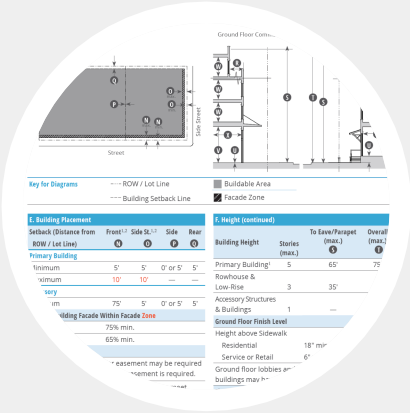
**Scott Ginder**
*Principal/Founder*
*Forge Craft Architecture + Design*

# PERMITTING



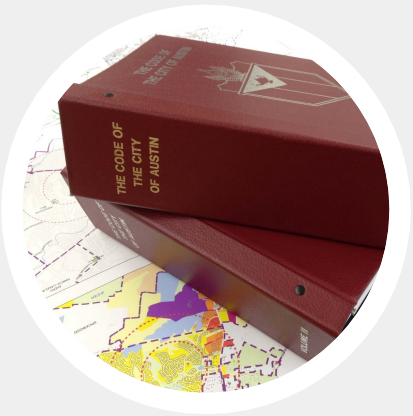
## Clearer Zoning Districts

## Site Planning Process




## Organized Graphic Code

## Fine-Tuned Uses in Zones




## Simplified Permitting

austintexas.gov/codenext/**permitting**

CODE NEXT

PART 3

# OVERVIEW

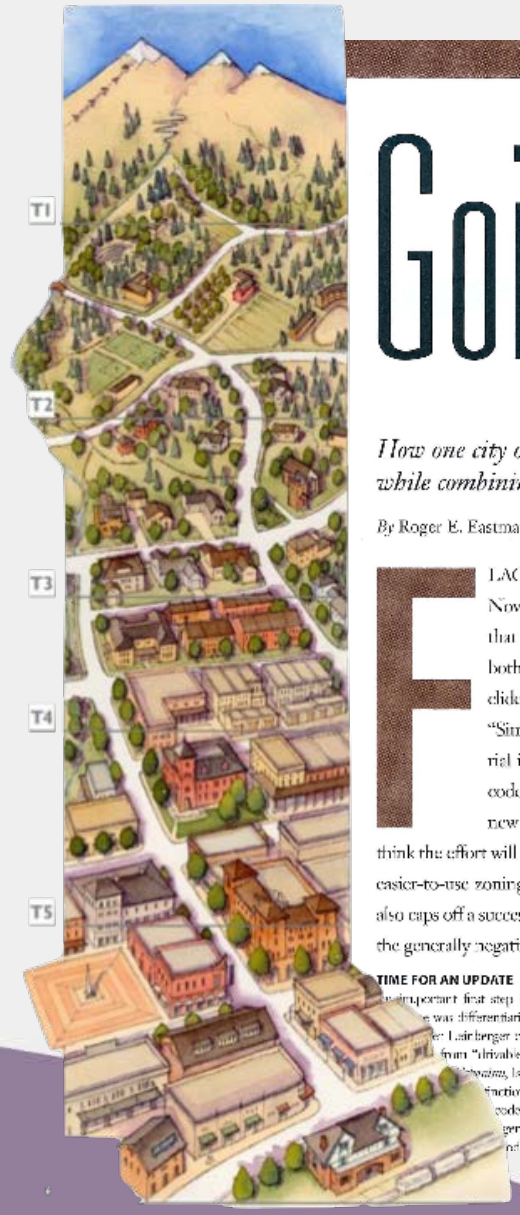
CODE/NEXT

## A Hybrid Approach

Hybrid codes apply different zoning tools in different places within a city.

Ability for city to “right-size” the zoning tools needed in a predictable and clear manner.

**Form-Based + Euclidian (Use-based) Districts**




PLANNING PRACTICE

# Going Hybrid

*How one city overhauled its zoning code while combining form-based and conventional elements.*

*By* Roger E. Eastman, AICP, with Daniel Parolek and Lisa Wise

FLAGSTAFF, ARIZONA, entered an exclusive club in November. It is now one of the few cities in the U.S. that have adopted a hybrid zoning ordinance with both form-based components and conventional Euclidean elements as part of a complete code rewrite. “Simplified, streamlined, predictable” raved an editorial in the *Arizona Daily Sun* while praising both the code and the process used to adopt it. Getting the new code adopted wasn't easy, but many city residents think the effort will be repaid in a more efficient, more equitable, and easier-to-use zoning system. The adoption of the new zoning code also caps off a successful public engagement process that has changed the generally negative perception of city planners.

**TIME FOR AN UPDATE**

Flagstaff (pop. 62,000), at an elevation of about 7,000 feet, is the regional hub of northern Arizona. Established as a stop on the early transcontinental railway in 1882 and later Route 66 and Interstate 40, Flagstaff quickly grew as a logging and ranching town, and as a gateway for travelers visiting the Grand Canyon and other national parks and monuments. Residents appreciate the natural beauty of the area and enjoy outdoor pursuits such as hiking, skiing, hunting, fishing, and camping.

The downtown and oldest neighborhoods were planned with small blocks and lots, and today are valued for their historic buildings and inherently walkable urban character. Typical of many American cities, Flagstaff's urban form changed after World War II as auto-oriented suburban developments were added to the periphery of the city. Until recently Flagstaff's zoning ordinances have actively promoted these driveable suburban development patterns.

The need for a comprehensive update of the city's land development code had been apparent for some time as developers, contractors, design professionals, and residents complained about the code's complexity and inconsistency. Some even blamed the cumbersome nature of the code for contributing to the high cost of development and the failure of big projects and economic develop-

CODE NEXT

# Form-Based Zoning (Transect)

Emphasis is on the design and form of development in order to shape desired character or, in some instances, maintain character

**Development Standards include:**

- Lot Width and Depth
- Building Type
- Building Placement (Setbacks)
- Height
- Encroachment
- Street Frontage
- Parking
- Impervious Cover
- Open Space
- Signage
- Site Constraints
  - Drainage
  - Water Quality
  - Tree Protection
  - Landscape
- Use Types

# Use-Based Zoning (Non-Transect)

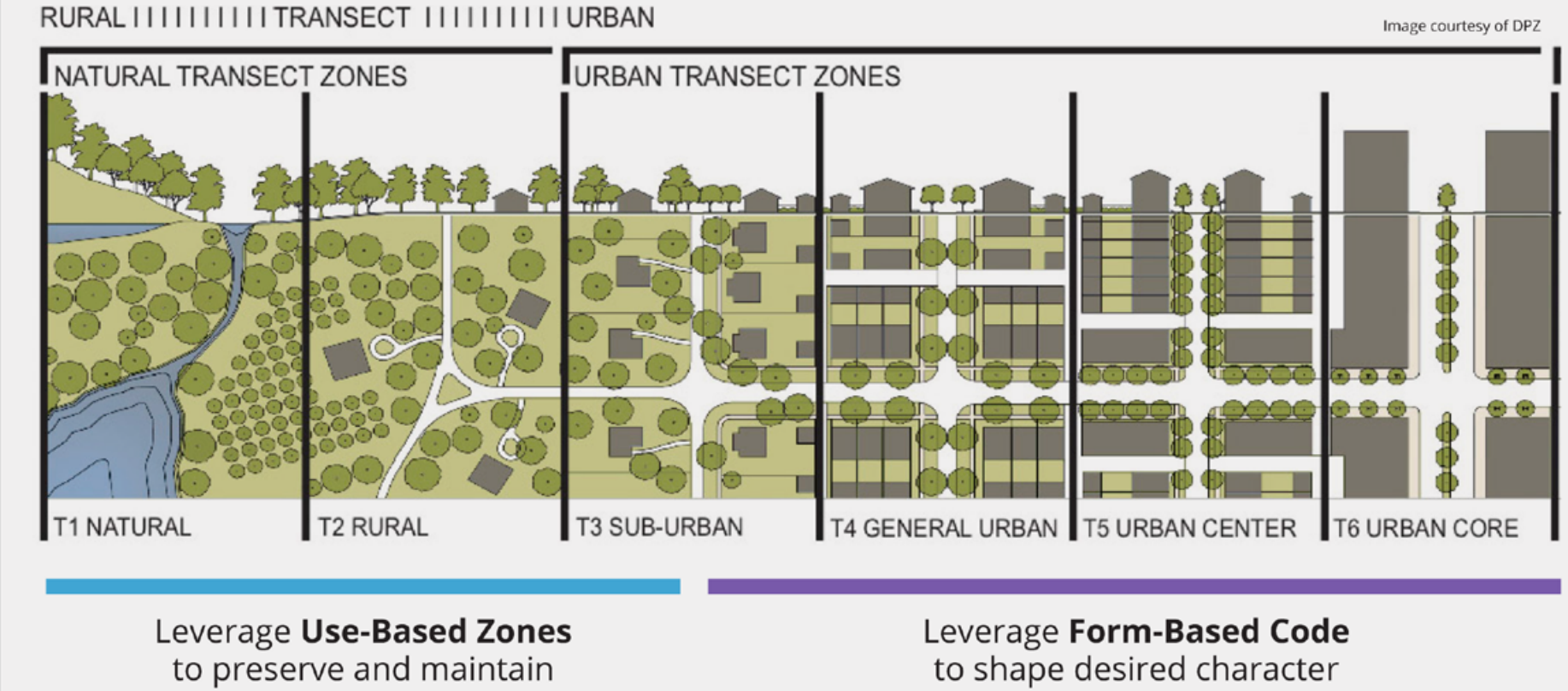
Emphasis is on the use of land in order to preserve and maintain character

**Development Standards include:**

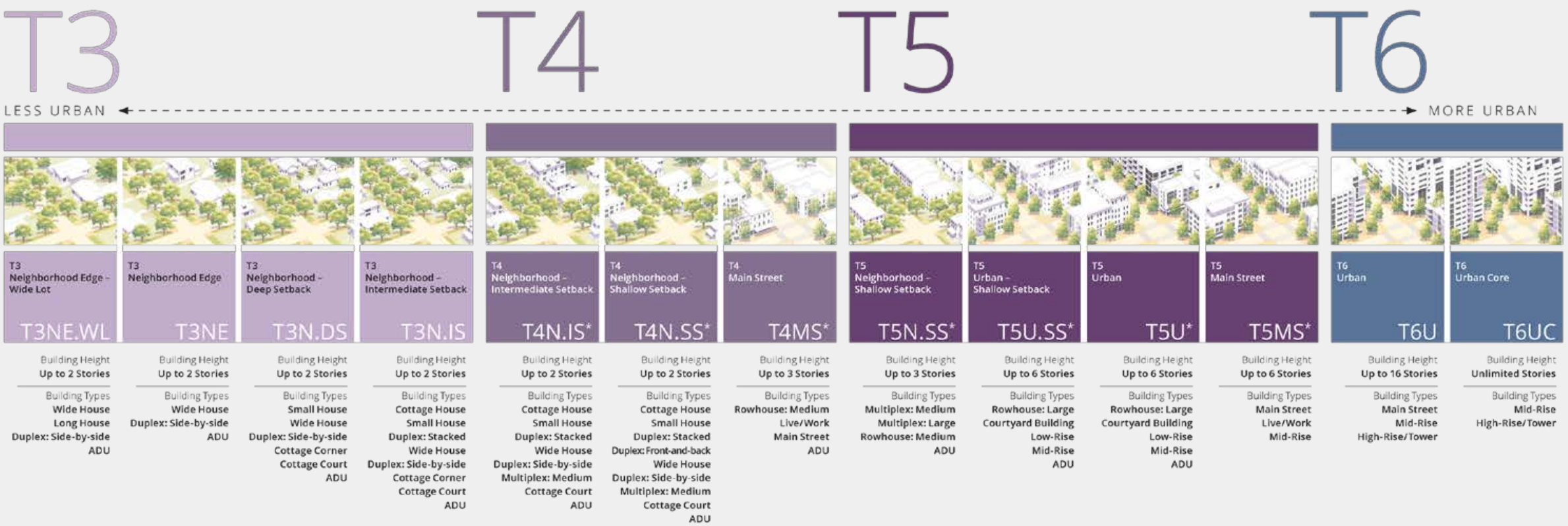
- Use Types
- Parking
- Dwelling units per acre
- Floor to Area Ratio
- Lot Size
- Building Placement (Setbacks)
- Height
- Landscaping and Screening
- Outdoor lighting
- Signage
- Site Constraints
  - Drainage
  - Water Quality
  - Tree Protection
  - Landscape

## The Natural-to-Urban Transect: Framework for Form-Based Code

*This diagram illustrates a continuum of place types from the most natural to the most urban from left to right.*



# *transect zones AT-A-GLANCE*




* *Zone may be designated with "Open" sub-zone having the same building form regulations but allowing for a more diverse mix of uses.*

CODE NEXT

# *non-transect ZONES*

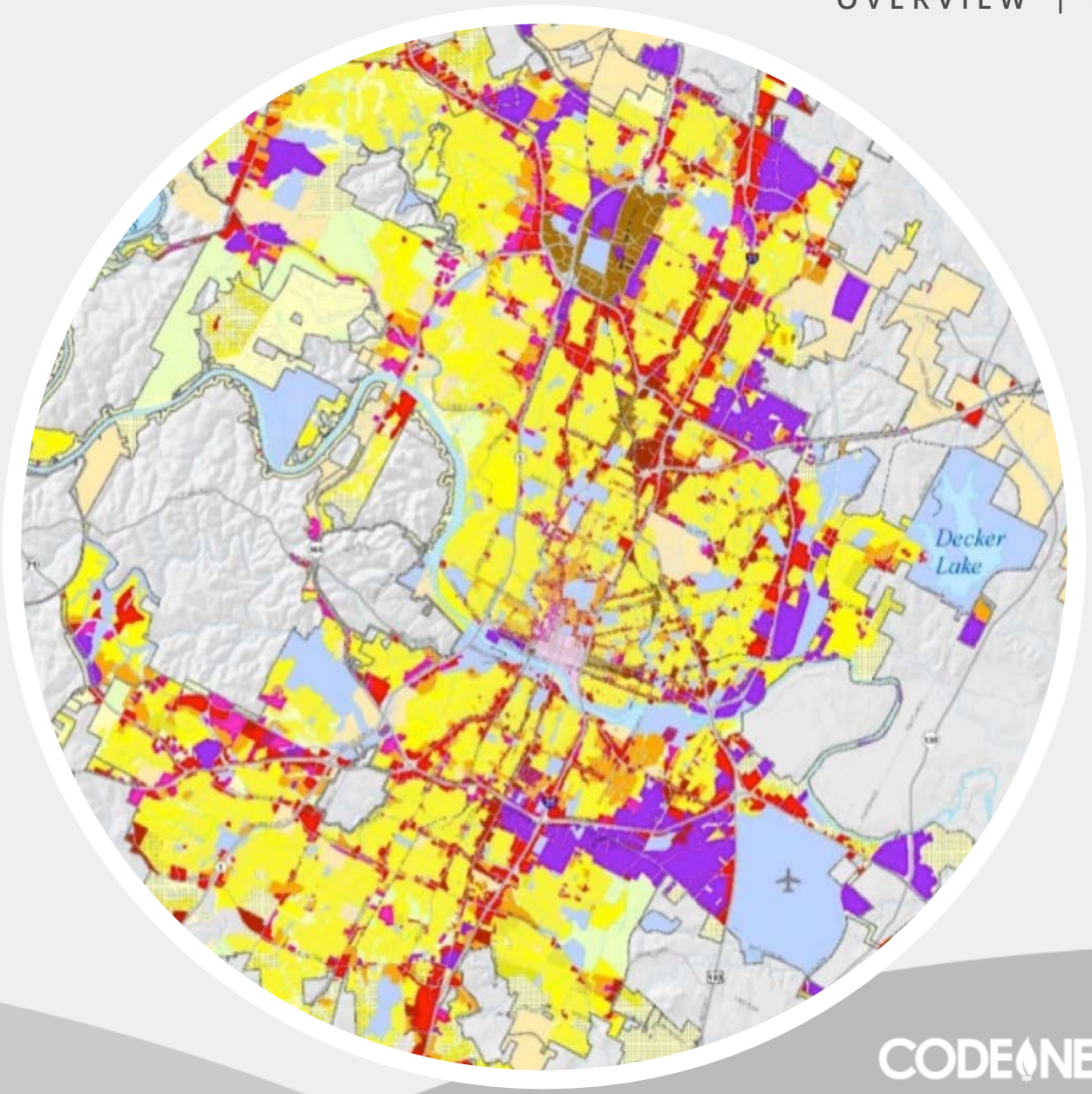
Goal:

Update and roll forward existing Use-Based Zones (Title 25)

42 ▶ 32

*Base Zoning Districts (Title 25)*

*Non-Transect Zones (Title 23)*



# *non-transect ZONES*

Non-transect zones are consolidated and refined, and will continue to be utilized primarily in suburban areas.

**Low to Medium Intensity Residential**

| Zone | Similar to |
|---|---|
| Rural Residential | RR |
| Very Low Density Residential | SF1 |
| Low Density Residential | SF2 |
| Low to Medium Density Residential | SF3, SF4B |
| Low to Medium Density Residential - Small Lot | SF4A |

**Medium to High Intensity Residential**

| Zone | Similar to |
|---|---|
| Medium Density Residential | SF5, SF6 |
| Medium to High Density Residential | MF1, MF2 |
| High Density Residential | MF3, MF4 |
| Very High Density Residential | MF5, MF6 |
| Manufactured Home Park | MH |

**Restricted Commercial**

| Zone | Similar to |
|---|---|
| Neighborhood Commercial<br>Sub-Zone **Limited, Open** | NO, LO, LR |
| Local Commercial<br>Sub-Zone **Limited, Open** | GO |

**Retail and Office Commercial**

| Zone | Similar to |
|---|---|
| General Commercial<br>Sub-Zone **Limited, Open** | GR |
| Regional Commercial | new |

**Mixed-Use Commercial**

| Zone | Similar to |
|---|---|
| Commercial Core | DMU |
| Downtown Core | CBD |

**Service and Highway Commercial**

| Zone | Similar to |
|---|---|
| Warehouse Commercial | W/LO |
| Service Commercial<br>Sub-Zone **Limited, Open** | CS, CS-1 |
| Highway Commercial | CH |

**Special Commercial**

| Zone | Similar to |
|---|---|
| Commercial Recreation | CR |

**Industrial Zones**

| Zone | Similar to |
|---|---|
| Flex Industrial | LI |
| General Industrial | IP |
| Heavy Industrial | MI |
| R&D | R&D |

**Other Zones**

| Zone |
|---|
| Agricultural |
| Aviation Services |
| Development Reserve |
| East Riverside Corridor |
| North Burnet/Gateway |
| Open Space |
| Public |
| Planned Unit Development |

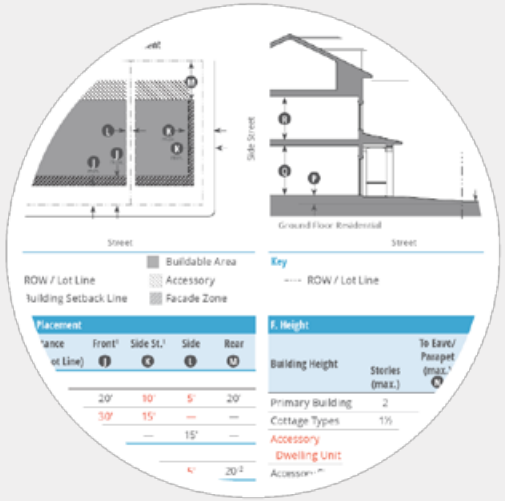
# *anatomy of THE CODE*

**How it's organized:**
*Relocated under a different title number, an extensive reorganization of the Land Development Code elevates community priorities, consolidates procedures, and introduces a hybrid zoning code with new form-based standards.*

## Title 23

1. **Introduction**
2. **Administration and Procedures**
3. **General Planning Standards for All**
4. **Zoning Code**
5. **Subdivision**
6. **Site Plan**
7. **Building, Demolition and Relocation Permits and Special Requirements for Historic Structures**
8. **Signage**
9. **Transportation (Mobility)**
10. **Infrastructure**
11. **Technical Codes**

# next steps




## Draft Code

Public Review Draft
Released January 2017

## Mapping

April 18, 2017

## Adoption Process

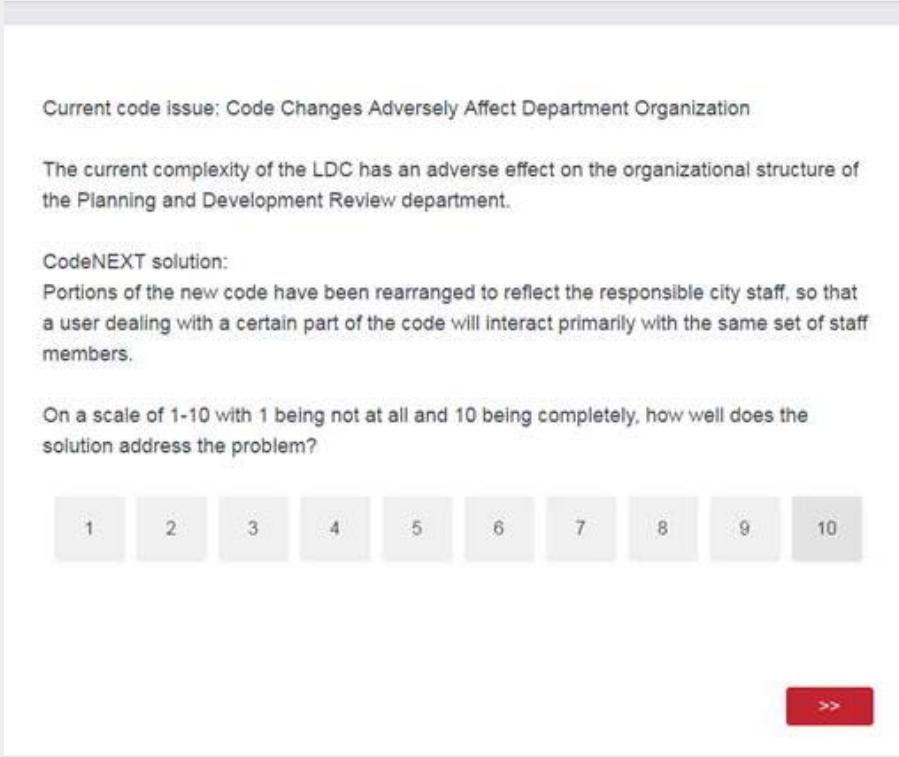
September 2017 –
April 2018

# Outreach Toolkit

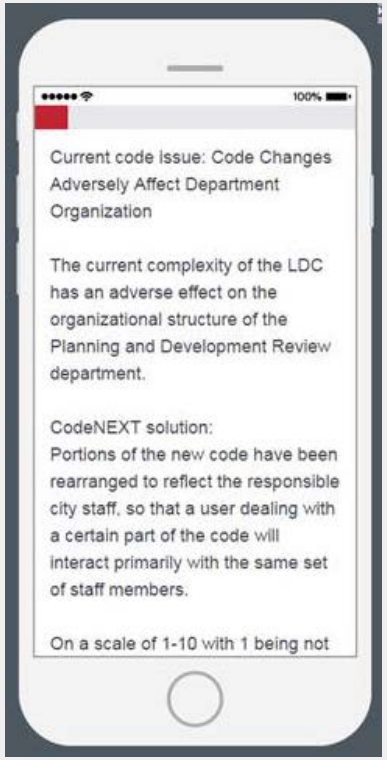
*This toolkit includes an FAQ, code preview, and timeline. While these materials alone do not equip Austinites to become code experts, they provide a simple, consistent way for interested residents to share basic information about CodeNEXT and initiate a dialogue with their communities.*

# Survey Tool

*The survey is focused on how the draft code implements the Imagine Austin Priority Programs and alleviates the 10 major issues identified in the Land Development Code Diagnosis.*



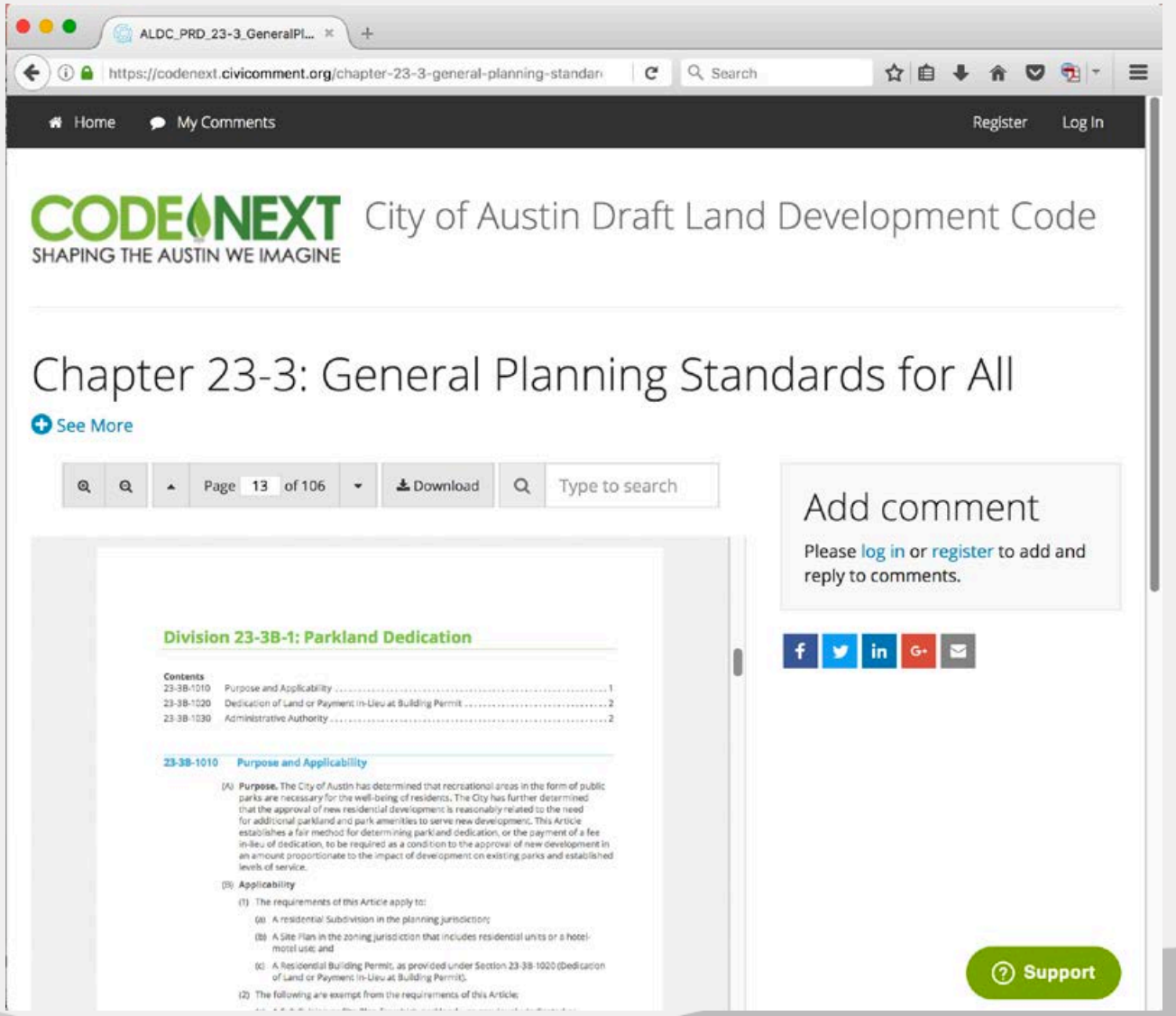

**Online and Print**




**Mobile**

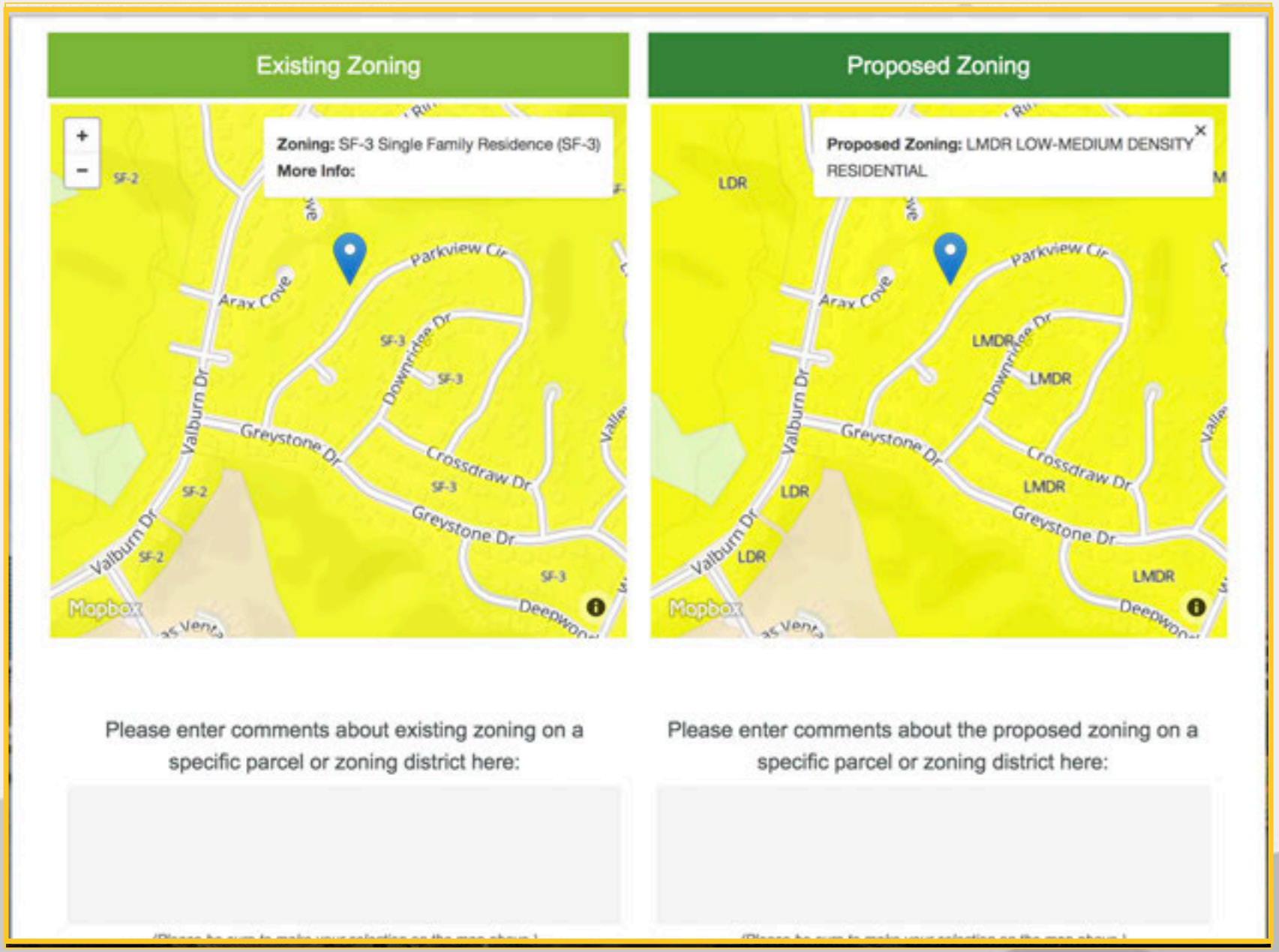
# Code Comment Tool

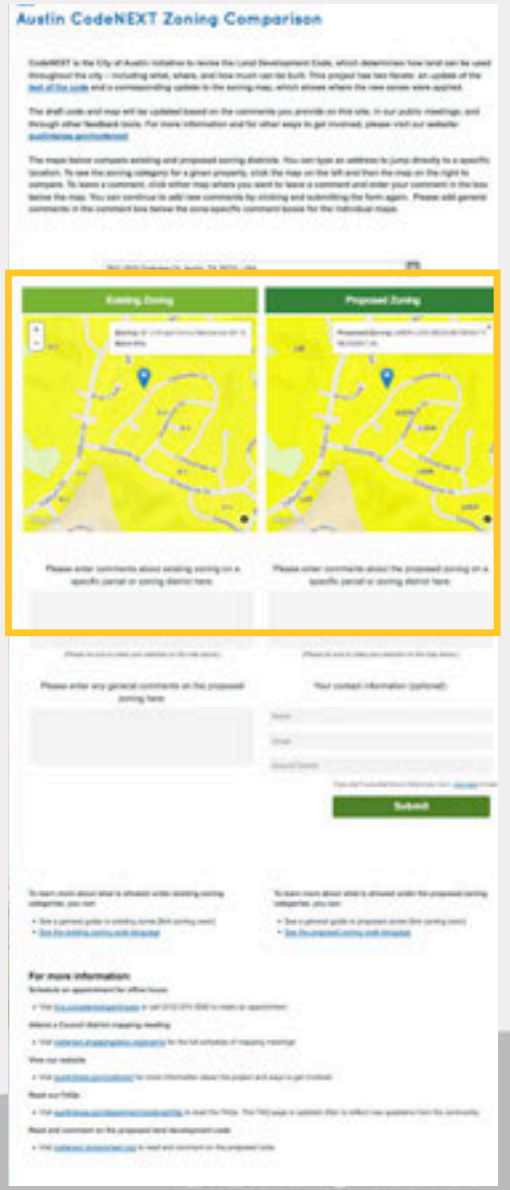
*Using a tool (CiviComment) that has been implemented in code rewrites across the country, staff will receive comments on the actual code document from Austinites.*




*https://codenext.civicomment.org/*

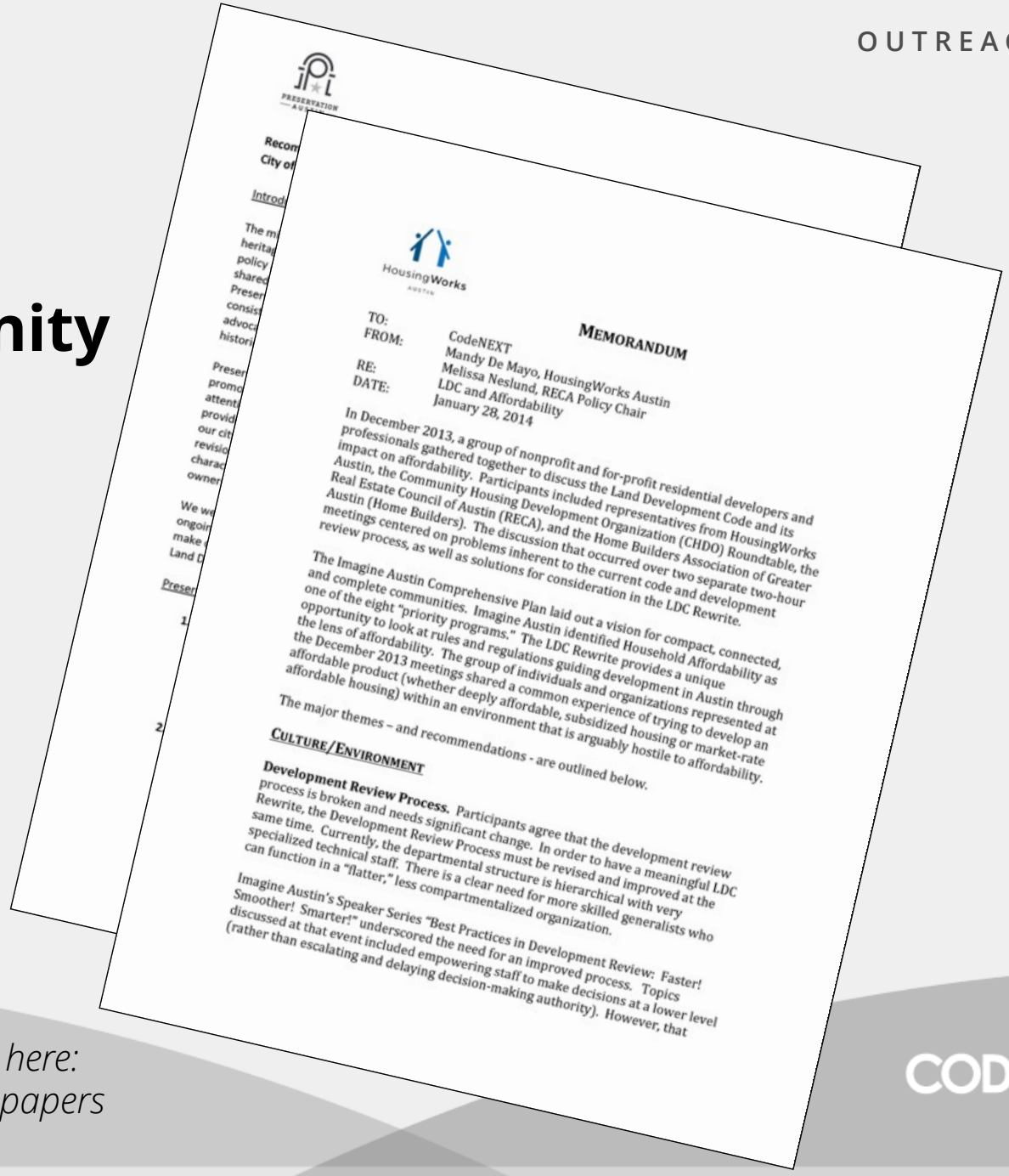
# FEEDBACK TOOLS



# Viewpoints & Community Issues Papers

*In the interest of transparency, all group position papers and suggestions will be posted on the CodeNEXT document-hosting site.*



HousingWorks AUSTIN

**MEMORANDUM**

TO: CodeNEXT
FROM: Mandy De Mayo, HousingWorks Austin
Melissa Neslund, RECA Policy Chair
RE: LDC and Affordability
DATE: January 28, 2014

In December 2013, a group of nonprofit and for-profit residential developers and professionals gathered together to discuss the Land Development Code and its impact on affordability. Participants included representatives from HousingWorks Austin, the Community Housing Development Organization (CHDO) Roundtable, the Real Estate Council of Austin (RECA), and the Home Builders Association of Greater Austin (Home Builders). The discussion that occurred over two separate two-hour meetings centered on problems inherent to the current code and development review process, as well as solutions for consideration in the LDC Rewrite.

The Imagine Austin Comprehensive Plan laid out a vision for compact, connected, and complete communities. Imagine Austin identified Household Affordability as one of the eight "priority programs." The LDC Rewrite provides a unique opportunity to look at rules and regulations guiding development in Austin through the lens of affordability. The group of individuals and organizations represented at the December 2013 meetings shared a common experience of trying to develop an affordable product (whether deeply affordable, subsidized housing or market-rate affordable housing) within an environment that is arguably hostile to affordability.

The major themes – and recommendations - are outlined below.

**CULTURE/ENVIRONMENT**

**Development Review Process.** Participants agree that the development review process is broken and needs significant change. In order to have a meaningful LDC Rewrite, the Development Review Process must be revised and improved at the same time. Currently, the departmental structure is hierarchical with very specialized technical staff. There is a clear need for more skilled generalists who can function in a "flatter," less compartmentalized organization.

Imagine Austin's Speaker Series "Best Practices in Development Review: Faster! Smoother! Smarter!" underscored the need for an improved process. Topics discussed at that event included empowering staff to make decisions at a lower level (rather than escalating and delaying decision-making authority). However, that

*Previous Group Position Papers can be found here: http://www.austintexas.gov/department/issue-papers*

CODENEXT

PUBLIC MEETING TOOLS

# CodeTEXT Open Houses

Dates

- **February 18th**

  Crocket High School
- **February 25th**

  Lanier High School
- **March 4th**

  LBJ High School
- **March 25th**

  Stephen F. Austin High School
- **April 1st**

  Westwood High School
- **April 8th**

  Anderson High School

# COUNCIL DISTRICT MAP WORKSHOPS

## District 1
Ora Houston
Saturday, May-13
1:00-3:00 PM
LBJ High School

## District 2
Delia Garza
Tuesday, May 23
6:30 – 8:30 PM
Place: TBD

## District 3
Sabino “Pio” Renteria
Saturday, April-22
10:00 AM-Noon
St. Elmo Elementary School

## District 4
Gregorio “Greg” Casar
Wednesday, May 17
6:30 – 8:30 PM
Place: TBD

## District 5
Ann Kitchen
Monday, May-15
6:30 – 8:30 PM
Place: TBD

## District 6
James “Jimmy” Flannigan
Monday, April 24
6:30-8:30 PM
Spicewood Springs Library

## District 7
Leslie Pool
Saturday, May 20
Noon-2:00 PM
Place: TBD

## District 8
Ellen Troxclair
Tuesday, May 16
6:00-7:30 PM
ACC Pinnacle Building

## District 9
Kathie Tovo
Saturday, June 3
10:00 AM – Noon
Austin City Hall

## District 10
Alison Alter
Saturday, April 29
2:00-4:00 PM
Anderson High School

# CodeNEXT Topic Talks

Dates

- 5 Events
- Between March and May 2017

SHAPING THE AUSTIN WE IMAGINE

# Help us get it right.

*We invite you to review and comment on the draft code document, ask questions, and stay connected.*

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CODE NEXT