

June 2, 2017

City of Austin CodeNEXT Staff
CodeNEXT Consultants

Re: How will CodeNEXT affect the Design Commission

The Design Commission has requested a presentation from city staff, and the consultants, to better understand how CodeNEXT will affect the official duties of the Design Commission. Below is a list of items that we would like for you to include in your presentation.

1. Explain any proposed administrative changes that would alter the duties of the Design Commission
2. Describe the proposed changes to the Downtown Density Bonus program
 - a. Affordability Housing Incentive Program
3. Explain the differences between current Alternative Equivalent Compliance regulations and those being proposed in the draft code
 - a. Types of AEC
 - b. Modification Thresholds
4. Describe the differences between current Commercial Design Standards (SubChapter E) and the proposed 23-4D-4050
 - a. Building Placement
 - b. Off-Street Parking
 - c. Internal Circulation and Connectivity
 - d. Vehicular and Pedestrian Connections Between Sites
 - e. Private Common Open Space
5. Clarify the changes proposed for Transportation Impact Analysis regulations
 - a. Proposed thresholds for Trips/Day/Peak Hours
 - b. Neighborhood Transportation Analysis
 - c. Waiver requirements
6. What will new infrastructure and street design standards look like (rewrite of Transportation Criteria Manual)

Sincerely,



David Carroll, AIA
Chair, Design Commission

Downtown Commission CodeNEXT Working Group

CodeNEXT Questions

May 30, 2017

As stewards of the Downtown Austin Plan ("DAP"), the community's adopted vision and policy framework as adopted by the City Council on December 8, 2011, the Downtown Commission formed a working group to prepare questions to the latest CodeNEXT draft and map.

The following is a summary of our questions:

- Just as CBD zoning is not subject to compatibility standards, can the downtown categories CC and DMU not be subject to compatibility standards?
- Can all opportunity sights indicated in the DAP be zoned at recommended categories (i.e. identified DAP opportunity sights)?
- Can zoning for P properties (civic uses/not parks) obtain appropriate zoning to maximize future density and use (such as APD headquarters)?
- To maintain feasibility of high rise development on small sites, can setback requirements be waived for any site less than 1/2 block?
- Please explain why CBD/DC parking exemptions are not included in the draft. Additionally, can accessory parking not be a conditional use? Small lots need parking and CBD/DC should also include DMU/CC.
- Can Euclidian zoning (non-transect) be applicable in CBD with sensitivity to the context and proximity to historic and other significant structures. This can be further clarified in district planning.
- Can you explain the reasoning behind form based zoning (transect) in the CBD. The working group believes that this type of zoning would minimize downtown density and that required setbacks can have a significantly negative affect on density.
- Typical downtown projects have requested and routinely receive variances to reduce loading zone requirements. Can requirements for downtown be substantially less than suburban?
- Since CBD onsite detention/water quality is impractical, can consideration for regional participation for all CBD categories for detention/water quality be reviewed?

- Can you explain why CC and DC zoning have limited FAR? Unlimited FAR should be a right and not based on an arbitrary number; density should be encouraged.
- Can DMU category height limits be adjusted to reflect the increases in floor to floor heights dictated by current market conditions? Consideration should be given to the various DMU categories to be adjusted as follows:
 - DMU-40 - Increase to 50 feet
 - DMU-60 - Increase to 75 feet
 - DMU-80 - Increase to 100 feet
- Can assurance be given that the Affordable Housing Incentive Program is calibrated to actually provide an incentive? We do not want to discourage participation and the additional density/tax base.

SHAPING THE AUSTIN WE IMAGINE

AUSTIN LAND DEVELOPMENT CODE

Joint Board and Commission Meeting:
Downtown Commission and Design
Commission
June 21, 2017



CODENEXT
21-JUN-17



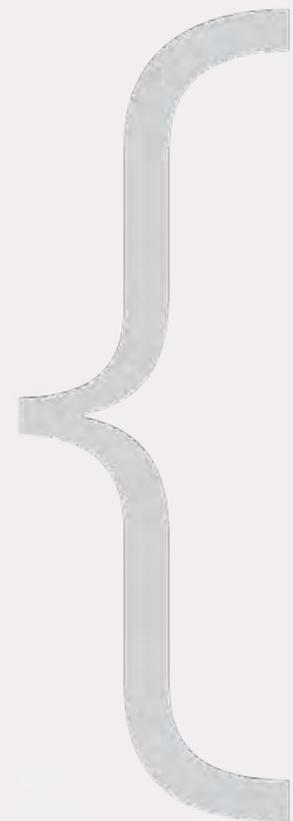
The imagine Austin Comprehensive Plan was adopted by Austin City Council in June 2012

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

2012



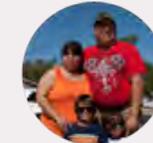
Core Principles for Action



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



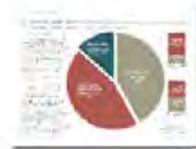
In 2013, the City engaged the help of both national and local experts to work with elected officials, staff, appointed representatives, and the community at large on how best to align our land use standards and regulations with the goals of Imagine Austin.

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

Top 10 Issues



1

Ineffective Base Zoning Districts



2

Competing Layers of Regulations



3

Complicated "Opt-in, Opt-out" System



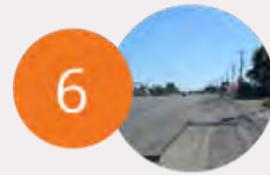
4

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.



1 Increase effectiveness of zoning code 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

Creating a framework to help improve quality of life.



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

MOBILITY



Centers and Corridors



Urban Trail Connections



Walk to Shops and Services

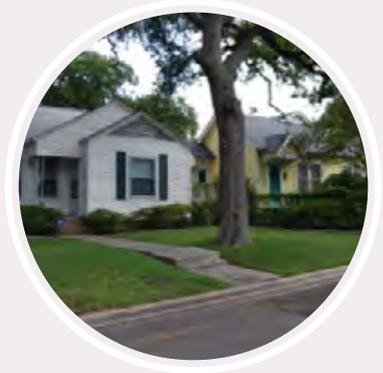


Human-scale Street Design



Multi-modal Transportation

COMMUNITY



**Strengthen
Neighborhoods**



**Right-size
Zoning**



**Anticipate
Future Growth**



**Enable Small
Enterprises**



**Diverse Places
for People**

ENVIRONMENT



**Water
Stewardship**



**Flood
Mitigation**



**Urban Forest
Preservation**



**Open Space
and Parks**



**Ecosystem
Services**

HOUSING



**More Diverse
Housing Choice**



**Affordability
Incentives**



**Connected
Subdivisions**



**More Units
By Right**



**Flexible Live/
Work Places**

PERMITTING



Clearer Zoning Districts



Site Planning Process



Organized Graphic Code



Fine-Tuned Uses in Zones

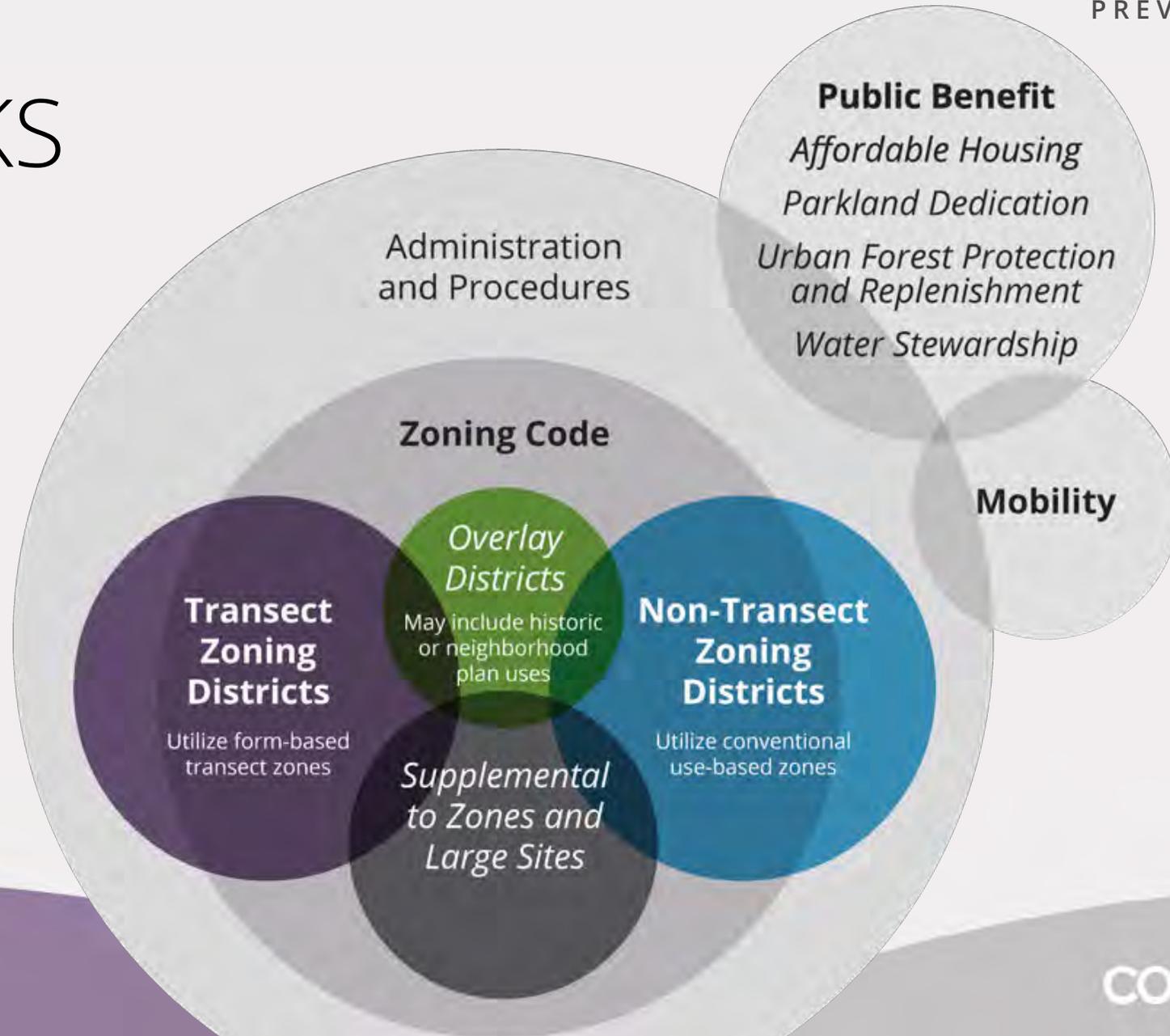


Simplified Permitting

how the CODE WORKS

A hybrid approach

A hybrid zoning code brings together the operating systems of Form-Based zoning and conventional use-based zoning to address the unique qualities of the place types that make up our community.



how the CODE WORKS

2 Different Zoning Tools

Transect Zones

Form-Based

New zones based on the form and character of Austin

Most simply, transect zones establish a hierarchy of contexts from smallest/least intense or urban to largest/most intense or urban. Transect zoning standards have a primary focus on building form (width, depth, relationship between buildings, and how they engage the street) with a secondary focus on use.

Non-Transect Zones

Use-Based/Conventional/Euclidean

Based on existing Zoning Districts

Non-Transect zoning standards primarily 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.

Note: Each Lot Will Be Mapped With One Type of Zone District

transect zones AT-A-GLANCE

T3

T4

T5

T6

LESS URBAN ←

→ MORE URBAN

<p>T3 Neighborhood Edge - Wide Lot</p> <p>T3 Neighborhood Edge - Deep Setback</p> <p>T3 Neighborhood - Intermediate Setback</p> <p>T3 Neighborhood - Intermediate Setback</p>				<p>T4 Neighborhood - Intermediate Setback</p> <p>T4 Neighborhood - Shallow Setback</p> <p>T4 Main Street</p>			<p>T5 Neighborhood - Shallow Setback</p> <p>T5 Urban - Shallow Setback</p> <p>T5 Urban</p> <p>T5 Main Street</p>				<p>T6 Urban</p> <p>T6 Urban Core</p>							
<p>T3NE.WL</p> <p>T3NE</p> <p>T3N.DS</p> <p>T3N.IS</p>				<p>T4N.IS⁺</p> <p>T4N.SS⁺</p> <p>T4MS⁺</p>			<p>T5N.SS⁺</p> <p>T5U.SS⁺</p> <p>T5U⁺</p> <p>T5MS⁺</p>				<p>T6U</p> <p>T6UC</p>							
<p>Building Height Up to 2 Stories</p> <p>Building Types Wide House Long House Duplex: Side-by-side ADU</p>				<p>Building Height Up to 2 Stories</p> <p>Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU</p>			<p>Building Height Up to 3 Stories</p> <p>Building Types Rowhouse: Medium Live/Work Main Street ADU</p>				<p>Building Height Up to 6 Stories</p> <p>Building Types Rowhouse: Large Courtyard Building Low-Rise Mid-Rise ADU</p>		<p>Building Height Up to 6 Stories</p> <p>Building Types Main Street Live/Work Mid-Rise</p>		<p>Building Height Up to 16 Stories</p> <p>Building Types Main Street Mid-Rise High-Rise/Tower</p>		<p>Building Height Unlimited Stories</p> <p>Building Types Mid-Rise High-Rise/Tower</p>	

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

transect zones

FORM DESCRIPTORS



Neighborhood Edge

House building forms with residential uses in a neighborhood setting.



Neighborhood

House building forms with a mix of residential uses and limited non-residential in accessory structures in a neighborhood setting.



Main Street

Buildings that form a street of near continuous building frontage adjacent to a neighborhood.



Urban / Urban Core

Buildings that form a street of near continuous building frontage in a mixed-use urban setting.

transect zones

FORM DESCRIPTORS



Neighborhood

House building forms with a mix of residential uses and limited non-residential in accessory structures in a neighborhood setting.



Main Street

Buildings that form a street of near continuous building frontage adjacent to a neighborhood.

transect zones NAMING CONVENTIONS

Transect zones have a four-part naming convention to identify intensity, form, setback, sub-zone and land use variations.

13

Transect Zones

20

total with Sub-Zones



**Transect
Zone
Intensity**

- T3
- T4
- T5
- T6

**Form
Descriptor**

- Neighborhood Edge (NE)
- Neighborhood (N)
- Main Street (MS)
- Urban (U)
- Urban Core (UC)

**Lot Size /
Setback**

- Wide Lot (WL)
- Deep Setback (DS)
- Shallow Setback (SS)
- Intermediate Setback (IS)

Sub-Zone

Open (O) allows additional land uses

tran
AT-A

T3

LESS URBAN ←



T3 Neighborhood Edge - Wide Lot

T3NE.WL

Building Height
Up to 2 Stories

Building Types
Wide House
Long House
Duplex: Side-by-side
ADU

T3 Zones



T3
Neighborhood Edge -
Wide Lot

T3NE.WL

Building Height
Up to 2 Stories

Building Types
Wide House
Long House
Duplex: Side-by-side
ADU



T3
Neighborhood Edge

T3NE

Building Height
Up to 2 Stories

Building Types
Wide House
Duplex: Side-by-side
ADU



T3
Neighborhood -
Deep Setback

T3N.DS

Building Height
Up to 2 Stories

Building Types
Small House
Wide House
Duplex: Side-by-side
Cottage Corner
Cottage Court
ADU



T3
Neighborhood -
Intermediate Setback

T3N.IS

Building Height
Up to 2 Stories

Building Types
Cottage House
Small House
Duplex: Stacked
Wide House
Duplex: Side-by-side
Cottage Corner
Cottage Court
ADU

T6

→ MORE URBAN



T5 Urban

T5U⁺

Building Height
Up to 6 Stories
Building Types
Rowhouse: Large
Courtyard Building
Low-Rise
Mid-Rise
ADU



T5 Main Street

T5MS⁺

Building Height
Up to 6 Stories
Building Types
Main Street
Live/Work
Mid-Rise



T6 Urban

T6U

Building Height
Up to 16 Stories
Building Types
Main Street
Mid-Rise
High-Rise/Tower



T6 Urban Core

T6UC

Building Height
Unlimited Stories
Building Types
Mid-Rise
High-Rise/Tower

transect zones AT-A-GLANCE

T3

LESS URBAN ←

T4

T3 Neighborhood Edge - Wide Lot	T3 Neighborhood Edge - Wide Lot	T3 Neighborhood - Deep Setback	T3 Neighborhood - Intermediate Setback	T4 Neighborhood - Intermediate Setback	T4 Neighborhood - Intermediate Setback
T3NE.WL	T3NE	T3N.DS	T3N.IS	T4N.IS*	T4N.IS*
Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories
Building Types Wide House Long House Duplex: Side-by-side ADU	Building Types Wide House Duplex: Side-by-side ADU	Building Types Small House Wide House Duplex: Side-by-side Cottage Corner Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Cottage Corner Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU

T4 Zones



T4 Neighborhood - Intermediate Setback	T4 Neighborhood - Shallow Setback	T4 Main Street
T4N.IS*	T4N.SS*	T4MS*

Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 3 Stories
Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Front-and-back Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU	Building Types Rowhouse: Medium Live/Work Main Street ADU

* "Open" sub-zone

T6

← MORE URBAN

T6U	T6UC
Building Height Up to 16 Stories	Building Height Unlimited Stories
Building Types Main Street Mid-Rise High-Rise/Tower	Building Types Mid-Rise High-Rise/Tower

transverse
AT-A-C

T3

LESS URBAN ←



T3
Neighborhood Edge -
Wide Lot

T3NE.WL

Building Height
Up to 2 Stories

Building Types
Wide House
Long House
Duplex: Side-by-side
ADU

T3
Neighborhood Edge -
Wide Lot

T3NE

Building Height
Up to 2 Stories

Building Types
Wide House
Duplex: Side-by-side
ADU

T5 Zones



T5
Neighborhood -
Shallow Setback

T5N.SS*

Building Height
Up to 3 Stories

Building Types
Multiplex: Medium
Multiplex: Large
Rowhouse: Medium
ADU

T5
Urban -
Shallow Setback

T5U.SS*

Building Height
Up to 6 Stories

Building Types
Rowhouse: Large
Courtyard Building
Low-Rise
Mid-Rise
ADU

T5
Urban

T5U*

Building Height
Up to 6 Stories

Building Types
Rowhouse: Large
Courtyard Building
Low-Rise
Mid-Rise
ADU

T5
Main Street

T5MS*

Building Height
Up to 6 Stories

Building Types
Main Street
Live/Work
Mid-Rise

* "Open" sub-zone

T6

→ MORE URBAN



T5
Main Street

T5MS*

Building Height
Up to 6 Stories

Building Types
Main Street
Live/Work
Mid-Rise



T6
Urban

T6U

Building Height
Up to 16 Stories

Building Types
Main Street
Mid-Rise
High-Rise/Tower

T6
Urban Core

T6UC

Building Height
Unlimited Stories

Building Types
Mid-Rise
High-Rise/Tower

transect zones AT-A-GLANCE

T3

T4

T5

LESS URBAN ←

T3 Neighborhood Edge - Wide Lot	T3 Neighborhood Edge	T3 Neighborhood - Deep Setback	T3 Neighborhood - Intermediate Setback	T4 Neighborhood - Intermediate Setback	T4 Neighborhood - Shallow Setback	T4 Main Street	T5 Neighborhood - Shallow Setback
T3NE.WL	T3NE	T3N.DS	T3N.IS	T4N.IS⁺	T4N.SS⁺	T4MS⁺	T5N.S
Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 2 Stories	Building Height Up to 3 Stories	Building Height Up to 3 Stories
Building Types Wide House Long House Duplex: Side-by-side ADU	Building Types Wide House Duplex: Side-by-side ADU	Building Types Small House Wide House Duplex: Side-by-side Cottage Corner Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Cottage Corner Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU	Building Types Cottage House Small House Duplex: Stacked Duplex: Front-and-back Wide House Duplex: Side-by-side Multiplex: Medium Cottage Court ADU	Building Types Rowhouse: Medium Live/Work Main Street ADU	Building Types Multiplex: Medium Multiplex: Medium Rowhouse: Medium

T6 Zones

T6 Urban

T6U

Building Height
Up to 16 Stories

Building Types
Main Street
Mid-Rise
High-Rise/Tower

T6 Urban Core

T6UC

Building Height
Unlimited Stories

Building Types
Mid-Rise
High-Rise/Tower

MORE URBAN →

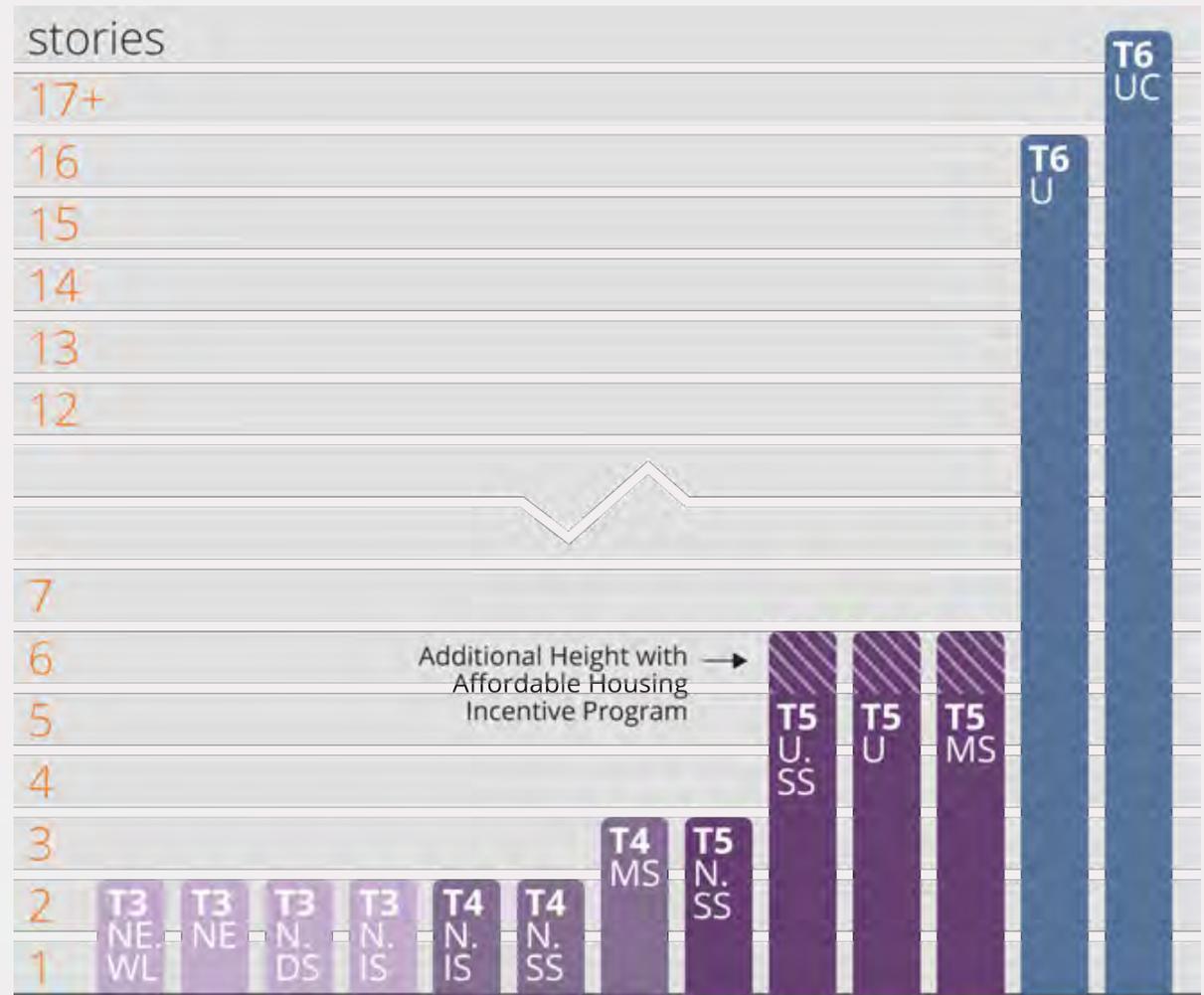
T6UC
Building Height Unlimited Stories
Building Types Mid-Rise High-Rise/Tower

T6 Applicable only in
Imagine Austin Regional Centers

transect zone COMPARISONS

Building Height

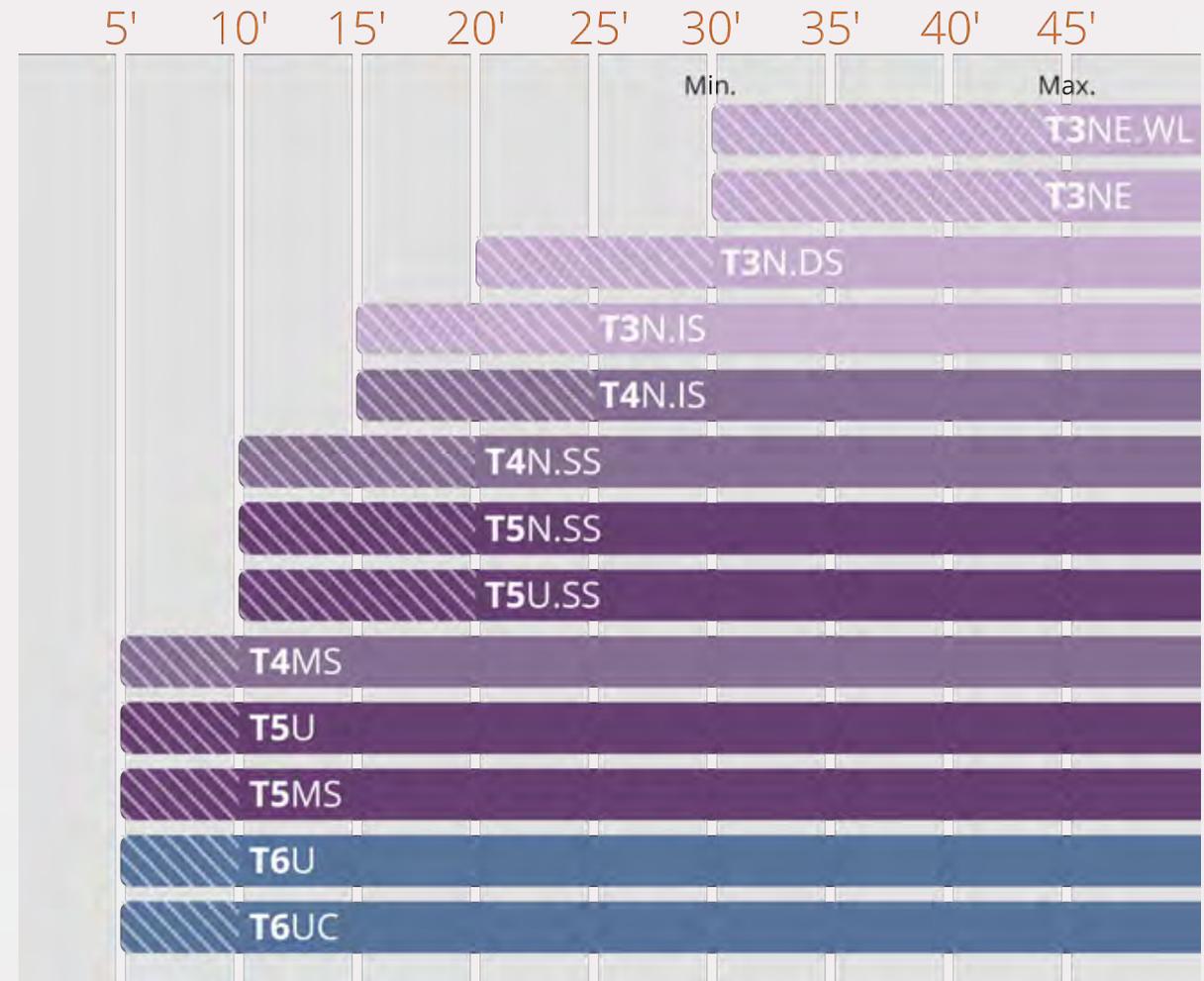
Building height limits preserve community character and ensure smooth transitions between zones to protect neighborhoods and encourage walkability, while focusing high-density development in urban cores.



transect zone COMPARISONS

Front Setback

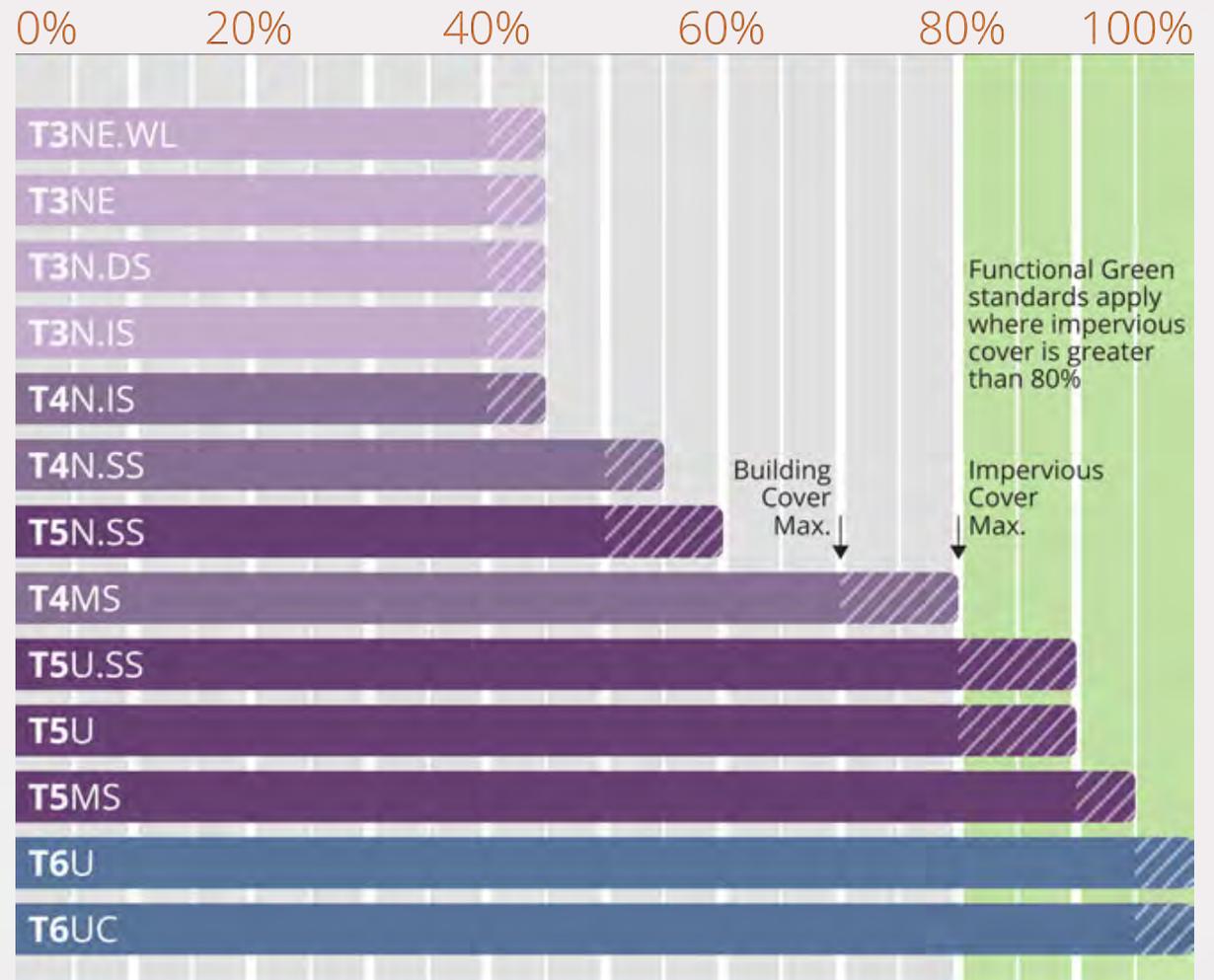
Setbacks are defined as the mandatory clear distance between a lot line and a building. In addition to side and rear setbacks detailed in the code, front setbacks shape the character of a street, neighborhood or district.



transect zone COMPARISONS

Building Cover / Impervious Cover

Building cover and impervious cover maximums protect watersheds and allow for trees and open space within neighborhoods. Impervious cover includes buildings, paving, driveways, walkways and other surfaces that prevent absorption of water into the ground.



non-transect ZONES

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

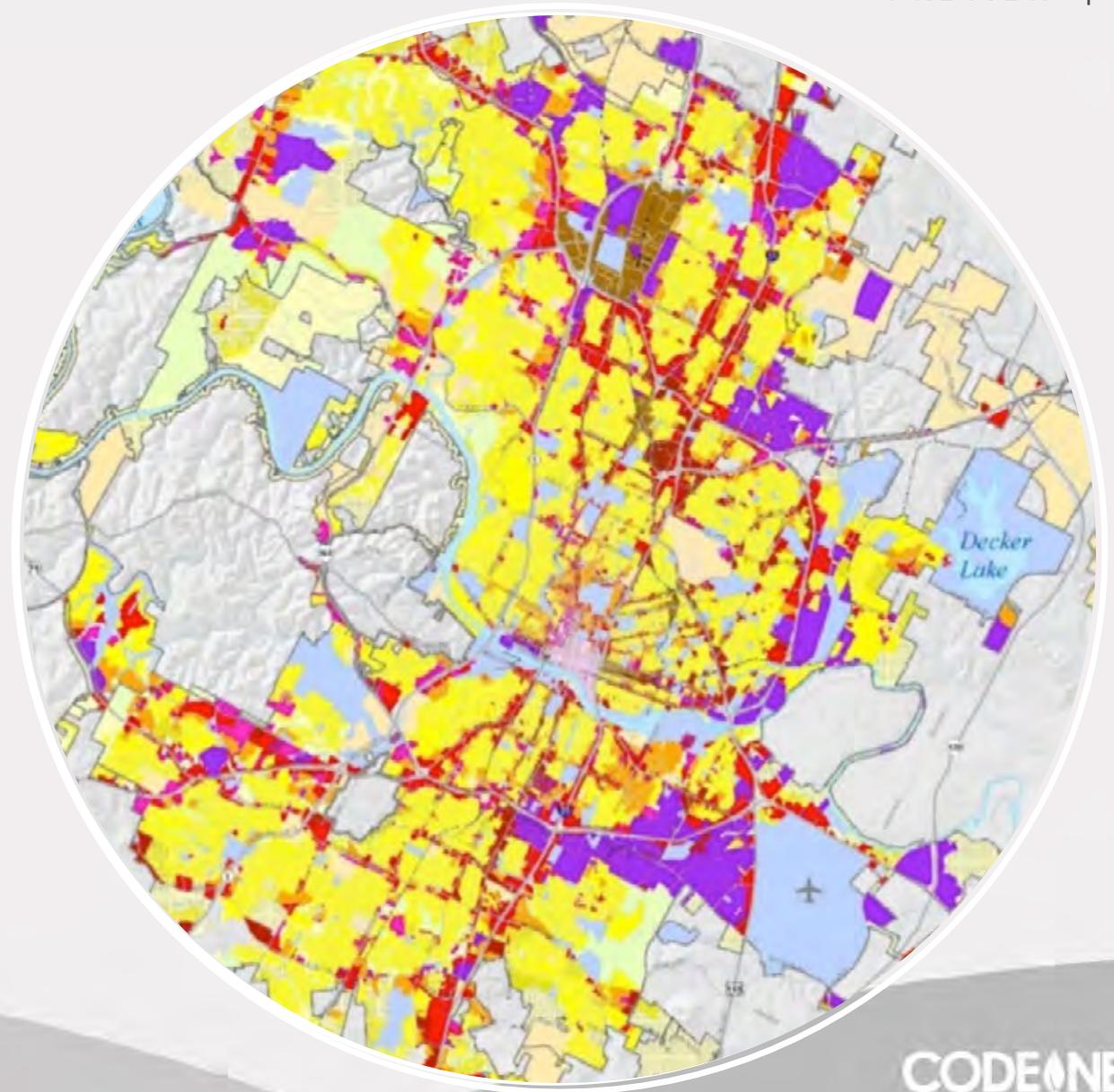
42

*Base Zoning
Districts
(Title 25)*



32

*Non-Transect
Zones
(Title 23)*



non-transect ZONES

Approach:

Simplify the number of zones by combining zones with similar development standards and use regulations.

Example	NO	LO	LR	NC
			existing	Proposed
Intensity (FAR)	0.35	0.70	0.5	0.5
Lot Size (min) Area	5,750 sf	5,750 sf	5,750 sf	5,750 sf
Lot Size (min) Width	50 ft	50 ft	50 ft	n/a
Impervious Coverage (max)	60%	70%	80%	60%
Building Coverage (max)	35%	50%	50%	40%
Setbacks (min) front	25	25	25	20
Setbacks (min) side street	15	15	15	15
Setbacks (min) side interior	5	5	-	5
Setbacks (min) back	5	5	-	5
Height (max) feet	35	40	40	35

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 Sub-Zone Limited, Open	NO, LO, LR
Local Commercial Sub-Zone Limited, Open	GO

Retail and Office Commercial

General Commercial Sub-Zone Limited, Open	GR
Regional Commercial	new

Mixed-Use Commercial

Commercial Core	DMU
Downtown Core	CBD

Service and Highway Commercial

Warehouse Commercial	W/LO
Service Commercial Sub-Zone Limited, Open	CS, CS-1
Highway Commercial	CH

Special Commercial

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

non-transect zones NAMING CONVENTIONS

RESIDENTIAL

Non-Transect zones have a two-part naming convention to identify intensity/character and base zone category.

LD R

**Non-Transect
Zone Intensity**

Very Low (VLD)

Low (LD)

Low-Medium (LMD)

Medium (MD)

Medium-High (MHD)

High (HD)

Very High (VHD)

Zone Category

Residential (R)

non-transect zones NAMING CONVENTIONS

COMMERCIAL

Non-Transect zones have a two-part naming convention to identify intensity/character and base zone category with an optional Sub-zone that allows additional uses.

S C - O

Zone Character

Neighborhood (N)
Local (L)
General (G)
Regional (R)
Downtown (D)
Service (S)
Warehouse (W)
Highway (H)

Zone Category

Commercial (C)

Sub-Zone

Open (O)
allows
additional
land uses

non-transect zones NAMING CONVENTIONS

Industrial

Non-Transect zones have a two-part naming convention to identify intensity/character and base zone category.



**Non-Transect
Zone Intensity** **Zone Category**

Flex (F) Industrial (I)

General (G)

Heavy (H)

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



Introduction



Administration and Procedures



General Planning Standards for All



Zoning Code



Subdivision



Site Plan



Building, Demolition and Relocation Permits and Special Requirements for Historic Structures



Signage



Transportation (Mobility)



Infrastructure



Technical Codes

anatomy of THE CODE

Each number and letter has significance,
improving the usability and accessibility of
the Land Development Code

23-3C-3010

Title	Chapter/Article	Division/Section
-------	-----------------	------------------

New Land Development Code
has a unified organizational system
that is consistent through out,
providing clarity and usability.

Title "23"

↳ Chapter "3"

↳ Article "C"

↳ Division "3"

↳ Section "010"

anatomy of THE CODE

23-3C-3010

**In this example:
Section 23-3C-3010 (Removal Prohibited)
is located in:
Title 23 (Land Development Code)
Chapter 3 (General Standards to All Planning)
Article C (Urban Forest Protection and Replenishment)
Division 3 (Heritage Trees)**

Division 23-3C-3: Heritage Trees

Contents	
23-3C-3010	Removal Prohibited 1
23-3C-3020	Administrative Variance 1
23-3C-3030	Land Use Commission Variance 2
23-3C-3040	Appeal 3
23-3C-3050	Application for Variance 3
23-3C-3060	Variance Prerequisite 3
23-3C-3070	Action on Application 4
23-3C-3080	Variance Effective Date and Expiration 4

23-3C-3010
Removal Prohibited

For an application that proposes the removal of a heritage tree, the applicant must file a request for a variance to remove the heritage tree under this Division before the application may be administratively approved or presented to the Land Use Commission.

anatomy of THE CODE

Foundational Regulations Maintained and Strengthened

Austin's foundational regulations on watershed, tree preservation, parkland dedication have been brought to the front of the code in a prominent location. Affordable Housing Incentives Program, when completed will join these regulations.

- **Save Our Springs (SOS)**
 - pulled forward
- **Watershed**
 - pulled forward
- **Urban Forest Protection and Replenishment**
 - pulled forward
- **Parkland Dedication**
 - pulled forward

anatomy of THE CODE

Standards Pulled Forward with Clarification and New Organization

Portions of the code that were buried have been clarified and move to a new location in the new Land Development Code in an easier to use and better organized code.

- **Hill Country Roadways**
- **Historic Districts**
- **Administration and Procedures**

anatomy of THE CODE

Integrated

These layers of design related standards have been integrated into the zoning districts and other standards, reducing the number of layers of regulations while maintaining intent.

- **Compatibility**
(Chapter 25-2 Subchapter C Article 10)
- **Design Standards and Mixed Use (Commercial)**
(Chapter 25-2 Subchapter E)
- **Residential Design and Compatibility Standards**
(Chapter 25-2 Subchapter F)
- **Conditional Overlays**
(Conditional Overlay (CO) Combining District)

Subchapter E

Design Standards and Mixed-Use

purpose: Better Design...

Article 1 - General Provisions – *provides flexibility in standards*

Article 2 - Site Development – *improve connectivity and site development for commercial developments*

Article 3 - Building Design – *Glazing and facades, entryways, articulation*

Subchapter E

Design Standards and Mixed-Use

purpose: Mix of Uses, Affordable Housing

Article 4 - Mixed Use

- Mix of uses and design standards for vertical mixed use, affordable housing incentives.

Article 5 - Definitions

- Definitions for this Subchapter

Subchapter F

Residential Design and Compatibility Standards

purpose: compatibility within neighborhoods

Height – *overall building height standards*

Height on Sloping Sites – *nuanced height standards for sites with slope*

Building Setbacks – front, rear and side yard setbacks

Setback Planes – standards for building mass that refine building height

Side Wall Articulation – standards for side wall length

Overlay Districts

Conditional Overlays

purpose: adjusts what can be done

Frequently used CO restrictions informed the creation of new zones, informed use tables, and informed new review processes.

Overlay Districts

Conditional Overlays

purpose: adjusts what can be done

Integrated into Base Zones. Where possible COs will be replaced with new base zones (either Transect or Non-Transect) that implement same intent.

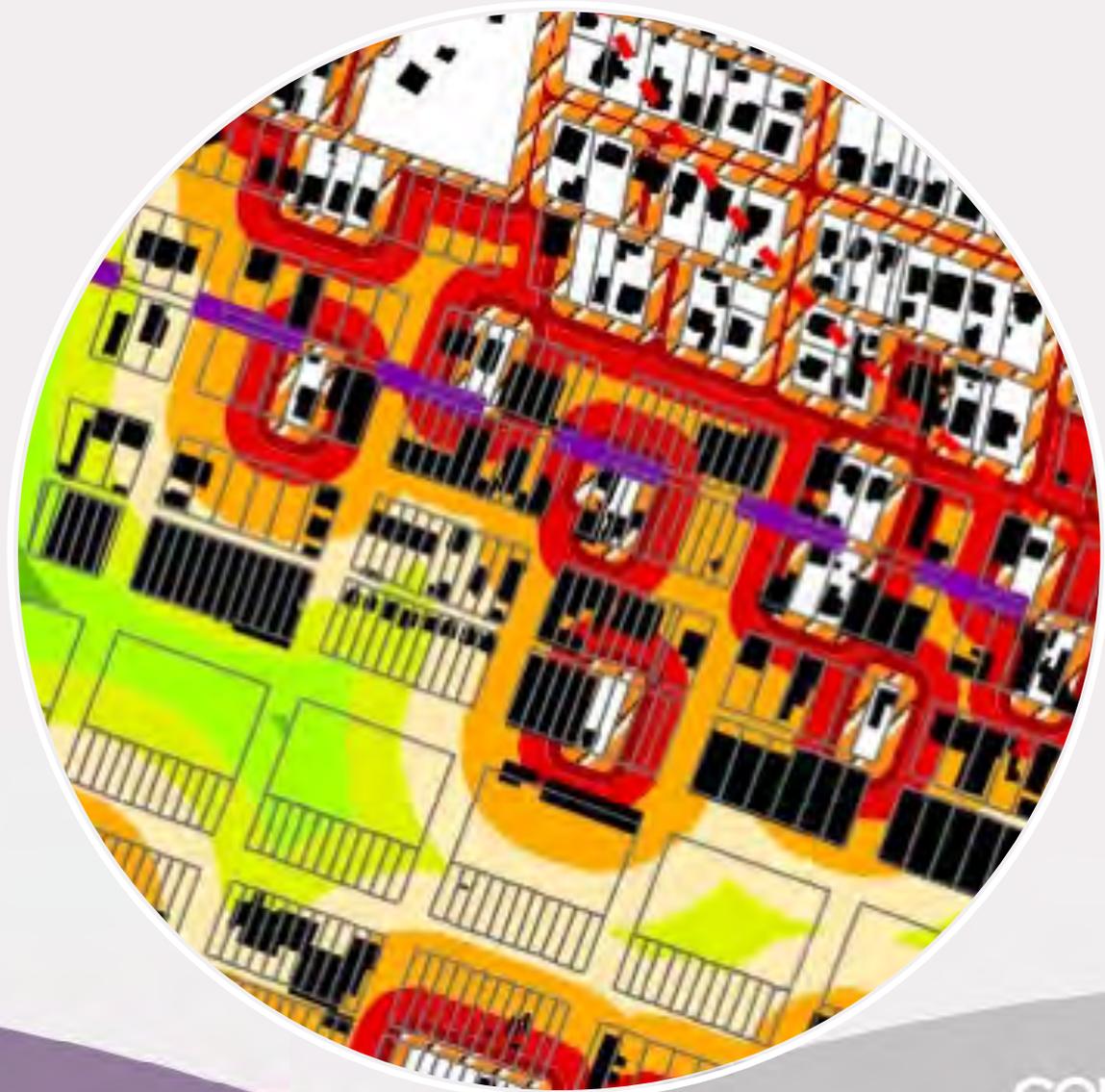
Refined Land Use Tables. COs typically limited or prohibited auto uses from the base zone. Now, there are base zones at different intensities that prohibit auto uses.

Additional Levels of Permits. COs added during re-zoning created a public process for which community and policy makers to mitigate potential impacts of new development. Now, an administrative Minor Use Permit (MUP) and discretionary Conditional Use Permit (CUP) allow for similar discretion and an opportunity to impose conditions of approval during land use permitting.

Article 10

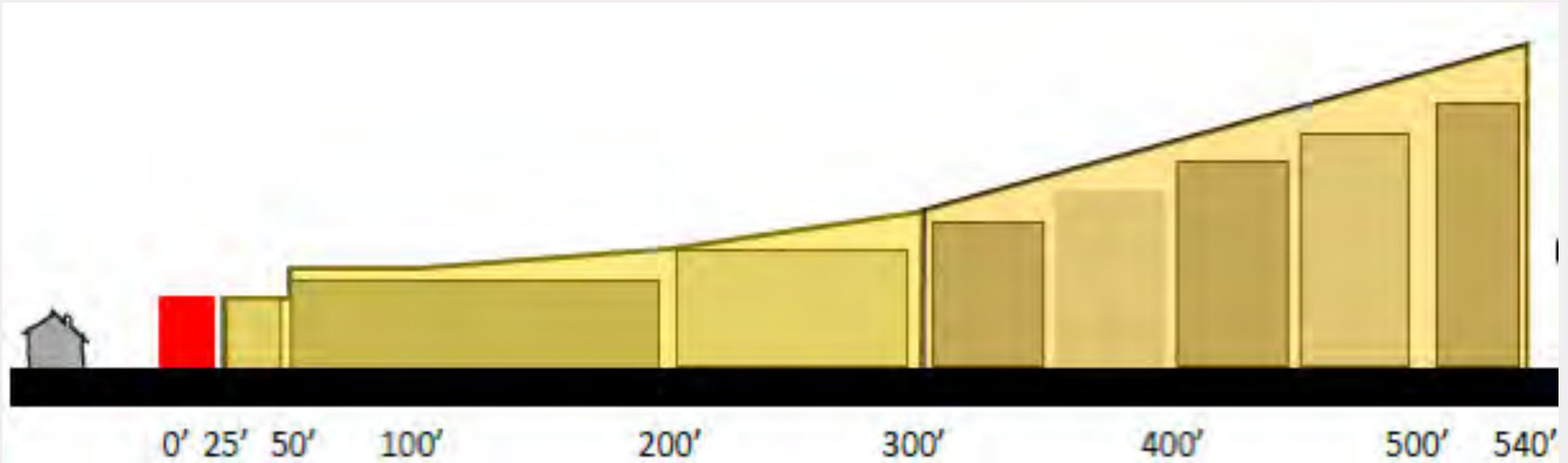
Compatibility

Height
Building Setbacks
Screening
Building Design
Scale & Clustering



Article 10

Existing Compatibility



Article 10 Compatibility

Allowed Heights

-  No Structure Allowed
-  30' or 2 Stories
-  40' or 3 Stories
-  Up to 50'
-  Up to 60'
-  Up to 85'
-  Up to 110'
-  Up to 120'

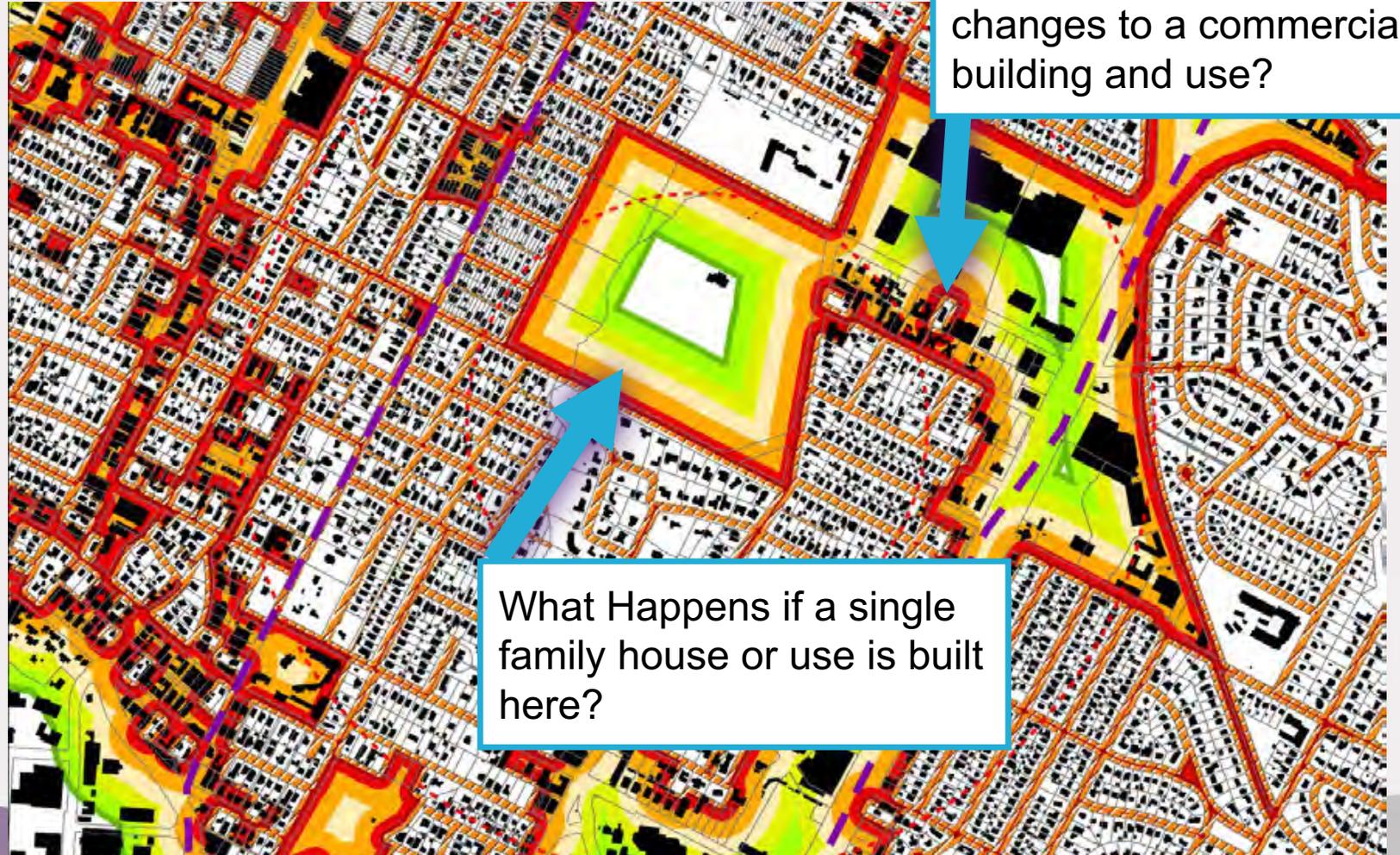


What Happens if this single family house changes to a commercial building and use?

Article 10 Compatibility

Allowed Heights

-  No Structure Allowed
-  30' or 2 Stories
-  40' or 3 Stories
-  Up to 50'
-  Up to 60'
-  Up to 85'
-  Up to 110'
-  Up to 120'



Article 10

Compatibility

Applicability

Medium to High Intensity Residential Zone, Commercial Non-Transect Zone, T5 Main Street and T5 Urban located *directly adjacent to or across an alley from* a Low to Medium Intensity Residential Zone or T3 Neighborhood Transect Zone

(considering adding T4 Neighborhood)

Trigger Zones

- Rural Residential
- Very Low Density
- Low Density
- Low Medium Density
- Low Medium Density- Small Lot
- T3NE and T3N zones
- **T4N zones**
- **Properties with Title 25 zoning that currently trigger compatibility**

Article 10

Compatibility

Setbacks

Increase building setback.

Impervious Cover may not be ... due to unique site characteristics, such as ... berways, and steep slopes. Where necessary, ... subject shall reduce the impervious cover to ... ply with other requirements of this Title.

Building Placement

Setback Minimum (Distance from ROW / Lot Line)	Front	Side St.	Side	Rear
Minimum, except when adjacent to:	10'	15'	5'	10'
Low to Medium Intensity Residential Zone	15'	15'	50'	50'
Medium to High Intensity Residential Zone and/or T3 Transect Zone	15'	15'	25'	25'
Commercial Zone	15'	15'	15'	15'

Density

Planting Unites per Acre	54
Ratio (max)	1.0

Affordable Units. Developments ... qualify for a density bonus ... onment meets the

Landscaping

Perimeter Planting Area

Front or Side Street

Quantity and location of street setback must meet Division 23-4E-4 (Landscaping)

Side or Rear

Any Residential Zone or Transect Zone

Commercial Zone

Building and Parking Lot

Foundation Planting parking aisle front:

1 story structure

Greater than

Planting P

See

CODENEXT
21-JUN-17

Article 10

Compatibility

Height - Non-transect Zones

Distance from trigger property	Height
0-50'	30' max
50'-100'	40' max
> 100'	Base zone max

are not included in the...
 g FAR. Residential units are allowed...
 n to maximum FAR.

Building Form	Stories (max.)	Overall (max.)
Building Height	3	40'

Building Height Stepback

Building height stepback required for portions of building adjacent to or across an alley from Low to Medium Intensity Residential Zone and/or T3 Transect Zone.

Distance from Lot Line of Triggering Property

Allowed Height

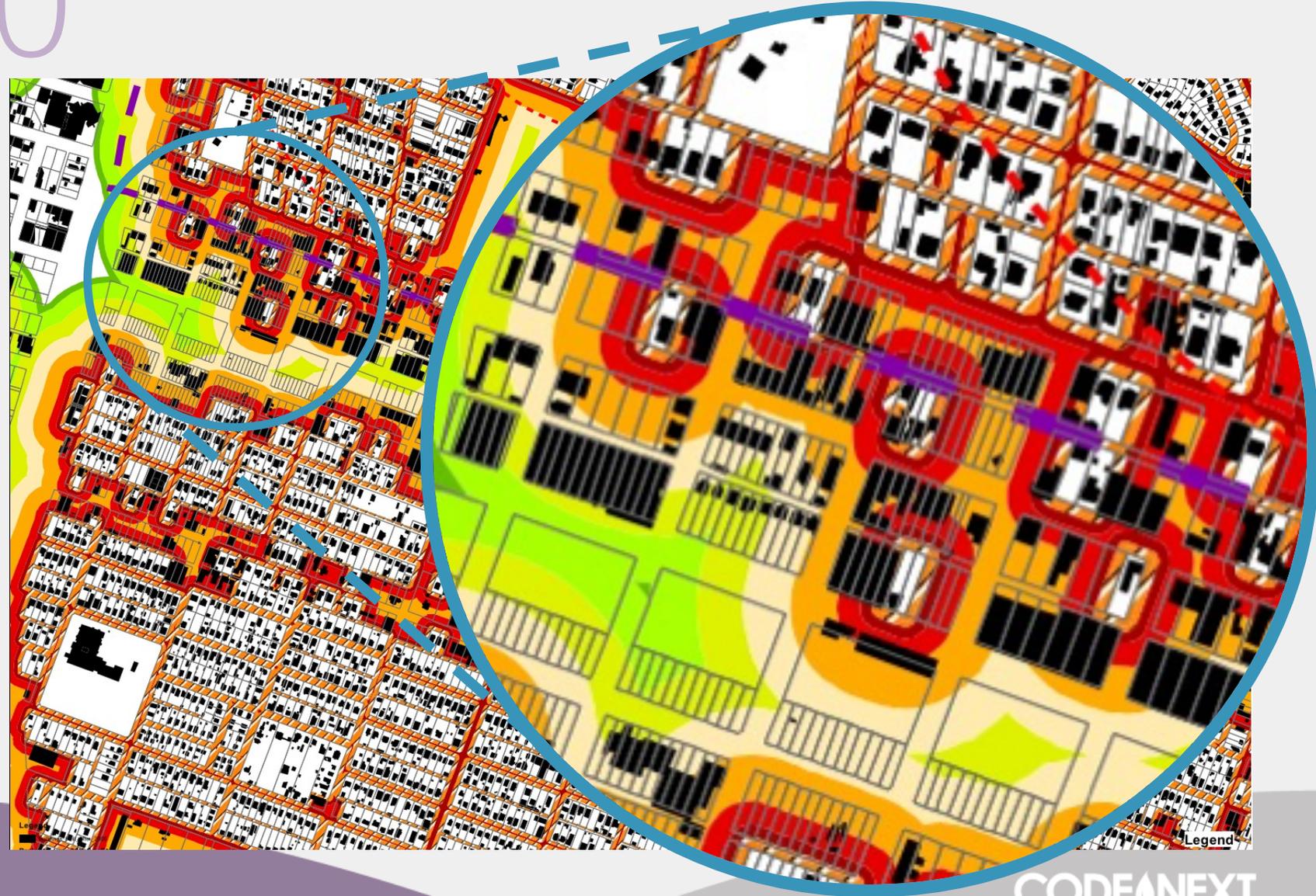
Within 50'	Less than or equal to 30'
50'-100'	Less than or equal to 40'
More than 100'	Set by Zone Standards

Article 10

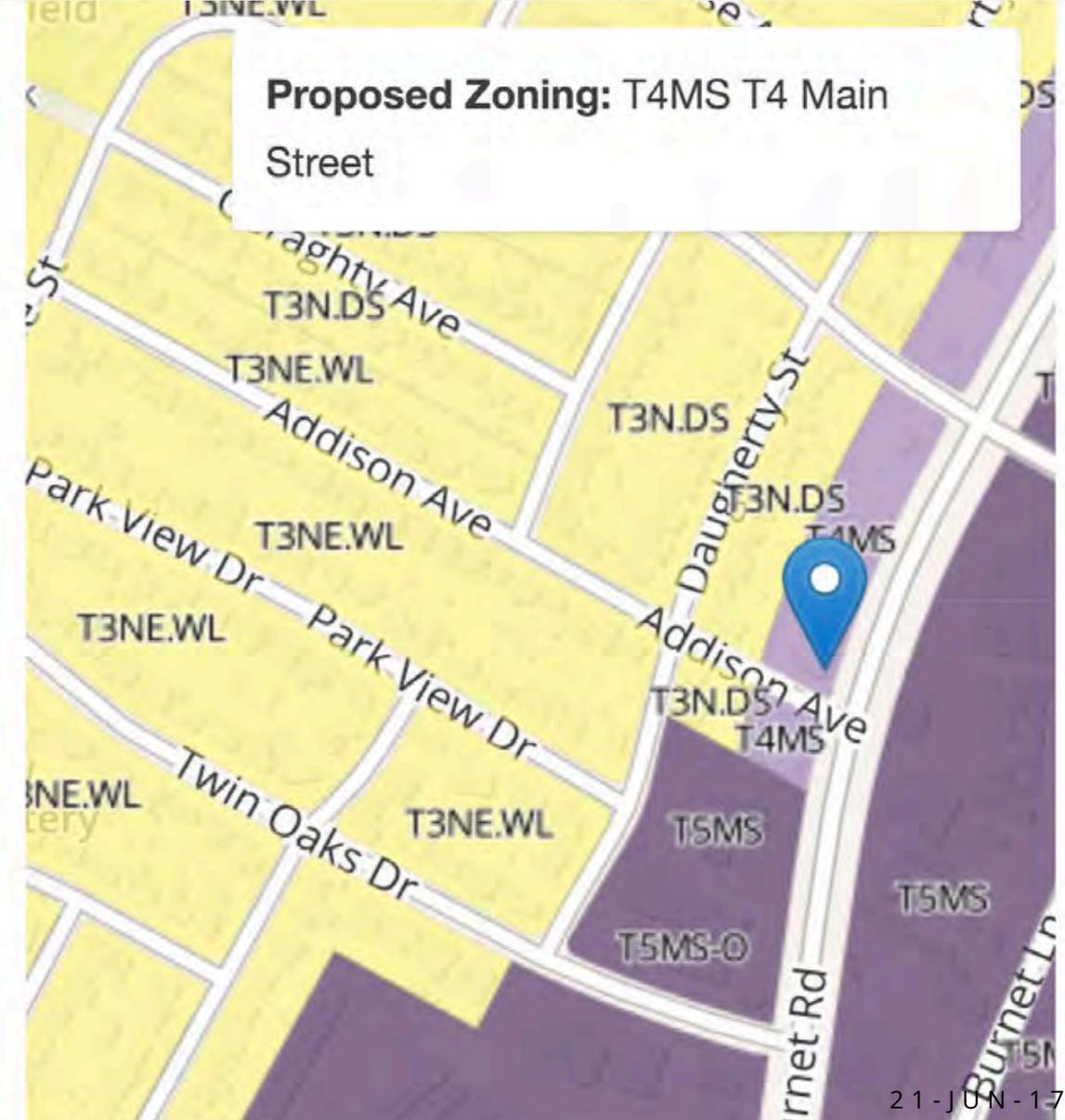
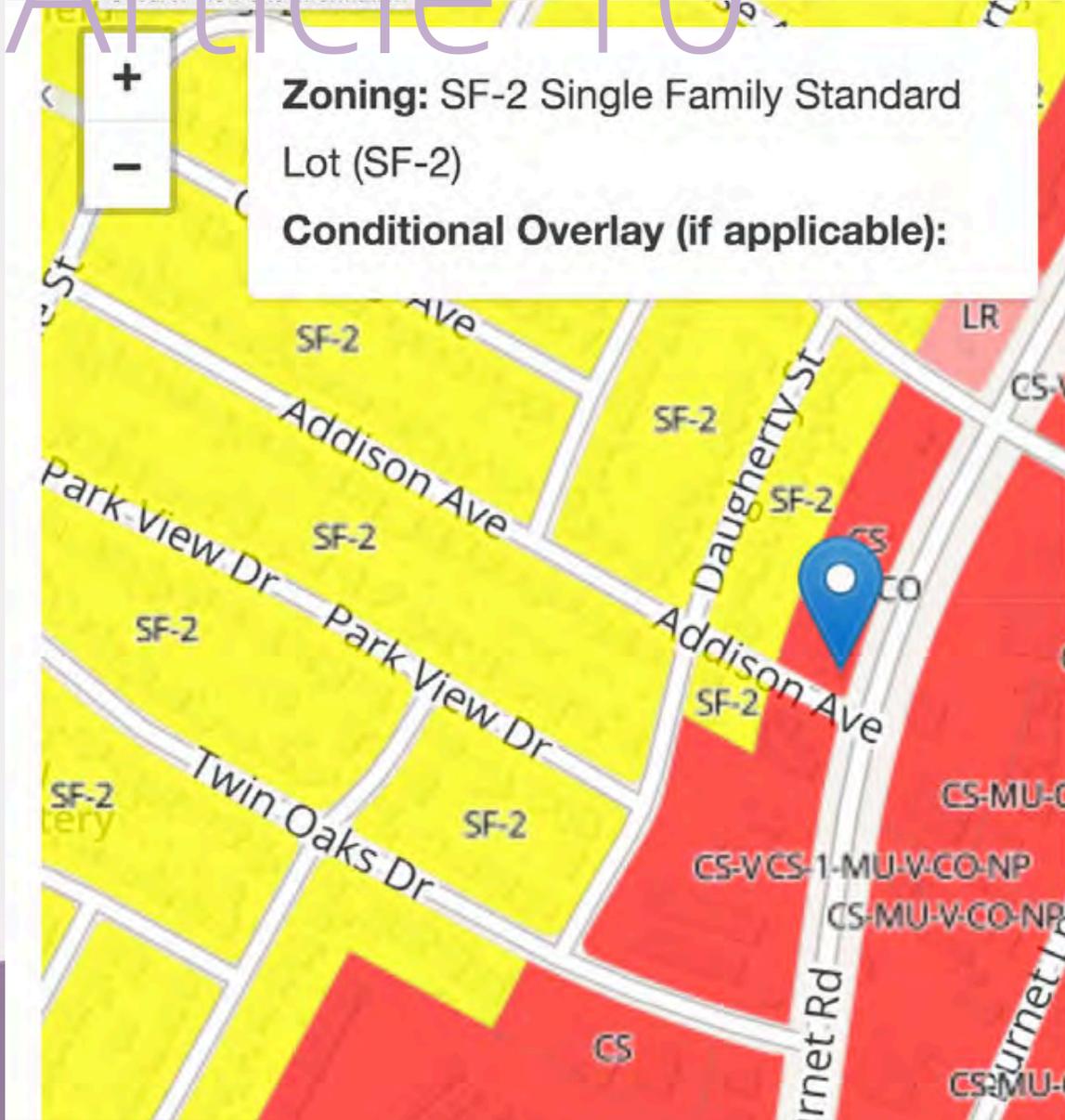
Compatibility

Allowed Heights

-  No Structure Allowed
-  30' or 2 Stories
-  40' or 3 Stories
-  Up to 50'
-  Up to 60'
-  Up to 85'
-  Up to 110'
-  Up to 120'

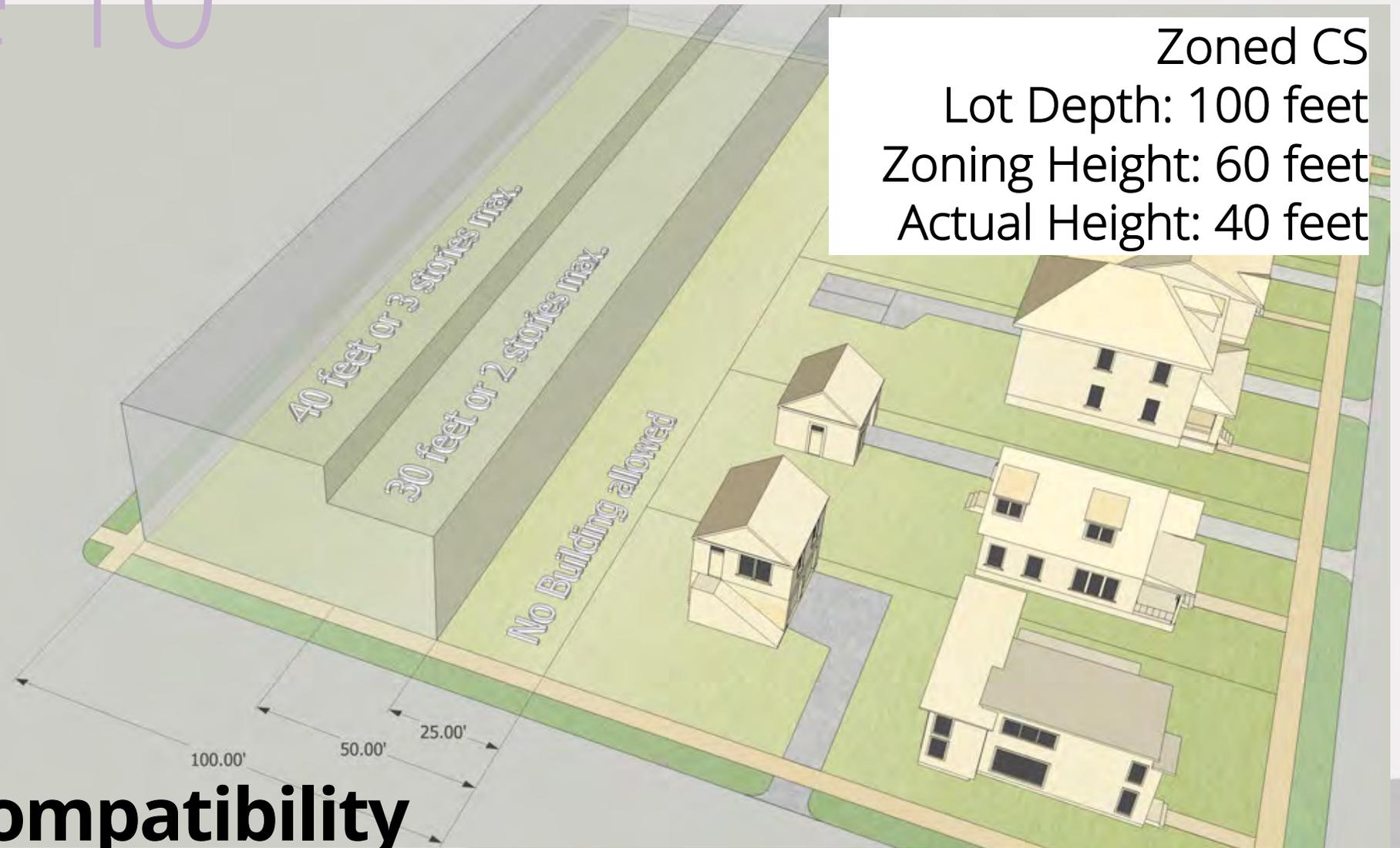


Article 10



Article 10

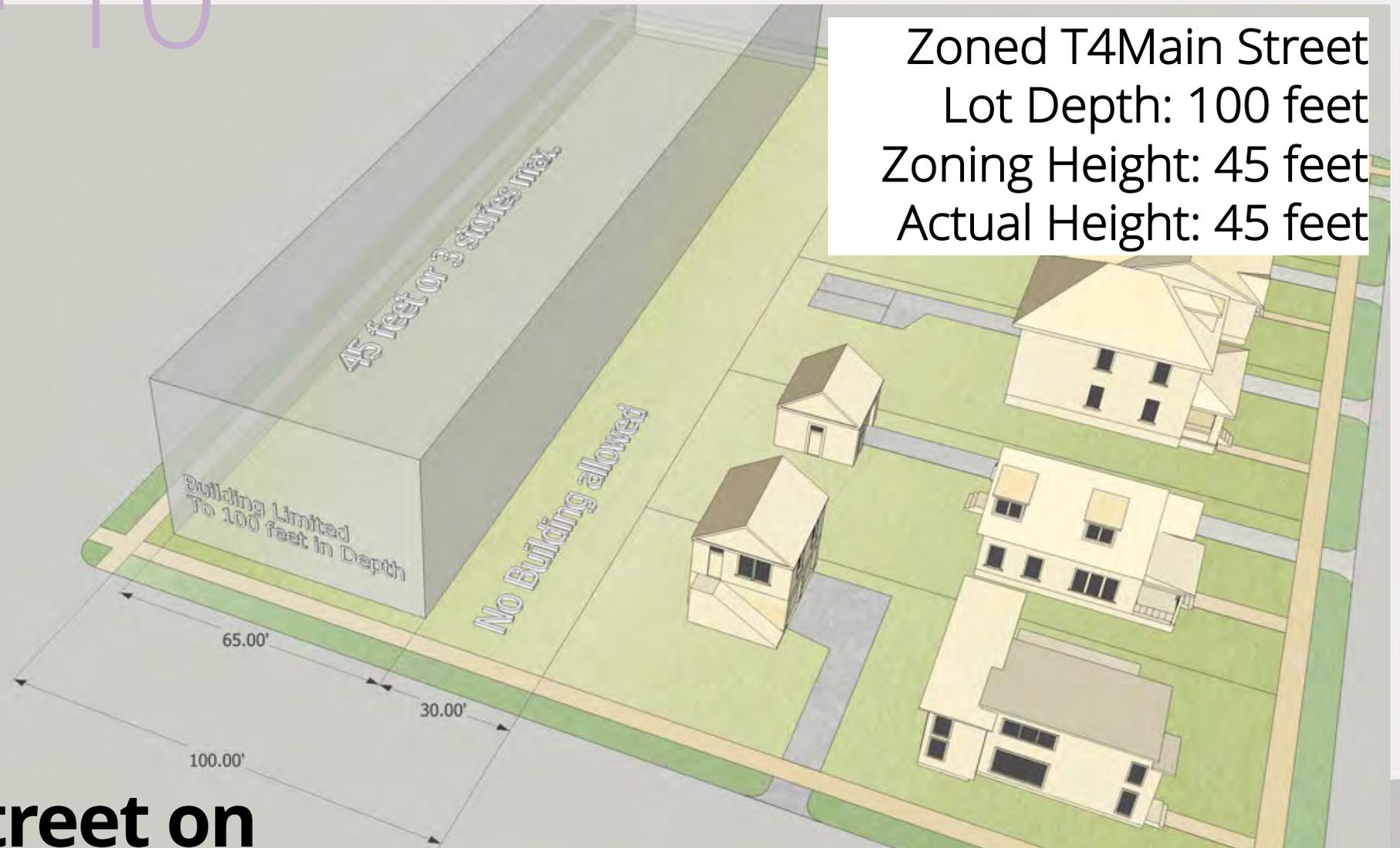
Zoned CS
Lot Depth: 100 feet
Zoning Height: 60 feet
Actual Height: 40 feet



**Existing Compatibility
on 100 foot deep Lot**

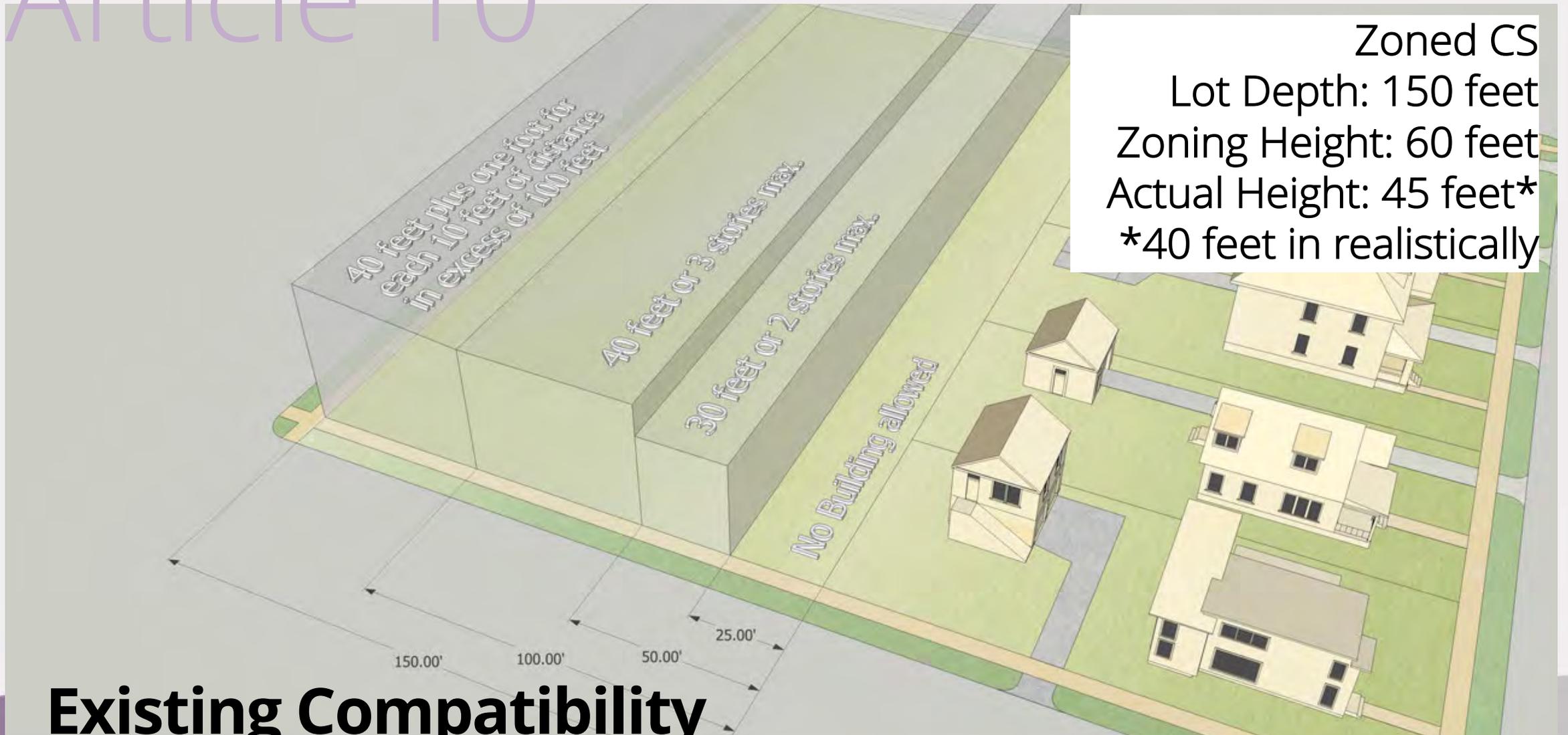
Article 10

Zoned T4Main Street
Lot Depth: 100 feet
Zoning Height: 45 feet
Actual Height: 45 feet



**T4 Main Street on
100 foot deep lot**

Article 10

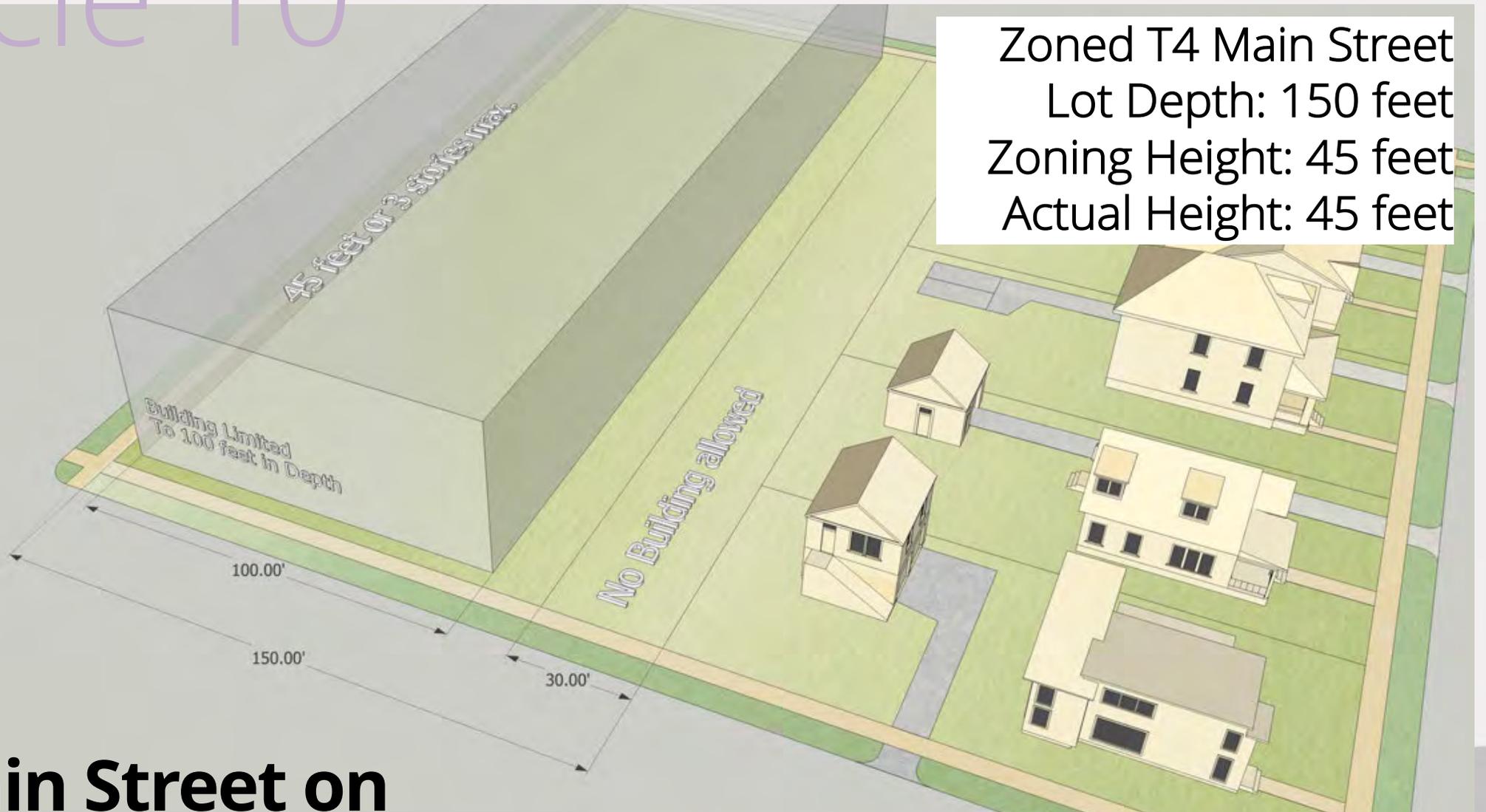


Zoned CS
Lot Depth: 150 feet
Zoning Height: 60 feet
Actual Height: 45 feet*
*40 feet in realistically

**Existing Compatibility
on 150 foot deep Lot**

Article 10

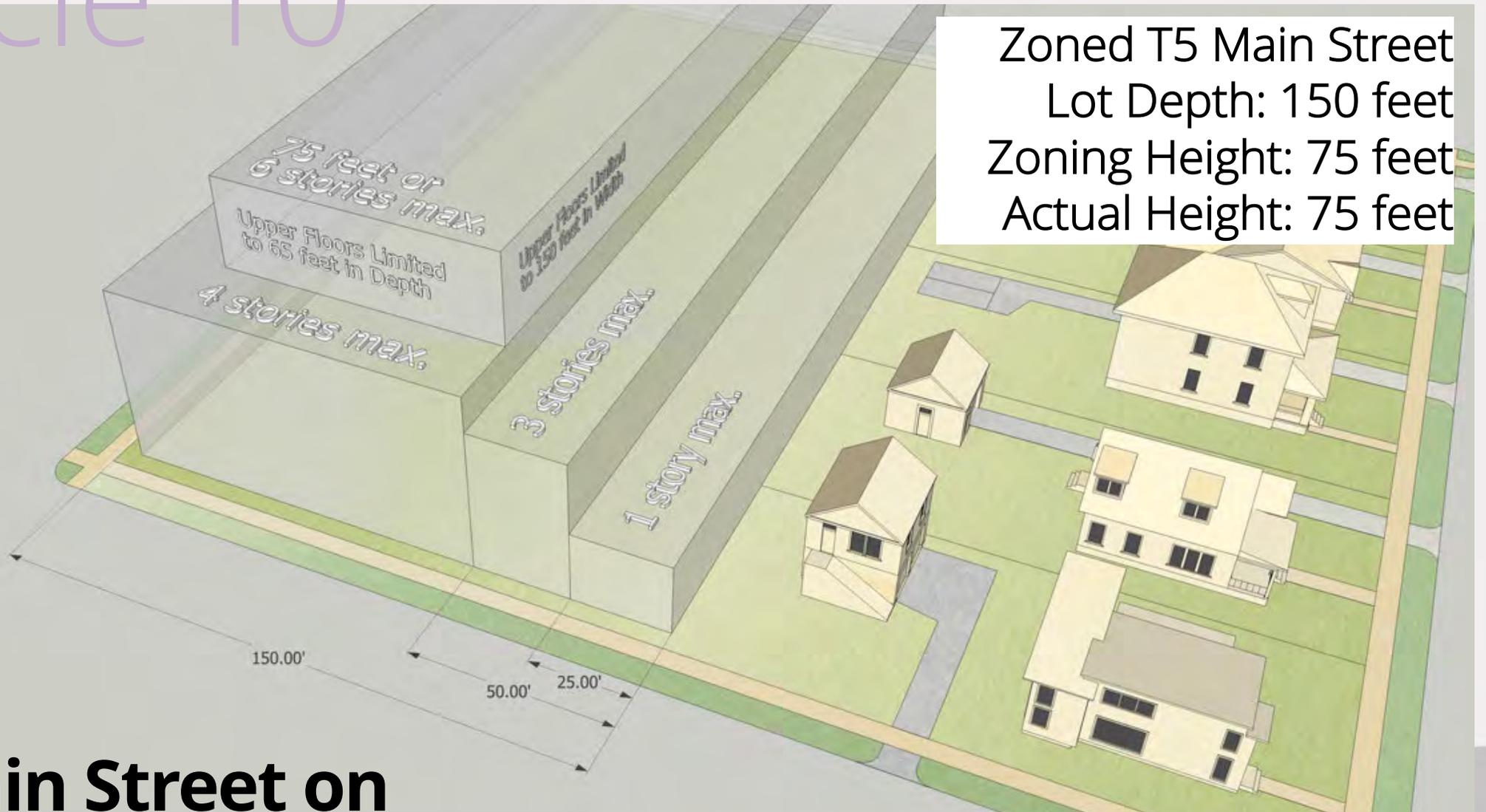
Zoned T4 Main Street
Lot Depth: 150 feet
Zoning Height: 45 feet
Actual Height: 45 feet



**T4 Main Street on
150 foot deep lot**

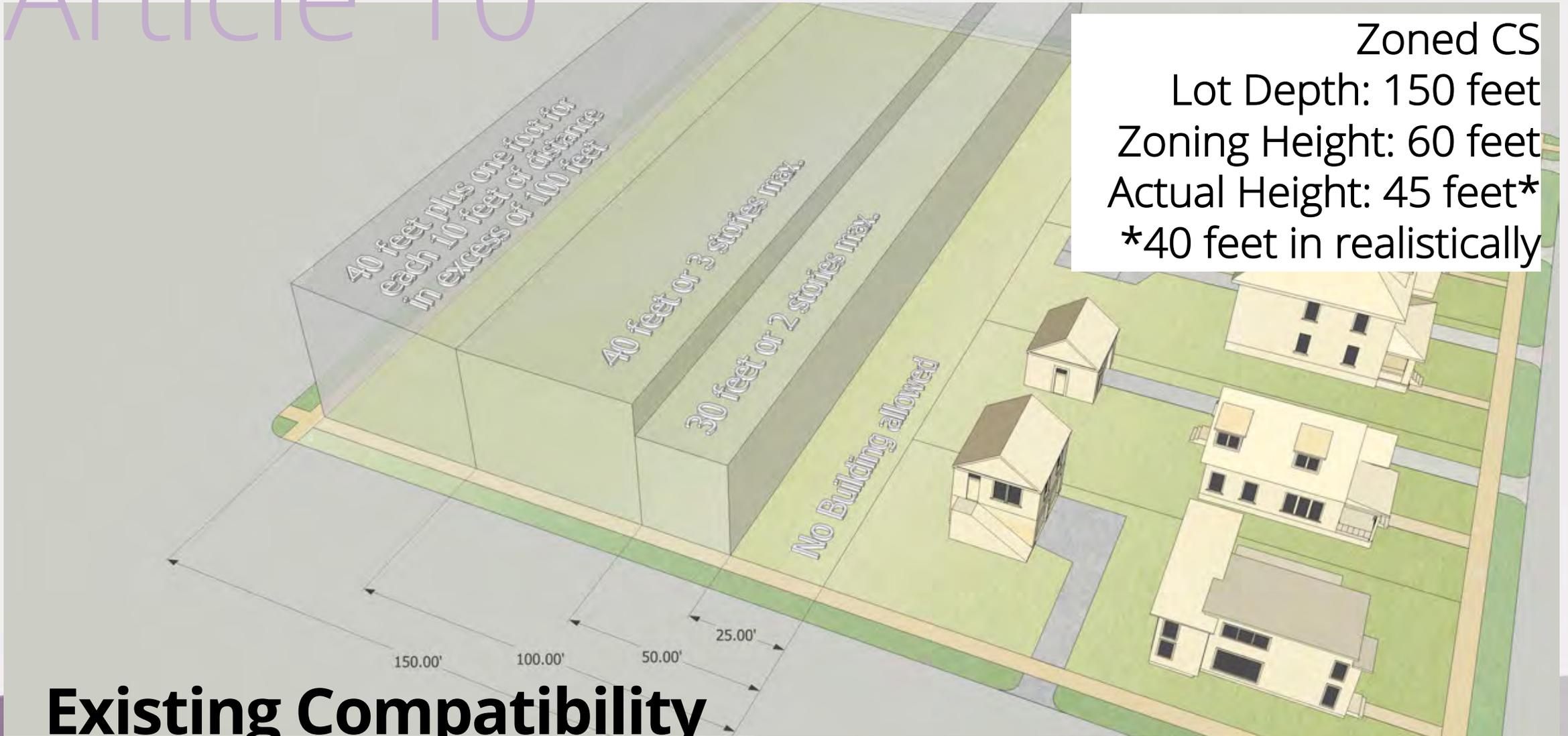
Article 10

Zoned T5 Main Street
Lot Depth: 150 feet
Zoning Height: 75 feet
Actual Height: 75 feet



**T5 Main Street on
150 foot deep lot**

Article 10



**Existing Compatibility
on 150 foot deep Lot**

questions
+ ANSWERS



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.

www.austintexas.gov/codenext
codenext@austintexas.gov



CODENEXT
21-JUN-17

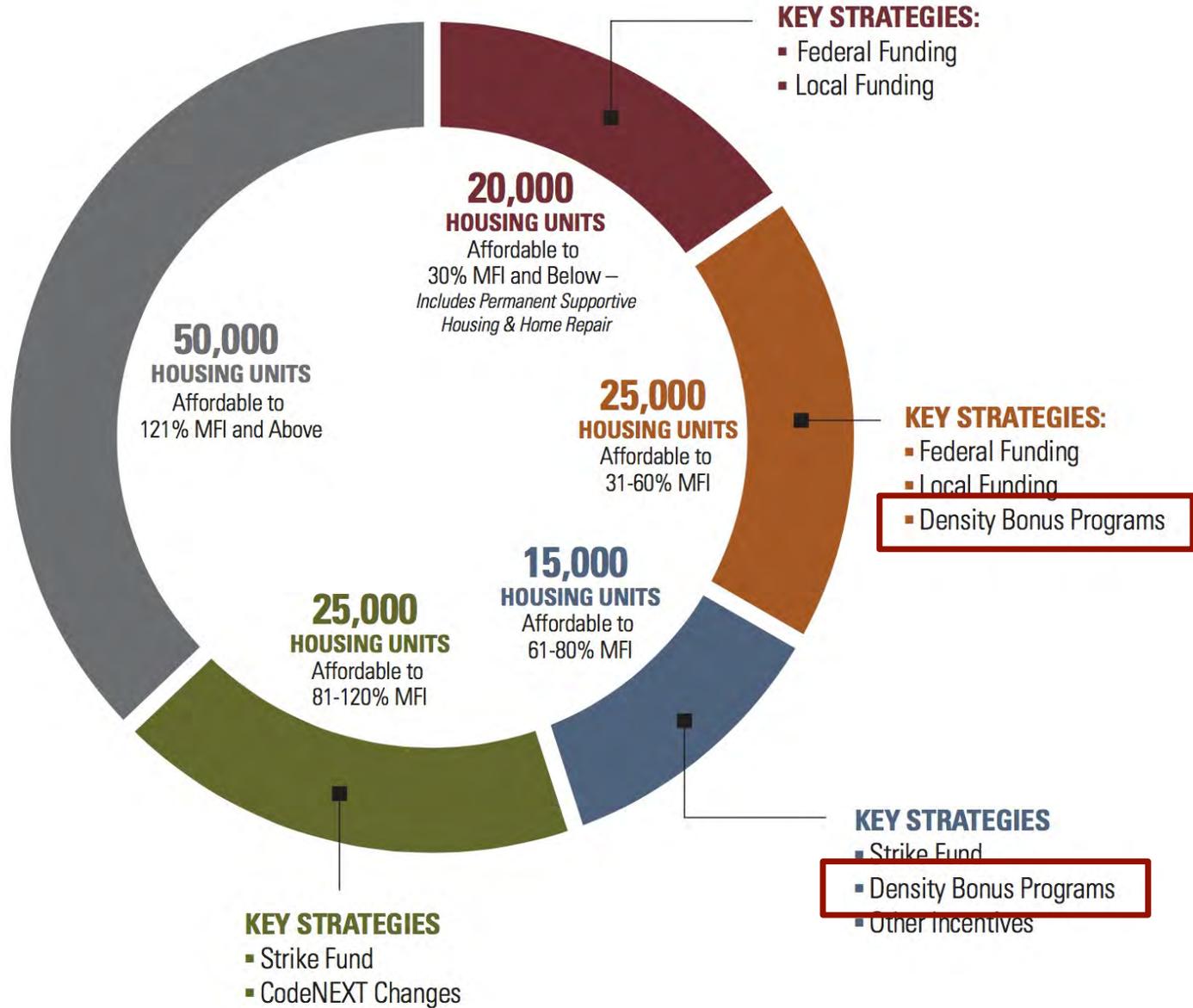
Proposal for a Citywide Affordable Housing Density Bonus Program

City of Austin Council Work Session
June 21, 2017

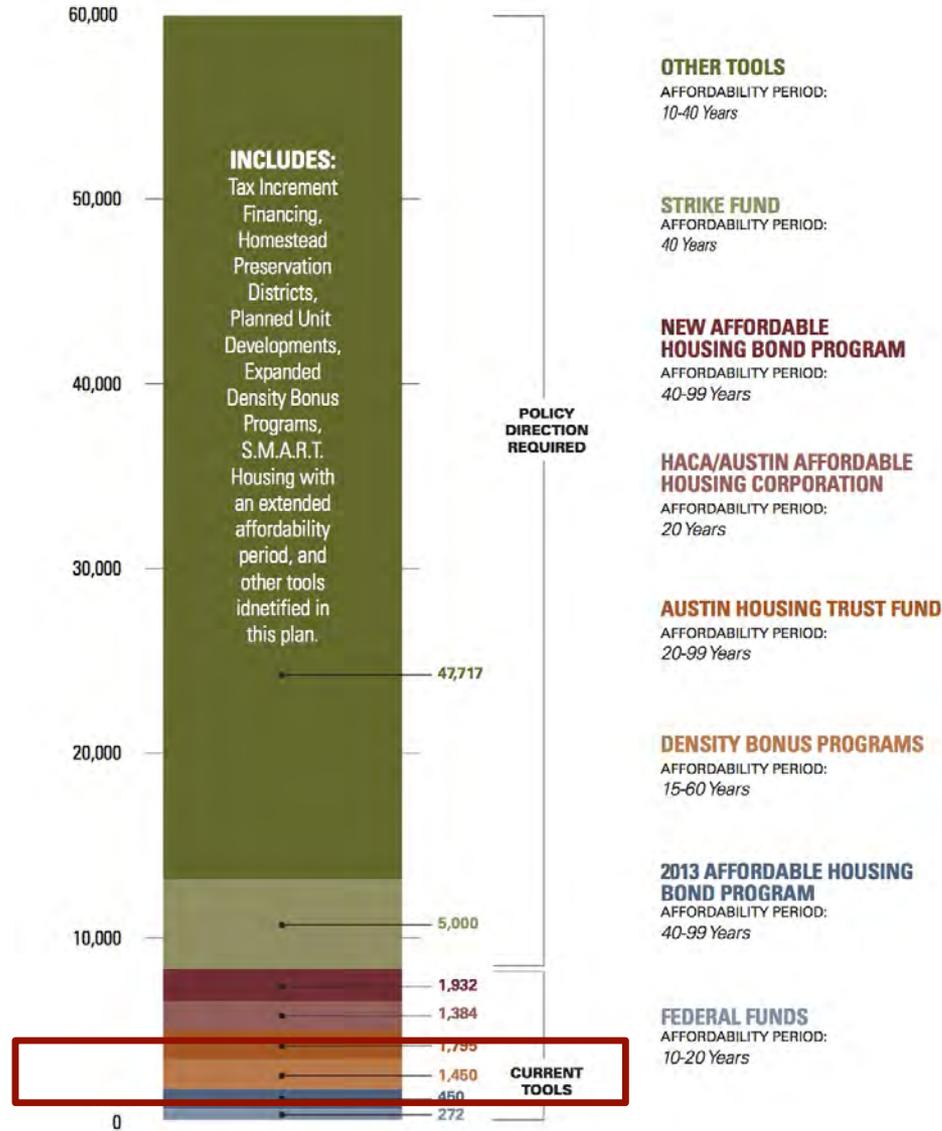
Proposed Citywide Affordable Housing Density Bonus Program

- Focused on providing density bonuses in proposed CodeNEXT zones
- Targets 60%-80% MFI households per Housing Blueprint
- Downtown Density Bonus and UNO to be retained
- Future of bonuses in TODs, East Riverside, and North Burnett areas under additional evaluation

Great Need For Affordable Housing



Density Bonus Program Is One Tool



Benefits of Affordable Housing Density Bonuses

- Can leverage higher-end markets where development is already happening
- Bonus entitlements can offset developer cost of providing affordable housing without City funding
- Promotes mixed-income buildings and communities



Density bonus programs can provide limited numbers of affordable housing units in high-opportunity locations

Benefits of Affordable Housing Density Bonuses

- Can leverage higher-end markets where development is already happening
- Bonus entitlements can offset developer cost of providing affordable housing without City funding
- Promotes mixed-income buildings and communities



Density bonus programs offer an opportunity to discuss affordable housing options with developers

Options Considered for Affordability Toolkit

Private/ Nonprofit	Development- Derived	Regulatory	Tax Exemptions/GO	Federal	Other
Community Land Trust expansion	Existing Density Bonus Programs	Streamline City Codes and Permitting Processes	Multifamily tax exemption program	HUD 202 supportive housing for the elderly	Land Banking, Assembly, Property Price Buy Down
Austin Affordable Housing Corporation	Expanded Density Bonus Programs		Targeted Preservation Property Tax Exemption		
New Market Tax Credits	Tax Increment Financing	Allow development on smaller houses on smaller lots	Homestead Property Tax Exemption for communities at risk of displacement	CDBG and HOME funds	Austin Housing Trust Fund
Strike Fund	Transfer of Development Rights	Relax regulations for ADUs			
Private Sector Fund for Affordable/ Workforce Housing	Planned Unit Developments	Relax regulations on more affordable products and cooperatives	2013/16 Affordable Housing Bond	Leverage LIHTC	NHCD Housing Developer Assistance
Philanthropy	Impact Fees				
Public Improvement District	Construction Excise Tax			National Housing Trust Fund	Restructured SMART housing with longer affordability periods
Real Estate Transfer Tax	Inclusionary Zoning				
Real Estate Investment Trust	Homestead Preservation District (+Homestead Preservation Reinvestment Zones)				

South Central Waterfront District Toolkit



Stephanie Bower | Architectural Illustration

Layered Funding Tools in SCW Funding Toolkit

	Transportation Infrastructure	Parks & Open Spaces	Affordable Housing
Privately Funded			
Public Improvement District	✓	✓	✓
Transfer of Development Rights		✓	✓
Philanthropy		✓	✓
Publicly Funded			
Tax Increment Financing	✓	✓	✓
CIP Funds	✓	✓	
Parking Fund	✓		✓
Affordable Housing (tax abatements/credits, Strike Fund)			✓

Proposed CodeNEXT Bonuses

Where are density bonuses available?

- Available in many residential, commercial, and mixed-use CodeNEXT zones
- Offered in T-zones and traditional zones
- Bonuses offered across more land area than current bonuses
- Bonuses proposed in all locations that currently have bonuses

Bonuses in New CodeNEXT Zones

Bonuses Available 	Bonuses Not Available 	
MDR MHDR HDR VHDR RC CC DC GC L/O SC L/O T6U/R T6UC	NC L/O LC L/O T4N.DS/O T4N.IS/O T4N.SS/O T4N/O T5N.SS/O T5U.SS/O T5U/O T5MS	RR VLDR, LDR LMDR, LMDR-SL MHP HC, WC CR FI, GI, HI, R&D P, AV AG, OS, DR T3NE.WL T3NE T3N.DS T3N.IS T3MS/O T4MS/O

What Bonus Levers Apply?

	Transect Zones	Traditional Zones
Max Units in Main Building	X	
Max DUA	TBD for T6	X
Max FAR		X
Max Height (ft)	Eave height only	X
Max Height (stories)	X	

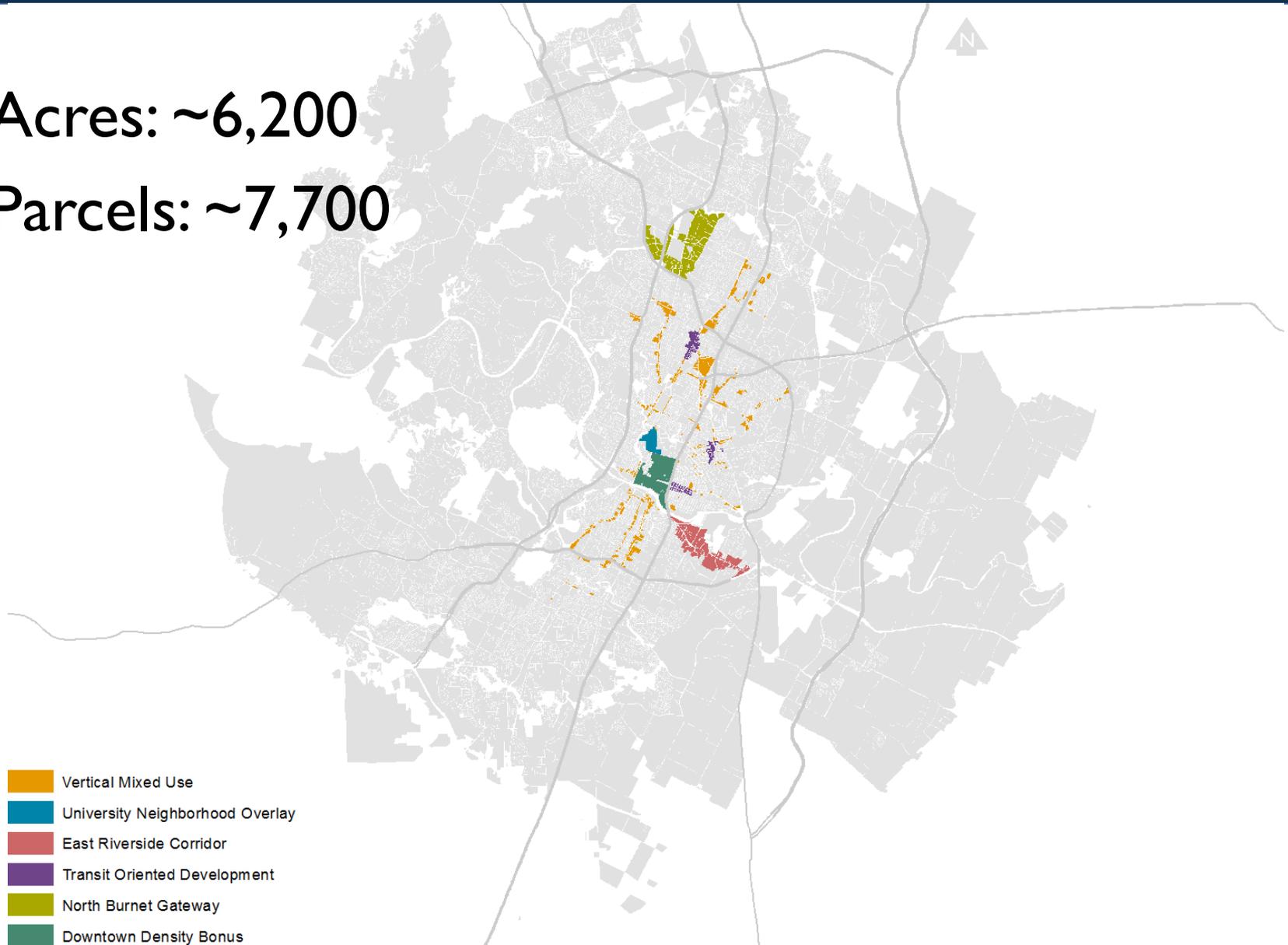
Density Bonus Levers by Zone Intensity

	Residential				Commercial			
	T4 - Multiplex	T5	T6	Res Non Transect Zone	N'hood Comm (NC)	General & Service Comm (GC)	Regional Comm (RC)	Comm Core (CC, DC)
Max Units	X	X						
Max DUA			TBD	X	X	X		
Max FAR						X		X
Max Height (Feet)		Eave height	TBD				X	X
Max Height (Stories)	X	X						

Existing Bonus Areas

Acres: ~6,200

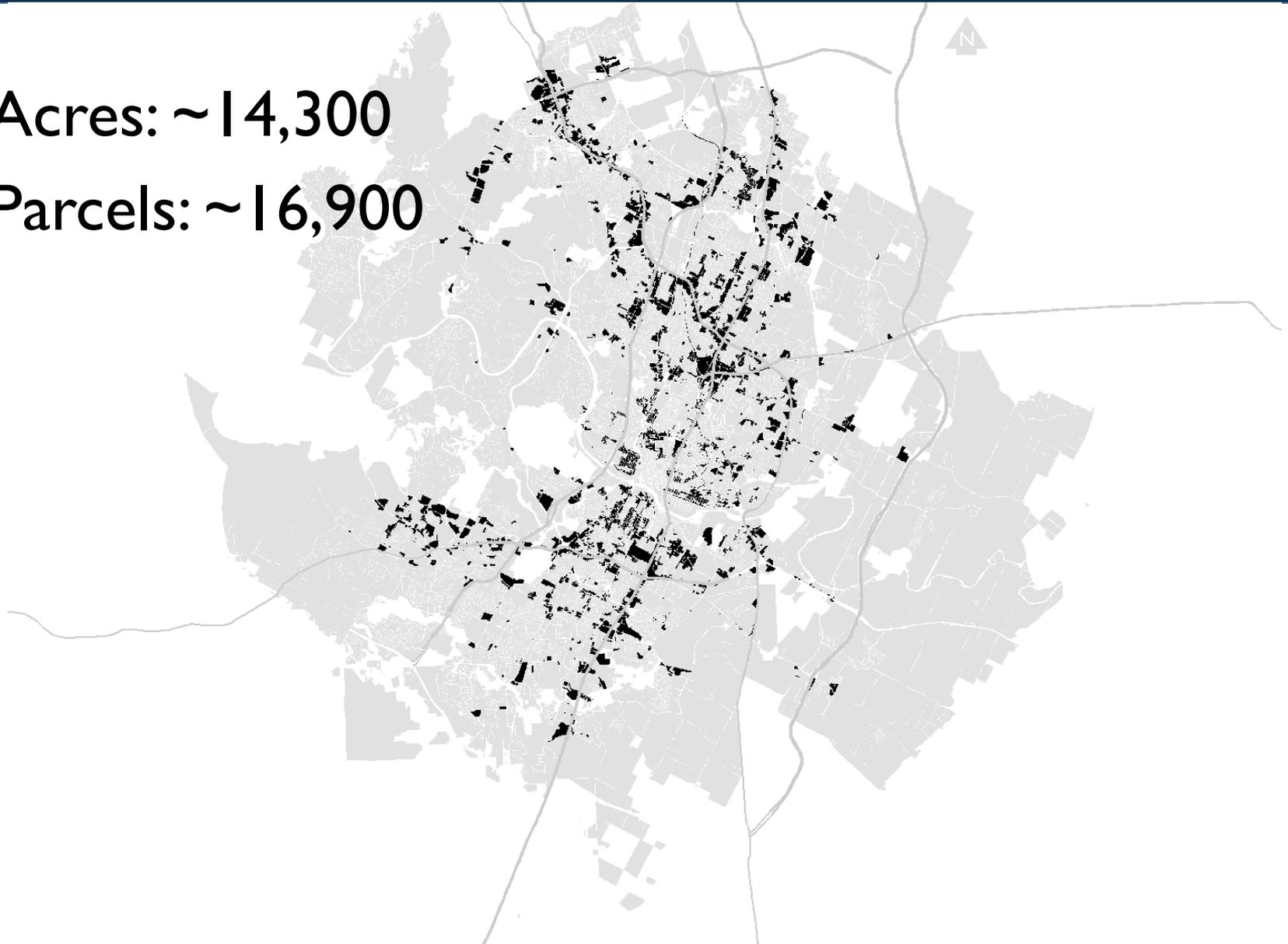
Parcels: ~7,700



Proposed Bonus Areas

Acres: ~14,300

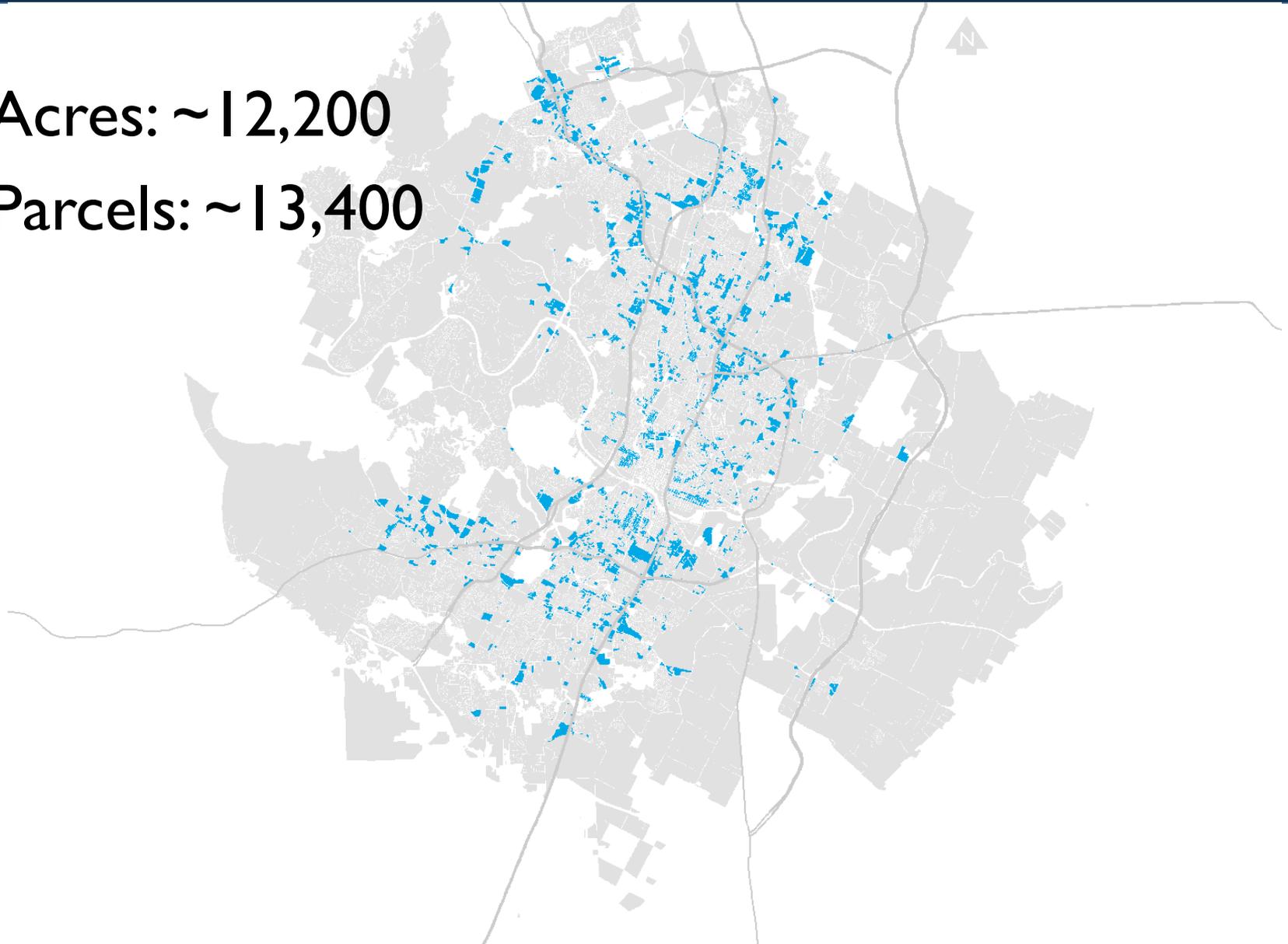
Parcels: ~16,900



Proposed Bonus Areas - Units

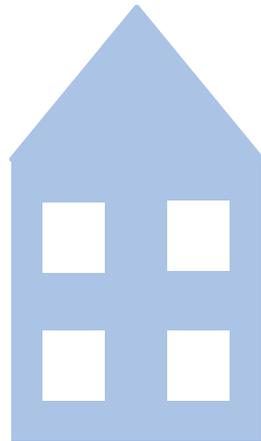
Acres: ~12,200

Parcels: ~13,400



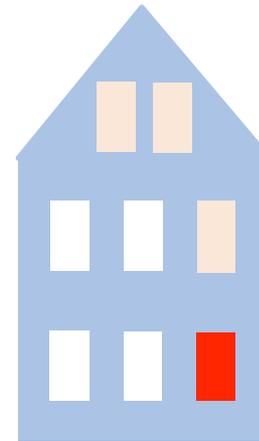
Transect Zone: T4 – Deep Setback, Multiplex M

Base



4 units max
2 stories max

Bonus



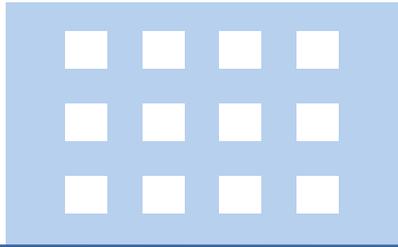
8 units
2.5 stories max
5-20% affordable units

Any development must conform to all other building envelope and site restrictions

Example Dwelling Units/Acre Bonus

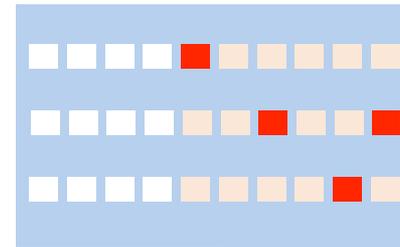
Traditional Zone: Medium Density Residential (MDR)

Base



12 dwelling units/acre

Bonus



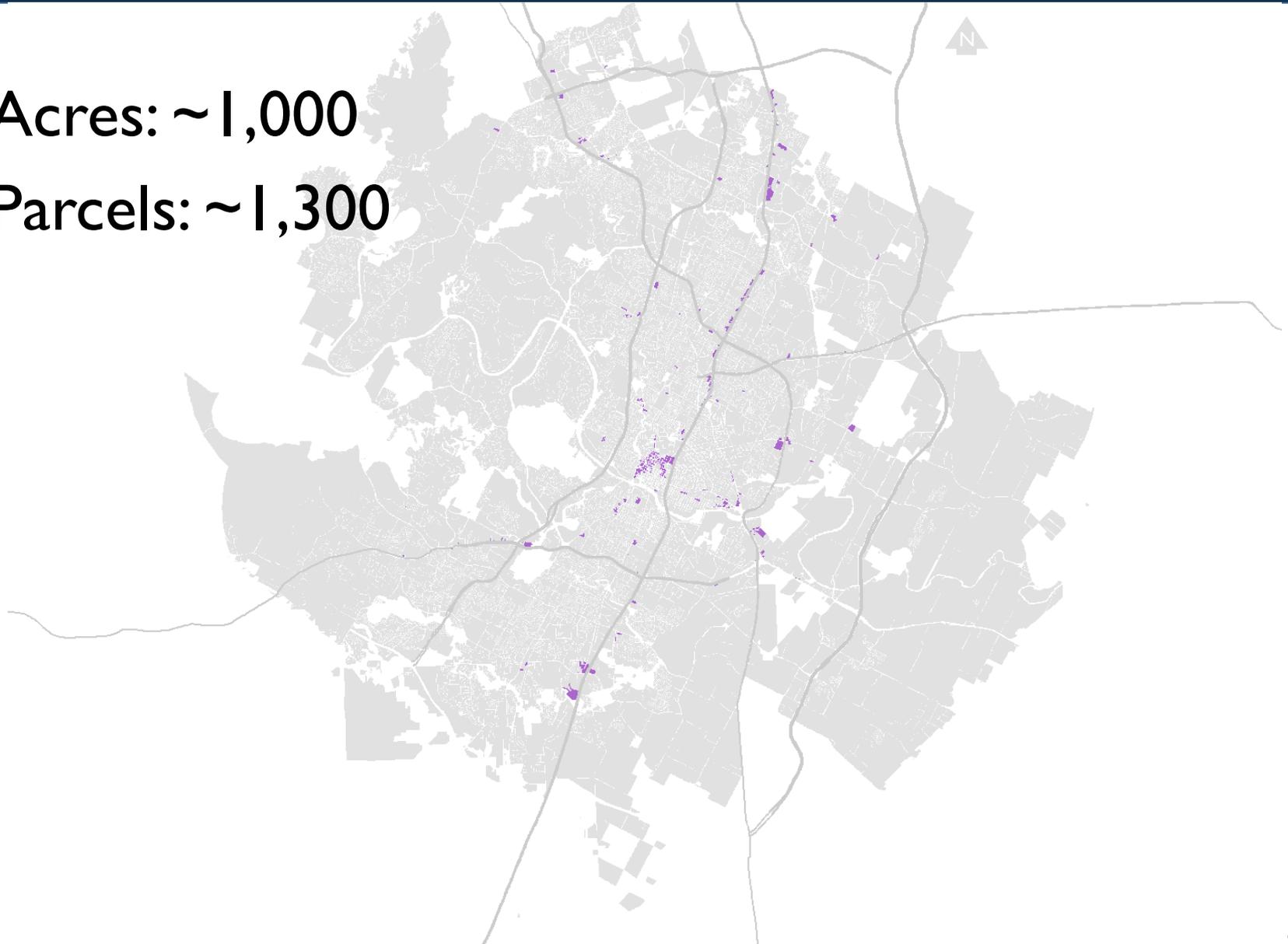
30 dwelling units/acre
5-10% of bonus units =
affordable units

Any development must conform to all other building envelope and site restrictions

Proposed Bonus Areas - Height

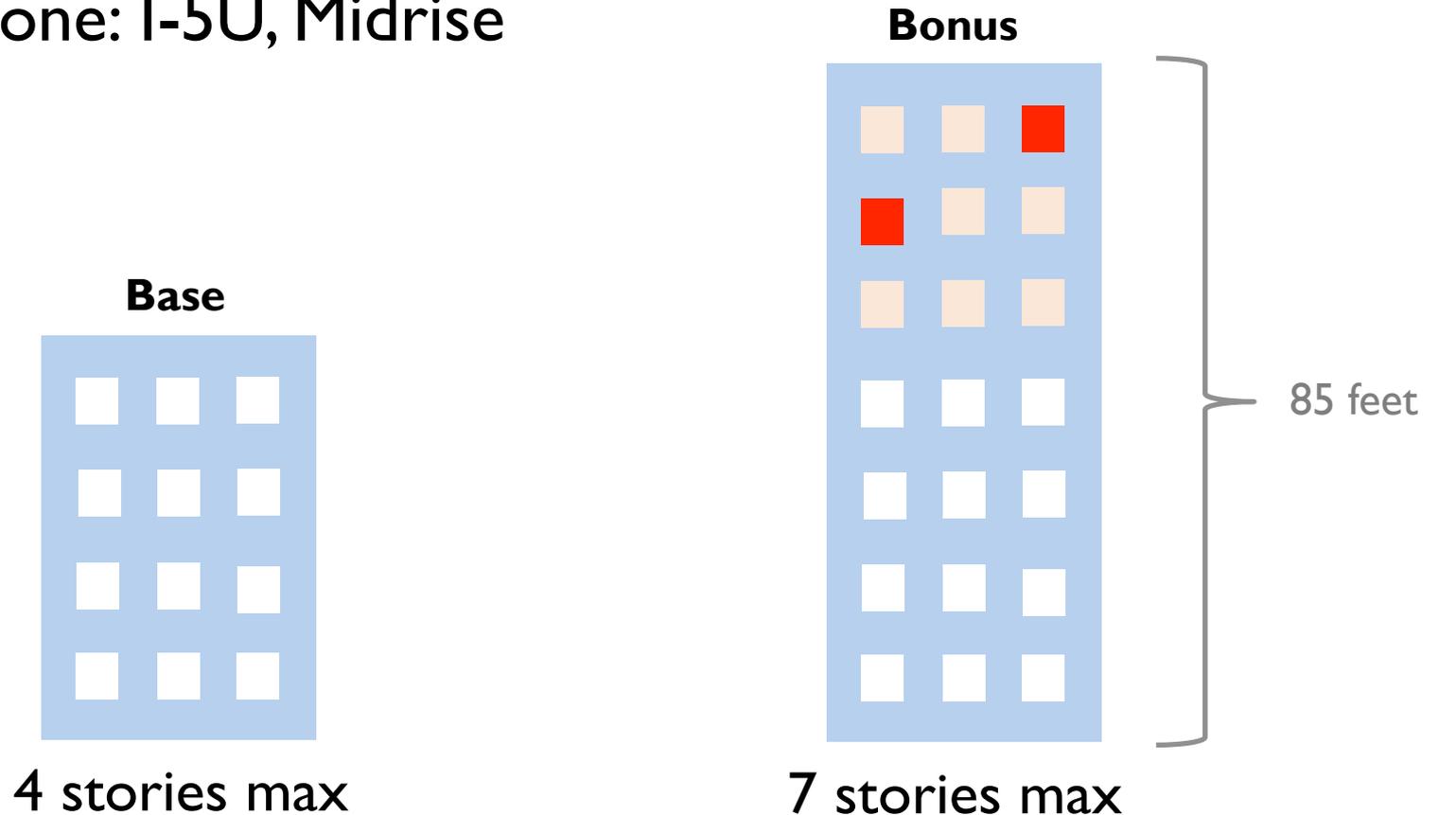
Acres: ~1,000

Parcels: ~1,300



Example Height Bonus

Transect Zone: T-5U, Midrise

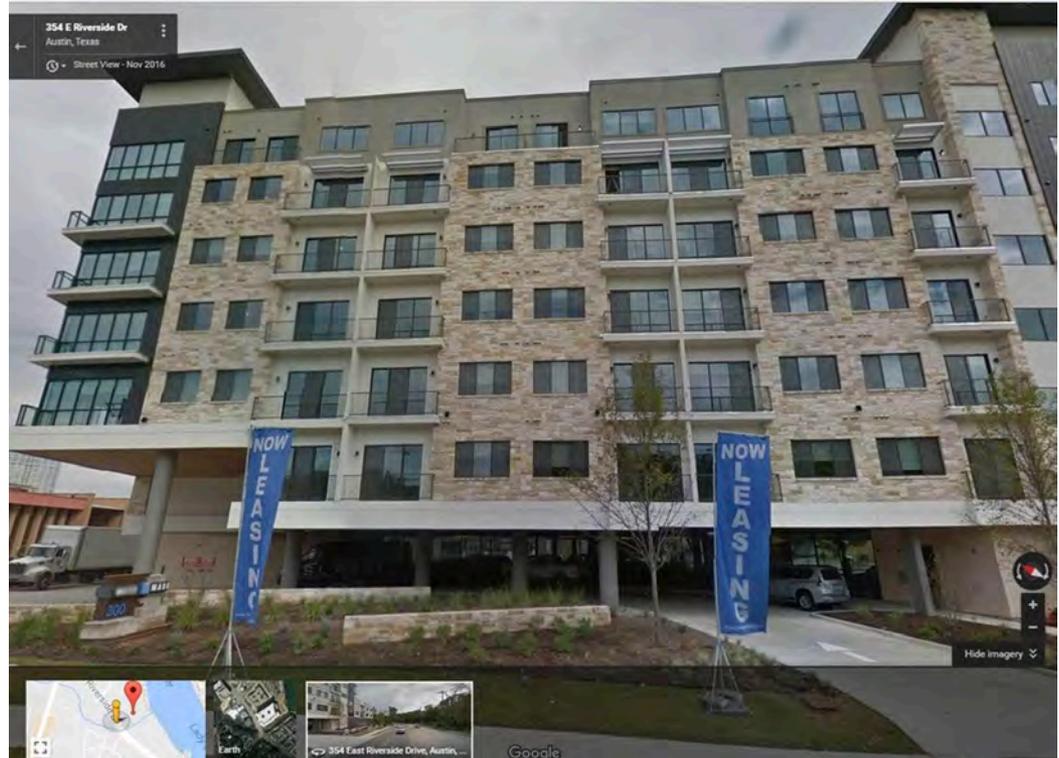


5-10% of bonus units = affordable units

Any development must conform to all other building envelope and site restrictions

Proposal Includes Seven Story Buildings

- Proposed increase from 6-story to 7-story maximum for T5 zones
- International Building Code 2015 allows five-stories of wood construction over multiple stories of concrete podium
- In advance of new building code adoption, 7-story buildings already allowed on a case by case basis in Austin



300 East Riverside

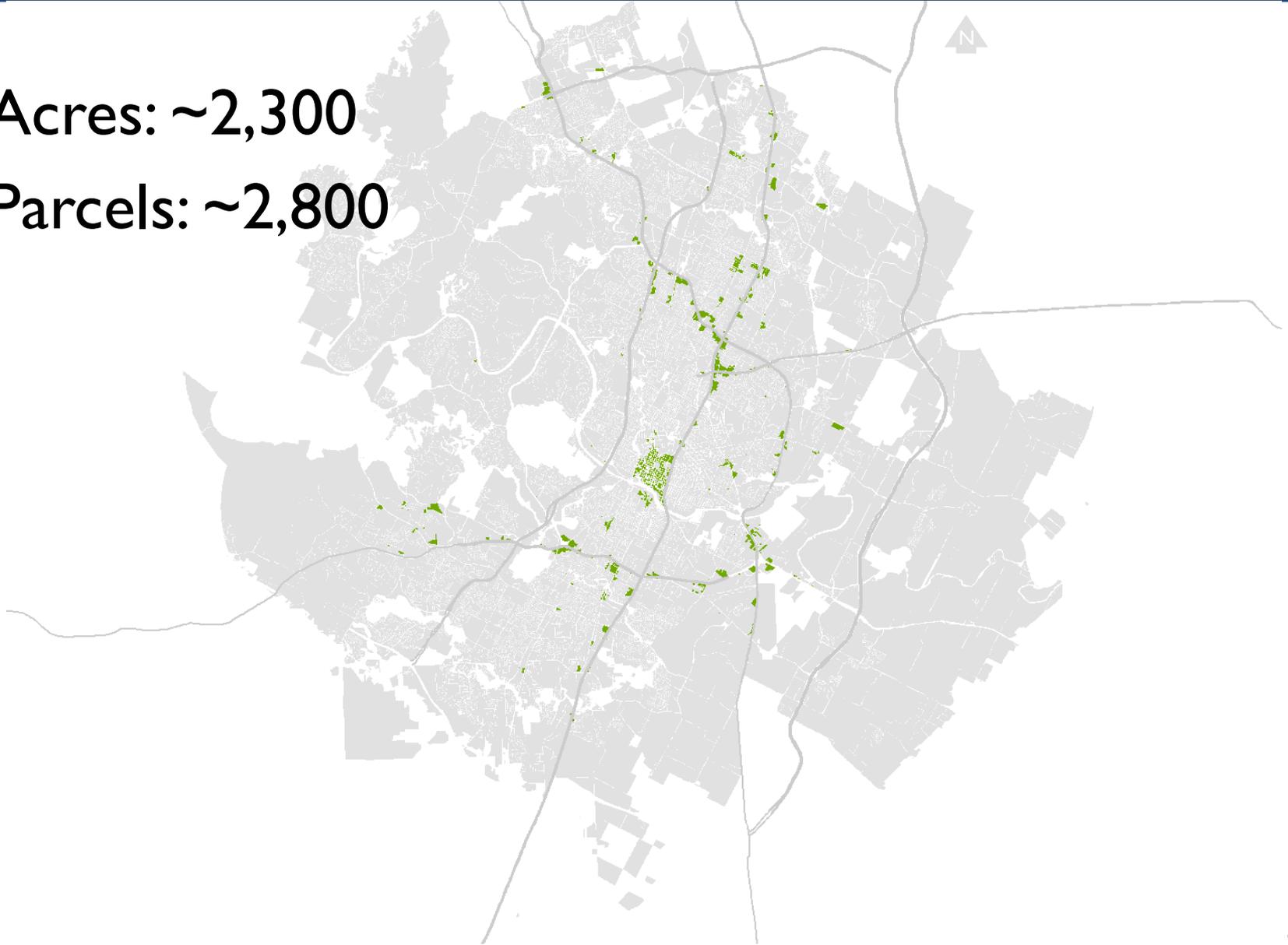
Image: Google Maps 2017

Provided by City of Austin Development Services Department

Proposed Bonus Areas - Bulk

Acres: ~2,300

Parcels: ~2,800

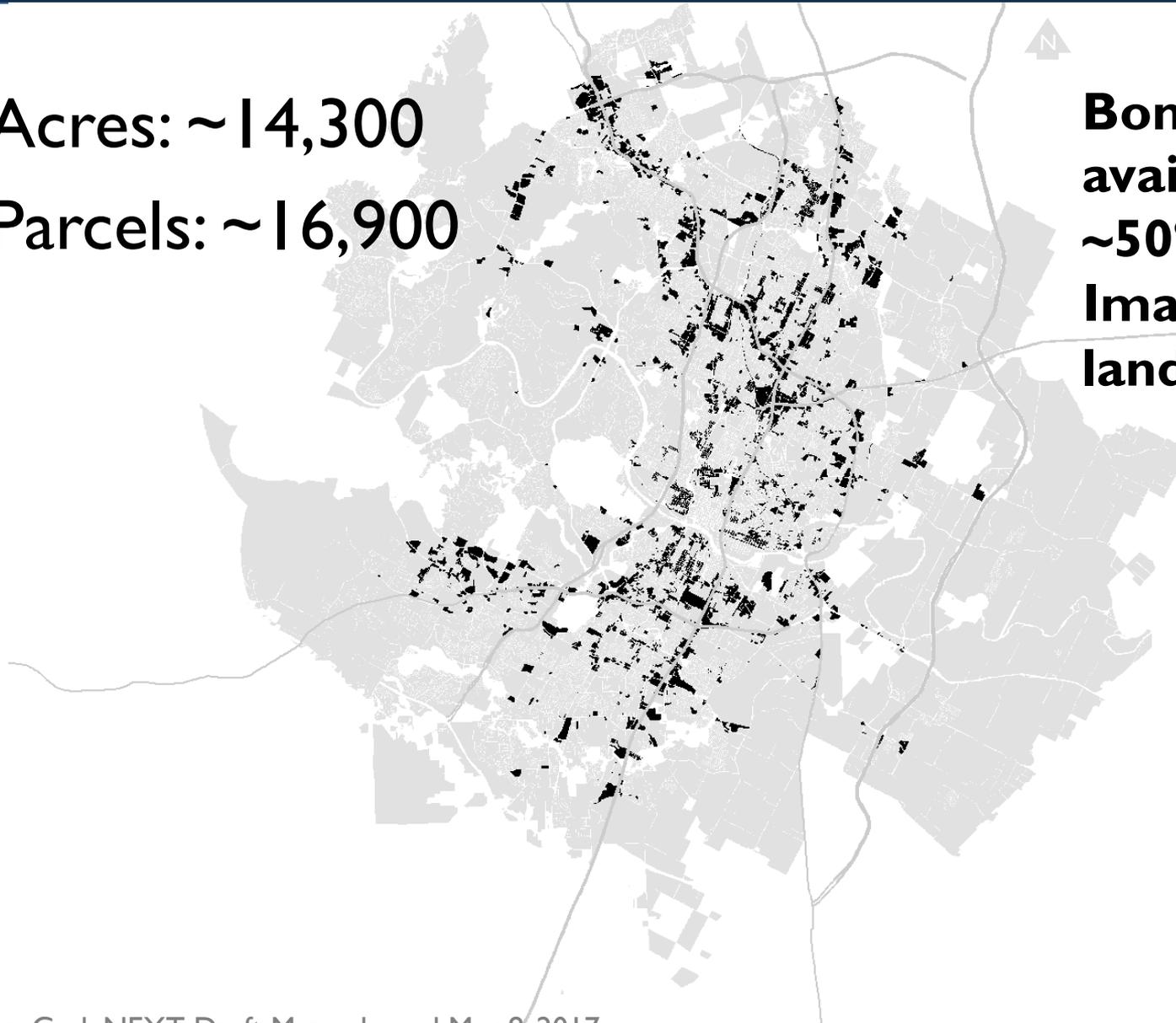


Proposed Bonus Areas

Acres: ~14,300

Parcels: ~16,900

**Bonuses
available over
~50% more
Imagine Austin
land area***



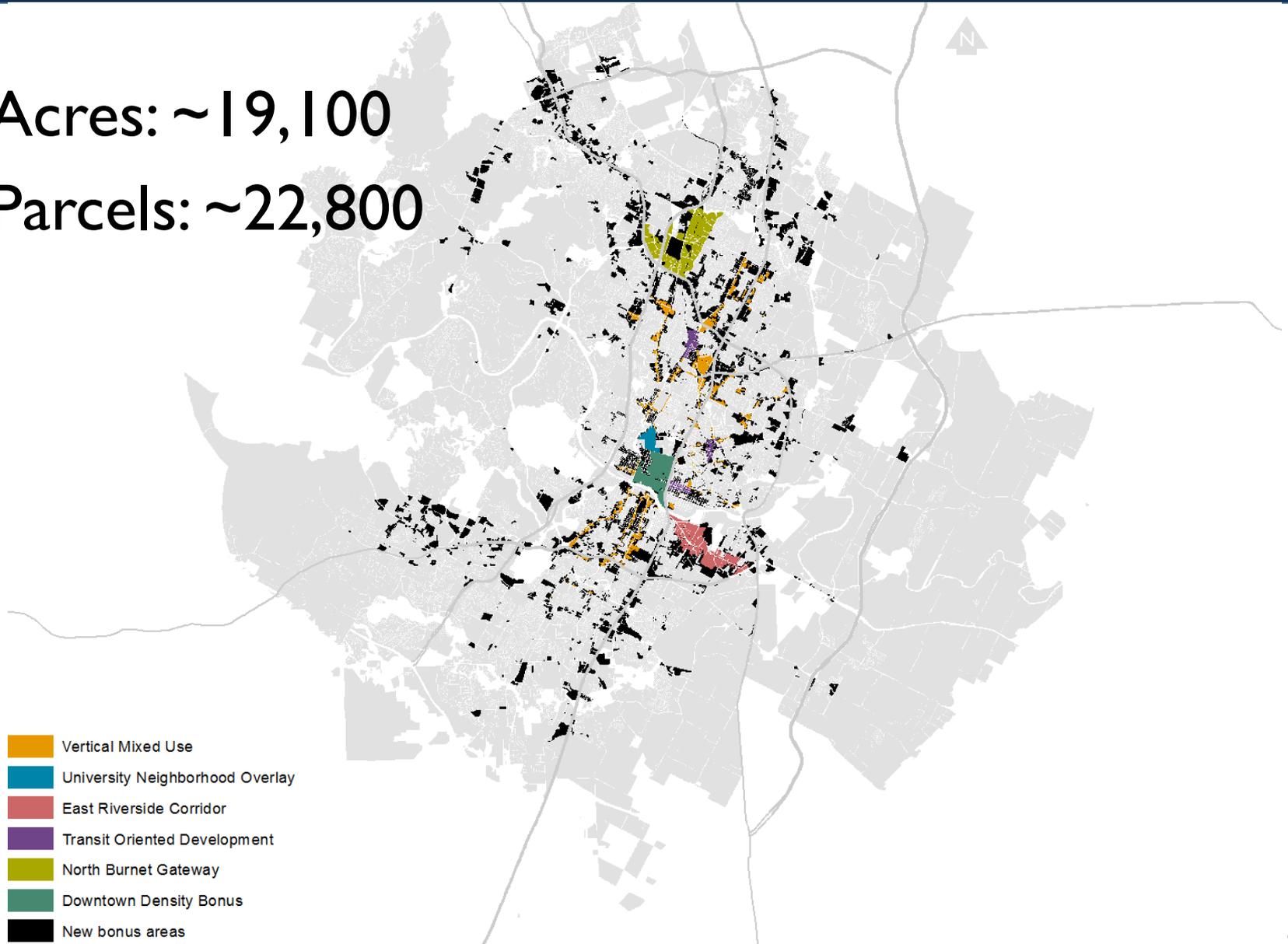
Based on CodeNEXT Draft Map released May 8, 2017

*Note: Currently 20% vs. 30% coverage under CodeNEXT draft

Net Future Bonus Areas

Acres: ~19,100

Parcels: ~22,800



- Vertical Mixed Use
- University Neighborhood Overlay
- East Riverside Corridor
- Transit Oriented Development
- North Burnet Gateway
- Downtown Density Bonus
- New bonus areas

Bonus Requirements

How can developers get the bonus?

To build bonus area on a site:

- **Housing developers:**
 1. Provide rental units at 60% MFI for 40 years, OR
 2. Provide ownership units at 80% MFI for 99, OR
 3. Provide at least an equal number of affordable units offsite within one (1) mile of the subject development, OR
 4. Pay the Housing Trust Fund a fee-in-lieu of providing affordable units, OR
 5. Dedicate land suitable for affordable housing development.

- **Commercial developers (hotel/office/retail):** Pay a fee-in-lieu into the Housing Trust Fund

How affordable should affordable units be?

Rental units (60% AMI)

Household Size	Unit Size	Max Annual Income	Max Monthly Rent
1-person	Studio	\$34,200	\$855
2-person	1 BR	\$39,060	\$977
3-person	2 BR	\$43,950	\$1,099
4-person	3 BR	\$48,840	\$1,221

Notes: Based on 2017 HUD Affordability figures (\$81,400 4-Person Household Income)

How affordable should affordable units be?

Ownership units (80% AMI)

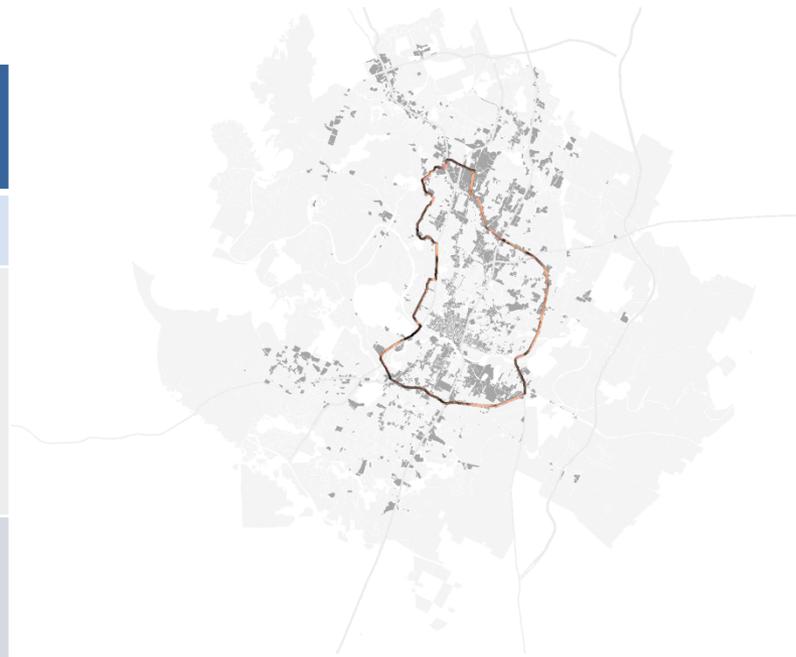
Household Size	Unit Size	Max Annual Income*	Max Purchase Price**
1-person	Studio	\$45,600	\$171,000
2-person	1 BR	\$52,080	\$195,300
3-person	2 BR	\$58,600	\$219,750
4-person	3 BR	\$65,120	\$244,200

Notes: (*) Based on 2017 HUD Affordability figures (\$81,400 4-Person Household Income);
(**) Estimated purchase price based on typical first-time buyer mortgage finance criteria

Required proportion of affordable units

To build bonus area on a site, developers can provide affordable units onsite:

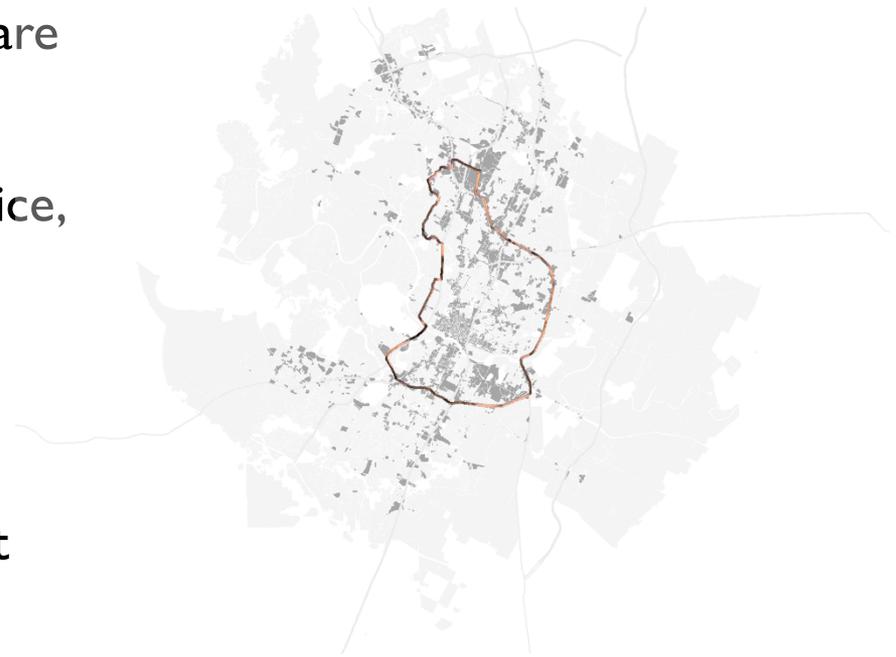
	Multiplex Building Type (T4 Zones)		All Other Zones and Building Types	
	Inner	Outer	Inner	Outer
Own	10% of units at 80% MFI	5% of units at 80% MFI	5% of units at 80% MFI	5% of units at 80% MFI
Rent	20% of units at 60% MFI	10% of units at 60% MFI	10% of units at 60% MFI	10% of units at 60% MFI



Note: Bonus unit and affordable unit calculations round UP to the nearest whole number of units

To build bonus area on a site, developers can pay an in-lieu fee:

- Fees would be defined as a fee per square foot of bonus area
- Fees will be defined for commercial/office, hotel, and residential bonus area
- These fees would be defined and recalibrated administratively
- Fees will be calibrated based on market factors
- Fees may vary by geography
- In-lieu fee payment would have to be approved by NHCD



Are there alternatives to on-site production?

Developers could deliver offsite housing or dedicate land in limited, NHCD-approved circumstances:

Off-site housing units

- Approved by NHCD
- Off-site production of affordable units must produce as many affordable units or a greater community benefit
- Include the same number of units and same bedroom count mix as would be required onsite
- Built within one (1) mile of the subject development
- Must include payment of a fee, which is held in escrow, until a final certificate of occupancy is issued for the off-site units.

Land dedication

- Approved by NHCD
- The applicant may donate land that the housing director determines is suitable for the construction of affordable units
- The land must be of equivalent or greater value than the value produced by applying the housing in-lieu fees