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TER 1				SIRED PRO	POSED											REQ. ADD'L STAFF				
CHAP	SIAID	91 11 11		HANGES T		<u> </u>	INI	TIATED I	ву сомі	MSSION	ER		EX OFF	ICIO	TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
						N		> ~	. #	:	N		55							
						NDERS	AZI	ICGRAV	LIVER	EEGER	HOMPS		URKARI 1ENDO2	EICH			GENERAL	SPECIFIC SECTION		
GENER			NONE	MINOR	MAJOR	<b>4</b>		<u>≥ z</u>	. o x	5 15 15	5 F 3	s IS	<u>a &gt;</u>	F		YES/NO	GENERAL	SPECIFIC SECTION		
	All Non 23-4 Division:	4 S		x	x				SO						FORMAT		X		REDUCE LENGTH OF NON 23-4 SECTIONS BY 20%. CodeNEXT text is overly verbose, consistently difficult to understand. Master Editor should identify measures in Non 23-4 chapters to reduce extreme length to assist in achieving CodeNEXT goal for code simplicity.	
																			to assist in achieving CodeNEX1 goal for code simplicity.	
Chapte	r 23-1: Introdu rticle 23-1A General	ction Provisions	NONE	MINOR	MAJOR											YES/NO	YES/NO			
1.1	Division 23-1A-	1 Title, Purpose, and Scope																		
1.2	Division 23-1A-2 Division 23-1A-2	2 Authority		x					15								-	23-1A-2030	(A) Effect of Land Development Code. The standards and procedures	This clarifies that the technical criteria manuals su
1.3		-		~					ادر						Admin & Procedures			23-14-2050	applicable to development of property within the City limits and within the City's extraterritorial jurisdiction are stated in the land Development Code <u>(LDC) or technical criteria manuals</u> as adopted per the provisions of the LDC, which shall control in the event of a conflict with a representation made by a City official or employee, either orally or in writing, or via a policy manual, summarizing, paraphrasing, or otherwise interpreting the that summarizes, paraphrases, or otherwise interprets the standards and procedures applicable to development.	city officials or employees.
1.4	Division 23-1A-3	3 Classification of Application and Decisions	С																	
1.5	Division 23-1A-4	4 Consistency with Comprehensive Plan	С																	
1.6		5 Rules of Interpretation																		
1.7	Division 23-1A-	5		x					12	c					Admin & Procedures			23-1A-5020 (b) (1)	Wherever possible, the Director shall have the authority to interpret this. Title in a manner that gives effect to all provisions and wherever possible, shall avoid interpretations that render a provision of this Title in conflict with one or more other provisions.	Conflicts should be avoided whenever possible in language gives the director the authority to interp potential conflicts wherever possible.
	Tricle 23-1B Response Division 23-1B-	sibility for Administration 1 City Council	С					ТТ												
2.1	Division 23-1B-2																_			
2.2	Division 23-1B-3		С																	
2.3	Division 23-1B-4	4 Neighborhood Planning																		
2.5	Division 23-1B-4	4 Neighborhood Planning						км							Contact Teams			23-1B-4010	Neighbrohood Contact Teams may submit plan amendments.	This should not be removed.
2.6	Division 23-1B-4	Neighborhood Planning							JS	c					Admin & Procedures			23-1A-3020 (C)Administative Decisions (1)(b)	Move 23-1A-3020(C)(2)(c) to 23-1A-3020(B)(2)(e) and revise 23- 1A3020(C)(1) (b) The authority to make administrative decisions is delegated to City departments and to boards and commissions, as provided in Article 23-1B (Responsibility for Administration). A public- hearing is required for an administrative decision by a board or- commission.	Section 23-2A-2010(A)(2) (c )has subdivisions as conflicts with 32-1A-3020(C ) as administrative de
2.7	Division 23-1B-4	Neighborhood Planning									ΤL				Neighborhood Plans		Yes		When PC first sees a new Neighborhood plan, or small area plan, etc., it is on the dias (or perhaps at SAP) where we are expected to give an up or down vote. There is no method for additional nighborhood feedback other than public hearing. The process should go to PC much sooner so we can provide early feedback.	
Chapte		stration and Procedures	NONE	MINOR	MAJOR											YES/NO	YES/NO			
5 A	Division 23-2A-	Purpose and Applicability	С		1		T	TT		TT										
3.1																				
3.2	Division 23-2A-2	2 Development Process	N																	
3.3	Division 23-2A-	2 Development Process		x							л				Admin & Procedures	No	No	23-2A-2010 (2) Quasi- Judicial approvals	<ul> <li>(2) Quasi-judicial approvals:</li> <li>(a) Zoning variances and special exceptions;</li> <li>(b) Environmental variances;</li> <li>(c) Subdivisions and subdivision variances; and</li> <li>(d) Conditional use permits:</li> </ul>	A business requiring a Conditional use Permit (C be allowed to submit concurrently. Allowing for co provide a more transparent process and more ce interested parties. In addition, there is a concern 23-2A-2020, gives the Director discretionary auth applications. Language in existing code (25-1-61) provision which would allow for applications to be concurrently.
3.4	Division 23-2A-3	B Residential Development Regulations					++	++	+	++	++	TS	+	++	One Two Units			22 24 2020 Create Torr	(A)?) Pagidantial dayalapment that is subject to this section as the	Clearer language
3.5		23-2A-3030 One to Two-Unit Residential		x								IS			One-Two Unit Residential	NO		23-2A-3030 One to Two- Unit Residential	A)2) Residential development that is subject to this section must comply with the regulations of this Title specified under this section.	Clearer language
3.6	Division 23-2A-3	3 23-2A-3040 Three to Six Unit Residential																		
			-																	

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	YES/NEUTRAL	
	/NO	
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anuals supercede the statements of		
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ossible inside the LDC. This new to interpret the LDC to avoid any		
isions as quasi-juducial approval,		
trative decision		
ermit (CUP) and a rezoning should		
ng for concurrent submittals would more certainty to the applicant and		
concern that this section, along with ary authority over concurrent		
25-1-61) is preferable for this ons to be submitted and reviewed		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED E	COMMSSIONER	EX OFFICIO T	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER SHIEH THOM PSON WHITE SLUXW	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
				JSh				engineers letter	<ul> <li>Amendment: Replace language.</li> <li>(2) An engineer's certification that any changes to existing drainage patterns will not negatively impact adjacent property if the construction, remodel, or expansion: <ul> <li>a. Is more than 300 square feet; and</li> <li>b. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted</li> <li>WITH</li> <li>(2) Provide acceptable drainage improvements on site to preserve OR IMPROVE existing drainage patterns if the construction, remodel or expansion: <ul> <li>A. Is more than 750 square feet; and</li> <li>B. in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.</li> </ul> </li> </ul></li></ul>	too costly, and spending money on things that d difference
3.7									<ul> <li>C. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted</li> <li>1. Acceptable drainage improvements include,</li> <li>1. An engineer's certification that any changes to existing drainage patterns will not adversely impact adjacent properties</li> <li>2. swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve OR IMPROVE existing drainage patterns as calculated by: <ol> <li>grading plan</li> <li>per Table X-X-XX (gallons per sf of impervious cover and grade changes+12")</li> </ol> </li> <li>iii. per Table X-Matter as a preserve of the tractor's discretion if a water mitigation project has been identified in the area to be implemented within 12 months.</li> </ul>	
3.9	Division 23-2A- 3030 & 3040 (B)	x	x			sidential and affordability	NO	NO 23-2A-3030 & 3040 (B)	An engineer's certification that any changes to existing drainage patterns- will not negatively impact adjacent property if the construction, remodel, or expansion: Is more than 500 square feet; and Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was- submitted. (2) Install acceptable drainage improvements, such as swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on- site to preserve existing drainage patterns if the construction, remodel or expansion: Is more than 750 square feet; and Located on an unplatted tract or within a residential subdivision approved more than five years before the- building permit application was submitted. And in an area subject to localized flooding, as determined by the- Watershed Protection Department on an annual basis.	This section incurs high cost along with liability a for both engineer and homeowner. V3 language owner of the property to the engineer, which no to without obscene fees. At first blush, The cost work plus \$5000 for the letter. Est \$8000 per ho last year fitting the requirements = over \$40 mill Furthermore, "Negative Impact" is vague & sub allow for pre-existing deficient conditions on adji calculations are necessary for engineer review a inaccurate on small tracts.
4 4.1	Article 23-2B Application Review and Fees Division 23-2B-1 Application Requirements									
4.2	Division 23-2B-1 Application Requirements Division 23-2B-1 Application Requirements	x		JSc		Admin & Procedures	YES	X	Add new (A)(4) that states ( <u>4): An application that has been submitted</u> and not rejected as incomplete in <u>45</u> days shall be automatically approved under this section.	Confirm that the Educational Impact Statement part of city review process under the new code This would create certainty that applications that completeness will be accepted
4.3	Division 23-2B-1 Application Requirements	x		JSc		Admin & Procedures		23-2B-1010 (b)	Replace with: The responsible director may adopt application requirements under this Section by administrative rule <del>or by policy memo,</del> and shall post required application forms and all relevant rules on the City's website.	This clarifies that directors are empowered to ac requirements and deadlines only through an adr and not via policy memo. The administrative rul process for all residents and stakeholders.
4.5	Division 23-2B-1 Application Requirements	x		JSc		Admin & Procedures		23-2B-1030 Application Completeness (A)(4)(New)	Add (4): An application that has been submitted and not rejected as incomplete in 45 days shall be automatically approved under this section.	This would create certainty that applications that completeness will be accepted
4.6	Division 23-2B-1 Application Requirements	x		JSC		Admin & Procedures		23-2B-1040 Update and Expiration (D)(New)	Add new (D) "(D) If an applicant has submitted an application and subsequent updates but is unable to resolve outstanding comments after the third submittal, the City Manager shall require a meeting of all reviewers and the applicant to take place within 2 weeks following the third set of comments such that conflicting issues can be resolved in a timely manner"	If, after 3 rounds of comments, there is still conf meeting will help resolve and expedite the proce staff time and developer costs
4.7	Division 23-2B-1 Application Requirements	X		JSc		Admin & Procedures		23-28- 1050(B)(1)(d)(New)	Add (d): (d) the application is being delayed due to review by the legal department.	This section lists different reasons that a delay s application expiring. A commodelay that isn't o Because legal review is outside the control of th to not having an application expire when the city reviewing it.
4.8 4.9	Division 23-2B-1 Application Requirements Division 23-2B-2 Review Procedures	x		JSC		Admin & Procedures		23-2B-1060	Remove entire section (23-2B-1060) If an application expires, all other unapproved applications for that development, which are listed below the expired application under Section 23-2A-2010 (Order of Process), also expire.	There's no reason to have all other items expire resetting something back to zero. Other applicat through a normal due process.
4.3										

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	YES/NEUTRAL /NO	STAFF RESPONSE
at do not may not make much		STAFF RESPONSE
lity and enforcement concerns wage shifts liability from the no engineer would ever agree cost is estimated at \$3000 in site r house for over 5100+ permits million additional cost citywide. subjective. The term does not adjacent properties. Drainage ew and are known to be		
ent (EIS) will remain a required		
de that meet all requirements of		
to adopt application administrative rule process, e rule process provides due		
that meet all requirements of		
conflict between departments, a rocess for everyone, limiting		
ay shoudin't lead to an sn't on this list is legal review. of the applicant, it makes sense e city legal department is		
pire when one does - effectively lications may still be going		

CHAPTER	NOISINI	3		SIRED PROI			I	NITIATE	D BY C	ommssi	ONER		EX	OFFICIO	, ,	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	,	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
						ANDERSON	HART KAZI	kenny Mcgraw	NUCKOLS	SCHISSLER	SHIEH	WHITE	SHAW BURKARDT	mendoza Teich				GENERAL	SPECIFIC SECTION		
4.10	Division 23-2B-2	2 Review Procedures			x					JSc						Admin & Procedures			23-2B-2010 (A)	(A) The responsible director shall-establish standards for <u>complete</u> staff review and comment <u>within 21 days of the initial submission of pending</u> applications, <u>and within seven days for an updated application, including</u> deadlines for issuing comments on pending applications for purposes of determining when an application expires under Division 23 2B 1 (Application Requirements)	This would add certainty to the development rev staff is meeting timely deadlines. The director sh setting his/her own deadlines.
4.11	Division 23-2B-2	2 Review Procedures			x					JSc						Admin & Procedures			23-2B-2010(B)	Replace 23-2B-2010(B) with: The responsible director may adopt review- deadlinesapplication requirementsunder this Section by administrative rule, or-by memo, and shall post required application forms and all relevant rules or memos-on the City's website.	Review and Processing. Deadlines should be la administrative rule through the administrative ru publicly. Also, Directors should not be able to se
4.12	Division 23-28-2	2 Review Procedures			x					JSc						Admin & Procedures			23-28-2050	<ul> <li>*Add (E) All development assessments shall have an expiration dated 2 years after issuance of development assessment by City of Austin.</li> <li>(F) Determinations or Code interpretations made at the time of a Development Assessment shall be upheld through the application review process for all project development applications so long as the initial application for development is submitted prior to expiration of the development assessment."</li> </ul>	Uncertainty drives complexity and project cost, development assessment will significantly impro
4.13		3 Fees and Fiscal Surety																			This is supported by facing and a set of a
4.14 5	Article 23-2C Notic	3 Fees and Fiscal Surety		x						JSc						Admin & Procedures			23-2b-2030(C )	Add (3) the improvements for which the fiscal surety esd posted are not constructed within ten years	This is current policy for improvements such as improvements.
5.1	Division 23-2C-1 Division 23-2C-2	1 General Provisions 2 Notice Requirements					$\square$				$\left\{ + \right\}$	++									
5.2 5.3		3 General Notice Procedures	С									+									
5.4		4 Notice of Public Hearings	С																		
5.5	Division 23-2C-5	Decisions																			
5.6	Division 23-2C-5	5 Notice of Applications and Administrative Decisions		x									TS			Notice of Application	NO		23-2C-5010 (D)	(D) Action on Application. Unless otherwise provided by this Title, the responsible director may not approve an application for which notice is required under this section sooner than 44 30 days after the date that notice is provided.	Change to 30 days. 14 days is not enough time impacted parties to receive notice and respond. MUPs]
6 6.1	Article 23-2D Publ Division 23-2D-1				1						ТТ	ТТ			Π						
6.2		1 Conduct of Public Hearings		x				км					TS		Pu	ublic Hearing Order	NO		23-2D-1010	Add: (A)(6) With approval of the chair, the order of presentation of those supporting and opposing the application or proposal may be modified to accommodate those present.	23-2D-1020: Suggest alternating between those instead of allowing all supporting presentations t
6.3 7		2 Timing and Location of Public Hearing slative Amendments	С																		
7.1	Division 23-2E-1	1 Text Amendments																			
7.2		2 Plan and Map Amendments 2 2030 - Neighborhood Plan Amendment			x								TS			eighborhood Plan umendments	NO		2030 -Neighborhood Plan Amendment	ADD: (L) CONVERSION OF NEIGHBORHOOD PLANS FUTURE LAND USE MAPS (FLUMs) No Neighborhood Plan Amendments will be amended until such time as the Land Use Department Director has converted Chapter 25 zones to new Chapter 23 zones within the land use classifications identified in the Neighborhood Plan FLUM.	Where there are conflicts with approved neighb requirements, which takes precedent when and an amendment?
7.4		2 2030 -Neighborhood Plan Amendment		x						JSC						Admin & Procedures			23-2E-2030	<ul> <li>"()</li> <li>(B) Applicability <ul> <li>(1) Individual Property. A neighborhood plan amendment regarding an individual property may be initiated by:</li> <li>(a) The owner of the subject property;</li> <li>(b) The council;</li> <li>(c) The Planning Commission; or</li> <li>(d) The responsible director; or</li> <li>(e) The neighborhood plan contact team for the planning area in which the property is located</li> <li>()</li> <li>(D) Meetings, Hearings, and Notice</li> <li>()</li> <li>(5) Responsibility for Cost of Notice</li> <li>(a) For a neighborhood plan amendment regarding an individual property</li> <li>(i) For a neighborhood plan contact team <u>if the applicant is the owner of the subject property.</u></li> <li>(ii) If the applicant is a neighborhood plan contact team, the City is responsible for the cost of notice."</li> </ul> </li> </ul>	In this minor amendment to neighborhood plans teams should not be allowed to initiate the down
7.5	Division 23-2E-2	2 Plan and Map Amendments		x						JSc						Admin & Procedures			23-2E-2030 (K)	(K) Map and Filing Date. The responsible director shall establish a map- designating the area of the City for which a neighborhood plan- amendment must be submitted in February and the area for which an- application must be submitted in July.	In this minor amendment to neighborhood plans submitted at any time, and not just one time per regulation creates an unnecessary burden on an plans.
7.6	Division 23-2E-2	2 2030 -Neighborhood Plan Amendment		x									TS			eighborhood Plan mendments	NO		2030 -Neighborhood Plan Amendment (H)	(H) Director's Recommendation. The responsible director may recommend approval of the neighborhood plan amendment only if the applicant <u>meets all of the following requirements</u> ; demonstrates that:	(H) Does applicant have to demonstrate that all so,wording should state that.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
t review process and ensure or should not be responsible for		
e laid out within code or through e rule process and posted o set policy via memo		
ost, and having an upfront mprove outcomes.		
as transportaton	-	
	-	
ime after notice issued for ond. [This is process required by		
nose opposed and supporting ons to go first.		
ghborhood plan and new zoning and individual or entity requests		
lans, neighborhood contact own zoning of specific parcels.		
per year. This once per year n amending neighborhood		
t all conditions are met? If		

				S TO D3		INI	ITIATED BY	COMMSSI	ONER		EX OFFIC	:10	TOPIC AREA	STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
	_				ANDERSON	HART KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION		
7.7		2030 (E) Pre-application Meeting					км										Application to amend a Neighborhood Plan or for a zoning change where a FLUM was not created but a neighborhood plan was adopted.	Some NP's do not have FLUMS and therefore a Pre-application meeting for a zoning change. Th especially when changing zoning to a more inter
8 8.1	Article 23-2F Qu Division 23-2I	Judicial and Administrative Relief     F-1 Variances and Special Exceptions										Т			-	1		
8.2	Division 23-21	F-1 Variances and Special Exceptions	×					JSc					Public Hearing and Notification	No		23-2F-1040(C)	(C) An administrative modification granted under Section 23-2F-2040 does not need a public hearing or public notification.	This proposed language clarifies that a public he is not needed for administrative variances since are determined by the land use official, not the b
8.3	Division 23-21	F-2 Administrative Relief Procedures 2040					км			_			Administrative			23-2F-2040 (B) (1) (a) (b)	The allowed modification should not exceed 2% for coverage, setback or	Condones large errors. Designers should build
8.4	Division 23-21	F-2 2050 - Alternative Equivalent Compliance		x						TS			Modifications Alternative Equivalent Compliance	NO		2050 - Alternative Equivalent Compliance (C )	height. (C) Modification Thresholds (1) If the director finds that a request for an alternative equivalent compliance meets the criteria in Subsection (D), the numeric standard for the design feature listed in Table (A) (Types of Alternative Equivalent Compliance Allowed) may be modified by: (a)Up to 10 percent, for any design purpose; (b)Up to 20 percent, if necessary to protect an existing natural site- feature; or (c)Any amount, if necessary to preserve a heritage tree.	construction errors. Protection of natural site features and heritage t result in abuse.
8.6		2050 - Alternative Equivalent Compliance		x						TS			Alternative Equivalent Compliance	NO		2050 - Alternative Equivalent Compliance; Table 23-2F-2040(A)	Remove from Table: Decrease in the minimum distance between a building and installed utilities, Modification of internal circulation routes, Decrease in minimum drive-through circulation lane width, Modification of building design standards, Modification of building articulation requirements, Modification of building entrance requirements, Modification of entryway spacing and location, Increase of the portion of open space above ground level that may be counted towards compliance, Decrease in minimum open space adjacent to bus rapid transit (BRT) stations	Too broad. Remove all items that are not specif 10% reduction or that should be decided in cons
8.7	Division 23-21	F-2 Administrative Relief Procedures	×					JSc					Alternative Equivalent Compliance	No		23-2F-2050(A)(2)	(2) Alternative equivalent compliance may only be used for development located in Mixed Use, Main Street, Regional Center, or Commercial and Industrial Zones any Zone as authorized in this section, and may not be used to vary or modify zone regulations, such as height, setbacks, impervious cover, building coverage, or floor area ratio.	This proposed language allows alternative equiv zone. The City should support alternative equive apporipriate as it encourages creative and origin accommodates developments where particular of a proposed use prevent strict compliance with should be allowed in all zones
8.8	Division 23-21	F-2 Administrative Relief Procedures		×					т				Nonconformity	No		23-2F-2030 Exempt Residental Uses and Structures	(A) Purpose. (1) This section authorizes the building official to issue a certificate of occupancy for certain noncompliant residential structures established before the effective date of this Title. (2) The purpose of this section is to avoid the unnecessary loss of residential housing opportunities available to Austin residents and reduce the costs to homeowners associated with remedying longstanding codeviolations which do not threaten public health and safety. (3) This section further seeks to minimize the costs to the City associated with enforcing residential code violations that predate the advent and implementation of electronic property records and tracking methods and that do not pose a threat to public health health and safety.	This section is a major shift from the current Lar Amnesty Certificate of Occupancy (CO) provisio major impact. By restricting and limiting the exer residential uses, many people will be unable to for older commercial structures and thus will be continue with the project (which requires a CO ti program currently in place). The effect is that or have to come into compliance with current code upgrades, tenant improvements, etc. This will b expensive. Further, this could cause defaults un documents.
	Division 23-21	F-2 Administrative Relief Procedures											Nonconformity	No		23-2F-2030 Exempt Residental Uses and Structures	(D) Status of Affected Properties. If the building official approves a certificate of occupancy under this section:(1) The structure becomes a nonconforming structure under Article 23-2G (Nonconformity), if the structure does not comply with applicable site development regulations on the date it receives the certificate of occupancy; and (2) The use becomes a nonconforming use under Article 23-2G (Nonconformity) if it is unpermitted in the applicable base zone on the date the structure in which the use or occupancy is located receives the certificate of occupancy.	This section needs to be rewritten. Under curren restrictions applicable to nonconforming uses an cases of noncompliance with zoning regulations nonconformity frequently arise in other contexts structure does not meet current watershed or dr meet the regulations applicable at the time it wa relates back to Article 23-G and this is another is concept of nonconformity to other site developm Development Code, besides just zoning district clarifies staffs authority to limit modifications the nonconformity with other kinds of City regulation
8.9 8.10				x			TN					T				23-2F-2040(c)(2)	In Table 23-4F-2040(A), delete "Decrease in minimum open space adjacent to bus rapid transit (BRT) stations."	Imagine Austin calls for complete communities. need open space near BRT stops, so don't allow
8.11	Division 23-21	F-3 Limited Adjustments	С															
9	Article 23-2G No								· · · ·									
9.1		G-1 General Provisions G-1 General Provisions	x					JSc					Continuation of Nonconformity	No		23-2G-1050(B)(6)	<ul> <li>(6) Conversion to Cooperative Housing. A nonconforming use operating within a multifamily building may be replaced by Cooperative. Housing and allowed to expand or extend beyond the floor area that is occupied on the date it became a nonconforming use if:.</li> <li>a) Cooperative Housing is allowed or conditional use within the zoning district.</li> <li>b) The responsible director determines that the new use meets the definition of Cooperative Housing in 23-13A-2030.</li> </ul>	This proposed language allows a nonconforming cooperative housing. The City should support co possible and avoid burdening the development a cooperatives.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ore are not currently entitled to a e. The meeting is important intense zone.		
ic hearing and public notification ince administrative variances he board of adjustments.		
uild in room for minor		
age trees is required. This will		
pecific enough to know affect of consult with other departments.		
equivalent compliance in any quivalent compliance where original design and ular site conditions or the nature with the code and therefore		
t Land Development Code visions that will potentially have exemptions for CO to only to get certificates of occupancy II be unable to get financing to CO through the Amnesty at commercial properties will code to get a CO, to do will be time consuming and ts under many financing		
urrent Code, the general as and structures are limited to tions. However, issues of exts as well, such as where a or drainage regulations but did t was constructed. This section ther issue. By extending the opment regulations of the Land trict regulations, Article 23-2G s that increase the degree of ations.		
ties. Complete communities allow it to be eliminated.		
ming use to be converted into a rt cooperative housing wherever ent and expansion of		

HAPTER	NOSINI	DESIRED PROPOSED CHANGES TO D3	INIT	IATED BY COMM	SSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
			ANDERSON HART CAZI CAZI	MCGRAW NUCKOLS DLIVER SCHISSLER	SEEGER HIEH HOMPSON MHTE SHAW	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
9.3	Division 23-2G-1 General Provisions	X					Uses	x		23-2G-1060-D-1-a except a single family home which is subject to the requirements of 23-2G-1080-D	single family homes on more intense zoning appear all over our poorer neighborhoods as a legacy of previous spot zoning. I don't think we should continue to punish them by not allowing them to repair their home if there's damage. This same type of protection is afforded to non-conforming structures under 23-2G-1080-D	
9.4	Division 23-2G-1	X	СК				Rezoned Residential Non- Conforming structures	Yes - Brent Lloyd is working on it	in this division	TK from staff	This amendment ensures that any current single-family residential property owner who is rezoned under CodeNEXT does not have a reduction in available entitlements. They maintain their non-conforming (allowed, though not in compliance) and are not subject to the loss of their status through the usual mechanisms (vacancy, etc.). They are also able to maintain and even expand their structures as long as it meets F25 compatibility for their pre- CodeNEXT zoning. They do lose their status if they make an alteration either to the new, conforming use, or to a different non-conforming use.	
9.5	Division 23-2G-1 General Provisions	x	FK				Nonconformity	Yes		Add section: (6) Conversion to Cooperative Housing. A nonconforming- use operating within a multifamily building may be replaced by. Cooperative Housing and allowed to expand or extend beyond the floor- area that is occupied on the date it became a nonconforming use if: a). Cooperative Housing is allowed or conditional use within the zoning. district. b) The responsible director determines that the new use meets- the definition of Cooperative Housing in 23-13A-2030.	Coops work and must be allowed wherever possible	
9.6	Division 23-2G-1 General Provisions			JSc						(B) Applicability. This article applies to: (1) A use, structure, or lot within the zoning jurisdiction that is- nonconforming to land use or site development regulations under Chapter 23 4 (Zoning) or a separately adopted zoning ordinance; and (2) A structure or lot within the planning jurisdiction that is- nonconforming to other applicable regulations of this Title.	This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.	
9.7	Division 23-2G-1			JSc				Yes		(B) Nonconforming Structures (I) A building, structure, or developed area, including a parking or- loading area, that does not comply with site development regulations- applicable under this Title, or a separately adopted zoning ordinance, is a nonconforming structure if it existed lawfully, in conformance or legal- nonconformance with applicable site development regulations, at the time it was constructed. (2) A building, structure, or developed area that is not a nonconforming structure is in violation of this Title if it does not comply with applicable- site development regulations.	This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.	
9.8	Division 23-2G-1	x		JSc						(D) Termination by Destruction (1) A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 50 <u>90</u> percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official.	A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 50 percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official. If it costs more than this (even if you don't do all of the repairs) you lose the use. Current Land Development Code Sec. 25-2:944 allows 90%. This change in Draft 3.0 is problematic for financing and for insurance purposes.	
9.9	Division 23-2G-2 Specific Types of Nonconformity	X	FK				Nonconforming Lots	No		<ul> <li>(2) If a nonconforming lot is used with one or more contiguous lots for a single use or unified development, the standards of this Title apply to the aggregation of lots as if the aggregation were a single lot.</li> <li>(3) A nonconforming lot that is aggregated with other property to form a site may not be disaggregated to form a site that is smaller than the minimum lot area required by this Title.</li> </ul>	This proposed language deletes two section to clarify that all lots that are legally platted and meet the definition in the prior Section 23-2G-2020(C)(1), which has a minimum lot size of 2,500 sq.ft., a frontage of 25 ft. should be allowed to be developed. The City should honor existing legally platted lots and allow them to be deveoped. Currently one house can sit on two or three legally platted lots which locks up the land from being used as it was platted for.	
9.10	Division 23-2G-1 General Provisions	X		JSC			Continuation of Nonconformity	No		<ul> <li>(3) Conversion to Other Nonconforming Use Prohibited. A nonconforming use may not be established or replaced by anothernonconforming use, except as provided in Subsection (B)(4).</li> <li>(4) Conversion of Nonconforming Uses in Residential Buildings. A nonconforming use operating within a single or multi-family- any building may be replaced by another nonconforming use if: <ul> <li>(a) The responsible director determines that the requested use is of comparable or lesser intensity to the original nonconforming use; and</li> <li>(b) The original use was not abandoned under Section 23-2G-1060 (Termination of Nonconforming Use).</li> </ul> </li> </ul>	This proposed language deletes Section 23-2G-1050(B)(3) and clarifies that nonconforming uses in any building can be replaced with another comparable or lesser intensity use. The city should allow a lesser non- conforming use be allowed anywhere, as it reduces intensity of the existing use while preserving the existing building.	
9.11	Division 23-2G-1 General Provisions Division 23-2G-1 General Provisions	x			т		Nonconformity	Yes	23-2G-1010 Purpose, Applicability, and Review Authority		This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA. This section needs to be reviewed and rewritten. This states that any	
9.12	Division 20-20-1 Optimizing Flovisions	x			π		Nonconformity	Yes	23-2G-1020 Nonconforming Status		This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.	

ARTICLE ANTICLE DIVISION TITLE			D PROPOS			IN	IITIATED	) BY CO	MMSSIC	NER		EX (	OFFICIO		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					NDERSON JART	(AZI	(ENNY ACGRAW	uuckols DLIVER	CHISSLER EEGER	HIEH	NHITE	HAW BURKARDT	MENDOZA TEICH				GENERAL	SPECIFIC SECTION		
Division 23-2G-1 General Provisions				x							r				Continuation of Nonconformity	Yes		23-2G-1060		This section needs to be reviewed and rewritte for a nonconforming use may be repaired and continued only if the building official determines not exceed 50 percent of the value of the struct damage, as determined by a licensed appraise the building official. If it costs more than this (e repairs) you lose the use. Current Land Develo This change in Draft 3.0 is problematic for finan purposes
9.14	icability and Review			x								rs		M	lon-conformity	NO		1010 (A) (2)	Delete	Too onerous
9.15 Division 23-2G-2 Specific Types of No Division 23-2G-2 Specific Types of No 9.16	nconformity		x						JSc					7	Nonconforming Lots	No		23-2G-2020(C)(2) and (3)	<ul> <li>(2) If a nonconforming lot is used with one or more contiguous lots for a single use or unified development, the standards of this Title apply to the aggregation of lots as if the aggregation were a single lot.</li> <li>(3) A nonconforming lot that is aggregated with other property to form a site may not be disaggregated to form a site that is smaller than the minimum lot area required by this Title.</li> </ul>	This proposed language deletes two section to legally platted and meet the definition in the pri which has a minimum lot size of 2,500 sq.ft., a allowed to be developed. The City should hono and allow them to be deveoped. Currently one legally platted lots which locks up the land from for.
10 Article 23-2H Construction Managemen Division 23-2H-1 General Provisions	at and Certificates					П					TT			Т						
10.1 Division 23-2H-1 General Provisions			x						JSc						Timeline	No		23-2H-1020(B)	No later than seven THREE days	This is standard construction note that three da
10.3 Division 23-2H-2 Subdivision Construc		С																		
10.4 Division 23-2H-3 Site Construction and Division 23-2H-4 Certificates of Compl		C C		_	$\vdash$	$\left  \right $								H			-			
10.5 Article 23-21 Appeals																				
11.1         Division 23-2I-1         General Provisions           11.2         Division 23-2I-2         Initiation and Process	sing of Appeals			_		++					++		_							
Division 23-2I-3 Notification and Conc 11.3	ducte of Public Hearing													Т						
11.4 Division 23-2I-4 Action on Appeal 12 Article 23-2J Enforcement											11									
12 Division 23-2J-1 General Provisions		С																		
12.2 Division 23-2J-2 Suspension and Rev		С																		
12.3 Division 23-2J-3 Enforcement Orders Division 23-2J-4 Appeal Procedures		C			$\vdash$	$\left  \right $				_	++									
12.4 13 Article 23-2K Vested Rights														<u></u>						
13.1 Division 23-2K-1 Petition and Review I VALID PETITION RI		С		_	$\vdash$	$\left  \right $					TM						x		add a section outlining the valid petition process	valid petitions should be allowed for both MUP
13.2 Division 23-2K-2 Vested Rights Deterr				x	LL.										PROCESS	x	^		acid a section outlining the valid perition process	value perturber should be answer to both MOP section this would help empower people to p process, it shouldn't be a secret and having it ri transparent and effective
13.3		С		-	$\vdash$	++				_	+		_	H						
13.4 Division 23-2K-3 Expiration		С				++					++			T						
14 Article 23-2L Miscellaneous Provisions Division 23-2L-1 Interlocal Developme		~							1	T	<u> </u>		1	T						
14.1 Division 23-2L-2 General Developmer		C C		-		++					++		-	t			-			
14.2 Division 23-2L-3 Closed Municipal Lar	ndfills	C												T						
Chapter 23-3: General Planning Requisit 15 Article 23-3A Purpose and Applicability	anomo	NONE M	IINOR IV	MAJOR												YES/NO	YES/NO			
15.1 Division 23-3A-1 Purpose and Applica Article 23-3B Parkland Dedication	bility					П					Π									
16.1 Division 23-3B-1 Parkland Dedication						Π					ŦŦ		-	П						
Division 23-3B-1 General Provisions			x						JSc						Purpose and Applicability	No		23-3B-1010(A)(1)	(1) The City of Austin has determined that recreational areas in the form of public parks and open spaces within 1/4 mile walk of each resident are necessary for the well-being of the City's residents, and a network of greenways and trails promote a compact and connected city.	This proposed language provides clarity to the parkland dedication section of the code. The or too broad and should be clarified.
16.3			x						JSc						Review Authority	No		23-3B-1020(C)(1)	(1) A Deficient Park Area Map Proximity to Park Area Map illustrating shortages in parkland that shows only required connections to greenways and trails and areas of the City that are more than a one quarter (1/4) mile walk of an existing park or a school playground or other applicible open space that is at least one acre and is accessible to the public; and	
16.3 Division 23-38-1 General Provisions			x						JSc						Review Authority	No		23-3B-1020(D)	(D) Before the director may adopt or amend a rule under this Article, the director shall present the rule to the Parks Board and Planning Commission for consideration and recommendation to City Council and the City Council will approve, modify, or disapprove the proposed rule.	This proposed language adds a requirement th an existing rule must be reviewed by the Parks Commission for consideration and recommend proposed language also requires the City Cour disaprove any proposed rule or rule change. Th almost the exact language used for rules relate Section 15-6-3 of our City Code.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
itten. A damaged structure used nd the nonconforming use ines that the cost of repair does ructure immediately before the eiser in a manner approved by s (even if you don't do all of the elopment Code allows 90%. nancing and for insurance		
to clarify that all lots that are prior Section 23-2G-2020(C)(1), , a frontage of 25 ft. should be onor existing legally platted lots ne house can sit on two or three rom being used as it was platted		
days notice is adequate.		
UP & CUP including a specific to participate in the democratic it right here in the code is		
he purpose section of the e original language in Draft 3 is		
t that any new rule or change to rks Board and Planning endation to the City Council. The ouncil to approve, modify, or . This proposed requirement is lated to Solid Wate Services in		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	IN	NITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI	KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEEGER SHIEH THOMPSON WHTTE	SHAW BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
16.5	Division 23-38-2 Dedication Division 23-38-2 Dedication	x	GA			Parkland Dedication	No	23-38-2010	Remove references to 15% and change to 10%. Add new (6) The 10 percent parkland dedication shall be calculated as a net site area.	Imagine Austin calls for "Increase dense, compa the urban core". In many instances, sites within i required to dedicate at or near the 15 percent ca density in the urban core and along the major co
16.7				JSc JSc				23-3B-2010 Dedication of Parkland (A) Dedication Required (1)[NEW]	<ul> <li>(A) Dedication Required. An applicant for subdivision or site plan. approval must provide for the parkland needs of the residents by the. dedication of suitable land for park and recreational purposes under this. article or by payment of a fee in-lieu of dedication under Section 23-3B- 3010 (Fee In-Lieu of Parkland Dedication).</li> <li>(1) An applicant may request a binding determination from PARD. regarding whether total land dedication for all types of open space, including but not limited to parkland, common open space, civic open space, private open space, payment of fee in-lieu in land or a combination of fee and land will be required.</li> <li>(a) A binding determination issued under this section shall apply to any. development application submitted within 1-year from the date the determination is issued, provided that the number of units has not changed by more than 10% from the number of units originally provided by the application a submitted within one-year from the date the determination was issued.</li> <li>(b) The combined total area between open space and parkland, shall not exceed 15% of site.</li> </ul>	Applicants must be able to predict during their d may be required for parkland dedication. Our rer (A)(1)(a) is taken directly from the existing Parkl Procedures (PDOP). Leaving such important pr determined outside of the revised LDC process provide clear guidance and predictability. In add required dedication would allow for density to co principles in Imagine Austin for compact develop
16.8	Division 23-3B-2 Dedication	x	GA	JSc		Site Plan Dedication	No	23-3B-2010 (C)(3)	(3) Parkland dedication that complies with this section shall be included in the gross site area for the parcel dedicating land. Zoning entitlements including but not limited to impervious cover and FAR shall be calculated on the gross site area prior to the parkland dedication.	This proposed language codifies existing policy the parkland procedures.
16.9	Division 23-38-2 Dedication	x		JSC		Dedication of Parkland	No	23-3B-2010 (I) and (I)	<ul> <li>(I) As authorized by the Parkland Dedication Ordinance, City Code § 25- <u>1-605</u>, an applicant may request a binding determination from PARD, regarding whether total land dedication; payment of a fee in-lieu in land or a combination of fee and land will be required.</li> <li>(J) A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units has not changed by more than 10% from the number of units originally provided by the applicant and relied upon by PARD to make the determination. A binding determination expires if no subdivision, site plan, or building permit application is submitted within one-year from the date the determination was issued.</li> </ul>	This proposed language codifies the early detern currently in the Parkland Dedication Operating F the early determination includes all types of oper langauge provides regulatory certainty while also dedicated throughout Austin.
15.10	Division 23-3B-2 Dedication	x		JSC		Dedication of Parkland	No	23-3B-2010 (H)	(H) 15 Percent <del>Urban Core</del> Cap. The amount of parkland <u>.civic open</u> <u>space</u> , and <u>common open space</u> required to be dedicated <u>or provided</u> within the Parkland Dedication Urban Core may not exceed 15 percent of gross site area for the development required to provide the dedication except upon consent of the applicant or as authorized under this subsection.	This proposed language applies the 15 percent the entire city, not just the urban core. The City's dedicate more than 15% has a major impact on established in the City's Housing Blueprint. This not change the Parks Director's ability to go to th exceed that cap if conditions warrant. The Cap land use commission can raise or lower it on ap director. In addition, the cap will now apply to th civic open space and common open space intro
16.11	Division 23-3B-2 Dedication	x		JSC		Dedication of Parkland	No	23-38-2010 (J)	<ul> <li>(J) Sites Fronting Corridors</li> <li>(1) An applicant seeking a Subdivision or Site Plan for a site that is tenarces or less and fronts an Imagine Austin Corridor shall not be required to dedicate parkland onsite and instead shall be required to payment in lieu of dedication.</li> <li>(2) An applicant seeking a Subdivision or Site Plan for a site that is more than ten acres and fronts an Imagine Austin Corridor shall not be required to dedicate parkland fronting the corridor.</li> </ul>	This proposed language clarifies when parkland dedicated for sites that front an Imagine Austin ( language provides the park director the ability to by approval of the land use commission. Imagin supportive corridors, which in turn require popul along our corridors. Parkland requirements that limit or prevent housing along our corridors.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
mpact family-friendly housing in thin the urban core will be nt cap which severely limits the or corridors.		
eir due diligence period what ur recommendation in (A)(1) and Parkland Dedication Operating tt procedures to be defined and ess and in the PDOP does not addition, limiting the maximum to continue and support the velopment.		
plicy that is already outlined in		
letermination process that is ng Procedures and clarifies that open space. This proposed a also ensuring parkland is		
ent parkland dedication cap to City's current requirement to t on acheiving the goals This proposed language does to the land use commission to Cap is a "soft cap" because the n appeal of the applicant or to the new requirements for introduced in CodeNEXT.		
Iand may be required to be stin Corridor. The proposed ity to request for the dedication agine Austin calls for transit- opulation and job densities that limit unit yield should not		

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CHAP <sup>.</sup>		DESIRED PROPOSED CHANGES TO D3		INITIATED BY C	COMMSSION	NER	EX OFF	ісіо торі	C AREA	FEEDBACK	AMENDMENT TYPE		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			NOS	LS W	E.	NOS	RDT DZA		- 1						YES/NEUTRAL /NO	
			ANDER HART KAZI	KENNY MCGRA NUCKO	SCHISSI	SHIEH THOMF WHITE	SHAW BURKAI MENDC	ТЕІСН			GENERAL	SPECIFIC SECTION			7110	STAFF RESPONSE
					JSc						on th ad Dy pi (a su		<ul> <li>(3) The director may request that the Land Use Commission approve. onsite dedication for a site that fronts an Imagine Austin Corridor, up to the amount required under Subsection (E), if doing so is necessary to address a critical shortage of parkland for an area identified in the Deficient Parkland Area Map or provide connectivity with existing or planned parks or recreational amenities.</li> <li>(a) Before the Land Use Commission considers a request under this subsection for approval, the director shall present the request to the Parks Board for a recommendation.</li> </ul>			
													(b) In considering a request from the director under this subsection, the Land Use Commission may:			
													(i) Deny the director's request; or (ii) Approve the director's request for the full amount requested or a portion of the amount the Land Use Commission finds to be necessary based on the criteria in code and the parkland dedication operating procedures.			
16.12	Division 23-38-2 Dedication	x			JSc			Dedic	ards for ation of kland	No			(E) The director shall approve the inclusion of additional features that satisfy other regulatory requirements, such as Water Quality features, drainage features, detention features, trails, or other features if they do not disrupt the primary purpose of the dedication.	This proposed language would allow other regulatory requirements that impact the development of a full site's area to be included in parkland dedicated to the city so long as they do not disrupt the primary purpose of the dedication.		
16.14	Division 23-3B-2 Dedication	x			JSc			Dedic	ards for ation of kland	No		23-3B-2020 (F)	(F) Gazebos, pavilions, and other open air structures are permitted.	This proposed language clarifyies that gazebos, pavilions, or other open air structures are allowed in parkland that is dedicated.		
16.15	Division 23-3B-2	x	GA						kland ication	No		23-3B-2010	Remove references to 15% and change to 10%. Add new (6) The 10_ percent parkland dedication shall be calculated as a net site area_	Imagine Austin calls for "Increase dense, compact family-friendly housing in the urban core". In many instances, sites within the urban core will be required to dedicate at or near the 15 percent cap which severely limits the density in the urban core and along the major corridors.		
16.16	Division 23-3B-2	x	GA						kland ication	No		23-3B-2010	An applicant seeking a Subdivision or Site Plan for a site that fronts an Imagine Austin Corridor shall not be required to dedicate parkland on site.	Dedication of Parkland - specify that onsite parkland dedication is not required on an Imagine Austin Corridor. Imagine Austin calls for transit- supportive corridors, which in turn require population and job densities along our corridors. Parkland requirements that limit unit yield, while important in other parts of Austin city, should stymie housing along our corridors		
16.17	Division 23-3B-2 2010- Dedication of Parkland	x					rs		ation of kland	NO			(G) PUD Parkland Requirements. Development within a Planned Unit Development (PUD) Zone may, if required by the ordinance adopting the PUD, be subject to additional parkland requirements and may be entitled to count dedicated parkland towards meeting open space requirements under Section 23-4D-8130 (Planned Unit Development Zone). Therefore, the 15% cap limit provisions in 23-3B-2010 (H) do not apply to PUD zones.	(H) Add that 15% cap does not apply to PUD's. The rules are already administered this way.		
16.18	Division 23-3B-2 Dedication	×				Τι		Pri	DCess	No		(1)[NEW]	(A) Dedication Required. An applicant for subdivision or site plan approval must provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this article or by payment of a fee in-lieu of dedication under Section 23-3B- 3010 (Fee In-Lieu of Parkland Dedication).			
16.19	Division 23-38-2 2020 - Standard for Dedication of Parkland-	x					rs	Park S	tandards	NO		2020 - Standard for Dedication of Parkland-	ADD: E) Dedicated Parkland shall meet site condition requirements. within the Parkland Dedication Operating Procedures	(A)(3) Does PARD's operating procedures have requirements for min. of 50% meet active play and <10% slope requirements? If not, these need to be added to dedication requirements. (C) 50% is to large amount of 100 yr. floodplain to count as parkland as these areas are not accessible for public use many times during the year.		
16.20	Division 23-38-3 Fees 3010 - Fee in Lieu of Dedication	x					rs		Lieu of ication	NO		3010 (A)(2)(a)	(a) Less than 6 1 acre is required to be dedicated under Section 23-3B-2010 (Dedication of Parkland); or	6 acres is a very large threshhold amount of Parkland to be able to be considered for exemption from dedication requirements with fee-in-lieu. This will ensure that even small parcels of dedicated park are made available to serve needs if increased number of residents and developer has option to pay remainder as fee-in-lieu.		

CHAPTER	DIVISION	SIRED PROI		INITIATED BY COMMSSIONER					EX	OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO	
				ANDERSON HART	KAZI	kenny Mcgraw	NUCKOLS	SCHISSLER SEEGER	WHITE	SHAW BURKARDT	MENDOZA	TEICH			GEN	IERAL SPECIFIC SECTION		
16.22	3010 - Fee in Lieu of Dedication		x							TS			Fee in Lieu of Dedication	NO		3010 (A)(2)	ADD: (c) the director determines that land is available in the service areas being considered so as to assure that City will able to utilize the fees per 23-3B-3030.	PARD commented that they have difficulty findi in urban core. In general, all fee-in-lieu of optio predicated on the City's ability to utilize the fees city to provide the benefits than the developer.
16.23	3030 - Fee Payment and Expenditure		×							TS			Fee Payment and Expenditure	NO		3030 (C )	C) The City shall expend a fee collected under this article within five years from the date the fees are appropriated for expenditure by the director. This period is extended by five years if, at the end of the initial five-year period: 1) less than 50 percent of the residential units within a subdivision or site plan have been constructed. or 2) City demonstrates hardship in availability of land to purchase for parkland.	PARD should have a way to request extension are ssues with land availability etc.
16.24	Division 23-3B-3 Fees		x					JSc					Fee In-Lieu of Parkland Dedication	No		23-38-3010(A)	<ul> <li>(A) Fee In-Lieu Authorized. The director may require or allow a subdivision or site plan applicant to deposit with the City a fee in-lieu of parkland dedication under Section 23-3B-2010 (Dedication of Parkland) if:</li> <li>(1) The director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B); and</li> <li>(2) The following additional requirements are met:</li> <li>(a) Less than six acres is required to be dedicated under Section 23-3B-2010 (Dedication of Parkland); or</li> <li>(b) The land available for dedication does not comply with the standards for dedication under Section 23-3B-2020 (Standards for Dedicated Dedi</li></ul>	This proposed language allows a fee in lieu to to standards are met, without regard to total size o This allows more flexibility for both PARD and t
	Division 23-3B-3 Fees		x					JSc					Fee In-Lieu of Parkland Dedication			23-38-3010 (C) Fee-in- Lieu of Parkland Dedication	(C) Site Plan Dedication. (1) For dedication made at site plan the area to be dedicated must be shown on the site plan as "Parkland Dedicated to the City of Austin" and in a deed to the City. The applicant shall dedicate the parkland required by this article to the City by deed before the site plan is released, except that dedication may be deferred until issuance of a certificate of occupancy if construction of amenities is authorized under Section 23-3B-3010 (Fee In-Lieu of Parkland Dedication) or Section 23- 3B-3020 (Parkland Development Fee). (2) In negotiating a deed under this section, the director may require that a reasonable portion of the total impervious cover permitted on the site be allocated to the dedicated parkland to allow for construction of parkland amenities without unduly impacting development of the proposed site plan. (3) Parkland dedication that complies with this section shall be included in the gross site area for the parcel dedicating land. Zoning entitlements including but not limited to impervious cover and FAR shall be calculated on the gross site area. prior to the parkland dedication.	The language as written does not provide clarity may be calculated. A major concern is that if the parkland dedication, the result is that the develor entitlements, including FAR and Impervious Co would calculate the gross site area before the d density on sites, including ones along major cor
16.25	Division 23-38-3 Fees		x					JSc								23-3B-3010(E)(1)	<ul> <li>(1) Construction of Amenities. The director shall allow an applicant to construct recreational amenities on public or private parkland. if applicable. in-lieu of paying the dedication fee required by this section. In order to utilize this option, the applicant must:</li> <li>(a) Post fiscal surety in an amount equal to the development fee; and</li> <li>(b) If a dedication of land is required, construct recreational amenities. prior to the dedication in a manner consistent with the parkland dedication operating procedures; and.</li> <li>(c) Document the required amenities concurrent with subsection or site plan approval, in a manner consistent with the parkland dedication operating procedures.</li> </ul>	This proposed language allows fee-in-lieu to be on-site recreational facilities. This will incentiviz facilities and lower the City's burden on exisitng
16.27	Division 23-3B-3 Fees		x					JSc					Fee In-Lieu of Parkland Dedication	No		23-38-3010(F) and (H)	(F) A Fee in lieu for parkland dedication shall be allowed by right on corridors and within 1/2 mile walk of high frequency transit stops. (FH) Appeal. If the director rejects a request to pay a fee in-lieu of dedication under Subsection (B), the applicant may appeal the director's decision to the Land Use Commission consistent with the procedures in Article 23-21 (Appeals). Before the Land Use Commission considers the appeal, the director shall present the case to the Parks Board for a recommendation, but failure by the Parks Board to act shall not prohibit the Land Use Commission from considering the appeal.	
16.28	Division 23-3B-3 Fees		x					JSc								23-3B-3010(G)	(G) A dedication determination issued under this Subsection is valid for a period of one year from the date of issuance and will not expire if a site plan application is filed within one year from the date of issuance.	Initial parkland dedication determination should plan process.
<b>7</b> 17.1	Article 23-3C Urban Forest Protection and Replenishment Division 23-3C-1 General Provisions	T	<u> </u>		ТТ			ТТ	<u> </u>		ТТ	т						
17.1	Division 23-3C-1 General Provisions	x						JSc					Review Authority	No		23-3C-1020 (C)	(C) The city arborist shall adopt administrative rules, in accordance with the administrative rules process, to implement this article and, in consultation with the Public Works Director, additional rules to implement Division 23-9F-5 (Sidewalks, Urban Trails, and Street Trees). Rules adopted under this article shall include:	This proposed language clarifies that the rules r administrative rules process. Rules adopted by follow administrative rules procedures

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inding land for parks especially ptions for developers should be ees. If it is more difficult for the er.		
ion for use of funds when there		
to be used any time the normal ze of the subdivision or site plan. nd the applicant.		
arity on how gross site areas f the area is calculated after the velopable parcel will have less . Cover. This recommendation he dedication and allow for better corridors		
b be used on the construction of ivize the construction of on-site itng parks.		
ould continue through the site		
les must be adopted by the I by this department should		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	IN	IITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KENNV	KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SCHISSLER SCHISSLER SCHISLER SCHISLER THOMPSON WHITE	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
17.3	Division 23-3C-1 General Provisions	x		JSC		Tree Designations	No	23-3C-1030 (B)	<ul> <li>Heritage Tree Species. To qualify as a heritage tree, a tree must meet the size requirements listed in Subsection (A) and qualify as one of the following species-or as an additional heritage tree species listed in the Environmental Criteria Manual:</li> <li>(1) Texas Ash;</li> <li>(2) Bald Cypress;</li> <li>(3) American Elm;</li> <li>(4) Cedar Elm;</li> <li>(5) Texas Madrone;</li> <li>(6) Bigtooth Maple;</li> <li>(7) All oaks;</li> <li>(8) Pecan;</li> <li>(9) Arizona Walnut; and</li> <li>(10) Eastern Black Walnut.</li> </ul>	This proposed language clarifies that only tree : qualify as a heritage tree. The list of Heritage T approved by City Council and listed in code; the administrative change by a criteria manual.
17.4				TN				23-3C-1030	Ensure that PC recommends what is in the Addenda re: Young Public Trees 2-7.9' and Keystone Trees 8-18.9.	Imagine Austin calls for "complete communities need a healthy tree canopy.
17.5				JSc JT				23-3C-1040 (A) Tree Requirements for Site Plan (2)	(A) Tree Requirements for Site Plans. An application for site plan approval must: (1) Include a grading and tree protection plan, as prescribed by the Environmental Criteria Manual and other applicable rules; and (2) Demonstrate that the design will preserve the existing natural character of the landscape, including the retention <u>or mitigation</u> of trees eight inches or larger in diameter to the extent feasible.	Removing conflict. Requiring a plan to preserv above exceeds code requirements. Trees less option for mitigation.
17.5	Division 23-3C-1 General Provisions	x		a2L		Application and Review Procedures	No	23-3C-1040 (B)	(B) Restrictions on Removal of Keystone Trees. If development under a proposed site plan will remove a keystone tree, the city arborist may require mitigation, including the planting of replacement trees. The city arborist may not release the site plan withhold the building permit or certificate of occupancy until the applicant satisfies the condition or posts fiscal surety to ensure performance of the condition.	This proposed language still provides the city a that an applicant satisfies code but simply movi site plan to the ability to withhold the building pro occupancy. The requirement of mitigation prior before the horse and unachievable; Request to mitigation is a large cost and seems unnecessa trees are planted prior to acceptance of a buildi
17.7	Division 23-3C-1 General Provisions	x		JSC		Application and Review Procedures	No	23-3C-1040 (C)	(B) Restrictions on Removal of Protected Trees. For an application for preliminary plan, final plat, building permit or site plan approval that proposed the removal of a protected tree, the city arborist must teview the application and make a recommendation before the application is administratively approved or presented to the Land Use Commission or eity Council.	Protected tree trmoval should not need Land Us Council approval.
17.8	Division 23-3C-1 General Provisions	X		JSC		Review by City Arborist	No	23-3C-1050 (B)	(B) Mitigation Requirements. If a regulated tree is permitted for removal, the city arborist shall require reasonable mitigation, consistent with the applicable requirements of this article and the Environment Criteria Manual. Compliance with required mitigation measures, which may include planting replace trees, must occur before the Development Services Director may approve the application-issue a certificate of occupancy:	This proposed language still provides the city a that an applicant satisfies code but simply mov approval of an application to withhold the certifi requirement of mitigation prior to SDP approva unachievable; Request to post fiscal surety for and seems unnecessary as staff can ensure the acceptance of a building/CO.
17.9	Division 23-3C-1 General Provisions	x		JSC		Review by City Arborist	No	23-3C-1060	<ul> <li>"(A) The city arborist may request that a city department waive or modify a policy, rule, or design standard, other than a regulation of this Title, <u>if</u> the waiver provides an opportunity for a tree to be preserved. The city department shall make best efforts to preserve the tree, and any conflicts. between the city arborist and the city department shall be resolved by the City Manager within 30 days of the initial request for waiver, enforcement will result in removal of a regulated tree under Section 23-3C-1030 (Tree Designations).</li> <li>(B) At the city arborist's request, a responsible director may waive or modify the applicable policy, rule, or design standard, other than a regulation of this Title, if the director determines that a waiver or modification will not pose a threat to public safety.</li> </ul>	Make this authority more explicit, and allow for
17.10 17.11	Division 23-3C-2 Young Public, Keystone, and Protected Trees			JSc					<ul> <li>(C) The city arborist shall have the administrative authority to grant the following additional entitlements that exceed zoning criteria or waive specific regulations to encourage the preservation of a protected or heritage tree. These entitlements are:</li> <li>(1) Additional FAR;</li> <li>(2) Articulation requirements;</li> <li>(3) Parking siting requirements;</li> <li>(4) Minimum parking requirements;</li> <li>(5) Additional height; and</li> <li>(6) Smaller front, side, and rear setbacks (while maintaining fire code fire rating requirements); and</li> <li>(7) other non-zoning regulations.</li> <li>(D) The city arborist shall develop using the administrativerulemaking process described 23-2C-1020 to implement procedures for granting these entitlements."</li> </ul>	
17.12	Division 23-3C-3 Heritage Trees									

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ree species listed in code can le Tree Species should be ; the list should not be subject to		STAFF RESPONSE
ities." Complete communities		
erve existing trees 8 inches or ess than 19 inches have an		
ty arborist the authority to ensure noves his ability to withould a g permit or certificate of rior to SDP approval is cart at to post fiscal surety for tree essary as staff can ensure the uilding/CO.		
d Use Commissionor city		
ty arborist the authority to ensure noves his ability to withould trifficate of occupancy. The oval is cart before the horse and for tree mitigation is a large cost a the trees are planted prior to		
for bonuses.		

CHAPTER	NOISINIC	DESIRED PROPOSED CHANGES TO D3	INITIATED BY	COMMSSIONER	EX OFFICIO TOPIO	REQ. ADD'L STAFF IC AREA FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER SHIEH THOMPSON WHITE			GENERAL SPECIFIC SECTION		
	Division 23-3C-3 Heritage Trees			TI			23-3C-3030 Land Use Commission Variance	(B) A variance request under this section is subject to the application requirements in Section 23-2F-1030 (Application Requirements) and the public notice and hearing requirements in Section 23-2F-1040 (Public-Hearing and Notification). (B) : If a property is unreasonably encumbered by the location and/or quantity of heritage trees, the Land Use Commission shall consider a variance under this section to allow appropriate development of the property in accordance with Chapter 23-4. Definition: unreasonably encumbered-50% or more of the site is	Due to many of the new requirements under Ch- towards the back of the property, impervious co- setbacks, landscape buffers, etc. It is now more undevelopable due to the prevalence of heritage renumbering this section would allow the land us consideration whether or not the development of unreasonably encumbered by the heritage trees
17.13 18	Article 23-3D Water Quality							undevelopable or more than 10% of the potential unit yield is lost.	
18.1	Division 23-3D-1 General Provisions Division 23-3D-2 Exceptions and Variances	С							
18.2	Division 23-3D-2 Exceptions and Variances	x		JSC	Redeve	elopment	23-3D-2030(B)	<ul> <li>(B) Requirements for Redevelopment Exception. This article does not apply to redevelopment of property under this section if the redevelopment:</li> <li>(1) Does not increase the existing amount of impervious cover;</li> <li>(2) Devide write write write sectors is the terms with Sector 22 3D, 6020</li> </ul>	This propose language removes language that i redevelopment exceptions and should be remov exceptions allow impervious cover to be reduce water quality requirements should be removed
					Urba	ption in an and No uurban ersheds		(2) Provides water quality controls that comply with Section 23-3D-6030 (Water Quality Control and Green Stormwater Infrastructure Standards) for the redeveloped area or an equivalent area on the site; (3) Does not generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property;	
18.3								(4) Is consistent with the neighborhood plan adopted by council, if any;	
18.4				JSc				<ul> <li>(53) Does not increase non-compliance, if any, with Section 23-3D-4040</li> <li>(Critical Water Quality Zone Development), Section 23-3D-4050</li> <li>(Critical Water Quality Zone Street, Driveway, and Trail Crossings), Section 23-3D-5030 (Critical Environmental Features), or Section 23-3D- 5040 (Wetland Protection); and</li> <li>(64) Does not place redevelopment within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage Criteria Manual.</li> </ul>	
18.5	Division 23-3D-2 Exceptions and Variances	x		JSc	Excep the E	elopment ption in No Barton No gs Zone	23-3D-2040 (D) (1)	<ul> <li>(D) Council Approval.</li> <li>(1) Applicability. Council approval of redevelopment under this section is required if the redevelopment:</li> <li>(a) Ineludes more than 25 dwelling units;</li> <li>(b) Is located outside the City's zoning jurisdiction;</li> <li>(c) Is proposed on property with an existing industrial or civic use;</li> <li>(d) Is inconsistent with a neighborhood plan; or</li> <li>(e) Will generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property.</li> </ul>	Requiring this to go to Council adds additional c development
	Division 23-3D-2			JSc			23-3D-2050 ©	<ul> <li>(C) Requirements for Redevelopment Exception. The requirements of this article do not apply to the redevelopment of property under this section if the redevelopment meets all of the following conditions:</li> <li>(4) The water quality controls for the redeveloped areas or an equivalent area on the site must provide a level of water quality treatment that is equal to or greater than that which was previously provided. At a minimum, the site must provide water quality controls-sedimentation/filtration ponds for the areas of increased impervious cover or an equivalent area on the site.</li> </ul>	minimum type of acceptable water quality contro
18.6				JSc			23-3D-2070 ©	<ul> <li>(e) Necessary to allow reasonable development of the property according to the level of development allowed under 23-4.</li> </ul>	This amendment requires Watershed to conside
18.7	Division 23-3D-2 Exceptions and Variances	x		JSc	Cor	r Quality Introl No asures	23-3D-2090 (NEW)	<ul> <li>a lower of development anowed under 25-4.</li> <li>"23-3D-2090 Residential Construction of three to ten units on one acre or less with Increased Water Quality Control Measures.</li> <li>(A) An applicant seeking to construct three to ten units on one acre or. less may increase, up to 65%, the amount of impervious cover on the site above the impervious cover amounts in the base zone listed in 23-4, provided that the applicant comply with all of Article 23-3D (Water, Quality), 23-10E (Drainage), and Division 23-2A-3 (Residential, Development Regulations)."</li> </ul>	This is necessary to allow missing middle to fit c cases, but forces the developer to opt in to wate that apply to commercial property

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	YES/NEUTRAL /NO	STAFF RESPONSE
r Chapter 23-4 to push parking s cover limitations, new nore likely that some sites will be itage trees. Adding (B) and nd use commission to take into nit of a site is being rees on the site.		
hat is not germane to moved. Redevelopment duced in the watershed, so non- red		
e in this zone, but there's no or non-water quality items. nal costs to the overall		
gulation and establishes a ontrols.		
nsider the reasonable amount of		
fit on a property, in some water quality and drainage rules		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		INI	ITIATED	BY CON	MMSSIO	NER		EX	OFFI	сю	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	АІ	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART	KAZI Kenny	MCGRAW	OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA	TEICH			GENERAL	SPECIFIC SECTION		
	Division 23-3D-3 Impervious Cover					ſ	ISC									23-3C-3030 Land Use Commission Variance	(B) A variance request under this section is subject to the application requirements in Section 23-2F-1030 (Application Requirements) and the public notice and hearing requirements in Section 23-2F-1040 (Public-Hearing and Notification). (B) : If a property is unreasonably encumbered by the location and/or quantity of heritage trees, the Land Use Commission shall consider a variance under this section to allow appropriate development of the property in accordance with Chapter 23-4. Definition: unreasonably encumbered-50% or more of the site is undevelopable or more than 10% of the potential unit yield is lost.	Due to many of the new requirements under Ch towards the back of the property, impervious co setbacks, landscape buffers, etc. It is now more undevelopable due to the prevalence of heritage renumbering this section would allow the land u consideration whether or not the development o unreasonably encumbered by the heritage trees
18.9	Division 23-3D-3 Impervious Cover	x						т, Т	r				Impervious Cover Calculations	No		23-3D-3040(C)	<ul> <li>(C) Impervious cover calculations exclude:</li> <li>(1) Sidewalks in a public right-of-way or public easement;</li> <li>(2) Multi-use trails open to the public and located on public land or in a public easement;</li> <li>(3) Water quality controls, excluding subsurface water quality controls;</li> <li>(4) Detention basins, excluding subsurface detention basins;</li> <li>(5) Ground level rainwater harvesting cisterns, excluding subsurface- eisterns;</li> <li>(6) Drainage swales and conveyances;</li> <li>(7) The water surface area of ground level pools, fountains, and ponds;</li> <li>(8) Areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base;</li> <li>(9) Porous pavement designed under the Environmental Criteria Manual, limited to only pedestrian walkways and multi-use trails, and located outside the Edwards Aquifer recharge zone;</li> <li>(10) Fire lanes designed as prescribed in the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from routine vehicle access;</li> </ul>	This proposed language removes the exclusion Subsurface water quality controls and subsurfac towards impervious cover.
18.10 18.11	Division 23-3D-3 Impervious Cover																	
18.12	Division 23-3D-3 Impervious Cover	x				L	ISc						Impervious Cover Limits for Suburban Watersheds	No		23-3D-3070(B)(2)(d)	(d) Impervious cover for a commercial, <u>mixed use</u> , civic, or industrial use may not exceed:	Mixed use should be permitted the same IC as a
18.13	Division 23-3D-3 Impervious Cover	x				L	ISc						Impervious Cover Limits for Suburban Watersheds	No		23-3D-3070(B)(2)(e)	<ul> <li>(c) Impervious cover for mixed use may not exceed:</li> <li>(i) The limits in Subsection (B)(1)(c) for the portion of the ground floor-that is multi family residential;</li> <li>(ii) The limits in Subsection (B)(1)(d) for the portion of the ground floor-that is commercial, eivie, or industrial; and.</li> <li>(iii) Impervious cover for the entire site is based on the ratios determined on the ground floor.</li> </ul>	With the proposed language for 23-3D-3070(B) longer necessary.
18.14 18.15	Division 23-3D-3 Impervious Cover Division 23-3D-4 Waterway and Floodplain Protection	x					ISC						Impervious Cover Calculations	No		23-3D-3040(C)	<ul> <li>(C) Impervious cover calculations exclude:</li> <li>(1) Sidewalks in a public right of way or public easement;</li> <li>(2) Multi-use trails open to the public and located on public land or in a public easement;</li> <li>(3) Water quality controls, excluding subsurface detention basins;</li> <li>(3) Detention basins, excluding subsurface detention basins;</li> <li>(5) Ground level rainwater harvesting cisterns, excluding subsurface-eisterns;</li> <li>(6) Drainage swales and conveyances;</li> <li>(7) The water surface area of ground level pools, fountains, and ponds;</li> <li>(8) Areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base;</li> <li>(9) Porous pavement designed under the Environmental Criteria Manual, limited to only pedestrian walkways and multi-use trails, and located outside the Edwards Aquifer recharge zone;</li> <li>(10) Fire lanes designed as prescribed in the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from routine vehicle access;</li> </ul>	
10.13	Division 23-3D-4 Waterway and Floodplain Protection	x				J	ISc						Critical Water Quality Zones	No		23-3D-4020(B)(6)	(6) Zone boundaries may be reduced based on hydrology analysis or floodplain model as approved by the director.	The proposed language would allows the director analalysis to reduce water quality boundaries on
18.16													Established					

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r Chapter 23-4 to push parking s cover limitations, new nore likely that some sites will be itage trees. Adding (B) and nd use commission to take into ent of a site is being rees on the site.			
sion of subsurface infracture. urface cisterns should not count			
as commercial.			
0(B)(2)(d) this section is no			
sion of subsurface infracture. urface cisterns should not count			
rector to use hydrology as on a case by case basis.	F		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		INITIATED	ву сом	MSSIONEI	R	EX	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMEND	DMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART	KENNY MCGRAW	NUCKULS OLIVER SCHISSI FR	SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	MEN DOZA TEICH			GENERAL S	SPECIFIC SECTION		
18.17	Division 23-3D-4 Waterway and Floodplain Protection	X			21	5c				Critical Water Quality Zone Development	No	23-3	ID-4040(E)(4)	<ul> <li>(E) A utility line, including a storm drain, is prohibited in the critical water quality zone, except as provided in Subsection (E) or for a necessary crossing. A necessary utility crossing may cross into or through a critical water quality zone only if:</li> <li>(1) The utility line follows the most direct path into or across the critical water quality zone to minimize disturbance;</li> <li>(2) The depth of the utility line and location of associated access shafts are not located within an erosion hazard zone, unless protective works are provided as prescribed in the Drainage Criteria Manual; and</li> <li>(3) In the Barton Springs Zone, is approved by the Watershed Director.</li> </ul>	The amendment clarifies that the department/pe of a utility parallel to and within a critical water q the payment.
18.18	Division 23-3D-4				21	5c						23-3	ID-4070	(A)All <u>natural</u> floodplain modification within a critical water quality zone is prohibited except as allowed under Section 23-3D-4040 (Critical Water Quality Zone Development). (B) All <u>natural</u> floodplain modification outside a critical water quality zone is allowed only if the modification proposed:(C) All <u>natural</u> floodplain modifications must :	Clarifies that floodplain must be naturally occurr
18.19	Division 23-3D-5 Protection for Special Features Division 23-3D-5 Protection for Special Features	x			JS	5c				Environmental Resource Inventory	No	23-3	iD-5010(A)	<ul> <li>(A) An applicant must shall file an environmental resource inventory with the director for proposed development located on a tract that may cause disturbance to:</li> <li>(1) Within the Edwards Aquifer recharge or contributing zone;</li> <li>(2) Within the Drinking Water Protection Zone;</li> <li>(3) Containing a vater quality transition zone;</li> <li>(4) Containing a critical water quality zone;</li> <li>(5) Containing a foodplain; or</li> <li>(65) With a gradient of more than 15 percent. For applications with a tract containing a gradient of more than 15 percent the environmental resource inventory shall be required for the portion of the site within 150 linear feet from the slope over 15 percent.</li> </ul>	Clarifies that a environmental resource inventor developments where any of these features may a severe cost to the applicant to do this for ever clarification for (6) allows for flexibility when wor may have varying types of typography.
18.21	Division 23-3D-6 Water Quality Control and Green Infrastructure Standards			Т	N							23-3	BD-6010(B)(3)	Delete "8,000" and substitute "5,000."	Nationwide, best practices for exemptions from
18.22															control measures is 5,000 sf, not 8,000 sf. Imagi "complete communities." Complete communities controls.
18.23	Division 23-3D-6 Water Quality Control and Green Infrastructure Standards	x			21	sc				Optional Payment Instead of Structural Controls in Suburban Watersheds	No	23-3	8D-6050 (B)	<ul> <li>(B) Instead of providing the water quality controls required by Section 23- 3D-6010 (Applicability of Water Quality Control Standards), in a Suburban watershed an applicant may request approval to deposit with the City a nonrefundable cash payment. The director shall review the request and approve or disapprove the request based on the standards in the Environmental Criteria Manual. To be eligible to request the optional payment, the development must:</li> <li>(1) Be located within the zoning jurisdiction;</li> <li>(2) Be</li> <li>(a) a residential subdivision less than two acres in size</li> <li>(b) a commercial property with less than an acre of the site that is requesting optional payment; or</li> <li>(c) a vertical commercial, residential, or mixed-use development with structured parking below the primary building, up to three acres in size.; and</li> <li>(<del>3</del>) Demonstrate exemption from the preliminary Plan Requirement).</li> </ul>	
18.24					SC	Sc								(3) Demonstrate exemption from the preliminary plan standard as determined by Section 23-5B-2010 (Preliminary Plan Requirement).	
18.25	Division 23-3D-6 Water Quality Control and Green Infrastructure Standards	x			er	50				Dedicated Fund	No		8D-6080(C)	(C) The Watershed Director shall <u>use the administrative rules process to propose rules that administer the fund, calculate the fee, collect the fee, and allocate the fund for appropriate projects, and report annually to the Council regarding the status of the fund and the monitoring and maintenance program described in this section. The proposed rules, should be presented the Environmental Commission for a recommendation to Council. The Council shall approve the proposed rules, reject them, or approve them with modifications.</u>	
18.26	23-D-6010 - Applicability of Water Control Standards	x						TS		Water Quality Controls	NO	6010	D(B)(3)	(B)(3)If the total of new and redeveloped impervious cover exceeds <u>5.000</u> 8,000 square feet.	Per Environmental Commission.
18.27	Division 23-3D-7 Erosion and Sedimentation Control Division 23-3D-8 Additional Standards in All Watersheds	C C	╉┼┼	+++	++		$\left  \right $	+	$\left  + \right $						
18.28 18.29	Division 23-3D-9 Save Our Springs Initiative	C C													
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nt/person requiring the alignment		
curring.		
ntory only applies to may be disturbed, as it would be every site. In addition, the working with larger sites which		
rom undertaking water quality magine Austin calls for nities need water quality		

CHAPTER	DIVISION		DESIRED PROPOSED CHANGES TO D3			INITIAT	TED BY CO	ommssioi	IER	EX	OFFICIO	D TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
				ANDERCON	HART	KENNY MICGRAW	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION		
19	Article 23-3E Affordable Hous Division 23-3E-1 Citywide A									Т			1		[		
19.1	Division 23-3E-1 Citywide A	fordable Housing Bonus							тw								
19.2 19.3	Program Small scale	e density bonus for R1 zones	×						тw			AHDB		x	-		add R1 zone bonus to include an additional ADU
19.4		e density bonus for R2 zones	x						τw			AHDB		x			add R2 zone bonus to include an additional ADU
19.5	AHBP for I	/IS2 Zones	x						TW			AHDB		x	-	allow MS2b to take part in AHBP if along IA corridor	these should be defined and added to the areas
19.6	Land trust	programs	x						тw			AHDB		x			these should be defined and added to the arsena as part of the affordability programs. Ordoes this
						СК						Super Affordable Housing Bonu	Yes		23-3E-1030	(NEW) (1) In all zones, a site that participates in the citywide affordable- housing program and has at least 50% of the dwelling units as income- restricted, FAR, parking requirements, and dwelling units per acre are waived for that zone. In addition, the height limit will be twice the height entitled in the base zone.	This is a super-affordable bonus. It essentially gi the additional height goes to affordable housing entitled height of any zone that allows residential
19.7 19.8			^			СК						Right of Retur	n Yes		23-3E-1030	Establish a priority for city-administered affordable housing units for people who have been displaced due to rising rents or property taxes.	Mimic's "people's plan"
19.9						СК									23-3E-1010(B) and add new 23-3E-1025	Add to purpose and intent section- 23-3E-1010(B): (4) Meet the annual affordable housing goals set forth by the City Council. (5) Encourage denser development via the AHBP program by providing a quantifiable incentive to a project measurable by an increase in project yield on cost. Add NEW section – suggest between Applicability (23-3E-1020) and General Provisions (23-3E-1030) 23-3E-1025: Affordable Housing Goals & Performance Requirements Goals A goal for a minimum affordable housing units developed using the Citywide Affordable Housing Bonus program shall be set by City Council on an annual basis. The goals shall be proposed by Neighborhood Housing and Community Development based on the Strategic Housing goals shall be established for each area within the AHDB program, including Downtown subdistricts. Goals shall include a total number of units in each area, including a breakdown of units by type (ownership v. rental) and unit count.	This requires an annual assessment of the afford established goals.
19.10						СК						Calibration	Yes		23-3E-1010(B) and add new 23-3E-1025	Measurement Neighborhood Housing and Community Development shall keep records of the number of affordable units permitted and developed via the AHDB program as required to annually measure the goals as established in 23- 3E-1025. An annual report shall be prepared to document each areas progress towards annual goals. The annual report shall include, but is not limited to, the following: i. Number of total affordable housing units permitted, by unit type and number of bedrooms ii. Number of affordable housing units built, by unit type and number of bedrooms. iii. Value of Fee in Lieu collected in lieu of commercial bonus area iv. Value of Fee in Lieu collected in lieu of on-site affordable housing units, and equivalent unit count v. Average size of affordable housing units permitted, separated by bedroom count. vi. A verage size of affordable housing units built, separated by bedroom count. vii. A summary of feedback from all applicants to the AHDB program. viii. An assessment of the income levels in this Title and whether they could be adjusted to better acheive the goals of the Strategic Housing Plan.	

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ADU if it's 50% MFI		
ADU if it's 50% MFI		
senal so that we can use them s this live somewhere else?		
Ily gives free height if 100% of sing units, up to twice the base ential.		
iffordable bonus program with		
affordable bonus program with		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KAZI MGGRAW MGGRAW NUCKOLS CHISSLER SHIEH SHIEH	WHITE SHAW BURKARDT MEN DOZA TEICH		GENERAL SPECIFIC SECTION		
19.11							<ul> <li>viii. If any goal shortcomings are noticed, the report shall assess the reasoning behind the failure to achieve the goals.</li> <li>An annual calibration of all area AHDB programs shall be done to ensure the AHBP encourages use of the program by providing an increase in project yield on cost. The calibration shall include a review of the number of units required (by %), bedroom counts, or any other requirements associated with the use of the bonus.</li> <li>The AHBP shall be modified when: <ol> <li>In any year that the annual report shows that the annual goal is not met by more than 10%, the AHBP shall be adjusted to lower the requirement for utilizing the bonus, either by reducing the number, size or bedroom count of units, or by reducing the fee-in-lieu. A calibration study shall be done to confirm the adjustments made to the AHBP result in an increase in yield on cost to the project.</li> <li>In any year that not limited to rent rates, construction costs, land and tax values, interest rates, or operating expenses, the AHBP shall be adjusted per item (i) above.'</li> </ol> </li> </ul>	
19.12		x	x	Skip the line affordable projects		new division	Mandate that all city departments involved in site plan review, permit review, or other development services immediately priortize projects participating in the affordable housing program over all projects that do not have an affordable program participation.	Re-instates skip-the-line for affordable housing
19.14		, i i i i i i i i i i i i i i i i i i i	x	Fee-in-lieu	Yes	23-3E-1050 (c)(2)	append at the end of the section "except that an applicant may pay the fee in lieu on partial units with the proportional fee in lieu per unit, with a minimum fee-in-lieu of 20% of the per-unit fee in lieu.	This allows payment of partial fee in lieu for the program.
19.15	Division 23-3E-1 Citywide Affordable Housing Bonus Program	X	AH	Affordabilit	y No	No 23-3E-1010	"(A) The purpose of this division is to establish general requirements and procedures for the submittal and review of an application for the Citywide Affordable Housing Bonus Program (AHBP), which is a voluntary, incentive-based density bonus program that provides enhanced development potential for projects that increase the supply of moderate to lower-cost housing consistent with the requirements of this division. (B) The intent of the AHBP is to financially incentivize new development to include affordable homes or pay fees-in-lieu for affordable homes to: (1) Implement the goals and policies of the Austin Comprehensive Plan and the Austin Strategic Housing Blueprint; (2) Increase housing supply, diversity, and affordability while preserving and enhancing the unique character of the City's neighborhoods; (3) Actively desegregate Austin's neighborhoods and dismantle institutional racism in the location and cost of housing; and (3) Narrow the housing deficit for households that cannot afford market-priced rental or for-sale housing."	
19.16	Division 23-3E-1 Citywide Affordable Housing Bonus Program	x	AH	Affordabilit	y No	No 23-3E-1020 (A)	<ul> <li>(A) Applicability</li> <li>(I) The AHBP applies citywide, except in the following zones:</li> <li>(a) Downtown Zones. A density bonus request in the Downtown Core</li> <li>(DC) Zone and Commercial Center (CC) Zone must meet the requirements of Division 23-3E-2 (Downtown Density Bonus Program).</li> <li>(b) University Neighborhood Overlay Zone. A density bonus request in the University Neighborhood Overlay (UNO) Zone must meet the requirements of Section 23-4D-9130 (University Neighborhood Overlay Zone).</li> <li>(c) Planned Unit Development (PUD) Zone. A density bonus request in the Planned Unit Development (PUD) Zone must meet the requirements of Section 23-4D-8130 (Planned Unit Development (PUD) Zone).</li> </ul>	A substantial number of lots are zoned F25. We participation in our AHBP.
19.10	Division 23-3E-1		AH				<ul> <li>(1) Former Title 25. A density bonus request in the Former 25 (F25).</li> <li>Zone, established in Section 23 4D 8100 (Former 25 Zone), shall be subject to the requirements and density bonus incentives, if any, as available under Former Title 25.</li> <li>(2) Requirements for participation in the AHBP are determined based on the zone in which the development is proposed, as provided under Article 23 4D (Specific to Zones). For Former Title 25 (F25) Zone, the Directorshall determine which zone in 25 4D most appropriately matches the zoning of former Title 25, and designate by rule which AHBP zone-requirements match the F25 zoning.</li> </ul>	
19.18	floating units			τw		23-3E-1030( E)		add language to ensure that the affordable unit similar to the market rate occupancy of that bui alert the city to it's vacancy
19.19	Division 23-3E-1 Citywide Affordable Housing Bonus Program Division 23-3E-2 Downtown Density Bonus Program	x	AH	Affordabilit	y No	No 23-3E-1080 (E)	(E) The Director shall provide a process for a potential applicant to seek out and receive an early determination for AHBP compliance. Such a determination shall be made by the Director within thirty days of the submission of a complete determination request. If the approved application matches the information submitted in the early determination request, then the determination shall be binding for two years.	An early determination decreases the risk that a lowers the cost of providing affordable homes.
19.20	Division 23-3E-2 Downtown Density Bonus Program Division 23-3E-2			TW AHDB	x	23-3E-2060-E-1-c	A unit is affordable for purchse if the maximum sales price for the unit does not exceed three times the annual income for a household at 120 percent of the MFIThe maximum sales price can be up to 3.5 times the annual income for a household at +20 80 MFI if a household member has completed a City- approved homebuyeer counseling of education	I think we can do better. 3.5x 120MFI for a one 80MFI is \$159,600 for a one bedroom; this is co salary

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	YES/NEUTRAL /NO	STAFF RESPONSE
affordable bonus program with		
	-	
ing program projects.		
the situation offerdable because		
the citywide affordable bonus		
We need to allow F25		
unit occupancy rate is at least building. And the owner should		
at an applicant may face and es.		
one bedroom is \$239,400; 3.5x		
s comparable to a teacher's		

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	CHAPT	DIVIS			11	NITIATED BY	Y COMMS	SIONER		EX OFFIC	O TOPIC AF				AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
Note				ANDERSON	HART KAZI	KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA				GENERAL	SPECIFIC SECTION			STAFF RESPONSE
Image: Application of the state of the	19 22	Division 23-3E-2 Downtown Density Bonus Program	x						τw		AHDB		x		23-3E-2060-E-2-c	does not exceed 30% of the average gross monthly income for a		
Align		Division 23-3E-2 Downtown Density Bonus Program	x	G	A						Downto	vn	No		23-3E-2060(B)	providing community benefits described in Subsection (C) through (strike E and insert) (F), the director may approve the density bonus	require "designated review group" for downtown, but does not indicate how projects receive approval for using codified community benefits other than 100% affordable housing. This seems to be an oversight since downtown projects can currently earn density via a menu of options, as long as at least 50% of the bonus area is earned through providing housing on site or	
Harting of the set o	19.24	Division 23-3E-2 Downtown Density Bonus Program	x				JSc						Yes	Yes	23-3E-2030 (B)(6)	calibration study. Applying some sort of index does not accurately reflect	City Council annually. 23-3E-2030 (B) (6) states that downtown fees may vary by use and district	
Image: Sector Marker Sector		Division 23-3E-2 Downtown Density Bonus Program	x				JSc				Density B Gatekee	onus Der	No		23-3E-2040 (A)(2)	regarding whether the development is in substantial compliance with the City's Urban Design Guidelines and the director shall consider-	Guidelines was always intended to be an interim solution until design	
Part 25.2       Antiserie find (and Part 2000)       Constrainty of (and Part 2000)       Constrainty		Division 23-3E-2 Downtown Density Bonus Program	x				JSC				Density B Gatekee	onus ber	No		23-4E-2040 (B)	<ol> <li>An applicant may appeal to the city council the director's determination that the gatekeeper requirements have not been met.</li> <li>An applicant must appeal the determination within 30 days from the date of the director's denial</li> <li>An appeal is subject to the procedures set forth in Section 23-2D-1 Conduct of Public Hearings and 23-2D-2 Timing and Location of Public.</li> </ol>	determines that the gatekeeper requirements have not been met. This proposed language replicate ability to appeal in the current LDC 25-2-586	
Image: Series in the series of the series		Division 23-3E-2 Downtown Density Bonus Program	x				JSc						No		23-3E-2060 (B)	of the density bonus by providing community benefits described in Subsection (C) through (strike E and insert) (F), the director may	through F." The density bonus program provides alternatives for community benefits including affordable housing, green roofs, music/cultural spaces, provision of day care, etc. This allows administrative approval for any of the community benefits listed in this section to not discourage some kinds of benefits over others. By allowing administrative approval, the need to go to Council and Planning Commission to approve something allowed by code is	
Image: Note: Since Sinc			x	X	< I						Downto	vn	No		23-3E-2060(B)	Administrative Approval. If the applicant chooses to achieve 100 percent of the density bonus by providing community benefits described in Subsection (C) through (strike E and insert) (F), the director may	require "designated review group" for downtown, but does not indicate how projects receive approval for using codified community benefits other than 100% affordable housing. This seems to be an oversight since downtown projects can currently earn density via a menu of options, as long as at least 50% of the bonus area is earned through providing housing on site or	
Delises 2-9 are solution         Delises 2-9 are solution         Sinke         Sinke </td <td></td> <td>Division 23-3E-2 Downtown Density Bonus Program</td> <td>x</td> <td></td> <td></td> <td></td> <td>JSc</td> <td></td> <td></td> <td></td> <td>Subdist</td> <td>ict</td> <td>No</td> <td></td> <td>23-3E-2070 (B) (1)</td> <td>foot height limit Subsection 23-4D-9140(F)(7)(iii) and achieve a floor area ratio of up to 8:1 if at least five percent of the square footage of the dwelling units developed within that floor area ratio of 8:1 is available to house persons whose household income is 80 percent or below the MFI HOME Limits, as amended per household size, and as defined by the U.S. Department of Housing and Urban Development for the Austin- Round Rock Metropolitan Statistical Area. The Housing Director</td> <td>achieve density above 40 up to 8:1 FAR, support continuing the on-site affordable housing requirement. Support reverting to the on-site requirements in place before 2014, 5% of the number of bonus units (as opposed to 5% of the bonus square footage) be designated affordable to</td> <td></td>		Division 23-3E-2 Downtown Density Bonus Program	x				JSc				Subdist	ict	No		23-3E-2070 (B) (1)	foot height limit Subsection 23-4D-9140(F)(7)(iii) and achieve a floor area ratio of up to 8:1 if at least five percent of the square footage of the dwelling units developed within that floor area ratio of 8:1 is available to house persons whose household income is 80 percent or below the MFI HOME Limits, as amended per household size, and as defined by the U.S. Department of Housing and Urban Development for the Austin- Round Rock Metropolitan Statistical Area. The Housing Director	achieve density above 40 up to 8:1 FAR, support continuing the on-site affordable housing requirement. Support reverting to the on-site requirements in place before 2014, 5% of the number of bonus units (as opposed to 5% of the bonus square footage) be designated affordable to	
Base         Division 23:35:2         Downtown Density Boxus Program         X         Affordability Housing         Affordability Housing         No         No         No         Same Conf.         Same Conf. <t< td=""><td></td><td>Division 23-3E-2 Downtown Density Bonus Program</td><td>x</td><td></td><td></td><td></td><td>JSc</td><td></td><td></td><td></td><td>Subdist</td><td>ict</td><td>No</td><td></td><td>23-3E-2070 (B) (6)</td><td></td><td>the affordable unit mix to match the unit mix of the building, make downtown residential with on-site affordable housing infeasible. Except for those that were already entitled and therefore exempt, only one new residential projects has been proposed on Rainey Street after this requirement was imposed in 2014, and they declined to build any 3-bedroom units in order to</td><td></td></t<>		Division 23-3E-2 Downtown Density Bonus Program	x				JSc				Subdist	ict	No		23-3E-2070 (B) (6)		the affordable unit mix to match the unit mix of the building, make downtown residential with on-site affordable housing infeasible. Except for those that were already entitled and therefore exempt, only one new residential projects has been proposed on Rainey Street after this requirement was imposed in 2014, and they declined to build any 3-bedroom units in order to	
Division 23-38-2         Downtown Density Borus Program         X         AH         V         AH         AH         V         AH         V         AH         V         AH         AH         V         AH         AH         AH         AH         V         AH         <		Division 23-3E-2 Downtown Density Bonus Program	x		AH						Affordab	lity	No	No	23-3E-2060 (B)	percent of the density bonus by providing community benefits described in Subsection (C) through (EF), the director may approve the density	including affordable housing, green roofs, music/cultural spaces, provision of day care, etc. This allows administrative approval for any of the community benefits listed in this section to not discourage some kinds of benefits over others. By allowing administrative approval, the need to go to Council and Planning Commission to approve something allowed by code is	
					AH						and Afford	able	No	No	23-3E-2070 (B)(1)	exceed the 40 foot height limit Subsection 23-4D-9140(F)(7)(iii) and achieve a floor area ratio of up to 8:1 if at least five percent of the- <del>square</del> - footage of the number of the dwelling units developed within that floor area ratio of 8:1 is available to house persons whose household income is 80 percent or below the MFI HOME Limits, as amended per household size, and as defined by the U.S. Department of HUD for the Austin- Round Rock Metro Statistical Area. The Housing Director conducts the	site affordable housing requirement. We support reverting to the on-site requirements in place before 2014, 5% of the number of bonus units (as opposed to 5% of the bonus square footage) be designated affordable to	
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CHAPTER	Invision	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KENNY MCGRAW MCGRAW MCGRAW NUCKOLS SCHISSLER SCHISSLER SEGER SHIEH WHITE	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
19.35	Division 23-3E-4 S.M.A.R.T. Housing	X			SMART	No		SEE EXHIBIT ANDERSON-1	SMART housing needs to be strong. These ad Rogers at GNDC and Nicole Joslin spent a lot me. They are better than what we have today.
	Division 23-3E-4 S.M.A.R.T. Housing		GA GA		SMART	No			
19.36	Division 23-3E-4 S.M.A.R.T. Housing		x		SMART	No			
19.37	Division 23-3E-4 S.M.A.R.T. Housing		GA GA		SMART	No			
19.30	Division 23-3E-4 S.M.A.R.T. Housing		GA		SMART				
	Division 23-3E-4 S.M.A.R.T. Housing		GA		SMART				
19.40 19.41	Division 23-3E-4 S.M.A.R.T. Housing		GA GA		SMART				

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
adjustments come from Mark lot of time going over them with ay.		

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CHA		CHANGES TO D3	INITIATED BY COMMISSIONER 44RT 44RT 44RT 64CL NUCGRAW NOCGRAW NOCGRAW NOCGRAW 1000 1000 1000 1000 1000 1000 1000 10	EX OFFICIO TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
19.42	Division 23-3E-4 S.M.A.R.T. Housing		GA GA	SMART						
19.43	Division 23-3E-4 S.M.A.R.T. Housing		6A	SMART						
19.44 19.45	Division 23-3E-5 Additional Affordable Housing Incentives		GA GA	SMART						
19.46	Division 23-3E-5 23-3E-5010 Additional Affordable Housing Incentives	x		S AH Incentives	NO	5010 (A)	verified by the Housing Director, may request a parking adjustment from- the Planning Director before the site plan is approved under Article 23- 4D (Specific to Zones).			
19.47	Division 23-3E-5 23-3E-5010 Additional Affordable Housing Incentives	×		S AH Incentives	NO		<ul> <li>(a) If at least 10 percent, but less than 20 percent, of the dwelling units are <u>equal to or less than 80% MFI reasonably priced</u>, the maximum cost is reduced by the percentage of affordable units;</li> <li>(b) If at least 20 percent, but less than 50 percent, of the dwelling units are <u>equal to or less than 80% MFIreasonably-priced</u>, the maximum cost is reduced by 50 percent; and</li> <li>(c) If at least 50 percent of the dwelling units are <u>equal to or less than 80% MFI reasonably priced</u>, no mitigation may be required.</li> </ul>	B)3) grants benefits for providing reasonably priced units. What does this mean? I propose following but should be discussed		
19.48		С								

ARTICLE ARTICLE DIVISION TTLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO TOPIC	REQ. ADD'I STAFF AREA FEEDBACK		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
		NDERSON 4ART 4ART 4AZ 4AZI 4AZ AZA AZA AZA MOR PULVER CHISSLER HIHEH HOMPSON WHITE HOMPSON	NURKARDT MEN DOZA EICH		GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
23-3F Art, Music, and Culture	x		Art, Mu Cul		23-3F	<ul> <li>Proposed Future CodeNEXT Article 23-3F: Art, Music, and Culture</li> <li>Both the Imagine Austin Comprehensive Plan and the Code Prescription on Household Affordability reference the need for regulations to sustain and strengthen the music and arts industries and communities. To this end, the CAG recommends developing a future code section that would provide city-wide regulations to promote arts, music, and culture with the goals of: protecting existing assets and promote new ones in areas deficient of art, music, and cultural assets, and supporting housing and jobs for musicians and artists, and sustaining these important elements of Austin's economy.</li> <li>Proposed Code Additions: <ol> <li>Add arts, music culture to the Purpose Statement of General Planning Standards. The current draft of the new Land Development Code for Austin, dubbed CodeNEXT contains the following purpose statement in Chapter 23-3: General Planning Standards for All [1]. The red underlined clause below would add reference to a to-be-written section governing arts, music and culture.</li> <li>23-3A-1010 Purpose</li> </ol> </li> </ul>	This is the Live Music Capital of the World and we are not doing nearly enough for our artists! We should also consider a density bonus for music venues.	
19.50						<ul> <li>This Chapter provides standards and regulations for the following purposes: to provide parkland; to provide for the protection and replenishment of urban forest resources; to provide for the protection of water quality and protection from flooding; to encourage the creation and preservation of affordable housing; and to sustain the local arts, music, and culture communities and industries. These aspects are all essential to the development of a healthy, sustainable and desirable city environment. The interests of the community and the goals of the Comprehensive Plan and Zoning Code are further ensured through the application of this Chapter.</li> <li>23-3A-1020 Applicability</li> <li>This Chapter applies to all development within the City of Austin and the ETJ.</li> <li>2. Working with appropriate city boards and stakeholders, develop a new code section to be numbered 23-3F. Provisions for consideration, several of which are already supported by City of Austin Economic Development Department and the City's Arts Commission and Music Commission, are outlined below.</li> <li>23-3F-1010 Purpose and Intent</li> <li>(A) The purpose of this division is establish general requirements and procedures to sustain the local arts, music, and culture domunities and industries and to guarantee that arts, music, and cultural lad uses are the studios. Specify in which districts a live/work artist may "sell", including performance art. This is an important distinction as multidisciplinary spaces are becoming increasingly common – where both object-based art and experience-based art are being created (i.e., "work") and offered to the public within a single building envelope.</li> <li>23-3F-1040 Art Districts</li> <li>(A) Indesignated town/regional centers and activity corridors allow density bonus rules to trade greater building entitlements for including art galeries, studio space, live theater, dance performance space, live music venues, or other forms of performance art on the first floor or for preserving an existing</li></ul>		
19.51						centers, town centers, and regional centers, and target one or more arts districts per Council District. 23-3F-1050 Theater and Art Venue Scale (A) In establishing capacity rating for theater or arts venue consider how the venue is used in addition to overall size.		

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CHAPTE	DIVISIO	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	STAFF FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			z 3								YES/NEUTRAL	
			DERSOI ST INY GRAW VER ISSLER ISSLER GER EH DMPSO	RKARD' NDOZA CH							/NO	
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									23-3F-1060 Art, Music, and Culture Nomenclature and Definitions (A) Add explicit definitions that clearly distinguish types of arts/music spaces for flexible and hybrid uses in city ordinances and other regulation			
									(i.e. distinguish terms "gallery", "theater", "studio", "live music venue," etc.).			
									(B) Live Music Venue Use An establishment where live music programming is the principal function of the human and the human is a line music destination and where			
									of the business and/or the business is a live music destination, and where the venue clearly establishes the ability of an artist to receive payment for work by percentage of sales, guarantee or other mutually beneficial			
									formal agreement. A live music venue is a destination for live music consumers, and its			
									music programming is the primary driver of its business as indicated by the presence of at least five (5) of the following:			
									<ul> <li>defined performance and audience space;</li> <li>mixing desk, PA system, and lighting rig;</li> </ul>			
									<ul> <li>back line (e.g., sound amplification or video equipment for performers on or behind the stage);</li> </ul>			
									at least two of: sound engineer, booker, promoter, stage manager, security personnel;			
									<ul> <li>applies cover charge to some music performance through ticketing or front door entrance fee;</li> </ul>			
									marketing of specific acts through show listings in printed and electronic publications;			
19.52									hours of operation coincide with performance times.			
									23-3F-1070 Codify of Agent of Change Principle.			
									Imagine Austin and Code Prescriptions Support New Code Section Justification for the proposed new code section comes from the Imagine Austic Commencements and the transferred to the section of the Imagine			
									Austin Comprehensive Plan and more recent work done in developing the CodeNEXT draft. Priority Program 5 (among 8 Priority Programs) in			
									the 2012 Imagine Austin Comprehensive Plan is "Grow and invest in Austin's creative economy." A short term (1-3 years) work program item is "Drugten and ensiste aviitate City downloar action and the area to be			
									is: "Explore and reimagine existing City development tools, such as incentives, regulations, and financing options, with a focus on creative			
									industries' facility needs. Expand access to affordable and functional studio, exhibition, performance space, museums, libraries, music venues,			
									and office space." The proposed new section is also supported by the following policies and			
									priority actions in the Imagine Austin Comprehensive Plan: • Develop regulations to mitigate the sound from live music venues			
									through a collaborative process that includes the City of Austin,			
									musicians, venue operators, property owners, and residents. • Create incentives and programs to preserve iconic and established			
									music venues and performance spaces throughout Austin and its extraterritorial jurisdiction (ETJ).			
									<ul> <li>Expand access to affordable and functional studio, exhibition, performance, and office space for arts organizations, artists, and creative inductive horizon accession.</li> </ul>			
19.53									industry businesses.			
									• Explore existing City policies, processes, and regulations regarding the arts to determine what changes can be made to coordinate these with			
									other goals, such as historic preservation, affordable housing, and high- density development.			
									• Incorporate the arts and cultural preservation themes and elements into small area plans, such as neighborhood and corridor plans.			
									Create incentives, and programs to promote the inclusion of public art into new development.      Encourage artists and other creative individuals			
									by promoting the creation of live/work spaces and creative industry hubs, districts, and clusters as retail, community, or neighborhood anchors and			
									activity generators to attract and support other economic and community enterprises.			
									• Establish incentives and regulations to promote the creation of artists' live/work space in residential areas that allow for limited gallery			
									space.Further, the Code Prescription on Household Affordability written in 2016 in response to the CodeNEXT consultant's Code Diagnosis,			
									specifically addressed affordability impacts to small businesses and the cultural arts in the following three prescriptions:			
									• Allow for compatible retail and commercial uses by right including arts, culture and creative uses such as rehearsal, gallery, studio, performance			
									or exhibit spaces and offices in areas where form-based zones have been applied and a diversity of uses is desired. This includes adequate			
									commercial space allowances in corridors, centers, and in between these areas and neighborhoods.			
19.54		1										

HAPTER	ITLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER N
			ANDERSON HART KAZI KENNY MCGRAW MCGRAW MCGRAW SELER SCHISSLER SEEGER SEEGER HOMPSON				GENERAL SPECIFIC SECTION		
19.55								<ul> <li>Revise the density bonus program in targeted areas such as cultural districts by adding the preservation or creation of an existing creative venue or business as a Community Benefit. Density bonus fee-in-lieu requirements will be evaluated for 501(c)(3)s to promote emerging small non-profits. The existing density bonus provisions will be evaluated to determine if they can incorporate preservation or development of a music or creative venue that will be used for rehearsal, gallery, studio, performance, or exhibit spaces and offices.</li> <li>The opportunity to expand live/work units will be found in all formbased code districts in order to promote the opportunity for the small businesses, including artists to be able to work where they live. The allowance of live/work units will be both within the uses regulated by the different form-based code districts but also in the regulation of building types to ensure the proper form to allow for live-work units.</li> <li>[1] see https://codenext.civicomment.org/chapter-23-3-general-planning-standards-all</li> <li>The New Flex Industrial zoning may cover this</li> <li>In 23-3F and in 23-2M</li> <li>In Division 23-4D-7: Commercial and Industrial Zones</li> <li>Accessory Use as a Theater or Art Gallery (as would be in 25-2-865, for example</li> <li>A) This section applies to the following uses and zoning districts:</li> <li>1) LIGHT MANUFACTURING use with IP, MI, LI, CS, MU zoning district</li> <li>2) LIMITED WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district</li> <li>3) GENERAL WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district</li> <li>4) ART WORKSHOP use with IP, MI, LI, CS, MU zoning district</li> <li>5) The use of the space as ART GALLERY and THEATER:</li> <li>1. is a permitted accessory use</li> <li>2. shall not exceed 33 percent or 5,000 square feet of the total floor area of the principal developed use, whichever is less</li> </ul>	
19.56								<ul> <li>C) During the Permitting Process the Council on appeal or Planning Commission may increase the square footage allowed under subsection B.</li> <li>D) On-site parking is required according to Schedule A of Appendix A (TABLES OF OFF-STREET PARKING AND LOADING REQUIREMENTS).</li> <li>PART 2. City Code Chapter 25-6, Appendix A (TABLES OF OFF- STREET PARKING AND LOADING REQUIREMENTS) is amended to amend Schedule A to read:</li> <li>SCHEDULE A The minimum off-street parking requirement for a use is the sum of the parking requirements for the activities on the site, in accordance with the following table: Activity Requirement</li> <li>Accessory Use as a Theater or Art Gallery &lt;2.500 s.ft 1 space for each 275 sq. ft.</li> <li>2,500-10,000 so. ft 1 space for each 100 sq. ft.</li> <li>&gt; 10,000 sq. ft 1 space for each 50 sq. ft.</li> <li>Office or administrative activity 1 space for each 755 sq. ft.</li> <li>Indoor storage, evarehousing, equipment servicing, or Manufacturing 1 space for each 100 sq. ft.</li> <li>Outdoor storage, equipment servicing, or manufacturing 1 space for each 2,000 sq. ft.</li> <li>Outdoor storage, equipment servicing, or manufacturing 1 space for each 2,000 sq. ft.</li> <li>Outdoor storage, equipment servicing, or manufacturing 1 space for each 2,000 sq. ft.</li> <li>Outdoor storage, equipment servicing, or manufacturing 1 space for each 2,000 sq. ft.</li> </ul>	
20	r 23-4: Zoning Code Article 23-4A Introduction Division 23-4A-1 Purpose	NONE MINOR MAJOR				YES/NO	YES/NO		
20.1 20.2 20.3	Division 23-4A-1 Purpose Division 23-4A-2 Establishment of Zones	N N	JSC				23-4A-1010	This chapter protects and promotes the public health, safety, and general welfare of the public; and implements the Comprehensive Plan. This chapter establishes the land use and building form requirements <del>that are intended to promote compatible land patterns. <u>Intat address the social and environmental values described in 23-1A-1020</u>.</del>	Implies a hierarchy of code that was not estab
20.4	Overlay Zones Division 23-4A-2 Establishment of Zones	x	КМ				23-4A-2020(H) 23-4A-2020(H)	Insert Neighborhood Plan Combining Districts and Neighborhood Cobnservation Combining Districts Eliminate the Downtown Plan overlay until Small area plan can be	NP and NCCD are tools that need to be here t allow for new districts.
20.5 20.6	Division 23-4A-3 Zoning Map				Overlays	No	25************	completed with funding assistance provided by DAA.	

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
tablished in Imagine Austin Plan.		Can bring forward language from 23-1A-1020
	No	
re to support existing districts and		

PTER	E ISON	DESIR	ED PROPO	OSED								[	REQ. ADD'L STAFF	1					
CHA		CH4	ANGES TO	D3		INITIATE	ED BY CO	MMSSIO	NER	EX (	OFFICIO	TOPIC AREA	FEEDBACK	-	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON HART	kazi kenny Mcgraw	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	SHAW BURKARDT	MENDOZA TEICH			GENERA	L SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
20.7	Division 23-4A-3 2020		x							TS		Residential Housing Types	NO			Residential house-scale (R) zone category includes single-family detached homes, <u>single-family-attached</u> , duplexes, small multiplexes, cottages, row houses, <u>townhouses</u> , and <u>accessory dwelling units (garage</u> apartments or granny flats).	Add other house types.	Yes	
20.8	Division 23-4A-4 How to Use the Zoning Code	С	~													ap management of general transport			
<b>21</b> 21.1	Article 23-4B Zoning Administration and Procedures Division 23-4B-1 Land Use Approvals					ТТ				ТП								<b></b>	
21.2	Division 23-4B-1 Land Use Approvals	x			AH							Affordability	No	No		(D) Civic open space that complies with this division may be used to satisfy Section 23 4C 1030 (Common Open Space) if the civic open- space is publicly accessible.	Strike this section as it conflicts with the requirements of section 23-4C- 1010 as common open space and civic open space are triggered by size of the site and not required at the same time.		See addendum
	Division 23-4B-1 1020 - Conditional Use Permit									TS		Conditional Use Permit	NO		1020 Conditional Use Permit (F)(1)	Delete (F)(1)	F)1) Land Use Commission may impose conditions such as limits on FAR, setbacks etc. This seems to purpetuate zoning classes with additional	No	Intent of text is correct
21.3	Division 23-4B-1 1020 - Conditional Use Permit			 x						TS		Conditional Use Permit	NO			<ul> <li>(2) Late Hours Permit</li> <li>(a) If the Land Use Commission approves a conditional use permit for a bar, nightclub, or restaurant with a late-hours permit or with out-door seating-the having a parking area associated with the use <del>must be a minimum of</del> less than 200 feet from a Residential House-Scale Zone <u>is</u> required to obtain approval of a conditional use permit, unless the use is located within an enclosed shopping center.</li> <li>(b) The Land Use Commission may waive the 200-foot restriction if it finds that the effects of a parking area are sufficiently mitigated based on the criteria in Subsection (E).</li> </ul>	conditions like we have now. Reword to require all bars,nightclubs andrestaurants w/ alcohol that have late night hours and/or outdoor seeting that are close to neighborhoods to obtain a CUP. F) 2) Late Hours Permit - This minimum distance should be included in the Division 23-4E-6: Specific to Use section for Bars/NightClubs and Restaurants.	Yes	Language already included in 23-4E-6310 Restaurant; staff would support adding specfic to use language for Bars/Nighclub
21.5	Conditional Use Permits			x						~		CUPs			23-4B-1020	please see Exhibit TW Conditional Use Permits	There are a number of general and specific changes outlined in the exhibit		
21.5	Division 23-4B-1 1030 - Minor Use Permit		x	~						TS		Minor Use Permit	NO		1030 - Minor Use Permit (C )(1)	C) Administrative Review Process (1) Notice of Application. The director shall provide notice of an application for a minor use permit under Section 23-2C-5010 (Notice of Application) and allow parties to submit comments on the application for a period of at least 14 30 days.	C) (1)Admin Review- requires a 14 day public comment period. 30 days is needed.	No	Staff believes timeline is appropriate
21.7	Division 23-4B-1 1030 - Minor Use Permit Division 23-4B-1 1030 - Minor Use Permit			_	+ + + + + + + + + + + + + + + + + + +					TC	_				1030 - Minor Use Permit	Delete (E.)	E) Allows Director to impose conditions same as Conditional Use Permit.		Staff supports this disgression
21.8				x						15		Minor Use Permit	NO		(E)		En Julions Director to Impose contations same as Conduction over eminit. Land Use Commission may impose conditions such as limits on FAR, setbacks etc. This seems to purpetuate zoning classes with additional conditions like we have now.	No	Staff supports tills ungression
21.9	Division 23-4B-2 Code Interpretations and Use Determinations Division 23-4B-2 Code Interpretations and Use Determinations							JSc	π		Ι				Determinations	(A) Purposes and Applicability. This section establishes procedures for obtaining a determination by the director regarding:(1) The appropriate classification of an existing or proposed land use or activity under Article 23-4D (Specific to Zones); or (2) Whether an existing use or structure is- non-conforming under Article 23-2G (Nonconformity).	This section needs to be explained and possibly rewritten or deleted. We seek clarification and understanding of why we need this section included for classified zoning uses and when this determination would come into play. The existing LDC section is for use determinations not particularly defined or classified within the zoning code. Further, Article 23-2G states that a property that is legally nonconforming is appealable to the BOA. The property owner is required to prove a lot of information that they may not have in order to avail itself to the legally nonconforming provisions of CodeNEXT 3.0. This will be costly and in a lot of instances, just not possible, as the information may not be available.		
21.11								JSC								<ul> <li>(A) Project Interpretations. A project code interpretation or use determination issued under this division for a particular development application may be appealed to the Board of Adjustment under Article 23-21 (Appeals). If the code interpretation or use determination is not appealed, or is upheld by the Board on appeal, a subsequent decision by the director to approve or disapprove a development application associated with the interpretation or determination may not be appealed under this section.</li> <li>(B) Non-project Interpretations. A non-project code interpretation or use determination issued under this division may be appealed to the Board of Adjustment under Article 23-21 (Appeals).</li> <li>(C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another responsible director to approve or disapprove a development application because of Adjustment under Article 23-21 (Appeals).</li> </ul>	Section 23-4B-2040 Administrative Appeal states that a decision by the Development Services Director or another responsible director to approve		
21.11	Division 23-4B-3 Zoning Map Designations and Amendments																		
21.12	3100 - Requirement for Approval from 3/4 of Council -			x						TS		Requirement for Approval from 3/4 of Council -	NO		3100 - Requirement for Approval from 3/4 of Council (A) (2)	(2)The assignment of a Planned Unit Development zoning designation to previously unzoned property if the Land Use Commission recommends denial of the application; or	(A)(2) is the recent Council decision to require disapproval by 3/4 of the Land Use Commission to trigger requirement for approval by 3/4 of Council for PUDs on unzoned property which is a higher bar than PUDs on zoned properties. This was a rule created by Council during the Grove at Shoal Creek PUD hearings and needs to be reconsidered. There is no justification for PUD's related to unzoned properties to be handled any differently than zoned properties. Suggest that this section be deleted so that requirements for all PUP are accessed.		
21.14	Division 23-4B-3 Zoning Map Designations and Amendments Division 23-4B-4 Criteria for Variances and Special		x					JSc								<ul> <li>(1) A zoning map amendment regarding a Historic District Overlay Zone may be initiated by:</li> <li>(a) The Historic Landmark Commission;</li> <li>(b) A petition of the <del>applicants</del> owners of at least 51 percent of the land, measured by land area, in the proposed zone or at least 51 percent of the <del>applicants</del> owners of individual properties in the proposed zone; or</li> <li>(c) The council.</li> </ul>		Neutral	
21.15	Exemptions	С																	

CHAPTER	NOISINID	111E		IRED PRO			IN	IITIATED	ву сомі	VISSION	ER		EX OF	FICIO	тор	PIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
						ANDERSON	HART KAZI	KENNY MCGRAW NIICKOLS	OLIVER	SEEGER	THOMPSON	WHITE SHAW	BURKARDT MFNDOZA	TEICH				GENERA	AL SPECIFIC SECTION		
21.16	Division 23-48-4	Criteria for Variances and Special Exemptions							SI	c	π								23-4B-4010 Purpose and Applicability (A) and (B)	special exceptions considered by the Board of Adjustment, consistent with the standards regulations of this Title and Chapter 211 (Municipal Zoning Authority) of the Texas Local Government Code. (B) An application for a variance or special exception authorized under this division is subject to the application, notification, and other standards regulations established under Division 23-2F-1 (Variances and Special Exceptions).	The current Land Development Code uses the tr relates to the zoning district. Regulations are lar use of "standards" is problematic because these Standards provide for guidelines, with which cor The current language suggests that the BOA wo zoning code regarding development regulations the current Code or State law.
21.17									SI	c	π								23-4B-4020(B)(1)(c)(iii)	<ul> <li>(B) General Findings</li> <li>(1) The Board of Adjustment may grant a variance from a site development standard adopted under this chapter if the Board determines that:</li> <li>(a) The requirement does not allow for a reasonable use of property;</li> <li>(b) The hardship for which the variance is requested is unique to the property and is not generally characteristic of the area in which the property is located; and</li> <li>(c) Development in compliance with the variance does not:</li> <li>(i) Alter the character of the area adjacent to the property;</li> <li>(ii) Impair the use of adjacent property that is developed in compliance with the City requirements; or</li> <li>(iii) Impair the purposes of the standards regulations of the zone in which the property is located.</li> </ul>	codified law. The use of the phrase "impair the p the zone" in this section could possibly result in a by the BOA to not grant a variance. The use of s with the current Code or State law regarding dev
21.18									SI	c	Τ								23-4B-4030 (C) Special Exceptions Required Findings	(C) Required Findings. The Board of Adjustment may shall approve a special exception in compliance with this section if the Board finds that:	The word "shall" is currently used in the Land Dr. 25-2-476 pertaining to special exceptions and th Draft 3.0. The wording of "may" in Draft 3.0 infet that the special exception meets the findings set discretion to grant a special exception or not and the currently accepted general practice. Using the instance is consistent with a quasi-judicial decis a court. If the wording changes to "may" as it is it it is discretionary for BOA to grant a special exco no way to appeal the decision to a court.
22 22.1	Article 23-4C Gene Division 23-4C-1	aral to all Development Large Site Requirements			[		П				Π										
22.2	Division 23-4C-1 Division 23-4C-1	1010 - Applicability		x	x					2L	h	TS				mon Open Space	YES		1010 Applicability (C )	(C) A site that is more than one acre-but less than four shall comply with Section 23-4C-1030 (Common Open Space).(B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space).	whats article 23-9H connectivity? Cant find ADDENDA Common Open Space - A site the shall comply with Section 23-4C-1030 (Comm reduced the threshhold for compliance from 2 ar PARD recommendations. PARD also recomm ADDENDA so that common open space require greater than an acre. PARD did not recommend 2 acres in latest addenda. This section conflicts to Zones/Table J-Open Space as several zones Open Space. PARD contact - Marilyn Lamene
22.4	Division 23-4C-1		x									TS									REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use b but is not limited to, a plaza, square, park, playg area. 2. COMMON. A privately-owned outdoor or une use by the residents, employees, or visitors to a 3. PERSONAL. A privately-owned outdoor or un use solely by the individual. Commonly associat for residents of a multi-family dwelling unit.
22.5	Division 23-4C-1	Large Site Requirements		x					SI	c						cland and en Space			23-4C-1010	<ul> <li>(B) Open Space.</li> <li>(1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and</li> <li>(2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."</li> </ul>	Minor update - not every zone requires open spa
22.6	Division 23-4C-1	1020 - Internal Circulation			x							TS				educed Parking	NO		1020 - Internal Circulation (M)(2)	Delete 1020(M)(2)	Requires additional connetivity measures when parking required. Planning Staff have said that minimum parking requirements, buit developers parking at levels that is established by market. I should not make it more costly for developers to
22.7	Division 23-4C-1	1030 - Common Open Space			x							TS				mon Open Space	NO		1030 - Common Open Space	ADD AND RENUMBER ( <u>A</u> ) General ( <u>1</u> ) An applicant for a site plan or subdivision must designate common open space that complies with the requirements 23-4C-1030. ( <u>2</u> ) An exemption described in this Section does not exempt the development from any applicable parkland dedication required by Article 23-3B (Parkland Dedication) or Civic Open Space required by 23-4C- 1040.	

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
the term "regulations" as it re laws and are codified. The hese are not codified law. h compliance is not mandatory. A would look outside of the tions, which is not consistent with		
on 25-2-474(A)(3), uses the term ict. The sentence in (iii) of Draft "standards" and these are not the purposes of the standards of it in a subjective determination o of standards is not consistent g development regulations.		
Id Development Code, Section Infers that the BOA determines is a change to 'may' in infers that the BOA determines s set forth in this section and has t and this is not consistent with ing the word "shall" in this lecision that is only appealable to it is in this current draft 3.0, and exception, then there is virtually		
e that is two or more acres ommon Open Space). Draft 3 12 acres to 1 acre based on ommended rewording in juired for all development mend changing threshold back to licts with Article 23-4D. Specific ones do not require Common nenesdorf.	No	PAZ supports addendum
ise by the public, and includes, playground, greenbelt, or similar unenclosed area intended for to a development. or unenclosed area intended for ociated with open space required		
n space	Yes	agree with clarification of applicability
when exceeding over 125 % of that they are only establishing pers are allowed to provide ket. If this is the approach, we prs to provide parking they need.	No	Staff supports multi-modal offset with more automobile parking
	Neutral	

	Z		1	Ē							REQ. ADD'L	Π			1 1		
CHAPTI	DIVISI	1116	DESIRED PROPOSED CHANGES TO D3		INITIA	ATED BY CO	MMSSIONE	R	EX OFFIC	CIO TOPIC AREA	STAFF FEEDBACK	A	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS OLIVER	SCHISSLER SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT MENDOZA	ЕСН		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
22.8	Division 23-4C-1	1030 - Common Open Space	x						TS	Common Open Space	NO		1030 - Common Open Space (B)	(B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities) and the remaining requirements of 24-4C-1030. A site partially complies with this section, ii-Credit for Common Open Space can be given with approval by Parks. Directory on no greater than an acre for acre basis. if (1) The site provides civic open space that complies with Division 23-4C-2 (Civic Open Space) excluding fee-in-lieu; or (2) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication) <u>excluding</u> fee-in-lieu.	The term partially complies is subjective. This allows actual dedicated parkland and civic space to count toward the common space requirements as approved by PARD Director (This may also require Planning Director approval)		No to suggested language but staff agrees that "partially complies" needs to be further defined
22.9	Division 23-4C-1	1030 - Common Open Space	x						TS	Common Open Space	NO		1030 - Common Open Space (C )(5)	(5) A site that is located outside inside within the Downtown Core (DC) zones and is more than one acre, must provide at least 150 square feet, plus an additional 100 square feet for, each acre of open space. The amount of open space required may not to exceed 1,000 square feet.	Apply this requirement for lower amounts of common open space to DC zones.		Staff agrees that this language needs further clarification though do not agree with amendment
22.10		1030 - Common Open Space	×						TS	Common Open Space	NO		1030 - Common Open Space (C )	ADD: 1030(C)(6) A site that is located outside within the Downtown Core (DC) zones and is more than one acre, must provide at least 5% of the gross site area as common nopen space.	This will align with the 5% of gross site area in Article 23-4D: Specific to Zones/Table J-Open Space and requires all development greater than an acre to provide common open space in all zones 5% of gross site area.	No	Staff agrees with the current text and does not support adding this paragraph
22.11		Large Site Requirements	x				JSc			Parkland and Open Space			23-4C-1030 Common Open Space	Remove section	Common open space is a requirement to provide an amenity. For the market to deliver moderate income housing, sometimes amenities will need to be cut. Amenities onsite shouldn't be a requirement of the zoning code.	No	Staff does not have policy requirement to remove common open space requirements
22.12	Division 23-4C-1	Large Site Requirements	X				JSc			Parkland and Open Space			23-4C-1030 (B)	B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities). A site partially complies with Bivision 23-4C-2 (Civie Open Space); or (2) The land- dedicated in a recreation easement to the City for parkland dedication- complies with Article 23-3B (Parkland Dedication). (1) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication), or (2) The land is privately owned and maintained as a park complies with Article 23-3B (Parkland Dedication).	As written, there is no incentive to encourage on-site amenities which may be privately maintained. This recommendation encourages private amenity space which lowers the overall burden placed on public facilities and allows for partial credit towards the open space requirement.		common open space can be private
22.13	Division 23-4C-1	Large Site Requirements	x				JSc			Parkland and Open Space			23-4C-1030 (B)	B) Amenity Required. A site that is one acre or more, and is not on an <u>Imagine Austin Corridor or within an Imagine Austin Center</u> , shall provide	Onerous requirements along Imagine Austin corridors and centers will decrease the developable area, impacting rents, affordability and transit- supportive density. This amendment would exempt these areas from requirements of this section.	No	common open space types described in table 23-4C-1030(A) are compatible in urban environments
22.14	Division 23-4C-1	Large Site Requirements	x				JSc			Parkland and Open Space			23-4C-1030 (C) (5)	(5) A site that is located outside of the Downtown Core (DC) zones and is more than one arce, must provide at least 150 square feet, plus an additional 100 square feet for, each acre of open space. The amount of- open space required may not to exceed 1,000 square feet.	This is an additional ask of land triggered by land already being dedicated for open space and is excessive.	Pending	text needs clarification
22.15	Division 23-4C-1	Large Site Requirements	x				JSC			Parkland and Open Space			Delete 23-4C-1030 (E) (4) & (5)	(E) Design Criteria. An area used for common open space shall comply the requirements of this subsection.(1) Unless the land includes sensitive natural resources, a common open space area must be readily accessible and usable.(2) A common open space area must be compact and contiguous unless the common open space area must be compact and adjacent or adjoining trail, connection to a transit station, or specific or unique topographic features that require a different configuration.(3) The surface of the common open space must be suitable for outdoor activities, such as lawn or asphall for designated recreation areas.(4) Not more than 30 percent of the required common open space may be located on a roof, balcony, or other area above ground level, except as otherwise provided in this section. Required common open space amot include areas occupied by mechanical equipment or structures not associated with designated recreation areas(5) Up to 50 percent of the required common open space may be located on a roof, balcony, or other area above ground level, if a minimum of 50 percent of the common open space is located on the roof, balcony, or other area above ground level, if a winimum of 50 percent of the common open	Sites need to maintain flexibility on where the open space is provided. Removing these sections would allow for it to be on a balcony, roof, or other above ground area.	Neutral	
22.16	Division 23-4C-1	Large Site Requirements	x				JSc			Parkland and Open Space			23-4C-1030 ADD (I)	(1) 100% of the square feet of on-site parkland or on-site Civic Open Space shall be credited toward the requirement for Common Open Space	Common Open Space shouldn't be required in addition to Civic Open Space and Parkland. Our understanding is that this is the staff intent.	Neutral	Need to revisit "partially complies" language in 23-4C-1030
22.17		1040 Civic Open Space	x						TS	Civic Open Space	NO		1040 Civic Open Space (B) (3)	(3) An application for a site plan or subdivision is not required to provide Civic open space when the site is <u>1</u> less than two acres, <u>ii</u> located within one-quarter mile of a safe pedestrian travel distance of an existing and developed dedicated parkland that is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, and <u>iii</u> not. located in a Park Deficient Area as determined by the Parks and Recreation Department.	There is very litle development at the scale of 8 acres. Therefore, this large threshold is too large and will not allow for the code to meet the intent of this section which is to increase the amount of parks and open space from non-residential development. To align with 4)a) should be worded "and each residential lot is within 1/4 mile" Need to change "park" to "dedicated parkland." How to measure distance of 1/4 mile? The basis for 1/4 mile must defined in terms of connectivity and be safe and walkable. Refer to section Division 23-4E-6: Specific to Use/6240- Multi-Family. This needs to take into consideration park deficient areas. If there is not a safe route to the Civic Space, then the excemption should not be allowed.		
22.18	Division 23-4C-1	1040 Civic Open Space	x						TS		NO		1040 Civic Open Space (B) (4) (a) and (b)	(4) An applicant shall locate each residential lot within: (a) one-quarter mile of a safe pedestrian travel distance from existing proposed civic open space if the development is located within the urban core; and (b) a half mile of a safe pedestrian travel distance from existing proposed civic open space if the development is located outside of the urban core	Again, the 1/4 mile must be defined as the distance of a safe and walkable route. Remove "existing" as this for new civic space.		no definition for safe pedestrian travel distance or means of measurement

TER	N OG III	DESIR	ED PROPO										REQ. ADD'L STAFF	1			] [		
CHAP		-	NGES TO			INITIA	TED BY CO	ommssic	NER	EX OF	FFICIO	TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					DERSON		ICKOLS	HISSLER EGER	IEH OMPSON	AW RKARDT	CH							YES/NEUTRAL /NO	
	Division 23-4C-1 1040 Civic Open Space		x	-	AAA	<u> </u>	523	S III	5 2 3		ËĒ			GENERAL	SPECIFIC SECTION 1040 Civic Open Space	at least a quarter acre	missing unit		STAFF RESPONSE erratta
22.19			^							13			NO		(B) (5)		-	Yes	
22.20	Division 23-4C-1 Large Site Requirements			x				JSc				Parkland and Open Space			23-4C-1040	Strike 23-4C-1040 AND all of 23-4C-2	Civic Open Space is a new requirement that heavily overlaps with parkland dedication. For proof, just look at the kinds of civic open space mentioned in the next division: It includes things called parks! Requiring an entirely new on-site parkland dedication requirement when Austin already has one of the strongest parkland ordinances in the state is totally uncessary.		parkland dedication on site counts towards civic open space
22.21	Division 23-4C-1 Large Site Requirements		x					JSc				Parkland and Open Space				(A) General (1) An applicant for a site plan or subdivision <u>that results in</u> one or more parcels greater than 4 acres, must designate civic open space that complies with the requirements of Division 23-4C-2 (Civic Open Space).	This would not require civic open space on parcels less than 4 acres and would allow for better use of density on smaller parcels.	No	the purpose is to work with projects at 4 acres or larger
22.22	Division 23-4C-1 Large Site Requirements		x					JSc				Parkland and Open Space				(B) Civic Open Space Amounts and Locations(1) Land dedicated to the City to meet the applicable parkland dedication requirements in Article 23-3B (Parkland Dedication)-may-shall contribute to satisfying the requirements of this section. (2) Except as provided in Subsection (B)(3), an applicant for a site plan or subdivision shall designate at least 10 percent of the net development acreage as civic open space. The net development acreage does not includes: street rights-of-way, <u>pubic</u> sidewalks, required landscaping areas, parkland dedication, land located. <u>between the property line and a building setback, water quality features</u> , and detention areas not located within buildings.	This clarifies that civic open space does count towards parkland dedication requirements and redefines the net development acreage as the portion of land where the development actually occurs.	Yes/No	Staff agrees that "may" needs review and will need to coordinate with legal. Staff does not agree with added language and change of net development acreage
22.23	Division 23-4C-1 Large Site Requirements		x					JSc				Parkland and Open Space				(2) Except as provided in Subsection (B)(3), an applicant for a site plan or subdivision shall designate at least 5 40 percent of the net development acreage as civic open space. The net development acreage does include street rights-of-way, water-quality and detention features not located in a building, sidewalks, and other features located inside the development acreage.	This section provides how much of the land that civic open space will take away from providing the primary purpose of the site.	No	staff agrees with 10%
22.24	Division 23-4C-2 Civic Open Space							JSc											
22.25	Division 23-4C-2 Civic Open Space			x				JSc				Parking			STRIKE 23-4C-2	STRIKE DIVISION	Civic Open Space is a new requirement that heavily overlaps with parkland dedication. For proof, just look at the kinds of civic open space mentioned in this division: It includes things called parks! Requiring an entirely new on- site parkland dedication requirement when Austin already has one of the strongest parkland ordinances in the state is totally uncessary.	No	parkland dedication on site counts towards civic open space
22.26	Division 23-4C-2 2010- Purpose			x						TS		Purpose	NO			Purpose - This division sets the requirements for a wide range of civic open space types that are appropriate for the City. Civic Open Space aligns with Imagine Austin Priority "Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city" and will ensure adequate open spaces are incorporated into mixed use developments creating complete communities.	Revise Purpose Section to show alignment with IA priorities Marilyn Lamensdorf stated that intent of Civic Spaces is to provide the additional open space needs for commercial development.	No	draft purpose language statement applies to all types of development, not just commercial
22.27	Division 23-4C-2 2020 - Applicability and Conflict			x						TS		Civic space relationship to parks and common space	YES PARD		Conflict (B)	(B) A required civic open space shall comply with the requirements in this division, Article 23 4D (Specific to Zones) and Division 23-4C-1 (Large Site Requirements).	The tables for Open Space in the 23-4D sections are incorrect and recommend that the civic space section is deleted from each zone table. This along with 2020 (C) will allow residential and mixed use developments to satisfy the residential unit requirements for parkland through 23-3B and provide additional civic space for commercial development through this section.	No	reference to civic open space in zoning is helpful, not sure how it is incorrect
22.28	Division 23-4C-2 2020 - Applicability and Conflict			x						TS		Civic space relationship to parks and common space	YES PARD		Conflict (C )	(C) parkland dedicated per 23-3B can be used to satisfy the requirements of this division on no more than an acre for acre basis as approved by the Parks and Recreation Department.		No	staff supports current language
22.29	Division 23-4C-2 Civic Open Space		x					JSc	π			Process		No	23-4C-2020 Applicability and Conflict (D)	(D) Civic open space that complies with this division may be used to satisfy Section 23-4C-1030 (Common Open Space) if the civic open space is publicly accessible.	Strike this section as it conflicts with the requirements of section 23-4C- 1010 as common open space and civic open space are triggered by size of the site and not required at the same time.		
22.30	Division 23-4C-2 2050 - Civic Open Space Standards			x						TS			NO		Standards	ADD (F) Parks and Recreation Department shall approve final civic open space type provided based on park and open space needs in the area and Civic Open Space shall comply with Parks and Recreation Department Operating Procedures.	Civic Open Space should comply with PARD Oeprating Procecures and final park typology should have PARD approval.	No	PARD has discretion over parkland dedication
22.04	Division 23-4C-2 Civic Open Space			x				JSc	ΤL			Parking			23-4C-2050 (D) Parking Requirements	(D) Parking. The director shall require a specific number of parking- spaces for a civic open space that is more than five acres			
22.31 22.32	Division 23-4C-2 2050 - Civic Open Space Standards		x	x						TS			NO		2050 - Civic Open Space	(D) Parking. The minimum parking requirements shall comply with 23-4D-8040.	This excludes parking from all of the Civic Open Space Types. It is unlikely that any of the parks will be greater than 5 acres given that this would require a 50 acre development to yield this amount of open space (10% required). The parking should only be exempted when there is other public parking included in the development. 23-40-8040 is the parking section for parks and specified that the Director will determine parking levels.	No	parkland dedication on site counts towards civic open space
22.33	Division 23-4C-2 Civic Open Space		x						ΤL			Shade		No	23-4C-2050 E	Delete (No required shade)	Shade for football fields? Community Gardens?		

CHAPTER	DIVISION			RED PROP			INI	TIATED B	Y COMM	ASSIONE	R		EX OFF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AM	ENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
						ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GEN	ERAL	SPECIFIC SECTION		
22.34	Division 23-4C-3 Parking Reduction M (NEW)	Matrix			x	GA									Parking Reduction	No				Include reductions in car parking for items including but not limited to: Meeting TDM requirements: 15% exceeding TDM requirements by 50%: 20% providing indoor bike storage for half of jobs/residentis: 5% providing bike maintenance facilities for residential uses: 2% contributing 1/2 cost to a bike share dock (if their coverage area): 3% providing bus passes for residents in a 20 yr agreement: 20% X% affordable housing; (X)%. being within a 1/4 mile of a corridor: 15% 1/4 mile of a corridor with a rapid bus; 20% 1/2 mile of a train station or planned train station: 10% 1/4 mile of a TOD: 25%, 1 mile from downtown: 5% fronting a corridor: 20% fronting a corridor with a rapid bus: 30% 1/4 mile of a train station or planned train station: 100% in a parking management district: 15% Adjacent to a parking benefit district: 15% Adjacent to a parking benefit district: 15% Adjacent to resident permit parking 20% bar, cocktail, or other alcohol permit use: 30% showers for bikers or pedestrians: 15% near under capacity public parking garage: 15%, electric bike charging for 5% of bike parking: 20% within the UNO or south central waterfront overlays, within downtown: 100% a dev. that exceeds Green Stormwater Infrastructure req'ts by 10%: 10%	If we are ever going to have a viable transit syst developments that look to utilize such modes of as parking management districts and residential parking in areas where we look to do so.
23	Article 23-4D Specific to Zones General				x	П	×	r III			Π			Π	Live Music		Y		All zone allowed use ables	Insert "Live Music Venue" as a use with the same NP/CUP/MUP/P categories as a Performance Venue/Theater, with the same breakdowns	Previously Live Music Venue was lumped in with limits alcohol sales to below 50%, which is not c
23.1						Ц.									Venue Use	Yes				for indoor and outdoor, and square footage, in all zones.	model of most music venues. This is the use act submitted by Comm. Anderson.
23.2	General				x		×	Ţ							Compatibility	Yes	Y		All zone allowed use ables	In all zones, all instances of properties across alleys must state that the trigger line is based on the Zone of the property across the alley.	Right now D3 reads that compatibility stepbacks line of the impacted property, not the triggering p clearly.
23.3	Division 23-4D All Subsections		x			A	H FK								Affordable Housing	No	Yı	′es 2	23-4D	Change Cooperative Housing to P in R1, R2B-E, R3B-C, R4C, RR and MH; Change Cooperative Housing to P in zones R4A-C, RM1A-B; Change Cooperative Housing to P in MH, MS1A, MU3B, MU4	Cooperative Housing would still have to apply w regulations - it's a model that everyone should s
23.4	Division 23-4D Use Tables 23-4D-203	30(A, B, C)		x			FK								Day Cares	No		2	23-4D	Change Day Cares <20 to P in all R zones. Change commercial daycares to MUP in R2B and above, and to CUP below.	Need daycares close to families being served at daycare by removing obstacles
23.5	Division 23-4D-1 Purpose				x	GA	+				++							2	23-4D-1-8	Allow cooperatives by MUP in R1, R2B, R2C, R2D, R2E, R3B, R3C,	
23.6															Coops	No				RR; Allow cooperatives by right in zones R4A, R4B, R4C, RM1A, RM1B, MH, MS1A, MU3B, and MU4	
	All Zones				x					PS					Alcohol Sales on-site consumption						Require a CUP for bars, night clubs, brew pubs of residential properties.
23.7 23.8										ISI	h				height				ALL R ZONES	Update each district to max height of "35' from top of slab to top of roof" and limit slab height above finished grade "slab height is limited to a maximum of 5' above finished grade and a maximum of 12" above highest finished grade"	Building Height is defined as height from top of a Slab Height is defined as height from ???? gra Maximum building height is 35' from top of slab In McMansion Zones: Maximum building height is 22' at 5' from the sic Max Building Height increases by 1' for every 1' So 23' at 6' from the side lot line and so on, up t Max Slab Height: 5' above finished grade at any Max Slab Height can be no more than 12' above Pier and beam foundations are not subject to th Max Slab Height does not apply to portion(s) of or greater slope of natural grade The same Height Encroachments/Exemptions a current McMansion tent. Multiple pages: 4D-2 pg. 60 23-4D-2070 through 23-4D-2210: R1-R4 Maxim Amendment: Amend maximum height limit.
23.9	All Zones except RC				x					PS					Compatibility				Restore existing Compatibily Standards		CodeNEXT eliminated protections given to neigl encroachments of nearby businesses. Restore e standards citywide.
										ISI	h				FY Imp Cov			4	ALL R ZONES	delete frontyard impervious regulation	
23.10 23.11										ISL	h				pools fountains			4	ALL R ZONES	Encroachment table for Pools and Fountains • Side street match interior side • Front match rear	

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
system then we must allow for is of transit. We have tools such initial parking permits to address	No	Staff recommends keeping off street parking adjustments per 23- 4E-3060
h with performance venue, which not consistent with the business e activation for a definition		
acks may start on the property ing property. This reverses that		
oly with applicable zoning Ild support.	Yes/No	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; Staff agrees that it can be allowed in MU3B and MU4
ed and increase affordability of		
	Yes/No	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; Staff agrees that it can be allowed in MU3B and MU4
oubs and distilleries within 1,000'		
o of slab to top of roof. grade to top of slab. slab to top of roof. e side lot line. ry 1' past 5' from the side lot line. ry 1' past 5' max height limit. any point. bove the highest finished grade, o this limit. e) of building footprint over 10% ns apply to this as apply to aximum Height Limit neighborhoods from ore existing compatibility		

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CHAPTE ARTICI		DESIRED PROPOSED CHANGES TO D3		INITIATED BY	COMMSSION	IER	EX OFFIC	CIO TOPIC AREA	STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			NDERSON IART AZI	ENNY ACGRAW IUCKOLS	NLIVER CHISSLER EEGER	HIEH HOMPSON VHITE	HAW URKARDT AENDOZA	EICH		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.12						<u>∧ ⊢ &gt; ¢</u> Sh		articulation		OLIVEIAL	ALL R ZONES	25-4D-XX Articulation All R zones Recommend articulation requirements removed due to affordability. If motion does not pass, then modify as below Articulation is required for interior lot side walls on additions or new construction that have taller than 15' plate and located within 9' of the side lot line Administrative variance to dimensions allowed to meet unique lot configurations to accommodate trees, slopes, or adjacency issues.			
23.13	Division 23-4D-2 Residential House-Scale Zones Division 23-4D-2 23-4D-2030 Use Tables	x	FI	к				Coops and			x	Make coops MUP in R2B and up. And make Daycares 7-20 MUP in all R zones			HLC: ADU up to 1375sf when retaining house Related to coops: 4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending MUP in
23.14	Division 23-4D-2 23-4D-2100 Frontyard IC	x	FI	ĸ				Daycare				Remove frontyard IC		No/Yes	R zones; Staff supports daycares 7-20 having an MUP in residential zoning Staff supports front yard impervious limits
23.15 23.16	Division 23-4D-2 23-4D 2151	x	FI					Small Lot				Add small lot in R3 and R4 of 2,000SF		No	staff supports the current proposal
23.17	Division 23-4D-2	X			J	Sh							front parking areas are too limited and forms will create nonconforming to many neighborhood types, add front imp. And more problems, alley only access parking is limiting for mult unit. Iandscaping "may" be required ???? SEE RESIDENTIAL WORKGROUP COMMENTS!! (ARTICULATION, HEIGHT, USE, FORMS, LOT SIZES, ETC) dont want to duplicate		
23.18	Division 23-4D-2 Residential House-Scale Zones	×		СК				McMansion ordinance update	No	No	The "Lot Size and Intensity" table in all R zones	Strike the line with the maximum FAR and square footage in "Single Family" use (where it exists) and add "0.3 FAR or 1,800 sf".	This updates the McMansion ordinance and extends it to all R zones, limiting the FAR on all single family use to 0.3 FAR. The unlimited or 0.4 FAR for other uses remains.		
23.19		x		СК				McMansion ordinance update - FAR	No	No	The "Lot Size and Intensity" table in all R1- R4 subzones		This updates the McMansion ordinance and extends it to all R zones, limiting the FAR on all single family use to 0.3 FAR. The unlimited or 0.4 FAR for other uses remains.		
23.20	Division 23-4D-4 Mixed Use Zones	x	GA					Compatibility	No	Yes	General	In all the Compatability Setback sections, add "width of alley should be subtracted from the compatibility setback"			
23.21				СК				R-Zones: Remove SF- Attached and allow detache Duplexes	Yes	No	23-40-2, 23-4E-6170, Specific to Use - Duplex; and 23-13A-2, Land Uses - Duplex	Throughout 23-4D-2, remove references in text and rows in tables referring to Single-Family Attached. In 23-4E-6170(C), change the following: "A duplex must comply with the requirements in this subsection. (1) The two units must be attached or <u>no greater than 12 feet apart</u> ; and (2) At least one of the two units must have a front entry that faces the front thoroughfare except each unit located on a corner lot must each have a front entry that faces a separate thoroughfare." In 23-13A-2, change the following: "DUPLEX, <u>Two dwelling units on a single lot that are either attached or separated by no more than 12 feet A-residential building containing two attached dwelling units on a single-let.</u> "			
23.22		x		СК				Residential Citywide Affordable AD Bonus	y Yes	No	and Intensity" table in all R1-R3 Zones); 23-3E- 1040 (Affordable Housing Bonus Calculation)	Add a row to the bottom of the table: " <u>Residential Citywide Affordable</u> <u>Accessory Dewlling Unit Incentive: When participating in Affordable</u> <u>Housing Bonus Program</u> , in addition to base entitlements, an additional, income-restricted Accessory Dwelling Unit may be built and the size does not count toward FAR limit and the principal use's FAR limit is increased by the size of the income-restricted Accessory Dwelling Unit." Remove the following line from the table in RR, LA, R1A, R1B, and R1C: "Accessory Dewlling Unit allowed only when participating in Affordable Housing Bonus Program"	This is a new, income-restricted, affordable ADU bonus for all R1-3 zones. Add an affordable bonus that grants the following entitlements when adding a single, income-restricted ADU: ADU does not count towards FAR or unit limit, square footage of income-restricted ADU is also added to FAR limit for non-income restricted unit total on a 1-for-1 basis. Affordability income levels are same as other zone affordable unit bonuses, but affordability periods are 20 years for ownership, 10 years for rental.		
23.23		x		ск				R4 bonus adjustment	Yes	Yes	23-4D-2 (the "Lot Size and Intensity" table in all R4 zones.)	For all R4 zones: Table (A) AHBP Bonus Units increased from +4 to +6 and AHBP Bonus FAR increased from .8 FAR to 2 FAR	This makes the bonus pencil out.		
23.24		x		СК				Increase affordable bonus entitlements	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group. (See attached table.)	More bonus entitlements got us from 6,000 affordable units to 13,500.		
23.25	Division 23-4D-2	x		СК				Residential Citywide Affordable AD Bonus	J No	No	The "Lot Size and Intensity" table in all R zones	Add an affordable bonus that grants the following entitlements when adding a single, income-restricted ADU: ADU does not count towards FAR or unit limit, square footage of income-restricted ADU is also added to FAR limit for non-income restricted unit total on a 1-for-1 basis. Affordability income levels are same as other zone affordable unit bonuses, but affordability periods are 20 years for ownership, 10 years for rental. The ADU may be external or internal.	This is a new, income-restricted, affordable ADU bonus for all R zones.		
23.26	Division 23-4D-2			СК				Corridor Transition Accessory Dwelling Unit Incentive	No	No	The "Lot Size and Intensity" table in all R zones	Add an affordable bonus that grants the following entitlements when adding a single, income-restricted ADU: ADU does not count towards FAR or unit limit, square footage of income-restricted ADU is also added to FAR limit for non-income restricted unit total on a 2-for-1 bonus basis. A second ADU is also added that does not count against the FAR or unit limits. Affordability income levels are same as other zone affordable unit bonuses, but affordability periods are 20 years for ownership, 10 years for rental. The ADU may be external or internal.	This is a new, income-restricted, affordable DOUBLE ADU bonus for all R zones.		

CHAPTER	NOISINID		DESIRED PROPOSE CHANGES TO D3			11	NITIATE	D BY C	omms	SIONE	R		EX C	DFFICI	o	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					ANDERSON HART	KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT	MENDOZA				GENERAI	SPECIFIC SECTION		
23.27											Ī	TS				<2500 SF Uses w/o Parking	NO	x			Within Specific to Zones 23-4 parking requirer references to parking required that allow for use parking if <2500 SF.
				^								TS			T	Bars and Restaurants	NO	x	Table 23-4D-XXXX Allowed Uses	Table 23-4D-XXXX allowed Uses - Restaurants and Bars - Bars and Nightclubs Level 2 within 200' of Residential House-Scale Zone - CUP [Where currently P or MUP]	For all zones that allow Bars and Nightclubs- Le CUP.
23.28				x								TS			I	Bars and Restaurants	NO	×	Table 23-4D-XXXX Allowed Uses	Table 23-4D-XXXX allowed Uses - Restaurants and Bars - Restaurant/Late Night Operations within 200' of Residential House-Scale Zone - CUP [Where currently P or MUP]	For all zones that allow Restaurants with Late N for a CUP.
23.29	Division 23-4D-2	Residential House-Scale Zones		x						PS						Minor Use Permits			23-48-1030 Minor Use Permits General.	Remove Section 23-4B-1030	Minor Use Permits (MUP) give staff too much d that are not minor. This process denies citizens hearing. Remove the MUP process and apply 2 Revisit the MUP permit and associated uses aft
23.30				x						PS						Lot Size			Zones R1B-R2C, R3B-R3D		Restore 5,750 sq. ft. lots and 50' width
23.31				x						PS						Lot size					
23.32	Division 23-4D-2	Preservation Incentive		x							1	rw				ADU	x	X	Lot Size & Intensity Table; R1C, R2A, R2C, R2E,R3A,R3B,R3C,R3D,R 4A,R4B,R4C,	Street Scale Incentive: Accessory Dwelling Unit does not count toward FAR limit when existing house (at least 10 years old) is conserved.	The intention was to preserve the street scale. T defined in D3. The HLC has recommended agai the word preserve conjurs up the National Regis the intention was to subject homewoners to the expenses, I think it was to preserve the street sc demolitions. These changes eliminate the word hand with a definition of conserve that promotes existing homes street presence. This also furthe use the additional FAR that you're granted.
23.34		Preservation Incentive		~			КМ												Definition	HLC recommended secretay of the Interior definition	PRESERVATION IS DEFINED AS THE ACT O MEASURES NECESSARY TO SUSTAIN THE I INTEGRITY, AND MATERIALS OF AN HISTOF INCLUDING PRELIMINARY MEASURES TO P THE PROPERTY, GENERALLY FOCUSES UPON THE ONGOING MAINTENAI HISTORIC MATERIALS AND FEATURES RATHER THAN EXTENSIVE REPLACEMENT CONSTRUCTION. THE LIMITED AND SENSIT UPGRADING OF MECHANICAL, ELECTRICAL SYSTEMS AND OTHER CODE-REQUIRED WORK TO MAKE PROPERTIES FUNCTIONAI A PRESERVATION PROJECT. HOWEVER, NEW EXTERIOR ADDITIONS AR SCOPE OF THIS TREATMENT. THE STANDARDS FOR PRESERVATION REQUIRI GREATEST AMOUNT OF HISTORIC FABRIC ALONG WITH THE BUILDING'S HIST
23.35	Division 23-4D-2	Residential House-Scale Zones					КМ												23-4D-2 simplify uses maintain; minimum lot sizes in some zones	Remove single-family attached, duplex and ADU Maintain current lot sizes (minimum 5,750) and minimum width (50') in R1B, R1C, R2A, R2C, R3C, R4A (6,000 - 60' width)	Remove these uses in favor of only referencing respect to their attachment or not per zoning - o is permitted for any dwelling unit on the lot with SF on the second floor of the rear 1/3 of the lot. Smaller lot sizes may be incorporated into zone greenfield areas and as implementation for use via the Small Area Plant participation. These include R2B, R2D, R2E, R3C, R3D This amendment provides balance required to a allow neighborhoods to maintain existing current zoning while creating r areas where the new regulations match current development and for sites identific process.
23.35	23-4D-2	Residential House Scale Zones					км												23-4D FAR	Maintain .4:1 FAR for most zones while these R3D, R4B and R4C may be up to .6:1. Eliminate the default FAR provisions (2,300 for 5,000 SF lots)	Dfault FAR skews the market to remove mode
23.37	Division 23-4D-2	Lot size minimum		x							T	rw				Lot Sizes		x	Lot Size & Intensity Table; R1B-R2C	replace 5000 with 5750	This reduction inadvertently allows an additional zoning category between 11.5k-10k) to be subd demolitions and reducing the amount of existing

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
uirements, remove all r use in zone to exclude off-street		
s- Level 2, add requirement for a		
te Night Hours, add requirement		
ch discretion over granting uses ens the opportunity of a public oly 23-4B-1020 CUP process. s after CodeNext approved.		
IIe. The word preservation is not against this incentive because Register's Standards. I don't think these standards and additional et scale and to reduce the # of orod confusion and go hand in totes the conservation of the urther clarifies where you can	Neutral	HLC has asked for a definition of "preservation"
T OR PROCESS OF APPLYING HE EXISTING FORM, TORIC PROPERTY. WORK, O PROTECT AND STABILIZE ENANCE AND REPAIR OF ENT AND NEW SISTIVE ICAL, AND PLUMBING D INAL IS APPROPRIATE WITHIN & ARE NOT WITHIN THE UIRE RETENTION OF THE HISTORIC FORM cing dwelling units without		
g - only per Buildign code. FAR with the only limitation being 550 10t. per current ADU code. cones intended to be used in Planning Process with full public to achieve the Austin Bargain to ing new zones for greenfield, untified in a Small Area Planning		
nodest homes on small lots.		
ional 39,469 lots (lots in this subdivided leading to increased sting affordable units	No	Staff supports reducing nonconforming lots with 5000 square foot lot; the 39,469number is erroneous and the correct numnber is closer to 14,000

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CHAPTE ARTICL		DESIRED PROPOSED CHANGES TO D3		INITIATED	BY COMN	ISSIONER		EX OFFICIO	TOPIC AREA	STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI	MAZI KENNY MCGRAW	nuckols Oliver Schissler	SEEGER SHIEH	WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.38	Division 23-4D-2 Residential House-Scale Zones	×	GA AH			ſ	т		Residential	no	no	23-4D-2010	This division establishes the land use and building form requirements for property zoned residential house-scale. The requirements <u>are intended to</u> implement the Comprehensive Plan and <u>address the social and</u> . <u>environmental values described in 23-1A-1020</u> , <u>are intended to ensure- that proposed development is compatible with existing and future- development on neighboring properties. Additionally, the requirements- are intended to produce an environment of desirable character, consistent- with the Comprehensive Plan and any applicable area plan.</u>	The goals of the Title should guide the goals of this Division. The purpose of zoning should be to implement the adopted Imagine Austin Comprehensive Plan.		
23.39	Division 23-4D-2 Residential House-Scale Zones	x	AH						residential			23-4D-20XX	Table 23-4D-20XX (F) Impervious Cover (2) Frontyard Impervious         Cover – Paragraph (2)(e)         Amendment: This requirement should be deleted for parking on paved areas only.         (e) A motor vehicle may only be parked or stored on driveway or paved parking space.	Comment: The current city requirements are adequate with gravel being an acceptable parking space material.		
23.40	Division 23-4D-2 Residential House-Scale Zones	x	AH						Residential				Table 23-4D-20XX (H) Impervious Cover (2) Front yard Impervious Cover Amendment: Delete Frontyard Impervious Cover in every zone.	Removing this section does not alter the total impervious cover limit on the site. Targets low income / high occupancy tenants, where more vehicles are common. It adds \$1000 cost for preparation of site plan and survey. It can't accommodate site conditions like trees, triggering routine variances. 40% IC limit does not allow more than a single car driveway on a 50' lot.		
23.41	Division 23-4D-2 Residential House-Scale Zones	x				ı	т		Residential Use	No	Yes		Remove the following uses and replace with "residence": ADU, Duplex, Single-Family, Single-Family Attached	Agree with Residential Working Group		
23.42	Division 23-4D-2 Use	x					тw		Uses	x		23-4D-2030	replace duplex, single family attached, secondary, ADU; with two family, mulitfamily	reduce the number of uses to reduce the confusion perpetuated by this code. Rely on the definition of dwelling unit to support the zones.		
23.43	23-4D-2 Residential House-Scale Zones	x	x						Residential	No	no	Table 23-4D-2030 C	Allow triplex as a residential use in R3S - R4C and amend the tables in each zone accordingly	This is a logical house scaled use in this zone that is compatible with existing uses.	No	staff supports current use definitions, aggregation does not address neighborhood character
23.44	Division 23-4D-2 2030. Allowed Land Uses and Permit Requirements	x					TS		Single Family Attached	NO		Table 23-4D-2030(C) Allowed Uses in Residential House-Scale Zones	CHANGE: Single-Family Attached status from "P" to "-"in R2A, R2B, R2C, R3A, R3B.	Change permit status of Single-Family Attached in Specific Zones to not allowed.		
23.45	Division 23-4D-2 Parking Standards						тw		Parking			Table 23-4D-2040-A-1	Home Occupations 1 if clients come to the site, otherwise none required		No	Home Occupation use limits trips to 4, also addendum prohibits retail sales
23.46	Division 23-4D-2 STR-2						тw		uses	x		all use tables	why are we including this as a permitted use If we're in the process of fading these out over the next 5 years??			
23.47	Division 23-4D-2 Residential House-Scale Zones	x	F	ĸ					residential			23-4D-2 & 23-4D-3: R2C Zone	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other         Allowed Uses" to table of uses.         min. lot size: 2500sf.         max lot size: 4999sf         min. lot width: 36'         Building Size (max) for all Small Lot uses: the greater of .4 FAR or         1500sf         Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front         15', Side St. 10', Side 3.5', Rear 10'.         Table 4D-2120(C) Building Form (1) Building Articulation New         Construction add "Building Articulation is not required for Small Lot         uses."         Table 4D-2100(G) Impervious Cover add "(2) Small Lot Impervious         Cover 65% max, 55% building cover max	36' min width for R2C prevents flag lot resubs of 50' lots. Reduced Building Size from 2300 to 1500sf. Zero side yard setback when adjacent to other small lot uses eliminates need for SF-Attached. The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city.		
	Division 23-4D-2 2030- Allowed Land Uses and Permit Requirements						TS		2030- Allowed Land Uses and	NO				Co-op Housing - R3A now allowed with CUP, R4A and R4B changed from P to MUP. ADDENDA -now not allowed in R2 where previously was CUP.		
23.48	Division 23-4D-2 2030- Allowed Land Uses and Permit	x	+++	+++	++	$\left  \right $	тс		Permit Requirements 2030- Allowed					Group Home Removed.	N/A	
	Requirements								Land Uses and Permit	NO						
23.49	Division 23-4D-2 2030- Allowed Land Uses and Permit		┢┼┼	+++	++	+++	TS		Requirements 2030- Allowed				+ +	Addenda - allowed cottage court in R4C and removed Townhouses from	N/A	
	Requirements								Land Uses and Permit	NO				R4A and R4B.		
23.50	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x					TS		Requirements 2040- Parking Requirements			2040 (B) Maximum Number of Parking	Delete section 2040 (B)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though	N/A Yes	Staff agrees with only deleting this language in the Residential
23.51	Division 23-4D-2 2040- Parking Requirements (Residentail	x							(Residentail House Scale)	NO		Spaces		minimums are established and that developers are allowed to put in as many parking spots as they want.		House Scale zones; and staff supports changing language in Residntial Multi-Unit zones to only apply to non-residential zones
23.52	House Scale)	x					TS		2040- Parking Requirements (Residentail House Scale)	NO		2040 (2)(a) and (b)		Definition for Building Façade is different than the one in 23-13. Parking Structure definitiion in this section is not found in 23-13.	Yes	Staff agrees with only deleting this language in the Residential House Scale zones; and staff supports changing language in Residntial Multi-Unit zones to only apply to non-residential zones
23.53	Division 23-4D-2 2040. Parking Requirements (Residentail House Scale)	×					TS			NO		Residential Accessory Dwelling Unit - Residential	CHANGE: Accessory Dwelling Unit - Residential (Existing or new construction with existing dwelling unit)None Required ADD: Accessory Dwelling Unit - Residential (new construction and no existing dwelling unit) - 1 per unit.	Table 23-4D-2040(A) - ADU's do not require parking. ADUs allow 3 unrelated adults and it is incomprehensible that none of these adults would require parking. This should changed to conform to 23-4E-3020 which requires parking for ADUs unless there is an existing unit.		
23.54	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x					TS			NO		Table 23-4D-2040(A) (1) Residential	ADD: RR, LA, R1, R2, and any Residential House-Scale Zone adjacent to Public School - 2 per unit	Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking. Furthermore, the occupancy limits for residential dwelling units can be from 4-6 unrelated adults. Condider variance if sidewalks in neighborhood. Request from Public schools to maintain parking adjacent to schools.		

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CHAP.		DESIRED PF CHANGES		<u> </u>	INITIATI	ED BY CO	MMSSIO	NER	EX	OFFICIO	TOPIC AREA	FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				ANDERSON HART	(azi (enny Vicgraw	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	SHAW	vien doza Teich			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.55	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)		x						TS			NO		Table 23-4D-2040(A) (1) Residential	ADD: All other Residential House-Scale Zones - 1 per unit	Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking.	N/A	
23.56	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)		x						ΤS		Residential use parking	NO		Table 23-4D-2040(A)	Bed and Breakfast - 1 plus 0.8 1 -per bedroom Cooperative Housing - 1 plus 1 per every 4 2 bedrooms Group Residential - 1 plus 1 per every 3 2 bedrooms	ADDENDA: Adds Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels for residential neighborhoods		
23.50	Division 23-4D-2 2100 - 2140; R2A-R2E		x						TS			NO		Table 23-4D-2040(A)	Change Co-operatives and Group Residential to 1 + 1 per every 2 bedrooms	Addenda reduces parking for Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels.	No	staff adjusted parking requirements in the addendum and supports the standards
23.58	Division 23-4D-2 Residential House-Scale Zones		x				JSc							23-4D-2040(C)(3)(a) Parking requirements for R1-R3	Delete 23-4D-2040(C)(3)(a) & Delete similiar text in every zone	Will make thousands of existing homes nonconforming. Limitations on parking locations remove flexibility to accommodate site conditions, such as trees. Rule would require additional IC to get spaces deeper into lot. Pushing parking back into structure leaves less area for units, restricting unit yield. Trades parking for additional units.		
								JS h						23-4D-2040	Parking requirements 3. B and C is described again in each zone. (at least in R3's This is confusing. Pick a spot, otherwise its inconsistent)			
23.59											parking				OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle 3. B and C is described again in each zone. (at least in R3's This is confusing. Pick a spot, otherwise its inconsistent)			
23.60								JS h			parking				OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle			
23.61	Division 23-4D-2 Residential House-Scale Zones	x					JSc				Parking			23-4D-2040 R1-R3 Zones: Table 23-4D-21x) (F) Impervious Cover (2) Frontyard Impervious Cover - paragraph (2)(e)	parking space.	Gravel is an accepted parking space material in code. While counted as IC, it is more pervious than concrete and less expensive. Not a problem under current code.		
23.62	Division 23-4D-2		x		СК						Lot Size Brackets for ADUs in RR	No	No	Table 23-4D-2050(A), "Lot Size and Intensity"	and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.		
23.63	Division 23-4D-2 Residential House-Scale Zones	x		F	FK						Rural Residential			23-4D-2050	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in RR by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in RR with an affordability requirement.		
23.64	Division 23-4D-2		x		СК						Lot Size Brackets for ADUs in LA	No	No	Table 23-4D-2060(A), "Lot Size and Intensity"	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.		
23.65	Division 23-4D-2 Residential House-Scale Zones	х		F	₹K						Lake Austin			23-4D-2060	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in LA by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in LA with an affordability convicement		
23.66	Division 23-4D-2		×		СК						Lot Size Brackets for ADUs in R1 zones	No	No	Table 23-4D-2070(A), 23 4D-2080(A), and 23-4D- 2090(A), "Lot Size and Intensity" in R1A, R1B, and R1C, respectively.	<ul> <li>Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)</li> </ul>	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.		
23.67	Division 23-4D-2 Residential House-Scale Zones	x		F	FK						R1A			23-4D-2070	Strike Accessory-Dwelling Unit allowed only when participating in- Affordable Housing Bonus Program.	Allowing ADUs in R1A by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in R1A with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.		
23.68	Division 23-4D-2 Residential House-Scale Zones		×	AH							residential			23-4D-2070 through 23- 4D-2210: R1-R4 Maximum Height Limit	and limit slab height above finished grade <u>"slab height is limited to a</u> maximum of 6' above finished grade and a maximum of 12" above highest finished grade"	32' to top of roof is too low to accommodate three stories along with roof pitch, etc. 35' max to top of roof is very similar to current code limit of 32' max to average roofline. 35' is limit in non-McMansion zones in v3. Common standard reduces cost and time for regulatory compliance, allows more flexibility for site conditions, and allows enough slab exposure for adequate drainage - identified as a concern by staff under current McMansion tent.		
23.69	Division 23-4D-2 Residential House-Scale Zones	x		F	FΚ						R1B			23-4D-2080		Allowing ADUs in R1B by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in R1B with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.		
23.70	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C Division 23-4D-2		×					$\parallel$	TS			NO		R1B, R1C	ADD R1D which is the same as R1C but without and ADU Width (min.) = 50', Area (min.) = 5750'	Keeps at least on zone for single family residence. Currently all R1 zones allow 2 units. R1B and R1C reduced lot with 45' and lot size 5000 SF needs to revert	No	staff supports current proposal and R1 only allows an ADU on lots over 15,000 square feet and it must be affordable Staff supports reducing nonconforming lots with 5000 square foot
23.71			X						13			NO		2050- 2090; RR, LA,RIA, R1B, R1C Table 23-4D- XXXX(A)		back to 50' and 5750'. These lots are outside of urban core and should be larger.	No	lot

CHAPTER	Division	DESIRED PROPOSED CHANGES TO D3			INITIAT	ED BY C	ommssi	IONER		EX	OFFICIC	þ	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER		WHITE	SHAW BURKARDT	mendoza Teich				GENERAL	SPECIFIC SECTION		
	Division 23-4D-2	x								TS				NO		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D-	Remove "Other Allowed Uses"	What is the purpse of the new use called "other defined and not explained what it will be used fo
23.72	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	×	T							TS		Ì	Front Yard Impervious Cover	YES		XXXX(A) 2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (F) or (G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.
23.73	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	x	T							TS		(	Common and Civic Open Space	YES		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (G) or (H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements a are addressed throroughly in 23-4C-1 and 23-4C recommended.
23.75	Division 23-4D-2 Residential House-Scale Zones	x		AH FK									residential			23-4D-2100, 2120, 2140 Table (D) Height	For All R-type Zones: Building Height is defined as height from top of slab to top of roof. Slab Height is defined as height from finished grade to top of slab. Maximum building height is 35' from top of slab to top of roof. In McMansion Zones: Maximum building height is 22' at 5' from the side lot line. Max Building Height is 22' at 5' from the side lot line. Max Building Height is ide lot line and so on, up to the 35' max height limit. Max Slab Height: 5' above finished grade at any point. Max Slab Height: 5' above finished grade at any point. Max Slab Height can be no more than 12" above the highest finished grade, Pier and beam foundations are not subject to this limit. Max Slab Height does not apply to portion(s) of building footprint over 10% or greater slope of natural grade The same Height Encroachments/Exemptions apply to this as apply to current McMansion tent.	22' limit restricted all McMansion R2-R4 zones to limiting unit yield and reducing entitlements belo code "tent" is very complicated and costly to adn Amendment is easy to administer, uses one bas height) and creates the same building envelope be verified by form boards on site and allows thr to top of roof better replicates the average rooffil code, allowing most existing homes under McMi of roof as proposed is not an increase in overall including the slab height measurement, due to c roofline to top of roof. 32' to top of roof (in v3) di for a third story with much of a pitch on the roof, eliminating finished attics above a second floor c Three stories, which are allowed under current S achieving R3 and R4 unit yields while accommo and off street parking.
23.76	Division 23-4D-2 2100 - 2140; R2A-R2E	×								TS				NO		2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)	CHANGES: 1) Remove Single-Attached and Other Allowed Uses, 2) Restore lot size to 5750 SF, 3) Restore width to 50',	R2 Zones have already been reduced from 7000 with draft 3 to 5,000 s.f. with an option to subdivi This will dramatically change the number of units most single family neighborhoods. This version h attached housing. The purpose and overview fo previously in Draft 2 matched current single fami mention small lots just duplexes and single famil and intensity permits small lots and attached sin small lot and attached single family should be re which are specifically for small lot. With large family attached subdivisions would allow 4 units dramatic increase in density for most neighborh downs and increasing on street parking which w unsafe. Single family attached do not comply w requirements and 23-4E-7070 does not provide
23.77	Division 23-4D-2 Residential House-Scale Zones	x	GA	FK									residential			Table 23-4D-2100 to 2210(A)	Amendment: Apply Preservation Incentive to every R zone. Preservation Incentive: Accessory Dwelling Unit size does not count toward FAR limit when existing house (at least 10 years old) is preserved.	Not counting ADU toward FAR if on a lot with an than 10 years is a good incentive. Preservation I every R-type zone.
23.78	Division 23-4D-2 Residential House-Scale Zones	x		FK									residential			23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other         Allowed Uses" to table of uses.         min. lot size: 2500sf.         max lot size: 4999sf         min. lot width: 25'         Building Size (max) for all Small Lot uses: the greater of .4 FAR or         1500sf         Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front         15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear         10'.         Table 4D-2120(C) Building Form (1) Building Articulation New         Construction add "Building Articulation is not required for Small Lot         uses."         Table 4D-2120(G) Impervious Cover add "(2) Small Lot Impervious	Zero side setback when adjacent to other Small Attached. The proposed minimum lot size of 250 larger than minimum of 2000 sf in Dallas and wo outcomes through the city. Reducing minimum li code's by right SF-3 Urban and Cottage Lots. Hi sizes are a product of Jim Crow laws and shoul eliminated. Small lots allow fee simple ownershi condo regime, which is better for owners and for
23.79	Division 23-4D-2 Residential House-Scale Zones	x		FK									residential			23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Delete SF-Attached Use	Small Lot Use replaces SF-Attached Use.
23.80	Division 23-4D-2	x			СК								Lot Size Brackets for ADUs in R2A and R2B	No	No	Tables 23-4D-2100(A) and 23-4D-2110(A)	Strike the entire rows of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	R2A should have the same standard three ADU is missing the 3500-5000 sq ft. bracket.
23.81	Division 23-4D-2 2100 - 2140; R2A-R2E	x								TS			Changes to R2A, R2B, and R2C Table A	NO		2100 Table 23-4D- 2100(A), 2110 Table 23- 4D-2110(A), 2120 Table 23-4D-2120(A)	<ol> <li>RESTORE Single Family and Duplex - min. width from 45' to 50', min. Area from 5000' to 5750' 2) DELETE : Single-Attached, Other Allowed Uses</li> </ol>	R2 Zones have already been reduced from 7000 with Draft 3 to 5,000 s.f. with an option to subdiv This will dramatically change the number of units and negatively alter most single family neighbori attached single family should be relagated to the specifically for this purpose. This will encourag on- street parking which will make our neighborf family attached do not comply with the side setb 7070 does not provide for exemptions.
23.81	Division 23-4D-2 2100 - 2140; R2A-R2E	x								TS			Single Family Attached Side Setback	YES	X	2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)	Add design criteria in 23-4E-6	Single family attached should not be in R2 zones criteria for this house form which will lead to abu
23.82	Division 23-4D-2 2100 - 2140; R2A-R2E	x								TS		:	Setback Single Family Attached Design	NO		2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)		If Single-Family Attached remains as option for allowed on these smaller subdivided lots.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ther allowed uses." It is not ed for.	No	this only refers to condensing parking table
	NA	would limit the amount of surface parking in the front yard and prevents entire front yard from being paved over
nts are not correct in Table and 3-4C-2 with previous revisions		
hes to 2 stories, substantially below current code. Current a administer and enforce. base measurement (max lope without tent sections, can s three stories within tent. 35' oofline height calc under current VecMansion to conform. 35' to top erall height vs today, even et o change from average (3) does not allow enough room roof, increasing massing and loor on most lots. ent SF-3 code, are essential to mmodating impervious cover		
7000 s.f. to 5,750 s.f. and now bdivide every lot to 2,500 s.f. units allowed an egatively alter ion has included small lots with we for for R2A, R2B and R2C ( family SF2F3) does not family with ADU, but in lot size d single family. If allowed, the be relagated to the R2D and R2E arge enough lot size, single units where there is one; a borhoods, encouraging tear ich will make our neighborhoods ply with the side setback vide for exemptions.		Staff supports reducing nonconforming lots with 5000 square foot lot and 45' width; Staff does not support removing Single Family Attached use
th an existing home that is older tion Incentive should apply in	No	
mall Lots eliminates need for SF- it 2500 sf for small lots is still d would improve affordability um lot size extends the current is. Historically, large minimum lot hould be reduced or wholly ership instead of requiring a nd for the city.		
ADU size brackets in R2A, which		
7000 s.f. to 5,750 s.f. and now ubdivide every lot to 2,500 s.f. i units, from one to four, allowed hobrhoods. 2500' small lot and to the R2D and R2E which are ourage tear downs and increase hobrhoods unsafe. Single setback requirements and 23-4E		
zones. There are also no design o abuse.		
n for R2, ADUs should not be		

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СНАГ			GES TO D3	-	INIT	TIATED BY C	COMMSS	SIONER		EX OFFI	ісю	TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				ANDERSON HART	(AZI (ENNY	VICGRAW VIUCKOLS	JUIVER SCHISSLER	SHIEH SHIEH	WHITE SHAW	BURKARDT VIENDOZA	IEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.84	Division 23-4D-2 2100 - 2140; R2A-R2E		x						TS			Front Yard Impervious Cover	NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.		
23.84	Division 23-4D-2 2100 - 2140; R2A-R2E		×						TS	6		Common and Civic Open Space	NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.		
23.85	Division 23-4D-2 2150-2180; R3A-R3D		x						TS	5		R3A and R3B Uses	NO	2150 Table 23-4D- 2150A), 2160Table 23- 4D-2160(A),	DELETE : Single-Attached and Other Allowed Uses	Keep single-family attached with R3 used adjacent to corridors. What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.		
23.80	Division 23-4D-2 2150-2180; R3A-R3D	x							TS	;		Side St. Setbacks	NO	2150-2180; R3A-R3D Table 23-4D -XXXX (B)		Single family attached and do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.		
23.88	Division 23-4D-2 Residential House-Scale Zones		x	GA								residential	no	no 23-4D-2150 to 2200 Table(A)	For R2-R4 "McMansion" Zones add Note "FAR includes Covered Porches or Balconies above ground level"	Loophole in D3 FAR allows two stories of porches under a finished attic per Chris Allen's drawing. Count 2nd floor porches toward FAR, as they are in current code, to limit attic space, as it is in current code.		
23.89	Division 23-4D-2 Residential House-Scale Zones		x	GA								residential	no	no 23-4D-2150 to 2200 Table (A)	For R2-R4 "McMansion" Zones add Note for Single Family and Duplex Uses "+150sf for each three bedroom unit within 500' of public school."	Incentivizes family friendly housing around AISD schools.		
23.90	Division 23-4D-2 Residential House-Scale Zones		x	GA	FK							residential		23-40-2150, 2160, 2170: All R3 Zones	Table (A) Lot Size and Intensity - add footnote +.1 FAR for every unit above Single Family Use	Despite the three-unit capacity, yields will not improve due to FAR limit which is the same as one or two units. Keeping the same FAR for 1 units as for 2 or 3 units does not incentivize building more units. The same .4 FAR for 1, 2 or 3 units is a direct disincentive to build more units uresus larger single homes. Current code exemplifies this - 70% demos still 1-1 ratio, not 1-2 despite it being allowed by code. FAR should be increased to encourage more units on the lot. If you have the same FAR for more units, it increases the cost to produce those units (more per unit for taps, etc.) versus single family of same size, while raising cost per unit. A small step up would encourage more Missing Middle housing creation.		
23.91	Division 23-4D-2 Residential House-Scale Zones		x	GA								residential	no	no 23-4D-2150 to 2200 Table (A, B, C, D, E)	For R2-R4 Zones: within 500' of public school, use RM2B entitlements if 50% of the units are "family-friendly" (1000+ sf and 3+ BR)	Incentivizes family friendly housing around AISD schools. AISD continues to predict student enrollment decreases we need family frienly housing near schools.		
23.92	Division 23-4D-2 2150-2180; R3A-R3D		x						TS	;		Front Yard Impervious Cover	NO	2150-2180; R3A-R3D Table 23-4D-XXXX(F) or (H)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.		
23.92	Division 23-4D-2 2150-2180; R3A-R3D		×						TS	6		Common and Civic Open Space	NO	2150-2180; R3A-R3D Table 23-4D-XXXX(G) or (1)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.		
23.94	23-4D-2150 R3A					км									Minimum Lot Size should be 7,000 w/ width of 60'	Likely existing duplex lots.		
23.95	Division 23-4D-2 2150-2180; R3A-R3D Division 23-4D-2 2150-2180; R3A-R3D		x						TS	6		R3B Lot Size	NO	2160Table 23-4D- 2160(A),	RESTORE Single Family and Duplex - min. width from 45' to 50', min. Area from 5000' to 5750'			
23.96			×						15			R3C and R3D	NO	2170 Table 23-4D- 2170A), 2180Table 23- 4D-2180(A),	DELETE : Other Allowed Uses	What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.		
23.97	Division 23-4D-2 2190 - 2210 R4A- R4D Division 23-4D-2 2190 - 2210 R4A- R4D	×							TS			Townhouses	NO	2190 - 2210 R4A- R4D; Table 23-4D -XXXX (A) 2190 - 2210 R4A- R4D;		ADDENDA: Removed Townhouses. Keep the same as shown in Draft 3. Single family attached and townhouses do not comply with the side setback		
23.98									13			Side St. Setbacks	NO	Table 23-4D -XXXX (B)		requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.		
23.99	Division 23-4D-2 2150-2180; R3A-R3D		×						TS	;			NO	2190 - 2210 R4A- R4D; Table 23-4D-XXXX(H)	Remove reference to Common Open Space and Civic Open Space as these are already covered in section specific sections	Common and Civic Open Space requirements conflict between special section and Table H		reference to civic open space in zoning is helpful, not sure how it is incorrect
23.100	Division 23-4D-2 Residential House-Scale Zones				54			JSh				IC		23-4D-2190 -2210	R4 Zones - 55% impervious cover allowed with Watershed Review (this is to allow parking requirements to work, building cover is still 40% so the increase in IC doesn't get abused for more BC) Table (A) L4 Size of Harvin and Forester II (A) B for exercise			
23.101					FK							residential		All R4 Zones	above Single Family Use	If you have the same FAR for more units, it increases the cost to produce those units (taps, etc.) versus single family of same size, while raising cost per unit. It is a direct disincentive to build more units. Current code exemplifies this - 70% demos with the continued 1-1 ratio, not 1-2. A small step up would encourage more Missing Middle housing creation, other regulations keep it from being any more massive than current McMansion limits.		
23.102	Division 23-4D-2 Residential House-Scale Zones		x				JSc					Parking		23-40-2150 through 2210 (G) (3): Parking Driveway	Edit Parking Table (G) (3) in all R3 & R4 zones to read: <del>10' max 12'</del> max for single unit driveway 20' max for shared driveway	Allow 12' max curb cuts (current code) for driveways serving a single unit and up to 20' max curb cut for shared driveways that are not fire lanes. Multiple curb cuts are allowed on any street frontage of a lot. A 10' curb cut is too narrow to accommodate multiple vehicles to park; Shared driveways should provide two car access where site conditions allow. 12' is the current code minimum requirement.		
23.102	Division 23-4D-2 Residential House-Scale Zones		x				JSc					Parking		23-4D-2150 through 2210 (G) (3): Parking Driveway		There is already an incentive to park from an alley - better use of IC, better access for ADU parking, etc. so requirement is not necessary. Would require homeowners to pave the alley per staff, with major negative impact on feasibility. 3 or 4 units can't all park from alley (possibly 6+ spaces on 50' lot). Corner lots with three sides Right Of Way are still required to only park off of the alley in v3.		

HAPTER	NOISINI	-	DESIRED PROPOSED CHANGES TO D3	Γ	INITIAT		AMSSIONE	R	EX OFFIC	IO TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		-		ANDERSON HART	KAZI KENNY MCGRAW	NUCKOLS OLIVER	SCHISSLER SEEGER SHIEH	THOMPSON	SHAW BURKARDT MENDOZA	Н		GENERA				YES/NEUTRAL /NO	STAFF RESPONSE
23.104	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			<u>23-4D-2150 through</u> 2210(G)	Amendment: Required parking space(s) must not be located in front of the front facade of the building, forcing parking to rear of lot	Delete language because it effectively requires two tandem spaces and the resulting impervious cover to comply - the required space behind the setback, and the space on the driveway leading up to it. While not 'required', it is a space nonetheless, and will be parked on. Parking setbacks like this limit unit yield by removing flexibility to work around site conditions, such as trees, forcing parking where units should go.		
23.105	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2150 through 2210 (G) (3): Parking Driveway	Edit Parking Table (G) (3) in all R3 & R4 zones to read: 40' max <u>12'</u> max for single unit driveway 20' max for shared driveway	Comment: Allow 12' max curb cuts (current code) for driveways serving a single unit and up to 20' max curb cut for shared driveways that are not fire lanes. Multiple curb cuts are allowed on any street frontage of a lot. A 10' curb cut is too narrow to accommodate multiple vehicles to park; Shared driveways should provide two car access where site conditions allow. 12' is the current code minimum requirement.		
23.106	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2150 through 2210 (G)(3): Parking Driveway	When lot has adjacent alley with a right of way width of 20' or greater, parking must be accessed only from the alley.	Do not require parking from alleys. There is already an incentive to park from an alley - better use of IC, better access for ADU parking, etc. so requirement is not necessary. Parking from street should be allowed for units in front, parking from alley for rear units. Corner lots have more than adequate ROW and should not be required to park from alley. Would require homeowners to pave the alley per staff, with major negative impact on feasibility. 3 or 4 units can't all park from alley (Dossibly 6+ spaces on 50° lot). Corner lots with three sides Right of Way are still required to only park		
23.107	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2170, 23-4D-2180, 23-4D-2190, 23-4D-2200, 23-4D-2210 (G) Parking (2) Setback	Table 23-4D-2170 (G) Parking (1) Parking Requirements 	Parking setbacks do not allow enough flexibility for site conditions, such as trees and drainage, particularly when combined with other parking regulations, limiting unit yield and increasing cost. They have the same effect as "required parking behind the front facade", in that two tandem spaces are required to meet the minimum one required space. Adds unnecessary IC to multi-unit sites, where IC is already tight. Required parking cannot be within the setback, but additional parking can.		
23.108	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2100, 2120, 2140 Table (C) Building Form	(C) Building Form (2) Facade(s) All Stories: Add "Articulation, Net Area 40 sf", Change Articulation length (min.) to 8' and Articulation depth (min.) to 2'. Add note "Articulation not required for a net building area of less than 2000sf "	Articulation adds expense, causes drainage problems (U-shape captures water) and can't accommodate trees and site conditions. It should be deleted entirely, but if it must stay for R2, the 4x10 dimension is too prescriptive. Net area allows for more flexibility for trees and drainage, etc.		
23.109	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2150 to 2200 Table(C) Building Form	For R3-R4 "McMansion" Zones Table 24-4D (C) has Building Form (1) Building Articulation New Construction "Articulation is required when <u>adjacent to (list R2A, R2C, R2E ie McMansion zones)</u> for adjacent side walls on additions or new construction"	Articulation requirement inherently causes drainage problems due to "U" shape. McMansion rules were intended for 1-2 unit uses. Articulation on interior lots makes it more difficult to accommodate environmental considerations (e.g. trees and drainage). Trees would require routine variances for R3-R4. It is a very prescriptive design standard that has no impact on the public domain. Will preserve neighborhood character in R2 zones, while allowing for additional units to be built in R3 and R4 zones.		
23.110		Residential House-Scale Zones	x	AH						residential			<u>23-4D-2100(G) to</u> 2210(G)	Impervious cover R2 to R4: Delete Footnote. The maximum impervious- cover may not be attainable due to unique site characteristics, such as- trees, waterways, and steep slopes. Where necessary, the project must reduce the impervious cover to comply with other requirements of this- Title.	The Impervious Cover footnote is not in the current code and only serves to reduce flexibility to account for trees, waterways, and steep slopes. Authorizes further reductions in buildable area on site without justification, possibly removing ability to apply for a variance.		
23.111		Residential House-Scale Zones	x	AH						residential			Table 23-4D-2100 to 2210(A)	Incentive: Accessory Dwelling Unit size does not count toward FAR limit when existing house (at least 10 years old) is preserved.	Not counting ADU toward FAR if on a lot with an existing home that is older than 10 years is a good incentive. Preservation Incentive should apply in every R-type zone.		
23.112	Division 23-4D-2	Residential House-Scale Zones	x	АН						residential			23-4D-2100 to 2210 Accessory Structure Height	Amendment: Amend the accessory structure height to 15°.	Comment: Accessory structure max height is too low at 12' to top of roof. Accessory structures in rear, like garages, are encouraged in v3, yet this seems to be an arbitrary limit inconsistently applied. R2C has no Accessory Structure Height Maximum, only a conflicting footnote allowing 15' accessory structures, for example. "The rear setback is five feet for an accessory structure with a maximum height of fifteen feet." At 12' max height, a 20' wide two car garage roof pitch would be less than the minimum slope for shingles. This requires a lower plate and different roofline than main house. There is no clear benefit or purpose of regulation.		
23.113		Residential House-Scale Zones	x	AH						residential			23-4D-2100: R2A Zones	Amendment: Delete section.	R2A zone should be deleted entirely because it provides no appreciable increase in unit yield, and there is no equivalent under current code.		
23.114	Division 23-4D-2	Residential House-Scale Zones	x	АН						residential			23-4D-21xx: R2C, All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other         Allowed Uses" to table of uses.         min. lot size: 2500sf.         max lot size: 4999sf         min. lot width: 25'         Building Size (max) for all Small Lot uses: the greater of .4 FAR or         1850sf         Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front         15', Side S1. 10', Side .35', Rear 10'.         Table 4D-2120(C) Building Form (1) Building Articulation New.         Construction add "Building Articulation is not required for Small Lot.	The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would dramatically improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city.		
23.114	Division 23-4D-2	Residential House-Scale Zones		AH						residential			23-4D-2140: R2E Zones	R2E Zones	R2E is not needed when combined with R2C. R2E Zone should be deleted in its entirety due to the amendment above regarding Small Lot Uses. R2D, however, must remain to allow new small lot subdivisions.		
23.116	Division 23-4D-2	Residential House-Scale Zones	x	AH						residential			23-4D-2150: R3A Zones	(A) Purpose Residential 3A (R3A) zone is intended for areas that are accessible to mixed use and main street zones by walking or biking within a half mile.	The R3A zone is a residential zone that provides detached housing and duplexes with accessory dwelling units on lots that are wider than those in R3B and R3C. Accessible range needs to further defined in a measurable amount. R3A zone is meant for areas with access to mixed-use and main street zones within walking or biking distance, which is generally accepted to be half a mile. There is no equivalent zoning for R2A 60' lot widths which requires more land for fewer units. R3A is duplicative and thus should be deleted.		

HAPTER KTICLE DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFI	O TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
		ANDERSON HART KAZI KAZI KENNY MCGRAW MCGRAW NUCKOLS OLIVER SCHISSLER SCHISSLER SCHISSLER SCHISSLER SCHISSLER SCHISSLER SHAW WHITE SHAW WHITE SHAW	5		GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		23-4D-2150, 2160, 2170: All R3 Zones	Table (A) Lot Size and Intensity - add footnote <u>+.1 FAR for every unit</u> above Single Family Use	Despite the three-unit capacity, yields will not improve due to FAR limit which is the same as one or two units. Keeping the same FAR for 1 units as for 2 or 3 units does not incentivize building more units. The same .4 FAR for 1, 2 or 3 units is a direct disincentive to build more units versus larger single homes. Current code exemplifies this - 70% demos still 1-1 ratio, not 1-2 despite it being allowed by code. FAR should be increased to encourage more units on the lot. If you have the same FAR for more units, it increases the cost to produce those units (more per unit for taps, etc.) versus single family of same size, while raising cost per unit.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential			Table 23-4D-2xxx (E) Encroachments Encroachment Type Porch, Stoop, Uncovered Steps Side Street (max.)	An 8' side street encroachment for a porch, stoop, or uncovered steps on corner lots in all zones should be allowed within all zones. It provides the same benefit as required porches in front, more pedestrian friendly, and better articulation along the street.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		23-4D-2150, 2160, 2170, 2190, 2200, 2210: Grade Limit Encroachment	Table 23 4D-2xxx (E) Encroachments ——Porch, Stood or Uncovered steps	In all R-type zones, 3' height above grade limit on an encroachment for porch, stoop or uncovered steps cannot accommodate sloping lots, so the requirement should be deleted.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential			above Single Family Use	If you have the same FAR for more units, it increases the cost to produce those units (taps, etc.) versus single family of same size, while raising cost per unit. It is a direct disincentive to build more units. Current code exemplifies this - 70% demos with the continued 1-1 ratio, not 1-2. A small step up would encourage more Missing Middle housing creation, other regulations keep it from being any more massive than current McMansion limite.	
Division 23-4D-2 Residential House-Scale Zones		АН	residential		23-4D-2190, 2200, 2210: Building Envelope for R4A and R4B	Table 23-4D-2190(C) Building Form (1) Overall Building Envelope Width (max.) <u>80</u> ° <del>60</del> '	Change maximum building width to 80' under all R4 zones for consistency and simplicity. Building width is only difference between R4A&B and R4C. Limiting building width limits unit yield. 60' building width maximum is too narrow for wider lots.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		23-4D-2210: R4C Zone	R4C: Table (C) (2) Building Articulation and (C) (3) Facade(s), Table (D) (1) Primary and Accessory Building, Table (E) (2) Height Encroachment, Table (F)(1) Private Frontage Type	There is not an R4 Zone that does not have McMansion limitations, limiting capacity for newly platted R4 lots. The only difference between Draft 3 R4C and R4A is 15' setback and 80' building width. As proposed here, R4A has 25' front setback with McMansion, R4B has 15' front setback with McMansion, and R4C has 15' front setback without McMansion. R4C should not have front porch requirement as it is not intended to be compatible with McMansion neighborhoods.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential			All R4 Zones: Table (A) Lot Size and Intensity: Cottage Court: Minimum 50' lot width Base Standard <u>4</u> 3 units. i. Minimum 100' lot width Base Standard <u>8</u> 6 units	Adjusting the minimum lot width and Base Standards units encourages small scale homes over multiplex buildings. These changes allow cottage courts under R4 to have 4 units for 500° minimum width and 8 units for 100° minimum width lots, as is the intent of the zone is to increase unit yield above three per lot. This encourages small scale homes to be built over multiplex buildings.	
Division 23-4D-2 Residential House-Scale Zones 23.124	x	AH	residential		23-4D-2210: R4C Articulation Diagram	Building Articulation Table	Comment: There is a typo within the Articulation Diagram, so there needs to be an update to match wording.	
23.125	x		residential			<ul> <li>submitted.</li> <li>(2) Install acceptable drainage improvements, such as swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve existing drainage patterns if the construction, remodel or expansion;</li> <li>Is more than 750 square feet; and</li> <li>Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted.</li> <li>And in an area subject to localized flooding, as determined by the.</li> <li>Watershed Protection Department on an annual basis.</li> </ul>	This section incurs high cost along with liability and enforcement concerns for both engineer and homeowner. V3 language shifts liability from the owner of the property to the engineer. "Negative Impact" is vague & subjective. It does not allow for pre-existing deficient conditions on adjacent properties. Drainage calculations are necessary for engineer review and are known to be inaccurate on small tracts. The cost is estimated at \$3000 in site work plus \$5000 for the letter. Est \$8000 per house for over 5100+ permits last year fitting the requirements = over \$40 million additional cost.	
Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		<u>23-4D-3</u>	Table 23-4D-3xxx Lot Size and Intensity Lot: Principal dwelling units per acre	There needs to be a deletion of dwelling units per acre for all multi-unit zones. It is a duplicative regulation, given that the scale is already regulated.	
23.127 Division 23-4D-2 Residential House-Scale Zones Division 23-4D-3 Residential Mult-Unit Zones 23.128	x	TI T	Parking	No	Yes 23-4D-2040	Do not require parking in Residential Zones		UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
23.129	x		New, more flexible RM1 zones	Yes	No	Add three new zones: RM1C has base RM1A entitlements, but has a bonus equal to RM1B bonus with a 45' overall height and no eve/parapet height. RM1D has base RM1A entitlements, but has a bonus equal to the RM2B bonus entitlements with 60' of overall height and no eve/parapet height. RM1E has base RM1A entitlements, but has a bonus equal to the RM4A bonus entitlements with 85' of overall height and no eve/parapet height.	These new zones give flexibility for mapping with entitlements allowing a remapping of R-scale zones with no increase in base height/setback entitlements but high affordable bonus entitlements.	
Division 23-4D-3 Residential Mult-Unit Zones		КМ			23-4D-3	Minimum lot sizes for RM1A and RM1B should be 5,750 with 50' width	To allow conversion of existing MF districts in neighborhoods. Currently the minimu lot isze is 8,000 SF	

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		INITIATED	BY COMM	VISSIONER		EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			ANDERSON HART	KENNY MCGRAW	NUCKULS OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION		
23.131	Division 23-4D-3 Residential Mult-Unit Zones	×		СК						Remove existing single family as a non- conforming use in RM	No	Yes	Entire section	Add a footnote that any existing single family home on a lot zoned RM as of 61/2018 will not be considered as a non-conforming use. Vacancy and other mechanisms that require redevelopment are not applicable in this case.	If a single family use is on a lot zoned as RM, the considered non-conforming. However, no new n housing may be built.
23.132	Division 23-4D All RM, MS, MU zones	x		СК						Increase affordable bonus entitlements	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group	More bonus entitlements got us from 6,000 affor
23.133	Division 23-4D All zones with compatibility setbacks			СК						Adjust compatibility	No	No	All zones with compatibility	Two version of compatibility: 1) Based on a 35 foot single family home built next door to a 50-foot-wide lot; (35' height at 25' distance; 50' height at 50' distance; 65' height at 75' distance; and 80' height at 100' distance; 2) for compatibility imposed on a project utilizing an affordable bonus, the compatibility is based on a 45 foot single family home built next door to a 50-foot-wide lot (45' height at 25' distance; 65' height at 50' distance; 85' height at 75' distance; 105' height at 100' distance)	This bases compatibility on the view of a 5-foot- middle of their backyard, that would be no more a 35' tall single family home was built next door. affordable housing projects is similar, but with a door.
23.134	Division 23-4D-3 Residential Mult-Unit Zones		F	ĸ						residential			Add RM1C Zone	Table A: Allowed Uses are the same as R2C (no multiplex). Allow Any Uses up to 14 units per acre4 FAR limit for entire site. R2C height limits, building form (mcmansion) and setback tables, 1 space per unit with additional proposed parking matrix reductions, Add Note to Table A: minimum 10' separation between buildings. No compatibility setbacks.	Map existing ½ to 1 acre tracts to a new "resider allows units per acre rather than a fixed unit cou cost effective way to utilize existing "developable neighborhoods, removing the need to resubdivid objection to upzoning is the risk of change in hou is excluded. This new zone is intended for infill tr neighborhood as a "resubdivision/rezoning repla zones. It trades off lower density and residential "mappability", increased capacity and residential "mappability". Increased capacity and reduced re CodeNext. 14 units per acre is limited by 10' sej much smaller units to get to the max units/acre.
23.135	Division 23-4D-3 Residential Mult-Unit Zones		GA AH F	к						Multi-Family	No	No	23-4D-3	Strike dwelling units per acre for all multi unit zones.	Dwelling units per acre is a duplicative regulation regulated through height, IC, FAR, etc. Also, it is internal to the building and doesn't affect the pub regulate the built environment, not those who live a de facto tax on small, affordable homes.
23.136	Division 23-4D-3 3030 - Land Use and Permits	x					т	'S		3030 - Land Use and Permits	NO		Table 23-4D-3030(A) Allowed Uses in Residential Multi-Unit Zones		ADDENDA added duplexes in RM1A and RM1B
23.137	Division 23-4D-3 3040- Parking Requirements (Residentail House Scale)						Т	s		Maximum Number of Parking Spaces	NO		3040 (B) Maximum Number of Parking Spaces	Delete section 3040 (B)	This conflicts with statements from Planning and the "market" will determine number of parking sp minimums are established and that developers many parking spots as they want.
23.138	Division 23-4D-3 3040- Parking Requirements (Residentail House Scale)						т	s		Parking Limitations	NO		3040 (C ) Parking Limitations	Delete section 3040 (C)	This conflicts with statements from Planning and the "market" will determine number of parking sy minimums are established and that developers many parking spots as they want.
23.139				СК						Limited commercial parking use for RM	Yes	Yes	All RM zone uses	<ul> <li>Allow "Parking Facility" as a CUP use in all RM zones with the following design requirements specific to this use: (A) Screening: All areas used for parking, storage, waste receptacles or mechanical equipment shall be screened from a triggering property. Such screening may be a fence, berm or vegetation and shall be maintained by the property owner. Fences shall not exceed six feet in height.</li> <li>(B) Lighting: Exterior lighting shall be hooded or shielded so that it is not visible from a triggering property.</li> <li>(C) Noise: The noise level of mechanical equipment shall not exceed 70 db at the property line of a triggering property.</li> <li>(D) Waste: Waste receptacles, including dumpsters, shall not be located within 20 (or 50) feet of a triggering property. The City shall review and approve the location of and access to each waste receptacle. Collection of such receptacles shall be prohibited between 10 pm and 7 am.</li> <li>(E) From a parking structure facing and located within 100 feet of a triggering troperty.</li> <li>(1) Vehicle headlights shall not be directly visible;</li> <li>(2) Parked vehicles shall be screened from the view of any public right of way; and</li> <li>(3) All interior lighting shall be screened from the view of a triggering property.</li> <li>(F) No vehicle entrances or exits from parking accessible to a MS or MU property may be located within 100 feet of a triggering property.</li> </ul>	
23.139				+++		JSh				іс			23-4D-3050	60% impervious cover allowed in RM1A for "Other Use" (more than SF)	
23.141	Division 23-4D-3 Residential Mult-Unit Zones	x	AH							Compatibility	No	No	23-4D-3050	"Option 1: Eliminate compatibility setback within 1/10 of a mile of an Imagine Austin corridor or Core Transit Corridor."	Multiple pages: 4D-2 pg. 91
23.142	Division 23-4D-3 Residential Mult-Unit Zones	x	АН							Multi-Family	No	No	23-4D-3050	Require R-Zone Table (D) (1) Primary and Accessory Building and Table (E) (2) Height Encroachment to apply in lieu of compatibility restrictions.	Small RM tracts under RM1A/RM1B would still b CodeNEXT like they are today due to compatibli standards and provides flexibility to increase uni neighborhood character and scale.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
M, that building will not become ew non-conforming single family		
affordable units to 13,500.		
foot-tall person standing in the nore restrictive than their view if door. The compatibility for ith a 45' tall home built next		
sidential scale" RM zone that t count is the most efficient and pable" capacity within divide or rezone. A common n housing type, so multiplex use nfill tracts within the replacement", not for transition intial house form vs increased erd regulatory burden under 0' separation and .4 FAR, forcing acre.		
Ilation, given that scale is already b, it is a regulation that is wholly e public domain. LDC should no live within it. Unit caps impose		
M1B.		
g and Zoning Department that ing spaces even though pers are allowed to put in as		
g and Zoning Department that ing spaces even though pers are allowed to put in as		
operties to aquire and jointly accommodate parking. The annot be an exit to the parking idea is to allow the structure to y perceivable or impact nearby nit required to provide review of		
still be undevelopable under atiblity. Maintains current code		
e unit capacity while maintaining		

~	z	1	<b></b>						REQ. ADD'L				1		
CHAPTER		DESIRED PROPOSED CHANGES TO D3	IN	ITIATED BY CON	MMSSIONER	E	X OFFICIO	TOPIC AREA	STAFF FEEDBACK	A	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					-	-									
				SRAW SKOLS FER	ISSLER GER EH	W FE	NDOZA H							YES/NEUTRAL /NO	
	Division 23-4D-3 Residential Mult-Unit Zones		AND		SHE SE					GENERAL	SPECIFIC SECTION 23-4D-3050	"Option 1: Eliminate compatibility setback, consider changing landscape	Compatibility is one of the key drivers of the reduction of housing yield		STAFF RESPONSE
			АП							NO		buffer to semi-opaque. Option 2: 1. Eliminate additional setback if Intermittent Visual Obstruction Buffer	Compatibility is one of the key drivers of the reduction of housing yield.		
												(20 ft) is kept 2. Reduce landscape buffer height to 23-4E-4100 (Semi Opaque Buffer,			
								Multi-Family	No			6 ft) and reduce setback to 15 feet on side and rear 3. Eliminate additional setbacks and just have Semi-Opaque Buffer			
												4. Change which residential house scale zones trigger compatibility - ie R4A & R4B with MF allowed should not trigger compatibility for other MF"			
23.143	Division 23-4D-3 Residential Mult-Unit Zones	x	x							No		MF" Eliminate compatibility setback within 1/10 of a mile of an Imagine	Multiple pages: 4D-2 pg. 91		
												Austin corridor or Core Transit Corridor when an affordable housing bonus program is sought.			
								Compatibility	No						
								compatibility	NO						
23.144	Division 23-4D-3 3050 - 3090; RM1A-RM5B	X				тѕ					3050 - 3110; RM1A-	(a) Where a portion of a building is across an alley less than 20 feet in width from a property zoned Residential House-Scale; or is adjacent to a	Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.		
								Compatibility Setbacks	NO		RM3B; Table 23-4D- XXXX(B)(3)(a)	width from a property zoned residential rouse-scale; or is adjacent to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property. minimum setbacks shall-	inorang group.		
								SetDacks				be provided along the alley or shared lot line that comply with subsections (b) and (c).			
23.145	Division 23-4D-3 3050 - 3090; RM1A-RM5B	X		+++		TS					3050 - 3110; RM1A- RM3B; Table 23-4D-	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to renumber (3)(c). Simplify compatibility requirements. Resulted from ZAP/PC Compatability working		
22.445								Compatibility Setbacks	NO		XXXX(B)(3)(b)		group.		
23.146	Division 23-4D-3 3050 - 3090; RM1A-RM5B	X		+++		тѕ		Common and			3050 - 3090; RM1A- RM3B; Table 23-4D-	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions		
23.147								Civic Open Space	NO		XXXX(G), (H) or (I)		recommended.		
23.147	Division 23-4D-3 Parking and Loading	X	GA							no	Section 23-4E-3060 A	(2) Minimum off-street parking requirements shall be further reduced as follows: (a) One space for each on-street parking space located adjacent	Same language appears in current code but was dropped from latest draft.		
23.148								Parking	No			to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.			
25.140	Division 23-4D-4 Parking and Loading		GA							no		One space for each on-street metered parking spaced located w/n 250 feet of the site, measured as the shortests practical and lega walking	One reason for metering parking is to ensure turnover, so that a space will generally be available when need. The council approvled this language on		
23.149		×						Parking	No			distance to the nearest principal entrance of the site.	first reading on 12/11/14 (Resolution 20131024-058)		
	Division 23-4D-3 Residential Mult-Unit Zones	^	AH							No		Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need	In this zone the height is limited to 40 feet and there is a 20 tall landscape buffer, so limiting the building to 2 stories or less than the buffer makes no		
								Multi-Family	No			to be looked at together.	sense, especially since the height is limited to 2 stories for 25 feet from property line but the setback is 20 ft from side lot and 30 from rear, so you can't even use that.		
23.150	Division 23-4D-3 Residential Mult-Unit Zones	×	AH							No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate	Max height is 40 feet, yet limited to 35 feet until 50 feet from property line		
23.151		x						Multi-Family	No			stepback. It's the combination that makes no sense. These clauses need to be looked at together.	and then up to 40. Seems silly given that you can probably get three stories in 35 feet and there is a 20 foot buffer. This is only 5 feet higher than the adjacent SF.		
Γ	Division 23-4D-3 Residential Mult-Unit Zones		AH					Multi-Family	No	No		······································	Same issue of previous section as the graduated height went up to 100 feet from property line. APplicable to RM2B, RM3A, MU3A&B, MU4A, MS3A,		
23.152	Division 23-4D-3 Residential Mult-Unit Zones	X	AH	+++		+++				No	23-4D-3070	to be looked at together. Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need	MS38. Same issue of previous section as the graduated height went up to 50 feet from property line for both MU2048 and MS20.C		
23.153		x						Multi-Family	No			to be looked at together.			
	Division 23-4D-3 3050 - 3090; RM1A-RM5B					TS		RM2A, RM2B, RM3A, RM4A, and RM5A			3070 - 3110; RM2A- RM5A; Table 23-4D-	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements. Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.		
22.454								Compatibility Height	NO		XXXXX- Height (4) Compatibility Height Stepback				
23.154	Division 23-4D-4 Mixed-Use Zones							Stenbacks			Steppack				UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
	Division 23-4D4 Mixed-Use Zones		FK									Increase overall height maximums in all MS zones: MU1A, MU1B: 32' to 52'	In order to properly absorb density along our corridors, we must increase overall height maximums in proposed corridor and center zoning types		
								Corridor and Centers				MU1C, MU1D, MU2A: 45' to 65' MU2B, MU3A, MU3B: 60' to 80'			
23.156		x							No			MU4A, MU4B: 60' to 80', 120' with AHBP Bonus MU5A: 100'			
			C	ж				Adjust				all MU zones. The height is restored to 40' Stephack heights 10'-20'	This restores compatibility to more closely mimic a legal single family home next door, restores the entitled height under current zoning, and removes		
								compability and height for				from lot line are 25', 20'-25' from lot line is 35', and full height is allowed at 30'.	articulation requirements from walls hidden behind a required vegetative screen.		
23.157		x						MU1	No	No					

CHAPTER	DIVISION		SIRED PRC			I	NITIATE	D BY C	ommssi	ONER		EX	OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA	IEICH			GENERA	AL SPECIFIC SECTION		
23.158	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements	×										тs			Uses	NO		Table 23-4D-4030(A)		ADDENDA: Added Townhouses as permitted u MU5
	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements											TS			Uses	NO		Table 23-4D-4030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss chang permitting and Specific to Use Requirements th Attached Adult Entertainment for Adult Uses in
23.159	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements			x								TS			Bars and Nighclubs, Restaurants	YES		Table 23-4D-4030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss chang permitting and Specific to Use Requirements th
23.160	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements			×								TS			Uses Adult Entertainment	NO		Table 23-4D-4030(A)(6)	Change MU4B and MU5B permitting to CUP only	23-4E-6060 permitted adutl entertainment other
23.161	Allowed Uses			x							тw		$\left  \right $		uses		-	Table 23-4D-4030 (A)	Senior Housing <12 P & Senior > 12 MUP in MU1A; MU1B; MU1C;	Allow Senior/ Retirement housing in MU zones; 4030 (A) for more clarity
23.162 23.163	Allowed Uses		x								тw				uses			Table 23-4D-4030 (A)	MU1D Micro-Brewery/Micro-Distillery/Winery to CUP in MU1B; MU1D MUP IN MU2B	Micro-Brewery/Micro-Distillery/Winery change to Table 23-4D-4030 (A) for more clarity
23.163	Division 23-4D-4 Mixed-Use Zones			x		AH FK									Corridor and Centers	No	No	23-4D-4030 (A)	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufacured Home, and all sizes of Day Cares to be built within all MU and MS districts.	Permitted uses in MU and MS zones don't seen methodology governing them.
	Division 23-4D-4 4040 - Parking Requirements											TS			Parking	NO		Table 23-4D-4040(A) (4) Office, General (non- medical)	1 per 500 sf <del>after first 2,500 sf</del>	If cars are expected to travel and park related to provided. ADDENDA has this shown this way.
23.165	Division 23-4D-4 4040 - Parking Requirements			x								TS			Parking	NO		Table 23-4D-4040(A) (5) Civic and Public Assembly	Public/Private Secondary- 1 space per staff member, plus 1 space for each 3 students enrolled in grades 11 and 12	ADDENDA Changed parking for Public and Priv Keep at levels in Draft 3.
23.166	Division 23-4D-5 Parking and Loading	x		x	x										Parking	No	no	Table 23-4D-4040 A	Provide a 2500 sf exemption in MU similar to exemption in MS zones.	Encourge small businesses in mixed use areas
23.167	Division 23-4D-4 Mixed-Use Zones			x					JSc	1.	т				Process	No	No	23-4D-4050 General to Mixed-Use Zones (3)(a)(ii)	(ii) Balconies, pedestrian walkways, porches, accessible ramps, and stoops; provided that no such feature shall extend into the public right-of- way without a license agreement, encroachment agreement, or other appropriate legal document.	Agreements to encroach within a public right-of different forms. The recommended language cl document that authorizes the extension of certa of-way, providing any appropriate legal docume
23.169	Division 23-4D-4 Mixed-Use Zones								JSc	L	т				Process	No	NO	23-4D-4060 Mixed-Use 1A (E) Encroachments	Encroachments are not allowed within a right-of-way, public easement, or utility easement, <u>unless a license agreement, encroachment agreement,</u> or other appropriate legal document is in place.	Agreements to encroach within a public right-of different forms. The recommended language cli document that authorizes the extension of certa of-way, providing any appropriate legal docume
23.109	Division 23-4D-4 4060-4160; MU1A - MU5A											TS			Compatibility Setbacks	NO		4060 - 4160; MU1A- MU5A; Table 23-4D- XXXX(B)(3)(a)	(a) Where a portion of a building is across an alley less than 20 feet in- width from a property zoned Residential House-Scale; or is adjacent to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property. minimum setbacks shall be provided along the alley or shared lot line that comply with- subsections (b) and (c).	Simplify compatibility requirements. Resulted f working group.
	Division 23-4D-4 4060-4160; MU1A - MU5A			*								TS		I	Compatibility Setbacks	NO		4060 - 4160; MU1A- MU5A; Table 23-4D- XXXX(B)(3)(b)	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to re compatibility requirements. Resulted from ZAP group.
23.171	Division 23-4D-4 4060-4160; MU1A - MU5A			x								TS			MU2A, MU2B, MU3A,MU3B, MU4A, MU4B, MU5A	NO		4100 - 4160; MU2A- MU5A; Table 23-4D- XXXX(D)(2)	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements.Simplify Resulted from ZAP/PC Compatability working of
23.172	Division 23-4D-4 Mixed-Use Zones			x			СК								Comnatibility Add Microbrewery and Live Music Venue as permitted use in all MU zones	No	No	All sections	Expands the allowed zones for microbreweries and adds the new live music venue use to all MU zones.	More live music and brewpubs throughout the c
23.173	Divisio 00 4D C Mais Otrast Zassa			x			СК								Adjust compability for MU1	No	No	MU1A-MU1D	Adjust the setbacks and compatibility in all MU1 to mimic R zones; adjust height back to 40', remove articulation when behind a vegetative buffer.	Draft 3 breaks MU1 as a viable zone. This woul
23.175	Division 23-4D-5 Main Street Zones Division 23-4D-5 Main Street Zones			<u> </u>							$\parallel$							23-4D-5 All MS Zones	Eliminate building articulation requirements.	Main street buildings are universally placed side
23.176	Division 23-4D-5 Main Street Zones			×		FK					$\parallel$				Corridor and Centers	No			E.g. Table 23-4D-5060(C)(2)	entire property width to create an active pedesti should be eliminated in all MS zones. MS setback requirements currently range from
23.177				x		rĸ									Corridor and Centers	No		23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	Ms setback requirements currently range from a pedestrian environment, all MS setbacks shou universal practice around the world.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ed use to zones MU3, MU4 and		
anges to P, CUP, MUP s that should be added. Review s in MU4B and MU5B zones.		
anges to P, CUP, MUP s that should be added.		
ther than an adult lounge		
nes; see exhibit Table 23-4D-		
ge to CUP & MUP see exhibit		
eem to have any true		
ed to use, then parking should be ay.		
Private Seconday Schools.		
eas.		
it-of-way may come in several e clarifies that any legal ertain features into public right- ument is presented.		
it-of-way may come in several e clarifies that any legal ertain features into public right- ument is presented.		
ed from ZAP/PC Compatability		
o renumber (3)(c). Simplify ZAP/PC Compatability working		
plify compatibility requirements. ng group.		
he city.		
vould restore it.		1177: Example from Come that will a fit of the contract of the
eide by eide and take up the		UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
side-by-side and take up the lestrian experience. Articulation		
om 5-10'. As every foot counts in should be 0', in line with near		

CHAPTER	DIVISION TITLE	DESIRED P CHANGE			IN	ITIATED B		SIONER		EX C	OFFICIO	TOPIC AREA	REQ. ADD STAFF FEEDBAC		А	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
				ANDERSON	HAKI KAZI KENNV	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA TEICH				GENERAL	SPECIFIC SECTION		
23.178	Division 23-4D-5 Main Street Zones		x		FK							Corridor an Centers	No			23-4D-5 All MS Zones	Increase overall height maximums in all MS zones: MS1A, MS1B: 35' to 55' MS2A, MS2B, MS2C: 45' to 65' MS3A, MS3B: 60' to 80', 120' with AHBP Bonus	In order to properly absorb density along our co overall height maximums in proposed corridor a
23.179			x		c	ж						Adjust compability and height fo MS1			No	All MS1 zones	The setback when adjacent to an R zone property is changed to 10 ft for all MU zones. The height is restored to 40'. Stepback heights 10'-20' from lot line are 25', 20'-25' from lot line is 35', and full height is allowed at 30'.	This restores compatibility to more closely mim next door, restores the entitled height under cur articulation requirements from walls hidden beh screen.
23.180			x		c	Ж						Create MS30 MS4A, and MS5A zone	Yes		No	New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height bonuses 180' of height, 275', and uncapped, respectfully, with bonus IC/BC of 95/90, uncapped units, and uncapped FAR.	If the CC zone is going to be restricted to downt that goes very high as an option for mapping.
23.181	Division 23-4D-5 Main Street Zones		×	A	ιH							Corridor an Centers	No		No	23-4D-5 All MS Zones	Eliminate building articulation requirements. E.g. Table 23-4D-5060(C)(2)	On every main street in the world, main street b side and expand to the entire envelope of the lo pedestrian experience. This is best practice. As eliminated in all MS zones.
23.182	Division 23-4D-5 Main Street Zones		x	A	ΛH							Corridor an Centers	No		No	23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	MS setback requirements currently range from a pedestrian environment, all MS setbacks sho universal practice around the world.
23.183	Division 23-4D-5 Main Street Zones		x		FK							Corridor an Centers	No			23-4D-5030	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufacured Home, and all sizes of Day Cares to be built within all MU and MS districts.	Permitted uses in MU and MS zones don't seen methodology governing them.
23.184	Division 23-4D-5 Main Street Zones		×					PS				Parking Al Zones excep RC				23-4D-2040, 23-4D-3040, 23-4D-404023-4D-5040 Parking		Reduced parking citywide will create safety and a citywide rule will damage our neighborhoods. public/private schools. The neighborhoods well parking requirements for the first 2,500 sq. ft. a AISD has repeatedly requested COA to reinstat requirements around schools for the safety of c scheme does not work in residential areas outs alternative transportation modes just automobil requirements.
	allowable uses								тw			uses				23-4D-5030(A)	Level 1 Night club & Restaurant w/alcohol sales CUP in MS1B; MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clari
23.185	allowable uses	*							тw			uses				23-4D-5030(A)	Misco-Brewery/Micro-Distillery/Winery CUP in MS1B; MUP in MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clari
23.186	allowable uses	×							тw			uses				23-4D-5030(A)	General Retail>5000 & <10,000 & w/onsite production MUP in	see exhibit Table 23-4D-5030 (A) for more clari
23.187	allowable uses	×							тw			uses				23-4D-5030(A)	MS1B; MS2B; MS2C Outdoor Formal CUP in MS1A; MS1B; MS2A MS2B; MS2C	Outdoor Formal includes shooting ranges, paint
23.188	allowable uses	×							TW			uses		1		23-4D-5030(A)	Community Agriculture P in MS1A; MS1B; MS2A MS2B; MS2C	etc. see exhibit Table 23-4D-5030 (A) for more I understand having a MUP for the higher intens we discourage a community garden if that's wha appropriate for the site; see exhibit Table 23-4D
23.189 23.190		×	x	GA								Parking Req	; No				The parking requirements for MS zones include a 2,500sf exemption for most uses. (Table 23-4D-5040(A), Parking requirements for MS1A-MS3B.) The parking requirements for Mixed Use zones do not, except for offices. (Table 23-4D-4040(A) Off-street Parking Requirements for Mixed-Use Zones.)	Solution: Incorporate the 2500sf exemption for I
23.191	5030 - Allowed Uses and Permitting Requirements		x							rs		Bars and Nighclubs, Restaurants Uses	YES			Table 23-4D-5030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss chang permitting and Specific to Use Requirements th
	5040 - Parking Requirements									rs		Parking	NO			Table 23-4D-5040(A)	For (3) Services-Other Allowed Uses, (4) Office-Office General (non- medical), (5) Civic and Public Assembly -Library, Museum, or Public Gallery, (6) Bars and Nightclubs, (7) Retail, (8) Entertainment and Recreation - add parking requirements back for first 2,500 SF; 1 per 500 SF after first 2,500 SF, none required if <2,500 SF	If cars are expected to travel and park related to provided. ADDENDA has others that will need t
23.192 23.193	5060-5120; MS1A-MS3B		X							rs		Compatibilit Setbacks	/ NO			5060 - 5120; MS1A- MS3B; Table 23-4D- XXXX(B)(3)(a)	(a) Where a portion of a building is across an alley less than 20 feet in- width-from a property zoned Residential House-Scale; or is adjacent to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property. minimum setbacks shall be provided along the alley or shared lot line that comply with subsections (b) and (c).	Simplify compatibility requirements. Resulted f working group.

NOTES		
	YES/NEUTRAL /NO	
r corridors, we must increase		STAFF RESPONSE
for and center zoning types		
nimic a legal single family home current zoning, and removes behind a required vegetative		
owntown, we need MS zoning g.		
et buildings are placed side-by- ne lot, creating an active . As such, articulation should be		
om 5-10'. As every foot counts in should be 0', in line with near		
eem to have any true		
and welfare problems. Applying ods and the areas surrounding welfare damage is from no ft. adjacent to Main Street uses. Istate Chapter 25 parking of children. A one-size parking outside the City Core with no obiles. Reevaluate parking		
clarity		
clarity		
clarity		
paintball courses, batting cages ore clarity		
ttensity MS zones but why would what the owners feel is 3-4D-5030 (A) for more clarity		
for MS into MU zones.		
anges to P, CUP, MUP ts that should be added.		
ed to use, then parking should be ed to be altered.		
ed from ZAP/PC Compatability		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	INI	TATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KENNY	MCGRAW NUCKOLS OLIVER SCHISSLER SEEGER SEEGER SHIEH THOMPSON WHITE	SHAW BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION		
23.194	5060-5120; MS1A-MS3B				rs	Compatibility Setbacks	NO		5060 - 5120; MS1A- MS3B; Table 23-4D- XXXX(B)(3)(b)	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to re compatibility requirements. Resulted from ZAP group.
23.194	5060-5120; MS1A-MS3B				rs	Common and Civic Open Space	NO		5060 - 5120; MS1A- MS3B; Table 23-4D- XXXX(I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements a are addressed throroughly in 23-4C-1 and 23-40 recommended.
23.195	5060-5120; MS1A-MS3B				rs	MS2, MS3 Compatibility Height Stepbacks	NO		5080 - 5120; MS2A, MS2B, MS3A, MS3B; Table 23-4D-XXXX(D)(2)	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements.Simplify Resulted from ZAP/PC Compatability working g
23.196	Division 23-4D-5 Main Street Zones	× ×	AH			Corridor and Centers	No	No	23-4D-5080/90 (B)(D)	"For each of the sections (a), strike Residential House Scale and add in R1, R2, and R3 into text instead."	Allow missing middle transition zones that don't corridors.
23.197	Division 23-4D-5 Main Street Zones	×	СК			Add Microbrewery and Live Music Venue as permitted use in all MS zones	No	No	All sections	Expands the allowed zones for microbreweries and adds the new live music venue use to all MU zones.	More live music and brewpubs throughout the c
23.199		x	СК			Adjust compability for MS1	No	No	All MS1 zones	Adjust the setbacks and compatibility in all MS1 to mimic R zones; adjust height back to 40', remove articulation when behind a vegetative buffer.	Draft 3 breaks MS1 as a viable zone. This woul
23.200		x	СК			Create MS3C, MS4A, and MS5A zones	Yes	No	New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height and increasing bonus height to 275'.	If the CC zone is going to be restricted to downt that goes very high as an option for mapping.
23.201	Division 23-4D-6 Regional Center Zones										
	Division 23-4D-6 Regional Center Zones		GA			Parking Reqs	No		Division 23-4D-6	<ul> <li>(A) Parking Required. Regional center zones do not require off-street parking.</li> <li>(B) Decoupling required for residential leases. In a multi-unit dwelling, a parking space must be leased separately from a dwelling unit.</li> </ul>	Decoupling in UNO already exists. Helps to allo car to go without parking. Seattle just passed a apartments with 10 or more units are required to
23.202	Division 23-4E-5 Specific to Use		x			ADUs	No		Section 23-4D-6030	After "Max 550 sf on a second floor," add "unless located within the primary structure."	Size limite was intened to promote accessibility not to excisting homes. This change would allo downtstairs in tehir homes and rent out upstairs options.
23.203	Division 23-4D-6 Regional Center Zones	x		JSC		Downtown	YES		23-4D-6030 Allowed Uses and Permit Requirements	Clarify if parking facility is a defined term in the code and provide the definition. It is not defined in Article 23-3M Definitions and Measurements. Parking facility should not include surface parking lots.	At Table (A)(11) Automobile Related, Parking F use by Conditional Use Permit. However, as rel parking facility is not defined in Article 23-3M D Measurements. Consider prohibiting surface pa in the Regional Center Zones.
23.205	Division 23-4D-6 Regional Center Zones	x		JSc		Downtown			23-4D-6040 Parking Requirements	At (e): Increase driveway width maximum to 30' to allow for 3 lanes of traffic flow.	Limiting driveways to 25 feet in width will be diff that require three parking access lanes and/or or loading with their driveway access points. Cons width maximum to 30'.
23.205	23-4D-6 Regional Center Zones	Î Î		км		Downtown			23-4D-6000	Maintain all provisions of the Downtown Plan as it relates to the Judges HIII District	This adopted plan should be respected.
	6030 - Allowed Uses and Permitting Requirements				rs	Bars/Restauran ts	NO		Table 23-4D-6030(A)(6)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss chang permitting and Specific to Use Requirements th
23.207	6030 - Allowed Uses and Permitting Requirements	×			rs	Adult Entertainment	NO		Table 23-4D-6030(A)(8)	Change CC and DC permitting to CUP only	23-4E-6060 permitted (P) adult entertainment o
23.208	6030 - Allowed Uses and Permitting Requirements	x x			rs	Adult Entertainment	NO		Table 23-4D-6030(A)(8)	Change IF, IG, and IH permitting to CUP	23-4E-6060 permitted (P) adult entertainment o
23.209	6040 - Parking Requirements	×			rs	Parking	NO		Table 23-4D-6040(A)		No parking required. Isn't this where we would
23.210 23.211	6060-6080; CC, UC, DC	x			rs	Compatibility	NO		Table 23-4D-XXXX(B)- Building Placement	tbd	Review setback requirements related to compa House Scale
23.212		x		PS		Parking			23-4D-6040		Retain no parking requirements in RC zones

	_	
NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
o renumber (3)(c). Simplify ZAP/PC Compatability working		
nts are not correct in Table and 3-4C-2 with previous revisions		
plify compatibility requirements. ng group.		
lon't trigger compatibility		
he city.		
vould restore it.		
owntown, we need MS zoning g.		
		Dtwn Comm: 6070(A)(2) Allow Transitional Housuing Supportive housing as permitted uses, 6050(B) 0" setbacks, 6050(B) allow 100% IC, Increase DC FAR to 12:1 and 6080 2- Star Grn Bldg min.
allow folks who don't need a ed a similar law city wide where ed to decouple		
blity in new, exterior buildings, allow homeowners to remain airs to provide for aging in place		
ng Facility is listed as an allowed s referenced in (A)(2), the term M Definitions and e parking lots as an allowed use		
e difficult to achieve on projects for on projects which combine consider increasing driveway		
anges to P, CUP, MUP is that should be added.		
nt other than an adult lounge		
nt other than an adult lounge		
ould want parking maximums?		
npatibility with Residential		
-		

CHAPTER ARTICLE		DESIRED PROPOSED CHANGES TO D3	IN	IITIATED BY COMMSSIONER	EX OFFIC	O TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			ANDERSON HART KAZI KENNV	KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEEGER SHIEH THOMPSON	WHITE SHAW BURKARDT MENDOZA			GENERAL SPECIFIC SECTION		
23.213	23-4D-6060(A) Lot Size and Intensity	x	GA FK	JSC		Downtown	NO	23-4D-6060(A)	All CC zones should allow 5:1 FAR maximum. Change CC40, CC60, CC80 FAR max to 5:1.	At FAR max: Consider increasing CC zone FAR or exceed allowable density under existing code. Northwest district of downtown, designated as C limitations of 1.0 and 2.0 respectively, that are no bonuses. Consider applying the principles of the this area: maintain compatibility with the two and development. Also in the Downtown Austin Plan Northwest District to incentivize housing over offi reviewing sites in this area, it is apparent that all all CC zones would make residential a more viat density bonus exemption could result in more aff increasing the maximum density on these sites a density bonus, while maintaining the height limits It is recognized that a separate planning effort m. consideration of these chances.
23.214	Division 23-4D-6 Regional Center Zones	x		JSC		Downtown	YES	23-4D-6060(B): Overview (2)	Clarify the contradictions between Overview (2) and Table 23-4D- 6060(B) Note 1 and the paragraph above it about ROW and utility easements.	(2) conflicts with Table 23-4D-6060(B) Note 1 and about ROW and utility easements.
23.215	23-4D-6060(B) Building Placement		GA			Downtown	NO	23-4D-6060(B)	Remove all minimum setbacks for all CC zones. Clarify reference to easements. Note 1 section referenced is Industrial Flex Zones and must be incorrect.	The CC zone establishes a minimum setback of map in the Downtown Plan Overlay Zone descrit directly from the Downtown Austin Plan) has man To simplify and clarify, consider removing the 5-f setback can create a significant impediment to di and does not allow downtown to achieve the den centers, as stated in Imagine Austin. DMU zoning replace in the new code, does not require any se regulation is effectively downzoning (reducing en the existing code. Also, Regarding "Additional se may be required where street right of way or utilit where is this addressed in the code? And, at Not Industrial Flex Zones and must be incorrect.
23.215	Division 23-4D-6 Regional Center Zones		GA	JSc		Downtown		23-4D-6060(C) Sub- Zones	CC subzones should allow for these height maximums: Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90.	Consider adjusting height limits to better accomn floor heights. Consider adjusting 40' to 50' (4 floo to 90'. Or, consider providing a height limit OR a proposed do not align with common building heig floor-to-floor heights plus taller retail spaces on fi maximum number of floors may be more flexible without penalizing buildings providing generous f
23.217	Division 23-4D-6 Regional Center Zones		GA	JSC		Downtown		23-4D-6060(D) Height (1) All Buildings	At (1) All Buildings: Replace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (75' overall max height); Replace CC80 with CC90 (90' overall max height).	At All Buildings: Consider adjusting height limits I common floor-to-floor heights. Consider adjusting 75' (6 floors), 80' to 90'. Or, consider providing a Height limits proposed do not align with common standard floor-to-floor heights plus taller retail sp. Providing maximum number of floors may be mo building height without penalizing buildings provi heights.
23.218	Division 23-4D-6 Regional Center Zones	x		JSc		Downtown		23-4D-6060(E) Encroachments	Provide reference to the section that describes the process for "Encroachments within a right-of-way, public easement, or utility easement require a license agreement or encroachment agreement."	
23.219	23-4D-6060(G) Frontages	X	GA			Downtown	No	23-4D-6060(G)	Create exception for <1/2 block sites requiring 60% net of frontage be retail.	spaces (AE vault, fire pump, etc.) that must be lines requirement (in DC and CC zones and in the Zone) is only appropriate for full-block sites. Man sites, will be unable to comply with the frontage rebuilding lobbies are allowed to count towards Co compliance. It too restrictive and prescriptive to a on <1/2 block sites and should be eliminated or n with the frontage requirements. Draft 2 states the and CC zoning districts are required to have an street frontage in approved active commercial or Downtown Plan Overlay Zone. However, the Over level residential uses in addition to active commer Pedestrian-Activity Streets as per Table 23-4D-9 with the intent of the Downtown Austin Plan, how updated to reflect the conditions in downtown to lobbies. Active frontage requirements are very di sites due to the amount of space taken up by par utilities, and egress. If intent is to provide more a consider working with city departments to loosen building support spaces (AE vault, fire pump, etc ROW - this would have a far greater impact on a take their place. As stated in Imagine Austin, con density, and more specifically more housing units frontage requirements. More people living downt streets and trigger demand for more retail space prioritized over density, it may result in too many limiting the content of addition received prioritized over density, it may result in too many limiting the content of addition are identified or reflex performents and trigger demand for more retail space prioritized over density, it may result in too many limition the present for additional resident is not space from the present for a data the replace. As stated in Imagine Austin, con density, and more space fically more housing units frontage requirements. More people living downt streets and trigger demand for more retail space.
23.219	Division 23-4D-6 Regional Center Zones			JSc		Downtown		23-4D-6060(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW.	limiting the notential for additional residents to su This requirement (in DC and CC zones and in the Zone) is only appropriate for full-block sites. Man sites, will be unable to comply with the frontage r building lobbies are allowed to count towards Co compliance. It too restrictive and prescriptive to a on <1/2 block sites and should be eliminated or n with the frontage requirements.

NOTES		
	YES/NEUTRAL /NO	
FAR maximums to better match		STAFF RESPONSE
code. There are lots in the as CC-40 and CC-60 with FAR are not eligible for density of the Downtown Austin Plan for o and three-story pattern of Plan is a stated goal of er office/commercial. In at allowing max FAR of 5:1 for e viable use, and removing the re alfordable housing. Consider ities as part of an expanded limits that promote compatibility. ort may be necessary for the 4 and the openarum behave it		
1 and the paragraph above it		
ck of 5 feet on all sites, but the escribed (23-40-9080 as taken is many streets with 0° setbacks. The 5-foot minimum setback. This it to development on small sites de density needed for regional zoning, which CC is meant to my setbacks. Therefore, this new ng entitlements) as compared to hal setback and/or easement r utilities easement is required*- at Note 1: section referenced is		
commodate common floor-to- 4 floors); 60' to 75' (6 floors); 80' OR a floor limit. Height limits g heights based on standard s on first floor. Providing exible to limiting building height rous floor-to-floor heights.		
imits to better accommodate justing 40' to 50' (4 floors); 60' to ing a height limit OR a floor limit, mmon building heights based on ail spaces on first floor. be more flexible to limiting providing generous floor-to-floor		
It be located directly on ROW. In the Downtown Plan Overlay Many, if not most downtown tage requirements unless all ds Commercial Group A et allow viable development d or relaxed. There is confusion es that frontages within the DC e a minimum of 60% of their cial or civic uses and refers to the le Overlay Zone allows ground ommercial and civic uses on non 4D-9080(Å). This is consistent h, however the plan should be wn today. Also the definition of p A in the Downtown Plan do to allow ground level office ery difficult to achieve on small op parking and loading access, nore active pedestrian frontage, posen requirements for many p, etc.) to be located directly on t on allowing more active uses to n, consider prioritizing downtown ounts, over these active street downtown will create active paces. If active street frontage is many empty retail spaces while in the Downtown Plan Overlay		
I in the Downtown Plan Overlay . Many, if not most downtown tage requirements unless all ds Commercial Group A re to allow viable development d or relaxed. There is confusion		

CHAPTER	ITTLE -	DESIRED PROPOSED CHANGES TO D3	Γ		INITIATE	D BY CO	ommssic	ONER		EX O	FFICIO	Т	OPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			ANDERSON	HART KAZI	kenny Mcgraw	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA TEICH				GENERAL	SPECIFIC SECTION		
23.221	Division 23-4D-6 Regional Center Zones	x		AH									orridor and Centers	No	No	23-4D-6060 (G)	"Table G: For commercial buildings <u>greater than or equal to one-half</u> <u>block width:</u> <u>Except for building support spaces (including as Austin Energy vault, fire pump), entries must be oriented to the street and located at sidewalk level No ramps or stairs allowed within public right- of-way or front setback <u>For commercial buildings less than one-half block width</u>: The primary entry must be oriented to the street and located at the <u>sidewalk level</u>. Prior Notes for Clarity: Create exception for &lt;1/2 block sites. Either significantly reduce the % requirement or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW."</u>	Create exception for 1/2 block sites and reduce to building support spaces.
23.222	Division 23-4D-6 Regional Center Zones	x					JSc					D	Downtown			23-4D-6060(H) Impervious Cover	Increase impervious cover and building cover maximums to 100%.	Bring entitlement back to match existing code
23.223	Division 23-4D-6 Regional Center Zones	x		FK			JSc					C	Downtown			23-4D-6080 (A) Lot Size and Intensity	Change DC zone FAR max to 12:1.	
23.224	Division 23-4D-6 Regional Center Zones	x					JSc					D	Downtown			23-4D-6080(B) Building Placement	Clarify reference to easements. Note 1 section referenced is Industrial Flex Zones and must be incorrect.	Regarding "Additional setback and/or easement street right of way or utilties easement is require in the code? And, at Note 1: section referenced i must be incorrect.
23.225	Division 23-4D-6 Regional Center Zones	X					JSc					D	Downtown			23-4D-6080(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in DC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW. The definition of active commercial uses (Commercial Group A in the Downtown Plan Overlay Zone) needs to be clarified or refined to allow for ground level office or multi-family lobbies. Additionally, revise the requirement that prohibits stairs/ramps in required setbacks to allow them in required setbacks.	
23.226	Division 23-4D-6 Regional Center Zones	x					JSc					D	Downtown			23-4D-6080(J) Additional Standards	Add "or at least the minimum level LEED Certification as a substitute for Austin Energy Green Building rating."	Consider allowing LEED certification as a substitution of the second sec
23.227	Division 23-4D-6 Regional Center Zones	x					JSc					D	Downtown			23-4D-6080(K) Additional Compatibility	Add "except for additional setbacks or height stepbacks."	To better align this with 23-4D-6080(B)(2), add " setbacks or height stepbacks.
23.228	Division 23-4D-7 Commercial and Industrial Zones																	
23.229	Division 23-4D-7 Commercial and Industrial Zones	x			СК								Breweries	Yes	Yes	Applicable zones	Breweries and brewpubs in MS and MU districts should be limited to 5,000 barrels per year of production. Breweries with more production should be allowed in all industrial zones, but should not have a cap on their production.	This right-sizes brew pubs for the city, but allows operate without arbitrary production caps that ex
23.230	Division 23-4D-7 Commercial and Industrial Zones Division 23-13A-2 Commercial and Industrial Zones, Land		GA	_	СК						_					23-4D-7030	Sec. 23-13A-2030, "Manufacturing and Storage", change 3(e)	This addresses a problem in Draft 3 that incorrect
23.231	(Land Uses). Uses Division 23-40-7 (Commercial and Industrial Zones), Division 23-13A-2 (Land Uses)	x											eweries and crobreweries	Yes - if there arey any issues we should be aware of with these changes.			<ul> <li>("Brewery/distillery/winery which manufacture more than 15,000 barrels of beverage") from 15,000 barrels to 5,000 barrels, and move it from "Manufacturing and Storage - Restricted" to "Manufacturing and Storage - General".</li> <li>Table 23-4D-7030(A), "Allowed Uses in Commercial and Industrial Zones," change Manufacturing and Storage - General from not allowed to CUP in Commercial Recreational, and from CUP to P Industrial Flex.</li> <li>Sec. 23-13A-2030, "Micro-Brewery/Micro-Distillery/Winery," change "15,000 barrels" to "5,000 barrels".</li> <li>Sec. 23-4E-6220(B), "Requirements for a Brewery/Winery/Distillery," change:</li> <li>(1) Allowed. The sale of beer, ale, wine, or distilled liquor produced onsite for on-site consumption <u>must comply with Section 4-9-4 (Minimum Distance from Certain Uses).</u></li> </ul>	microbreweries and breweries and is then overly microbreweries. The break between microbrewe breweries is about 5,000 barrels per year. This a break from 15,000 to 5,000. It restores breweries Industrial Flex, which is where at least one Austi left out of the zone. It also removes restrictions of tasting rooms that far exceed bars or restaurants replaces the restrictions with a reference to the of distance requirements for alcohol sales and rest

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
uce requirements for many		
de		
nent may be required where quired" - where is this addressed ced is Industrial Flex Zones and		
ch requirements in existing code.		
ubstitute for Austin Energy		
add "except for additional		
Illows breweries to continue to at exist in D3.		
correctly distinguishes between overly prescriptive for reweries and production his amendment changes the veries as an allowed use in Austin brewery is today but was ons on micro-breweries with irrants that serve alcohol, and the city ordinance that governs restaurants that serve alcohol.		

CHAPTER	DIVISION			IRED PRO			INI	TIATED	BY COI	MMSSIC	ONER		EX	OFFICI	o	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
						ANDERSON HART	KAZI KENNY	MCGRAW	OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA TFICH				GENERAL	SPECIFIC SECTION		
23,232						GA	C1	к								Breweries and Microbreweries	Yes - if there arey any issues we should be aware of with these changes.		23-4D-7030	<ul> <li>(a) Is an allowed use, if the use is at least 540 feet from any single-family residential use, as measured from lot line to lot line;</li> <li>(b) Is a conditional use, if the use is less than 540 feet from any Residential House Scale Zone, as measured from lot line to lot line; and</li> <li>(c) Except as provided in Subsection (B)(2), must not exceed the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use.</li> <li>(2) On-site Consumption Area</li> <li>(a) During a tour, on-site consumption is allowed in an area that exceeds the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use.</li> <li>(b) If the use is located in Airport Overlay Zones AO-1, AO-2, or AO-3, on-site consumption is allowed in an area that exceeds the lesser of 5,000 square feet of the total floor area of the principal developed use.</li> <li>(c) Increased Square Footage. During the conditional use permit approval process, the Planning Commission or city council may increase the square footage allowed under Subsection (B)(1)(c).</li> </ul>	This addresses a problem in Draft 3 that incorre microbreweries. The break between microbrew breweries. The break between microbrew breweries is about 5,000 barrels per year. This break from 15,000 to 5,000. It restores brewerie Industrial Flex, which is where at least one Ausi left out of the zone. It also removes restrictions tasting rooms that far exceed bars or restauran replaces the restrictions with a reference to the distance requirements for alcohol sales and res
23.233		30 - Allowed Uses and Permitting aquirements	, v										TS			Bars and Nightclubs	NO		Table 23-4D-7030(A)(6)		Bars and Nighclubs not permitted in commercia
23.235	70	40 - Parking Requirements	X		v								TS		T	Parking	NO		Table 23-4D-7040(A)	Remove language "after first XXXX SF"	If cars are expected to travel and park related to provided.
23.234	70	50-7100; CR, CW, IF, IG, IH, RD			x								TS		I	Compatibility	NO		Table 23-4D-XXXX(D) Height	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements.Simplify Resulted from ZAP/PC Compatability working of
23.236	Division 23-4D-8 Ot Division 23-4D-8 Ot				x	x										Parking in F-25	No		Division 23-4D-8	(A) Parking. (A) Parking. (I) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data. (2) For a property owned by the City, the off-street parking requirement for each use allowed in a zone is determined by the director. (3) A property zoned Former Title 25 shall comply with the parking-requirements established in the applicable ordinances and agreements-adopted prior to the effective date of this Title_For a property zoned. Former Title 25. off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060. Off-Street Motor Vehicle Parking Adjustments.	
23.237	Division 23-4D-8 Ot	her Zones			~	×									T	Parking			23-4D-8040 (A)(3)	(3) A property zoned Former Title 25 shall comply with the parking- requirements established in the applicable ordinances and agreements	F25 areas should be allowed to get the same p 23 areas. Otherwise, they will have abnormally
23.238	Division 23-4D-8 Ot	her Zones			x	GA										Parking in F-25	No		Division 23-4D-8	<ul> <li>adopted prior to the effective date of this Title. For a property zoned</li> <li>(A) Parking.</li> <li>(1) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data.</li> <li>(2) For a property owned by the City, the off-street parking requirement for each use allowed in a zone is determined by the director.</li> <li>(3) A property zoned Former Title 25 shall comply with the parking-requirements established in the applicable ordinances and agreements-adopted prior to the effective date of this Title, For a property zoned Former Title 25. off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060. Off-Street Motor Vehicle Parking Adjustments.</li> </ul>	
23.239 23.240	Division 23-4D-8 Of	her Zones			x	AH				JSc						All Zones	No	No	23-4D-8080 (D)(2)(a)	Delete 23-4D-8080 (D)(2)(a): (2) F25 Compatibility Standards. (a) Properties within the F25 Zone are subject to the compatibility- regulations established under former Chapter 25-2, Subchapter C, Article 10 (Compatibility), which limit the scale and intensity of development- based on the existing use and zoning of adjacent properties.	Use based compatibility can trigger compatibility Council has rezoned a property. This eliminates rezoning, especially along corridors.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
correctly distinguishes between overly prescriptive for reweries and production his amendment changes the veries as an allowed use in Austin brewery is today but was ons on micro-breweries with mrants that serve alcohol, and the city ordinance that governs restaurants that serve alcohol.		
ercial and industrial zones		
ed to use, then parking should be		
plify compatibility requirements. ng group.		
o parking reductions on Chapter		
e parking reductions as Chapter hally high parking reqs		
ibility restrictions long after ates the desired outcome of		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		IN	ITIATED	вү со	ommss	IONER	ł		EX OI	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE COMMISSIONER
			ANDERSON HART	KAZI Keniny	MCGRAW	OLIVER	SCHISSLER	SHIEH	THOMPSON	SHAW	BURKARDT	TEICH			G	GENERAL SPECIFIC SECTIC	N
23.241	Division 23-4D-8 Other Zones	x	×										F25	No		23-4D-8080 (d)(nev	<ul> <li>(A) Purpose and Applicability</li> <li>(1) The purpose of the former title 25 (F25) zone is to incorporate within the Land Development Code certain specially negotiated regulatory ordinances and agreements applicable prior to the effective date of this Title, but which continue to serve important.</li> <li>()</li> <li>(D) F25 Rezoning Policy. In order to achieve compliance with current. regulations of this Title and minimize reliance on prior regulations, the City's preferred policy is to:</li> <li>(1) Rezone properties within the F25 zone to current zones established in this Title and gradually eliminate Plannded Development Agreements.</li> <li>(PDAs). Neighborhood Combining and Conservation District (NCCDs); and conditional overlays (COs); and</li> <li>(2) Rezone properties within an F25 Planned Unit Development (PUD) zoning district or an F25 small-area plans consistent with requirements of this Title.</li> </ul>
23.242 23.243	Division 23-4D-8 Other Zones Division 23-4D-8 Other Zones		AH						TI				F25 Corridor and Centers	No		Yes 23-4D-8080 No 23-4D-8080	Delete all parking requirements from F25     If F25 isn't deleted as recomemnded, at rer       Delete F25.     *1) No neighborhood should be exempt from policies in CodeNEXT.       2) F25 is clearly inconsistent with lenging F2 must be consistent with to comprehensive developed prior to the adoption of Imagine 3) Will cause endless headache and confus
23.244				C	:K								Add Affordable ADU bonuses to F25	Yes		No New section E	<ul> <li>(E): In addition to any affordable housing incentives available for zones.</li> <li>SF1, SF2, and SF3, lots with those zonings are eligible for the Residential Citywide Affordable Accessory Dwelling Unit Incentive:</li> <li>(1) In addition to base entitlements, an additional, income-restricted. Accessory Dwelling Unit may be built and the size does not count. toward FAR limit and the principal use's FAR limit is increased by the size of the income-restricted Accessory Dwelling Unit. When adding an Accessory Dwelling Unit under this incentive, the total dwelling units per lot may not exceed 4.</li> <li>(2) In taking the incentive, an applicant shall agree to:</li> <li>(a) Continued affordability of all affordable mental units for 10 years, with the affordability period for rental projects begins on the issuance of the last final certificate of occupancy for the development; or</li> <li>(2) Continued affordability of all affordable ownership units for 20 years. The affordability of an entipie units begins on the date of sale for each affordability of an entipie buyer.</li> </ul>
23.245				c	ж								F25 compatibility trigger	Yes		No In 23-4D-8080 (c)(2	In 23-4D-8080 (c)(2): Replace (C)(2)(c): Properties within the F25 Zone that are zoned RR, LA, SF1, SF2, SF3, or SF4 shall be treated as Residential House-Scale Zones and trigger the compatibility regulations established in this Title for properties within Zones established in this Title."
23.246	Division 23-4D-2			c	К								Residential ADU Affordabl Bonus availabl in F25 single family zones			No 23-4D-8080	Add new         "(E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones):         (1) The bonus available as "Clywide Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25.       The affordable ADU bonus should be available as "Corridor Transition Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25.
23.240	Division 23-4D-8 Other Zones		AH	i fk					т				All Zones	No		23-4D-8080	<ul> <li>*Add new (E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones); (1) one ADU that meets the base zoning requirements of R2 is allowed per residential lot that that meets the standards of R2 or greater, including but not limited to, placement, height, impervious cover, FAR, and setbacks; (2) the minimum lot size is 2,500 square feet; and (3) Parking requirements are determined by the roughly equivalent requirements from this Title, as determined by the Director. (4) The Director of Neighborhood Housing must determine if a roughly. equivalent zone has an AHBP that should apply to an F25 zoned. If F25 isn't deleted as recommended, at lea allowed as supprted by previous unanimous</li></ul>

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ad in Draft III and was 5 is old as stated in Imagine in de.		
an a parting		
nove parking. n affordability bonuses or the		
sustin, so designating areas F25 5 zoning. Zoning regulations plan, per state law. F25 was Austin so is not permitted. ion."		
SF2, and SF3 lot left in F25.		
n F25 that triggers compatibility		
ble in all residential zoning through CodeNEXT. This other requirements, but only the		
st ADUs and small lots should be PC vote		

CLE	N	DESIRED PROPOSED	Г									REQ. ADD'L STAFF	Π		Π			
CHAP		CHANGES TO D3	-	I	NITIATED	D BY CON	MMSSIO	NER		EX OFFICI	O TOPIC ARE		-	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		1
			RSON		Y RAW	OLS R	SLER	IPSON	ш 、	ARDT DOZA		I .					YES/NEUTRAL /NO	
			ANDE	HART KAZI	KENN	NUCK	SCHIS	THON	WHIT SHAW	MENI			GENERAL					STAFF RESPONSE
23.248	Division 23-4D-8 Other Zones	×		AH FK							Public Zoni	g No	No	23-4D-8090	<ul> <li>"(A) Purpose. Public (P) zone is intended for areas that are government- owned civic, public institutions, or <u>public or affordable housing</u>, indoor or outdoor active recreation uses.</li> <li>(B) Additional Requirements</li> <li>(1) Residential Uses. If a residential use <u>is for ten or more dwelling units</u>, then a site plan is required, is allowed in Table 23-4D-7040(A), the site development requirements are the same as the most comparable residential zone.</li> <li>(2) Non-Residential Uses</li> <li>(a) If the site is less than one acre, the site development requirements of the zone on the adjacent property applies. A property owned by the City is not subject to minimum lot size requirements.</li> <li>(b) If a site is larger than one acre, then a conditional use permit and site plan are required."</li> </ul>	Allow greater flexibility for housing on publicly owned land.		
23.249	Division 23-4D-8 8110 - Planned Unit Development								TS		PUD			8110 - Planned Unit Development		A) Purpose and Overview section rewritten and is more thorough. C) Added back in requirement for establishing baseline zoning.		EV Comm: 8110(GF) Tier 1 must exceed landscape req., 8100(G)(2)(c) delete if not GSI superior, 8100(G0(2)(m) replace with preserve 75% all native caliper inches.
23.250	Division 23-4D-8 8110 - Planned Unit Development	x							TS		PUD Tier		NO	(F) Tier One Requirements	INSERT AND RENUMBER: (F)(8) exceed the minimum landscaping requirements of the City Code.	Add back from current code that all PUDs must exceed the minimum lanscaping requirements of the code. Environmental Commission Recommendation.		
23.251	Division 23-4D-8 8110 - Planned Unit Development	x							TS		PUD		NO	8110 (G)(2)(c )	DELETE:-(c-)Uses green water quality controls as described in the- Environmental Criteria Manual to treat at least 50 percent of the water- quality volume required by this Title:	Environmental Commentation. No longer superior compared to CodeNext,		
23.252	Division 23-4D-8 8110 - Planned Unit Development	x							TS		PUD-Tree Protection		NO	8110 (G)(2)(m )	(m) Preserves all heritage trees; preserves 75 percent of the caliper- inches associated with native protected size trees; and preserves 75 percent of all of the native caliper inches.	Environmental Commission recommendation.		
23.253	Division 23-4D-9 Overlay Zones Division 23-4D-9 Overlay Zones		┨┤	+	+	+	+	++	+		Downtow		Yes	23-4D-9080	Remove things like exemption from TIA, etc from DD and DC zones	Assuming other regional centers that have less supporting infrastructure		
23.254	Division 23-4D-9 Overlay Zones						JSc				Overlay Capitol Dominand Overlay Zo			23-4D-9050	and place in overlay Strike section 23-4D-9050 or make it not effective to the west (Because it impacts a portion of the Guadalupe corridor)	than downtown, put these exemptions here. This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.		
23.255	Division 23-4D-9 Overlay Zones						JSc				Capitol Vie Corridor	N		23-4D-9060	Strike this section and 23-4D-9150(A) (which describes the details of CVC regulations)	This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.		
	Division 23-4D-9 Overlay Zones						JSc				Downtow				Office, residential, and mixed use building lobbies should be specifically added to the Commercial Group A list to include lobbies as an allowed use.			
23.257	Division 23-4D-9 Overlay Zones						JSc				Downtow			23-4D-9080(D)(1) Development Standards: Driveways, Curb Cuts, and Porte Cocheres	Add Refer to Figure 23-4D-9080(1) Pedestrian Activity Street. Add "exception for corner sites that have frontage on two Pedestrian Activity Streets. These sites will be allowed either a driveway or curb onto the street determined to be secondary of the two streets at the site, or during review process."	More restrictive than LDC. There are no such requirements in existing code.		
23.259	Division 23-4D-9 Overlay Zones	x					JSc				Downtow	YES		23-4D-9080(D)(2) Treatment of Commercial Building Fronts	Clarify if the definition of commercial building in this context includes multi-family residential uses.	More restrictive than LDC. There are no such requirements in existing code.		
23.260	Division 23-4D-9 Overlay Zones	x					JSc				Downtow				At Note 3: Add "street trees are an acceptable shade device if they provide shade in front of the required area."	More restrictive than LDC. There are no such requirements in existing code.		
23.261	Division 23-4D-9 Overlay Zones	x					JSc				Downtow			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Minimum Shade Note 3: This requirement will likely force a project to seek a license agreement from the City because they will not want to push the building back to accommodate an awning or canopy. License agreements will incur additional costs and time.			
23.262	Division 23-4D-9 Overlay Zones	x				L	JSc				Downtow			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Front Setbacks (i) and Figure 23-4D-9080(2) Minimum Front Setback Requirements: Remove setbacks greater than 5' except when a site is within a block with existing greater setbacks. Or At (a) Front Setbacks (i) change to "Minimum front setback is 5' or equal to existing adjacent block front setback when site is within a block with existing greater setbacks" and delete the Figure (2) map until an updated map developed during a district planning process can be codified.	More restrictive than LDC. There are no such requirements in existing code.		
23.263	Division 23-4D-9 Overlay Zones	x					JSc				Downtow			23-4D-9080(E) Compatibility	Remove this section. Use base zoning compatibility and the mapping of the zones to achieve the intent of the Downtown Austin Plan. If more restrictive requirements are necessary, use a new district planning process to create additional requirements.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.		
23.264	Division 23-4D-9 Overlay Zones	x					JSc				Downtow			23-4D-9080(F) (2) Screening	If these requirements will be covered in the Criteria Manual for parking garages, remove them from this section to avoid redundancy.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.		
23.265	Division 23-4D-9 Overtay Zones Division 23-4D-9 Overtay Zones	x					JSc				Downtow			23-4D-9080(F) (3) Screening	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the affected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the affected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements Keep all plans in place through adoption & implementation of CodeNEXT.		
23.266		×					12				Small Are Plans, NCC Overlays a Neighborho Plans.	s, d				Keep all plans in place through adoption & implementation of CodeNEXT. Then review plans for appropriatness in CodeNEXT context.		

CHAPTER ARTICLE	ITILE	DESIRED PROPOSED CHANGES TO D3	Г	INIT	IATED BY C	COMMSSION	ER	EX C	DFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS OILIVER	SCHISSLER SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION		
23.267		x		СК						Add Coops to UNO overlay	No	No	23-4D-9130	Change "group residential use" to "group residential or cooperative housing use" in divisions (D)(1)(d), (H)(1), (H)(1)(b), (H)(1)(b)(iii), (D)(1), (D)(2), and (D)(5).	Coops seem to have been forgotten in the unive them in wherever group residential is included.
	Division 23-4D All RM, MS, MU zones			СК						Increase affordable bonus	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group. (See attached table.)	More bonus entitlements got us from 6,000 affor
23.268	Division 23-4D-9 Overlay Zones	×	GA							UNO University Neighborhood Overlay			23-4D-9130	For the figure 23-4D-9130(1): 1) increase the max height in the area currently labeled 175' to 275'. 2) for the area UNO area from 26th st to the North, San Antonio to the West, Martin Luther King Jr to the South, and the eastern boundary of the UNO overlay to the East, increase the max height to 275' feet. 3) for the cyan area south of 28th, east of Rio Grande, north of 26th, and west of Guadalupe, increase the max height to 175' 4) for the green area to the north and west of the cyan area, increase the max height to 175' 5) For the 90' area, increase the max height to 120' 6) For the remainder of the current UNO area, increase the max height to 70' with the exception of the pink and the yellow areas which stay the same. "	
23.269	23-4D-9130		GA							UNO University Neighborhood Overlay			Section 23-4D-9130	(E) Requirements for Specific Uses in an UNO zone (1) Multi-Family Residential Use (g) <u>No parking spaces are required</u> . <u>The minimum off-street parking-requirement is 40 percent of required minimum parking if the multi-family residential use: (i) Includes a car sharing program that complies with the program-requirements established by administrative rule; or (ii) In addition to Subsection (I), for at least 15 years from the date the certificate of occupancy is issued, sets aside at least 10 percent of the- dwelling units on the site to house persons whose household income is- less than 50 percent of the median income in the Austin statistical- metropolitan area.</u>	We know where they're going. Rideshare servia utilizatoin of campus nights and weekends. This as well as allowing more parcels to be developa
23.270 23.271	Division 23-4D-9 Overlay Zones	x		СК						Add Coops to UNO overlay	No	No	UNO overlay	Add cooperative housing use to every place where group housing is an allowable use	Coops seem to have been left out of the UNO or
	Division 23-4D-9 Overlay Zones							TS		Overlay Zones	NO	x			MOTION: In that the Planning Commission has with draft 3 of code, I propose that we do not ma overlay zones.
23.272 23.273 23.274	7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2] ALL USE TABLES						Tw	TS		alcohol	NO	x	7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2]	Add Neigborhood Plans back as an overlay           Require a CUP for all alcohol uses in or near residential zoning	The Neighborhood Plan Overlay found in 23-4D been eliminated. [This is despite a commitment to Council Member Pool to her question #23 pos that "Neighborhood Plans will remain as overlay have spent hundreds of hours creating Neighbor values and character of its residents. The latest of the elements of the approved Neighborhood I of the Neighborhood Plan Overlay, these plans i over the base zoning requirements in CN. In fa 2030 Neighborhood Plan Amendments, (H)(7) L allows the Land Use Director and Land Use Cor approval of an amendment based on its complia alone. Furthermore, City Staff's answer to Pool' future of Neighborhood Plana indicates that the process will be overhauled due to concerns in a process and within the Zucker Report. City Sta future and pending neighborhood planning effor
23.274	Note to all COMMERCIAL USE TABLES	X					TW			foot notes		X		"Regardless of base zoning, state and local laws do not allow alcohol sales within 300' of a public school, church or public hospital without a	For clarity and predictability, add a note to all Us
23.275 <b>24</b>	Article 23-4E Supplemental to Zones	X X												City Council waiver."	
24.1	Division 23-4E-1 Private Frontages	+ + + -		+ $+$ $-$	$\left  \right  $	JS		+	+						confusing diagram, fence heights, porch descrip
24.2	Division 23-4E-1 Private Frontages	x			$\left  \right $			++	+			No	23-4E-1040 and 1060	Delete "Stoop"; revise "Porch: Projecting" to stoop minimum dimensions	paths The differentiation between stoops and porches
24.3		x								All Zones	No			of 5' width (clear) and 5' depth (clear); maintain other porch regulations	unnecessarily complicates the code.
24.4	Division 23-4E-1 Private Frontages	x	A	H						All Zones	No	No	23-4E-1040 (A)	Delete "furniture areas" and" clear path" of travel mandates in Table 23- 4E-1040(A)	Overly prescriptive furniture area dimensions; d work around various site conditions like trees. F a porch to the front door would not be allowed, a area" forces the porch to be offset.
24.5						ISI	h			fences			23-4E-1040 - 1080	C fence that does not exceed FOUR feet	3' is too short for privacy, safety, and can cause this is fence not a handrail - change to 4'
24.6	Division 23-4E-2 Outdoor Lighting	С		$\square$	$    \overline{ }$	+	$\square$	$\square$	$\square$						
24.7 24.8	Division 23-4E-3 Parking and Loading Division 23-4E-3 Parking and Loading						т					Yes		Remove all parking minimums	Places as diverse as Mexico City and Buffalo N requirements. Just like downtown Austin (where it doesn't mean parking doesn't get built. Just th market determine how many to build.

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
iniversity overlay. This adds ed.		
affordable units to 13,500.		
ervices. Project team meetings, This will help with affordability lopable.		
IO overlay provisions.		
has so many issues to address t make changes to current		
H4D-7090 in the first draft has ment from the CodeNext Team J posted on-line on 6/24/2017 arlay districts."] Neighborhoods hiborhood Plans to reflect the atest CN maps disregard many yood Plans and with the removal ans will no longer take precedent In fact, Article 23-2E, Section (7) Director's Recommendation Commission to recommend mpliance with the base zoning Pool's question #24 as to the Net Neighborhood Planning in an audit of the planning v Staff's answer clearly puts afforts into question.		
II Use Tables stating:		Dtwn Comm: 9080(B) include lobby and other mandated uses.
scriptions, too prescriptive, ches seems arbitrary and		
as; does not allow for flexibility to s. For example, stair leading up ed, as the required "furniture		
use conflicts between codes		
lo NY are dropping parking /here there are no requirements) ust that developers let the		

PTER	х оо	DESIRED PROPOSED								[	REQ. ADD'L STAFF				]		
CHA ART		CHANGES TO D3	-	INITIATED BY	COMMSS	SIONER		EX OFFI		OPIC AREA	FEEDBACK	_	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			NOS	N SI	H	NOS		ZA ZA								YES/NEUTRAL /NO	
			ANDER: HART (AZI	KENNY MCGRA	OLIVER	ысе чек В НІЕН ПОМР	NHITE SHAW	BURKAI	EICH			GENERA	AL SPECIFIC SECTION			/NO	STAFF RESPONSE
	3020 - Applicability						TS		AI	.DU Parking	NO		3020 (A)(4)	(4) new residential units, except for accessory dwelling, on the same lot as an existing dwelling; or	New development where there is not an existing dwelling, would have to provide parking for ADU. New code is going to allow for multiple units including cottage courts.		
24.9	Division 23-4E-3 Parking and Loading					rt,	T		A	.DA Parking	No			Add the following language from current code on CBD/DMU Parking: Except for a use occupying a designated historic landmark or an existing building in a designated historic district, off-street motor vehicle parking for persons with disabilities must be provided for a use that occupies 6,000 square feet or more of floor space under the requirements of this paragraph. (a) The following requirements apply if no parking is provided for a use, other than parking for persons with disabilities: (i) the minimum number of accessible parking spaces is calculated by taking 20 percent of the parking required for the use under Appendix A (Tables of Off-Street Parking and Loading Requirements) and using that result to determine the number of accessible spaces required under the Building Code. The accessible spaces may be provided on- or off-site, within 250 feet of the use. (ii) The director may waive or reduce the number of accessible spaces required under Paragraph (2)(a)(i) if the applicant pays a fee in-lieu to be used by the city to construct and maintain accessible parking in the vicinity of the use.	This is from current code. Require ADA parking if any parking is provided or if loading facility is provided.		
24.10						rt	T							The availability of this option is contingent on the establishment of a fee by separate ordinance and the adoption of a program by the director to administer the fee and establish eligibility criteria. A decision by the director that a use is ineligible for a fee in-lieu is final. (iii) The director may waive or reduce the number of accessible spaces required if no accessible spaces can be provided consistent with the requirements of Paragraph (2)(a)(i) and the use is ineligible for participation in the fee in- lieu program under Paragraph (2)(a)(i). (iv) An off-site or on-street parking space designated for persons with disabilities that is located within 250 feet of a use may be counted towards the number of parking spaces the use is required to provide under Paragraph (2)(a)(i).			
24.12	3050					JSh			p	disability parking for ingle family				Parking for Persons with Disabilities A. A NON-RESIDENTIAL site must have B. This references single family and duplex, but if we change ramp requirements then can we eliminate this part? Visitability relation to parking is per the ramp. There is not such a thing residential parking space requirements			
	Division 23-4E-3 Parking for Persons with Disabilities	x					τw			parking			23-4E-3050 -A	A non-residential site must have	leaving it as just a site is too vague and could be interpreted to inclue residential projects		
24.13	Division 23-4E-3 Parking for Persons with Disabilities						тw			parking	x		23-4E-3050-A-3	the number of accessible parking spaces required by the Building Code or one whichever is greater.	We heard very clearly that our community needs accessible parking spaces		
24.14						JSh				parking			23-4E-3060	(B) 2. References 100% reduction in parking. There should never be a full 100% reduction in parking. Handicap parking, car share parking needs to be considered.			HLC: waiver or reduce pkng for maintaining old bldg. UTC: reduce pkng particularily on high tranist/IA activity corridors
24.15	3060 - Off- Street Motor Vehicle Parking Adjustments	x					TS			1ax. Parking Ajustment	NO			<ul> <li>(B) Maximum Parking Adjustment.</li> <li>(1) Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumulative parking reduction is 60% 20%.</li> <li>(2) The maximum cumulative parking adjustment for a site that is part of a TDM program that allows multiple parking adjustments is 100%. 40%</li> </ul>	Rervert back to draft 2 levels but allow for reasonable increase for TDM. 100% reduction is not practicle. TDM programs have not been demonstrated to work at 100% reduction. Consider developments with high levels of affordable housing receiving up to 60%.		<u>HLC</u> : waiver or reduce pkng for maintaining old bldg. <u>UTC</u> : reduce pkng particularily on high tranist/IA activity corridors
24.17	3060 - Off-Street Motor Vehicle Parking Adjustments	x					TS			1ax. Parking Ajustment	NO			CHANGES: Transit Corridor 1/4 mile - 10%, Transit Corridor 1/2 mile - 5%, DELETE OR QUANTIFY - Preservation of Trees., CHANGE Car Share - 3 spaces per car share, Buildings Providing Showers - 5%, Affordable Housing Program - Stagger depending on participation 10%, 20%, 30%, 40%	The table provides too great of and adjustment compared to the requirement and many of the requirements are vague and are not quantified. This is especially the case with the AHBP bonus, which should only be allowed when affordable units are actually provided above some threshold.		<u>HLC</u> ; waiver or reduce pkng for maintaining old bldg. <u>UTC</u> ; reduce pkng particularily on high tranist/IA activity corridors
24.18	Division 23-4E-3	x				JSh									if business have no parking, off street load should be required, parking for disability, home occupation ADA, ada for residential vs commercial, parking reduction too much		<u>HLC:</u> waiver or reduce pkng for maintaining old bldg. <u>UTC:</u> reduce pkng particularily on high tranist/IA activity corridors
24.19	Division 23-4E-3 Off-Street Motor Vehicle Parking Adjustments	x					τw			parking				<ol> <li>Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumlative parking reduction is 60% 20%</li> <li>The maximum cumlative parking adjustment for a site with more then 4 deeply affordable units at 50% MFI or below is 90%.</li> </ol>			
24.20	residential parking process	x					TW			parking		x		& MU can receive residential parking requirements	The reduction of the parking by 50% for commercial projects alone will not discourage people from driving. We see this all over South Congress and on E. 6th. I think we should discourage street parking for environmental reasons (actual driving reduction) & for safety reasons (street parking is dangerous for pedestrians and bicylist). Let's take this one step further and really mean it when we say we want people to drive less. Open to suggestions on how best to incorporate this aspect into the code		

CHAPTER ARTICLE DIVISION		DESIRED PRO			INIT	IATED B	Y COMMS	SIONER		EX	OFFIC	:10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
				ANDERSON	HAKI KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	<b>MEN DOZA</b>	TEICH			GENEF	RAL SPECIFIC SECTION		
Division 23-4E-3 Parking and Loading			x	GA									On Street Parking	No		23-4E-3060	<ul> <li>23-4E-3060 Off-Street Motor Vehicle Parking Adjustments</li> <li>(A) Simple Parking Adjustments.</li> <li>(1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table.</li> <li>(2) Minimum off-street parking requirements shall be further reduced as follows:</li> <li>(a) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.</li> </ul>	It's in today's code and we need to keep this § 25-6-478 - MOTOR VEHICLE REDUCTIONS (E) Except for development that does not requi 25-5-2 (Site Plan Exemptions), the minimum of is reduced by the following amounts: (1) One space for each on-street parking space on a public street, including spaces on Internal public street standards;
Division 23-4E-4 Parking and Loading			x	GA									On Street Parking	No		23-4E-3060	<ul> <li>(A) Simple Parking Adjustments.</li> <li>(1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table.</li> <li>(2) Minimum off-street parking requirements shall be further reduced as follows:</li> <li></li> <li>One space for each on-street metered parking space located within 250 feet of the site, measured as the shortest practical and legal walking distance to the nearest principal entrance of the site. Metered parking spaces may not be counted towards the minimum off-street parking required for residential uses;</li> </ul>	
Division 23-4E-3 Parking and Loading 24.23						км											Eliminate all parking reductions beyond those already in place	Note AISD requests to maintain parking regula 2500 SF bars & restaurants near homes w/o p. Using street parking to count for bars is unfair residents. Code Lready allows extensive redu enforced. Tandem parking results in many ca Vistors and emergency responders have no pl are crowded. This also impacts trash and bicyo
24.24 Division 23-4E-4 Landscape Division 23-4E4 Landscape		x						JSh										is landscape reqs more onerous and difficult to says foundtion buffer reqd all zones. CC and I setback No we have to do landscaping with th have to have landscape architect? what about only for 10k sqft or more projects.
24.26								JS h					parking			23-4E-3070	(B) up to 10,000sqft, no off street loading required DOES NOT WORK WHEN THERE IS NO PARKING REQRD for small businesses. In instances where there is no general parking available, then should require at least 1	
24.27								JS h					landscape			23-4E-4020	A-1-C single family, duplex, and other residential house scale buildings	
24.28								JS h					landscape			23-4E-4040	B. This section applies to commercial or non-house scale multi-family development that is located adjacent to a public right of way.	
24.29								JS h					landscape			23-4E-4050	C. This section applies to <b>commercial</b> zones (says all zones)	
Division 23-4E4 Landscape			x				JSc						Downtown			23-4E-4040 Landscaping	Exempt CC and DC zones (and any other urban zones) from this section as written (and it is recommended that CC does not require any minimum setback).	Street trees are required.
Division 23-4E-3 Landscape			x				JSc						Landscaping			23-4E-4050	Remove Foundation Buffer because some areas should not have landscaping next to the slabs. Soils engineers are against this on larger buildings.	Architects do not design buildings for them to b soil conditions around foundation, conflicts with zone for ladders around building
Division 23-4E-4 Landscape			x				JSc						Landscaping			23-4E-4060(D)	Remove island every 8 spaces and make it every 10 spaces	Landscape islands at 10 spaces has been stan and will make redevelopment costly to retrofit p
Division 23-4E-4 Landscape			x				JSc						Landscaping			23-4E-4060(F)(2)	Modify the 10' landscape islands and make them 9'	Landscape islands have been 9 for decades, 8 zones, no need to change.
24.34 Division 23-4E-4 Landscape	Shoreline		x				JSC						Nonzoning	YES		23-4E-4120: Functional Green Requirements.	Requirements of application of Function Green shall be codified including: What sites are required to comply? To what % are sites required to comply? Which team has review authority over decisions? What is allowed to overlap (trees, water quality, other) and what is not? What land can be used for compliance (private land only, parkland, ROW. easements, etc)?	
24.35 Division 23-4E-6 Specific to Use 6030 - Accessory Dwell		C								76	$\square$					(020 (4) T-11-02 -T	Discourses	Postoro 10' distance habuses structures
24.37	unity of the Acoluci Iudi	x								15			ADU Placement	NO		6030 (A) Table 23-4E- 6030 (A)	Placement (1) If detached, minimum 6' 10' to the front, rear, or side of the primary structure or above a detached garage; may be connected to the primary structure with a covered walkway;	Restore 10' distance between structures equal adjacent single family units.

NOTES		
	YES/NEUTRAL /NO	
	,	STAFF RESPONSE
NS GENERAL.		
quire a site plan under Section n off-street parking requirement		
ace located adjacent to the site		
nal Circulation Routes that meet		
	-	
ulations near schools. Note: parking is not compatible		
air to other businesses and ductions in parking that are not cars already on the streets.		
p place to parkg when streets cyclists.		
t to comply and review? Also		
d DC zones currently has no h the new setbacks? Does it all		
out small projects? maybe req		
own to maximize density, Great	-	
to be hidden, would destabilize vith AFD Requirements for clear		
tandard for decades, onerous		
fit parking lots s, 8 is minimum for planting		
ual to setbacks between	-	III (), limit bldg sigs og 0/ af lat av av'-ther 143.
ual to setbacks between		HLC: limit bldg size as % of lot or existing bldg.

APTER	IIE	DESIRED PROPOSED CHANGES TO D3 INITIATED BY COMMSSIONER							REQ. ADD'L STAFF						
AR CH	<u>5</u>	CHANGES TO D3	NDERSON ART AZI ENNY	ICKOLS UCKOLS UCKOLS	MMSSIONER HIEH HIEH	HOMPSON /HITE HAW	IEN DOZA EICH EICH	TOPIC AREA	FEEDBACK	GENERAL	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
	6060 - Adult Entertainment	X			<u>s</u> s s			Adult Entertainment Use	NO	GENERAL	6060 (D)	(D) Allowed: Except as provided in Subsection (E) ( <del>1)</del> An adult entertainment use-other than including an adult lounge: (a) s allowed in a MU4B, or MU5A Zone, DC or CC Zone; and (b) Is allowed with a conditional use permit in the MU4B, MU5A, DC or CC Zones; and (2) An adult lounge is allowed with a conditional use permit in a MU4B, MU5A, DC or CC Zone.	Require CUP for all adult entertainment.		JAN REFORE
24.38	6070- Alcohol Sales	x				TS		Alcohol Sales	YES		6070	CORRECT; Section 4-9-4 (Minimum Distance from Certain Uses.	Added Section 4-9-4 (min. distance from certain uses). This reference number is incorrect-does not exist. As ALCOHOL SALES are defined as <b>The retail sale of alcoholic beverages for off-premises consumption</b> , are distances from certain residential uses required?		
24.40	Add New Bar/NightClub Section (there is a def. for Bar/Nightclub)	x				TS		Bars and Nightclubs	YES			<ul> <li>ADD AND RENUMBER: 6090 Bars and Nightclubs- (A) Location Restrictions. A use that includes the sale of alcohol must comply with Section 4-9-4 (Minimum Distance from Certain Uses).</li> <li>(B) Late-Hours Permit. A restaurant operating late at with a late-hours permit from the Texas Alcoholic Beverage Commission requires a conditional use permit if it is located within 200 feet of a Residential House Scale Zone. The distance is measured to the lot line. (C) Bar or Nightclub with outdoor seating must be a minimum of 200 feet from a Residential House-Scale Zone, unless the use is located within an enclosed shopping center.</li> <li>(D) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A"-weighted decibels, measured at the property line of the licensed premises. In this subsection, "premises" has the meaning ascribed to it in the Texas Alcoholic Beverage Code.</li> </ul>	Include same requirements for restaraunts serving alcohol w/ late hours for bars and nightclubs. Need correct reference for 4-9-4		
24.41	Coperative Housing	x				TS		Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		
24.42	6160 - Duplex	x				TS		Duplex design requirements	NO			ADD:(D) Duplex units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element.(5) On a lot less than 10,000 square feet the use must not exceed 6 bedrooms.	Add back design requirements and limit on bedrooms to no more than 6 for lots < 10,000 SF.		
24.43		x	СК	(				Remove max ADU size on second floor	No	No	Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a second floor to 550 sq ft.		
24.44	6200 - Home Occupations			КМ								Eliminate all new entitlements proposed for Home Occupations Including prohibit Signage associated with home occupations in residential house scale zones.	These new entitlements for additional employees, sales, parkiing and signs are invasive to peaceful neighborhoods. Live/Work and other mixed use and commercial areas allow for offices.		
24.45	6210 - 6280 - 6390			КМ								Townhouse Use and Live/Work uses require at minimum at least one blockface. Prohibit Signage associated with Live-Work in residential house scale zones.	These uses are not compatible with stand alone houses and should only exist in a cohesive development.		
24.46					JS h			Home Occupation				C. why is "medical" office referenced if it is a prohibited use either eliminate it from K or C I Off street storage of the commercial vehicle is in addition to requirement of the dwelling unit. L. COMPLIANCE TO ADA? Ramps? Etc??? Help!			
24.47					JS h			livework				NO parking?) I would assume that since it is a dwelling unit, there is at least one parking (8) Landscaping MAY be required and should comply with (small projects shouldnt require)	Need to require.		
24.48		x			PS			Uses			Occupations	23-4E-6200(D) & 23-4E-6200 (F) add "excluding R1A-R3D residential zones."	The addition of 3 employees and limited retail sales is a burden in residential neighborhoods especially parking and traffic congestion. The Live/Work zone allows up to 2 employees by-right and up to 3 with an CUP. Interesting that a CIUP is required for 3 employees in a Live/Mork zonewhile only an		
24.49	Group Residential	x				TS		Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		
24.50	6240- Multi-Family	x				TS		Multi-Family Open Space	YES		6240	DELETE: (B) Required Open Space	Common Open Space is already covered based on zones. This adds confusion as to when common space is required. 23-4C-1030 required common open space for sites greater than one acre in levels of 5% of gross site area. This is based on 10 unit threshold. Also, Personal Open space requirements in (B)(3) are covered in the open space table for each zone requilation. Perhaps this is meant for zones that are not required to have common open space either by zone type or size.		

CHAPTER	DIVISION	RED PROF ANGES TO			IN	IITIATED	BY COM	MMSSIC	DNER		EX	OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
				ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA	TEICH			GENER	AL SPECIFIC SECTION		
	6310 -Restaurant Late Night Operation	x									rs			Restaurant Late Night	NO		6310(A((4)	CORRECTION NEEDED: Section 4-9-4	No section 4-9-4 can be found.
24.51	6310 -Restaurant Late Night Operation	x									rs			Operation Restaurant Late Night Operation	YES		6310(C )	(C) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A" weighted decibels from the hours of	Are there hours that this should apply? Should the should apply?
24.52	23-4E-6340 Short Term Rentals					км											23-4E-6340	Eliminate Short Term Rental as a legal use	In order to make existing housing stock available housing shortage"
24.53	23-4E-6340 Single-Family Attached		x								rs			Single-Family Attached	YES		Add new section	ADD RELEVANT SECTIONS OF 6160 AND (D) Single Family Attached units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element.(5) On a lot less than 10,000 square feet the use must not exceed 6 bedrooms.	
24.54	Division 23-4E-6 Specific to Use		x		FK									Affordability	No		23-4E-6	"(A) Purpose: This section established the requirements to develop cooperative housing units and to reuse existing residential buildings to accommodate cooperative housing opportunities. (B) Occupancy Requirement. The bedrooms and residential space within a Cooperative Housing unit on a site must be occupied by residents who have shares if the cooperative corporation sells shares. Bedrooms and residential space may be occupied by residents undergoing a trial period of defined duration for membership in the nonprofit or cooperative corporation. (C) Operation. A Cooperative Housing unit must be operated by a cooperative or nonprofit corporation whose members reside on the site. (D) Additional Requirements for Cooperative Housing in a RR, R1-R4, RM, MS, MU Zone. The requirements of the base zone apply, unless modified by Table A."	Allow housing cooperatives in R zones to have development standards to encourage their effici development.
24.55	Division 23-4E-6 Specific to Use		x		FK									Affordability	No		23-4E-6	(E) Additional requirements for Cooperative Housing organized as a Cottage Court. a. A housing cooperative may follow the design requirements for Cottage Courts if the Cottage Court type is allowed in the base zone. 2. A housing cooperative organized as a Cottage Court shall follow the Development Requirements established in Section 23-4E 6150 of this Titl. 3. A housing cooperative organized as a Cottage Court shall be eligible for 4 additional bonus units when participating in the Affordable Housing Bonus Program. (F) Combining Lot and Open Space Requirements. Lot area and open space requirements may be combined and shared among cooperative housing units with conditional use approval provided that the overall density remains consistent with standards defined in this Section. (G) Alternative Site Design Compliance. If a multifamily use is converted to a cooperative housing use and participates in the Affordable Housing Density Bonus Program, it may be expanded or altered without requiring related to building placement, open space placement, parking placement, and setbacks.	Allow housing cooperatives in R zones to have development standards to encourage their effici development.
24.56	Division 23-4E-6		x						JSh										cottage ct diagram wrong, internal drive thru allo ADA and parking? Some uses should be allowe
24.57	Division 23-4E-6 Specific to Use	x			АН									Residential			23-4E-6150 (A)	Remove depth minimum. Table 4E-6150 (A) Cottage Court Requirements Depth Minimum 20' clear, min.	exempt internal ADU if primary Depth minimums are too prescriptive and canno smaller lots or corner lot
24.58	Division 23-4E-6 Specific to Use	x		ľ	АН								1	Residential			23-4E-6150 (A)	Table 4E-6150 (A) Cottage Court Requirements           Area         1.000 sf. Min. total           200 sf/unit min.         100 sf/unit min.	There is already a per unit minimum area spelle minimum area needs to be adjusted to account Total is too large relative to lot size.
24.59 24.60	Division 23-4E-6 Specific to Use	x			чн									Residential			23-4E-6150 (A)	Amendment: Change open space width minimum. Replace open space width minimum to 20' clear minimum <u>on lots over</u> 100' wide, and 10' clear minimum on lots less than 100' wide	The 20' width does not fit on lots less than 100' v
24.61	Division 23-4E-6 Specific to Use	x		ľ	١H									Residential			23-4E-6150 (A)	Open space requirements cannot be met with open space that is provided in a required front or side-street setback on lots that are 100' or greater in width	Requirement cannot be met on lots less than 10
24.62	Division 23-4E-6 Specific to Use	х		ľ	чн					$\uparrow \uparrow$		$ \uparrow $		Residential			23-4E-6150 (A)	The main entrance to the court from the front street.	This does not allow enough flexibility for corner
24.63	Division 23-4E-6 Specific to Use	х		ľ	νн									Residential			23-4E-6150 (A)	On a corner lot, the units adjacent to the side street must front both the court and the street.	If unit is on corner, they should have access from
24.64	Division 23-4E-6 Specific to Use	x		ĺ	чн									Residential			23-4E-6150 (A)	Driveway and parking areas must be screened from the common court by buildings, fence, or wall.	Safety issue parking in fenced/screened area av Parking close to unit is considered a market star regulations to encourage this building type rathe

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
uld this limit be in all zones?		
lable to serve Austin's "dire		
y attached. 23-5C-2060 includes		
ave more flexible site		
officient and effective		
ave more flexible site efficient and effective		
a allowed?, Home occupation owed, 550sqft adu second floor		
annot fit around site conditions,		
belled out in code. Total unt for 3 unit cottage courts.		
00' wide.		
n 100' wide.		
ner lots.		
from either main or side street.		
a away from residence at night; standard nationwide. Develop ather than preventing its use.		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON HART KAZI KAZI MCGRAW MCGRAW MCCROLS OLIVER SCHISSLER SCHISSLER SCHISSLER SCHISSLER SHAW	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
24.65	Division 23-4E-6 Specific to Use	x	АН		Affordability	No	No 23-4E-6	"(A) Purpose: This section established the requirements to develop cooperative housing units and to reuse existing residential buildings to accommodate cooperative housing opportunities. (B) Occupancy Requirement. The bedrooms and residential space within a Cooperative Housing unit on a site must be occupied by residents who have shares if the cooperative corporation sells shares. Bedrooms and residential space may be occupied by residents undergoing a trial period of defined duration for membership in the nonprofit or cooperative corporation. (C) Operation. A Cooperative Housing unit must be operated by a cooperative or nonprofit corporation whose members reside on the site. (D) Additional Requirements for Cooperative Housing in a RR, R1–R4, RM, MS, MU Zone. The requirements of the base zone apply, unless modified by Table A."	Allow housing cooperatives in R zones to have development standards to encourage their effici development.
24.66	Division 23-4E-6 Specific to Use	X	АН		Affordability	No	No 23-4E-6	(E) Additional requirements for Cooperative Housing organized as a Cottage Court. a. A housing cooperative may follow the design requirements for Cottage Courts if the Cottage Court type is allowed in the base zone. 2. A housing cooperative organized as a Cottage Court shall follow the Development Requirements established in Section 23-4E5 6150 of this Titl. 3. A housing cooperative organized as a Cottage Court shall be eligible for 4 additional bonus units when participating in the Affordable Housing Bonus Program. (F) Combining Lot and Open Space Requirements. Lot area and open space requirements may be combined and shared among cooperative housing units with conditional use approval provided that the overall density remains consistent with standards defined in this Section. (G) Alternative Site Design Compliance. If a multifamily use is converted to a cooperative housing use and participates in the Affordable Housing Density Bonus Program, it may be expanded or altered without requiring related to building placement, open space placement, parking placement, and setbacks.	Allow housing cooperatives in R zones to have development standards to encourage their effic development.
	Division 23-4E-6 Specific to Use	x	СК		Remove max ADU size on	No	No Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a sec
24.67	Division 23-4E-7 Additional General Standards				second floor				
24.69	Division 23-4E-7 Additional General Standards	x	FK		Affordability	No	23-4E-7040	23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single-family residential or duplex and in Subsection (D)(4) for a cooperative use, not more than four unrelated adults may reside in a structure, in the following zones:; (D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation.; 23-4E-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than fifteen unrelated adults may reside in each dwelling unit of Cooperative Housing.	If another amendment changes the overall occu still work in harmony with it because its a larger
	Division 23-4E-7 Additional General Standards		JSh		Dwelling Unit Occupancy Limit		23-4E-7040	C. Max occupancy of a duplex not more than 3 per unit or 5 per unit if meets criteria of B1,2,3	increase duplex occupany allowance under sam
24.70	Division 23-4E-7 Additional General Standards	x	JSh						max occupany duplex up 10 total "if", land use of more under CUP - hey Co-ops! Do we allow m Fences are too restrictive compared to today property line, and on the property line, intersecti encroachment says allowed only 3' on side, for allowed
24.72	Division 23-4E-7 Additional General Standards	x	GA GA		Coops	No	23-4E-7040	23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single- family residential or duplex and in Subsection (D)(4) for a cooperative housing use, not more than four unrelated adults may reside in a structure, in the following zones: 23-4E-7040 (D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation. 23-\$e-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than two unreleated adults times the number of bedrooms in a Cooperative Housing unit.	Allowing cooperatives but limiting occupancy to does not allow sufficient residency to make a co
24.73	Division 23-4E-7 Additional General Standards	x	GA		Affordability	No	23-4E-7040	(A) Maximum Occupancy. Except as otherwise provided, not more than six unrelated adults may reside in a dwelling unit. The maximum occupancy for a dwelling unit shall be the greater of six unrelated adults, the specifications of (B) through (E) below, or two unrelated adults times the number of bedrooms in the dwelling unit.	Per NHCD's own affordability impact statement four unrelated adults unnecissarily drives up the who need to share space. This is also supporte Coalition and Austin Tenants Council
24.73	Division 23-4E-7 Additional General Standards	x	AH		Affordability		23-4E-7040	(A) Maximum Occupancy. Except as otherwise provided, not more than- six unrelated adults may reside in a dwelling unit. <u>The maximum</u> , occupancy for a dwelling unit shall be the greater of six unrelated adults, the specifications of (B) through (E) below, or two unrelated adults times the number of bedrooms in the dwelling unit.	People share rooms to be able to afford to live i

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ave more flexible site afficient and effective		
ave more flexible site officient and effective		
second floor to 550 sq ft.		
		HLC: Use Front Yard setback of block, add new language to match bkldg height with neighborhood, add 15 setback for new story addition and 15' stepback or 1/3% of existing build for old buildings
occupancy for all zones, this can rger limit for co-ops.		
same allowance as SF homes		
ise commission able to allow w more occupany for coops? y we are okay 4-5' on front sections okay. Ramp for corner lot more can be		
y to 4-6 unrelated individuals a cooperative viable		
nent the limit as it stands today at the cost of housing for people orted by the Austin Housing		
ive in Austin.		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3 INITIATED BY COMMSSIONER					EX	OFFIC	сіо	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO			
				ANDERSON HART	KAZI KENNY	NUCKOLS	OLIVER SCHISSLER SEEGED	SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA	TEICH			GENERA	AL SPECIFIC SECTION		
24.75	Division 23-4E-7 Additional General Standards		x	АН									Affordability	No	No	23-4E-7040	<ul> <li>23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single-family residential or duplex and in Subsection (D)(4) for a cooperative use, not more than four unrelated adults may reside in a structure, in the following zones:;</li> <li>(D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation.; 23-4E-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than fifteen unrelated adults may reside in each dwelling unit of Cooperative Housing.</li> </ul>	
24.76	7040 Dwelling Occupancy Limits		X							TS			Dwelling Occupancy Limits	YES		7040	<ul> <li>C) Maximum Occupancy in a Duplex and Single Family Attached. Not more than three unrelated adults may reside in each unit of a duplex, unless:</li> <li>(i)Before June 5, 2003:</li> <li>(ii)The use was established; and</li> <li>(i)After June 5, 2003; the gross floor area in the duplex structure doesnot increase more than 69 square feet unless to complete construction authorized before that date or to comply with the American Disabilities-Act,</li> <li>(i)O Occupancy Limits in-Certain Zones</li> <li>(j)Except as provided in Subsection (D)(2) for a single-family residential or duplex-use, not more than four unrelated adults may reside in a unit structure, in the following zones:</li> <li>(ii)Lake Austin Residence (LA) Zone;</li> <li>(i)Residential House-Scale 2C (R2A) Zone;</li> <li>(i)Residential House-Scale 3A (R3A) Zone;</li> </ul>	Simplify occupancy limits. Check with staff on p were gransfathering requirements.
24.77										TS							<ul> <li>(2) The requirements of this subsection do not apply if:</li> <li>(a)Before March 31, 2014 a building permit was issued for the unit or the use was established; and</li> <li>(b) After March 31, 2014:</li> <li>(i) The gross floor area does not increase more than 69 square feet, except to complete construction authorized before March 31, 2014 or to comply with the American with Disabilities Act, or</li> <li>(ii) Any interior remodel that requires a building permit does not result in additional sleeping rooms.(3)</li> <li>A structure located on a site exempt from these standards under Subsection (D)(2) that is partially or totally destroyed by a natural disaster, act of god, or fire does not become subject to this subsection, if a building permit to repair or reconstruct the structure is applied for within one year of the date of the partial or total destruction.</li> <li>(E)Maximum Occupancy for a Site with an Accessory Dwelling Unit. Not more than two unrelated adults may reside in the accessory dwelling unit, unless</li> <li>(1) The use was established before November 18, 2004; and</li> <li>(3) After November 18, 2004, the unit was not remodeled to increase gross floor area more than 69 square feet, unless to finish construction authorized before that date or to comply with the American Disabilities-Act.</li> </ul>	
24.78	Division 23-4E-7 Additional General Standards		x	AH									Residential			23-4E-7060	(5) Fences of any kind, any height, in any zone are prohibited within 20 feet (as measured from the property line) of the intersection of: (a) A driveway and a street or alley; or (b) Two streets; or (c) A street and an alley.	
24.79								JSh								23-4E-7060	B 1. 4 <sup>+</sup> to 5 <sup>+</sup> max-for sloped lots in front setback or building line whichever- is less, 6 <sup>+</sup> with administrative variance 2. 6 <sup>+</sup> at rear and side property lines (7 <sup>+</sup> max on sloped lots), 8 <sup>+</sup> with administrative variance	fence regulations are considerably more restrit regulations of modify D3 to or
24.80	Division 23-4E-7 Additional General Standards		x	AH				ICL					Residential			23-4E-7070 23-4E-7080	(D) Side Setback Exemption for Attached Townhouses. Attached townhouses are not subject to side setback requirements.	
24.81	Disjoing 22 4E 9 Building Duning Clay doub							121								23-46-7000		
24.82	Division 23-4E-8 Building Design Standards																	
Chapter 25	23-5: Subdivision Article 23-5A Introduction	NONE MIN	NOR MAJOR											YES/NO	YES/N	0		
25.1	Division 23-5A-1 General Provisions																	

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
on provisions to see of there		
on provisions to see of there		
stritive Should restore current to our proposal		
o ou proposa		

			HANGES T	POSED O D3		INI	TIATED B	Y COMMS	SIONER		EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					ANDERSON	KAZI KENNY	taw OLS	OLIVER	SEEGER SHIEH THOMPSON	WHITE SHAW		MENDOZA TEICH			GENERAL			
	1010						КМ										add Item 13) Ensure to the greatest extent legal that additions and subdivisions result in complete communities.	
25.2 26	Article 23-5B Subdivision Procedures																	
26.1	Division 23-5B-1 General Requirements 1050 - Variance Determination			x						T	S		Large Residential and PUD platting requirements	NO		1050	(B) Variance Criteria for Specially Approved Development.(1) If a preliminary plan or final plat is associated with a mass housing project, a planned unit development, or a similar specially approved development, the Land Use Commission may grant a variance from a requirement of Article 23-5C (Platting Requirements) if the Land Use Commission determines that:	remove special variance for PUDs. PUDs shou 1050 (A) for variance.
26.3	Division 23-5B-2 Preliminary Subdivision Plan	С																
26.4	Division 23-5B-3 Final Subdivision Plat Division 23-5B-4 Changes to Recorded Plats	_																
26.5	, and the second	С																
26.6 27	Division 23-5B-5 Subdivision Construction Plan Article 23-5C Platting Requirements	_																
27.1	Division 23-5C-1 Property Markers, Easements, and Alleys									$\square$						22.50.4020		This should be the section
27.2	Division 23-5C-1 Property Markers, Easements, and Alleys Division 23-5C-2 Lots		x					JSc					Easements and Alleys	No		23-5C-1020	Easements for public utilities and drainage ways shall be retained in all subdivisions in the widths and locations determined necessary by the director. All easements <u>as defined by the criteria manual</u> shall be dedicated to public use for the named purpose and shall be aligned to minimize construction and future maintenance costs.	This clarifies the section
27.3 27.4	2040 Flag Lots						КМ										Eliminate all entitlements to create Flag Lots inside the city as well as in the ETJ.	Flag lots set up new intrusive patterns in existin special agreements in greenfield development trash and traffic on to narrow flag poles. Small zones can accommodate the desired density wi neighbvorhods. Some areas have deed restricti
27.4	Division 23-5C-2 Lots		x		A	H FK		JSc					Lot Size	No		23-5C-2020 (B)(1)	Lower the minimum lot size to 2,500 sq ft and 3,000 sq ft on a corner lot	The cost of land is a driving factor in household
27.5	Division 23-5C-2 Lots	-	x			H FK		JSc					Lot Size		_	23-5C-2020	DELETE section 23-5C-2020	The cost of land is a driving factor in household
27.6			Â		ſ			,,,,,					Affordaibility	No				
27.7	Division 23-5C-2 2040- Flag Lots			x						T	S		Flag Lots			2040	[See RWG recommendations]	Flag lot requirements provided. No variance re way to remove barriers to missing middle housi an MUP at a minimum.
27.8									JSh				flag lots			23-5C-2040	D. REINSTATE THAT IT REQUIRES VARIANCE FROM LAND USE COMMISSION	
27.8	2060-Single Family Attached						км										Delete this use	This was called Small Lots in Version 2 and it w this allowed? The name has been changed to s What comments to version 2 drove the need to
27.10									JSh				Single Family Attached			23-5C-2060		C CCRS approved by City Attorney spell ou general language about operations and mainter
27.10	Division 23-5C-3 Utilities	С																creationwe call out the technical parts but that
27.12	Division 23-5C-3 3099 - TRASH Division 23-5C-4 Trees for Residential Subdivision						КМ									New section	PROVIDE FOR TRASH COLLECTION AND UTILITY SERVICES FOR EVERY LOT THAT ARE CONSISTENT IN LOCATION ALONG THE SAME PUBLIC ROW FOR ADJACENT LOTS IN ANY SUBDIVISION OR RESUBDIVISION	The city never requires provision for trash servi rpreponderence of small lots and flag lots requi for. Many central city resubs result in utilities an consistent wsith adjacent properties. we need to as we chop up the city into smaller pieces.
27.13 Chapter	r 23-6: Site Plan	NONE	MINOR	MAJOR										YES/NO	YES/NO			
28	Article 23-6A: Purpose and Applicability									T T						-		
28.1	Division 23-6A-1: Purpose and Applicability	С						$\square$		$\square$	$\square$							
28.2	Division 23-6A-2: Exemptions Division 23-6A-2: Exemptions		x			FK		JSc					Exemptions	Yes		Table 23-6A-2010 (A) Site Plan Exemptions	Construction or alteration of a single-family residential structure, <u>single-family attached</u> , duplex residential structure, <u>accessory dwelling unit</u> , or an accessory structure (1) - <del>No more than two residential structures are eonstructed on a legal lot or tract Structure quantity does not exceed the quantity allowed in the applicable zoning category; and"</del>	
28.3							TN									23-6A-2	In Table 23-6A-2010(A), amend "Construction and change less than 1,000 square feet and the limits of construction is less than 3000 square feet.", to add the following: "(5) If existing impervious cover is removed and trees are planted and perpetually maintained thre, the impervious cover removed does not count toward the 1,000 or 3,000 square feet limit."	Imagine Austin calls for "complete communitie need a healthy tree canopy.
28.5	Division 23-6A-2: Exemptions		x			FK		JSc					Exemptions	Yes		Table 23-6A-2010 (A) Site Plan Exemptions	Residential construction of three to six ten units - Provided the project complies with the requirements of Division 23-2A-3 (Residential Development Regulations).	Missing middle housing shouldn't have to go thi otherwise you'll only get six units and rarely eve
<b>29</b>	Article 23-6B: Site Plan Review and Filing Requirements Division 23-6B-1: Application Review and Approval		1															
29.1 29.2	Division 23-6B-1: Application Review and Approval			x				JSC					Applicaton Requirements	Yes		23-6B-1010 (D)(1)(a)	(a) For a site plan required due to a use change triggering a conditional use site plan that otherwise meets the criteria under 23-6A-2; Exemptions for Site Plan Review, compliance with requirements of a development or construction site does not apply.	

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NOTES		
	YES/NEUTRAL	
	/NO	
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should demonstrate criteria in	-	
	-	
isting neighborhoods and require ent . These configurations crowd		
all lot entitlements in certain y without intrusions to existing		
trictions that are being ignored.		
nold unaffordability.	-	
nold unaffordability.		
e required. This is identified as a		
ousing. Flag lots should require		
it was not clear what zones is		
to single-family attached lots. d to add this to the code?		
Il out the requirements need ntenance possibly HOA		
that is it		
ervices in any subdivision. The		
equires that this be accounted		
es and trash not in locations ed to do a better job of planning		
, , , ,		
nities." Complete communities		
o through a complete site plan -		
ever seven to ten units.		

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CHA			NGES TO D3		IN	NITIATED B	BY COMMSSI	ONER	E		TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
				NDERSON	JRT VZI	NNY CGRAW ICKOLS	IVER HISSLER EGER	IEH OMPSON 1127	AW	KKAKUI ENDOZA ICH						
29.3	Division 23-6B-2: Submittal Waivers			Ā	4 X	₩ ž ž	<u> </u>	<u></u>	S F	3 2 2			GENERAL	SPECIFIC SECTION		
29.4	Division 23-6B-3: Release															
30	Article 23-6C: Expiration Division 23-6C-1: Expiration	C						пп	ТТ		1					
30.1 Chapte	r 23-7: Building, Demolition, and Relocation P	Permits:	Special Re	auirem	nent Pe	ermits Fo	or Historio	c Structi	ires			YES/NO	YES/NO			-
31	Article 23-7A: General Provisions Division 23-7A-1: General Provisions	, 					<u> </u>			- T T	-	-	<b>I</b>			
31.1	Division 23-7A-1: General Provisions		x				JSc							23-7A-1020	Historic Properties and Buildings 45-50 or More Years Old	The national standard for historic protection is 50
31.2											Historic Zoning				<ul> <li>(A) The building official must notify the historic preservation officer before issuing a building, demolition, or relocation permit for a building 45 50 or more years old.</li> <li>(B) The building official may not issue a building, demolition, or relocation permit for a property described in Subsection (D) unless all applicable requirements of Division 23-7D have been satisfied.</li> </ul>	
51.2	Division 23-7A-1: General Provisions		х				JSc							23-7A-1050	HISTORIC PROPERTY INVENTORY. A list of all properties across	This will provide regulatory certainty and identify
31.3											Historic Zoning				the city's zoning jurisdiction that either are historically zones or might, qualify for historic zoning protection. The historic preservation officer- shall develop this list no later than January 1. 2024 and update it. thereafter from time to time. The list should include a mix of commercial and residential properties, be spread geographically throughout the zoning jurisdiction, identify the reasons that the property might be historic, and include no more than one percent of the land area of the zoning jurisdiction. When developing this list, the historic preservation. officer shall evaluate properties that are currently zoned historic for. delisting. The list should provide sufficient detail for the City Manager to determine the amount of tax waivers are associated with the protections.	currently protected but should be.
32	Article 23-7B: Building Demolition and Permits Division 23-7B-1: Building and Demolition Permits	С					111	<u>, , , , , , , , , , , , , , , , , , , </u>								
32.1 32.2	Division 23-7B-2: Permit Applications						+ $+$ $+$ $+$	+++	+					-	-	
	Division 23-7B-3: Demolition Permit Expiration and Extension															
32.3 32.4	Division 23-78-3: Demolition Permit Expiration and Extension						JSc							23-7D-3010	Review for Buildings 45-50 or More Years Old Without Historic Designation (A) This section applies to a building, structure, or site that is: (1)-45-50 or more years old; and (2) Does not have historic designation of any kind.	50 is the national standard
33 33.1	Article 23-7C: Relocation Permits Division 23-7C-1: Relocation Permits	<b>I</b> I					111	<u>, , , , , , , , , , , , , , , , , , , </u>	П							
	Division 23-7C-1: Relocation Permits		х				JSc				Historic			23-7D-1020	Article 23-7D: Special Requirements for Historic Properties and	50 is the national standard
33.2 33.3	Division 23-7C-2: Relocation Requirements										Zoning				Buildings-45-50 or More Years Old	
34	Article 23-7D: Special Permit Requirements for Historic Prope	rties and Bu	uildings 45 or M	lore Years	s Old		<u> </u>									
34.1	Division 23-7D-1: Overview Division 23-7D-2: Properties with Historic Designation															
34.2 34.3	Division 23-7D-3: Properties without Historic Designation															
34.4	Division 23-7D-3: Properties without Historic Designation Division 23-7D-4: Pending Historic Designations		x				JSc				Historic Zoning			23-7D-3010	Review for Buildings 45 50 or More Years Old Without Historic Designation (A) This section applies to a building, structure, or site that is: (1) 45-50 or more years old; and (2) Does not have historic designation of any kind.	
34.5 34.6	Division 23-7D-5: Appeal															
35 35.1	Article 23-7E: Maintenance Requirements Division 23-7E-1: Maintenance Requirements		·								1					
36 36	Article 23-7F: Enforcement and Penalties		<u>i</u>				· · · ·	<u> </u>								
36.1	Division 23-7F-1: Demolition by Neglect and New Construction	Nevr											hisothur			L
Chapter 37	r 23-8: Signage Article 23-8A: General Provisions	NONE N	MINOR MAJO	R								YES/NO	YES/NO			
37.1	Division 23-8A-1: Pollicy and Administration	С														
37.2	Division 23-8A-2: Sign Permit and Registration	С														
38	Article 23-8B: Regulations Applicable to All Signs Division 23-8B-1: General Requirements															
38.1	Division 23-8B-2: On-Premise Signs Allowed Without a	С		╉	+ + +		+++	+++	++	++						
38.2	Permit Division 23-8B-2: On-Premise Signs Allowed Without a					км		$\square$							(C)(1)(c) should read "the total area of signs does not exceed 9 square	Do we really want signs on houses?
	Permit														feet" (instead of 36) (C)(1)(d) should read "the maximum height does	
38.3 38.4	Division 23-8B-3: Prohibited Signs	$\vdash$			+ + +	+	+++	+++	++	++					not exceed 6 feet above grade" (instead of 8)	
38.4 38.5	Division 23-8B-4: Non-conforming Signs							$\left  \right $	++							
39	Article 23-8B: Regulations Applicable to Sign Districts and Sign Division 23-8B-1: Regulations by Sign District and Sign		·								1					
39.1	Division 23-8B-2: Regulations by Sign Type	C			$\square$		+++	$\vdash$	++							
39.2	Division 23-8B-3: Regulations for Non-Standard Signs	C			+ + +	$\square$	+ $+$ $+$ $+$	+++	++	++						
39.3 <b>40</b>	Article 23-8D: Enforcement and Relief Procedures	С														
40	Division 23-8D-1: Enforcement	С														
40.2	Division 23-8D-2: Variances and Appeals	С														

NOTES		
	YES/NEUTRAL	
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		STAFF RESPONSE
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is 50 years.	-	
ntify properties that are not		
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CHAPTER ARTICLE	NOISIVID	3		RED PROP ANGES TO		INITIATED BY COMMSSIONER						E	X OFFICIO	0	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOT
			NONE	MINOR		ANDERSON HART	kazi Kenny	MCGRAW	OLIVER	SEEGER SHIEH	THOMPSON WHITE	SHAW	MENDOZA				GENERAL			
Chapter 41	23-9: Transpo Article 23-9A: Gen	eral Provisions	NUNE	MINOR	MAJOR											YES/NO	YES/NO			
41.1	Division 23-9A-1	Policy and Administration																		
41.2	Division 23-9A-1	Policy and Administration			x	GA								Р	Rough Proportionality	No		23-9A-1030	(4) Proportionality determinations required under Division 23 9A 2- (Proportionality of Transportation Infrastructure Requirements), including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	This section states that standards for important t as Rough Proportionality standards should be se Criteria Manual that the public has not seen or h provide input. Leaving such important standards the revised LDC process and in a criteria manue not provide clear guidance and predictability. Th
41.3	Division 23-9A-1	Policy and Administration			x	GA								P	Rough Proportionality	No		23-9A-1050	MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. <del>The</del> term does not include dedications or improvements to directly serve a development under generally applicable development regulations.	This definition needs modification and is importa with rough proportionality requirements. The las should be deleted. This sentence is problematic types of improvements would be excluded and o different ways. rough prop should be allowed for
41.4	Division 23-9A-1	Policy and Administration			x				JS					T	Transportation Criteria	Yes		23-9A-1030 (B) (4)	Proportionality determinations required under Division 23-9A-2. (Proportionality of Transportation Infrastructure Requirements), including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	Rough proportionality should be defined in code section states that standards for important trans, Rough Proportionality standards should be set for Criteria Manual that the public has not seen or h provide input. Leaving such important standards the revised LDC process and in a criteria manue not provide clear guidance and predictability.
41.5	Division 23-9A-1	Policy and Administration			x				JS						Municipal Fransportation Infrastructure	Yes		23-9A-1050	MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVELMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. <del>The</del> term does not include dedications or improvements to directly serve a- development under generally applicable development regulations.	This definition needs modification and is importa with rough proportionality requirements. The las should be deleted. This sentence is problematic types of improvements would be excluded and o different ways.
41.6	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements																		
41.0	Division 23-9A-2	Infrastructure Requirements Proportionality of Transportation Infrastructure Requirements		x		GA									Proportionality Determination	Yes		23-9A-2020 B	The director shall issue a written determination of an applicant's roughly proportionate share of transportation infrastructure costs attributable to a proposed development <u>during predevelopment process or have a separate</u> <u>30 day max review process for list of included RP improvements and estimated cost, for projects prior to approval of an application for which dedication of right-of-way or the construction or funding of system transportation improvements is required. <u>Process for submittal and</u> <u>review of RP evaluation shall be defined in code and completely.</u> <u>offline/ahead of TIA, TDM, or other traffic study review.</u> A determination issued under this section:</u>	Proposed modifications to the rough proportiona adopted only via modification to this code sectio by City Council.AJ634
41.8	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			x				JS					d	Codify policies	Yes		23-9A-2		Policies regarding what is considered part of a p shall be included in code, not criteria manual. Th "Municipal transportation infrastructure improver
41.9	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			x				15.						RP Infrastructure	Yes		23-9A-2020 (C) & (D)	(C) If a proposed development is subject to a proportionality determination under this section, the director shall identify in writing all transportation infrastructure improvements required in conjunction with approval of the development application. The infrastructure- improvements may include right of way dedication, the construction or funding of system improvements, or any combination thereof, in an amount not to exceed the total roughly proportionate share as established by the proportionality determination- RP definition shall include: (1) The land value (as determined by appraisal) of all dedicated ROW within or adjacent to a property as required by the City, (2) the hard cost of all transportation improvements associated with a project or required of a. project by the City except for those associated with private on-site drives. and parking, (3) the design and permitting "soft" costs associated with any required transportation improvements determined via a TIA or otherwise required by the City	RP requirements and inclusions should be deter code and listed within Code.
41.9									JS										(D) To aid in making a proportionality determination and identifying- required infrastructure improvements, the director may: (1) Adopt administrative guidelines setting forth assumptions, procedures, formulas, and development principles used in making a proportionality determination; and (2) If an applicant contests the director's- proportionality determination, require an analysis under Article 23-9C- (Transportation Review and Analysis) that would otherwise not be- required or other information related to traffic and safety impacts- Proposed modifications to the rough proportionality procedures shall be adopted only via modification to this code section as approved and adopted by City Council.	Cont'd

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
		STAFF RESPONSE
tant transportation matters such be set forth in a Transportation or had the ability to review and lards to be determined outside of anual written in the future does y. This should be in code.		
portant as it relates to offsets e last sentence in this definition natic because it is unclear what and could be interpreted in many ed for land onsite.		
code, not criteria manuals. This ransportation matters such as set forth in a Transportation or had the ability to review and lards to be determined outside of anual written in the future does y.		
portant as it relates to offsets e last sentence in this definition natic because it is unclear what and could be interpreted in many		
tionality procedures shall be ection as approved and adopted		
of a project rough proportionality al. This includes definition of rovements" (23-9A-1050)		
determined prior to adoption of		

APTER RTICLE	LLE	DESIRED PROPOSED							REQ. ADD'L STAFF FEEDBACK	]		SUBSTITUTE LANGUAGE	COMMISSIONER NO
5 2	āĒ	CHANGES TO D3	ANDERSON HART KAZI	MCGRAW MCGRAW NUCKOLS NUCKOLS	SCHISSIER SCHISSLER SEEGER THOMPSON WHITE WHITE	SHAW BURKARDT MENDOZA	TEICH	TOPIC AREA	FLEDBACK	GENERAL	VENDMENT TYPE SPECIFIC SECTION	SUBSTITUTE LANGUAGE	COMMISSIONER NO
41.11	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	x			JSC			Proportionality Determination	Yes		23-9A-2020 (B)	Strike the following language in item (B): "prior to approval of an application for which dedication of right-of-way or other construction or funding of system transportation improvements is required." and replace with "within 60 days of submission of a TIA, TDM, or other traffic study for the project."	
41.12	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	x			JSC			Proportionality Determination	Yes		23-9A-2020 (B) (3)	Shall state the roughly proportionate share attributable to the property owner for the dedication and construction of transportation-related improvements necessary to ensure an effective and safe transportation- system that is sufficient to accommodate the traffic generated by a proposed development_that will improve the transportation system immediately affected by the development to best mitigate the increased traffic caused by the development, as much as can be achieved considering physical and financial constraints. This statement shall not be intended as a measure to lessen density or deny development permit approvals along transportation ways that are in poor operating condition prior to proposed new development activity.	
41.13	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	×			22L			Proportionality Determination	Yes		23-9A-2020 NEW SECTION (E)	A rough proportionality determination made on a project shall be made with an initial project application and shall be grandfathered through. future applications so long as the project has not (1) let any project. application expire, (2) been in default of any application, or (3) changed the intended use and/or density in a manner that will increase the traffic generated by the project build out.	
41.13	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	x			JSC			Rough Proportionality	No		23-9A-2020 B	<ul> <li>"(B) The director shall issue a written determination of an applicant's roughly proportionate share of transportation infrastructure costs attributable to a proposed development prior to approval of an application for which dedication of right-of-way or the construction or funding of system transportation improvements is required. A determination issued under this section:</li> <li>(1) Need not be made to a mathematical certainty, but is intended to be used as a tool to fairly assess the roughly proportionate impacts of a development based on the level of transportation demand created by a proposed development relative to the capacity of existing public infrastructure;</li> <li>(2) Shall be completed in compliance with generally recognized and approved measurements, assumptions, procedures, formulas, and development principles; and</li> </ul>	A clearly defined Rough Proportionality (RP) rev standardized procedures for making determinati established. There is no specific process definer 3. The RP review process should be written in a
41.15					JSC			Rough Proportionality	No			<ul> <li>(3) Shall state the roughly proportionate share attributable to the property owner for the dedication and construction of transportation-related improvements necessary to ensure an effective and safe transportation system that is sufficient to accommodate the traffic generated by a proposed development.</li> <li>(4) Within 30 days of submission, must provide a list of included/qualified rough proportionality improvements and estimated costs.</li> <li>(5) The Director shall develop rules using the admistrative rule process to develop a process for submital and review of rough proportionality evaluations, and the timing them in relation to TAs, TDMs, other other traffic study reviews. These rules shall be presented to the Planning Commission for a recommendation to Council. Council shall approve the rules, reject them, or approve them with modifications.</li> </ul>	Continued from above
<b>42</b> 42.1	Article 23-9B: Right-Of-Way Dedication and Reservation Division 23-9B-1: General Provisions												
42.2	Division 23-9B-1: General Provisions	x			JSC			Right-of-Way Variance	Yes		23-9B-1030 (A)	If a development application requires approval by the Land Use- Commission or city council, an applicant may request a variance under this section from a requirement to dedicate, reserve, or improve right-of- way. The purpose of the variance procedure authorized by this section is to provide for consideration of unique impacts that requirements of this chapter may have on property relative to the transportation needs generated by proposed development.	The language in this section suggests that only a development application requires approval by th city council is qualified to request a ROW varian current LDC does not limit an applicant who is sa The ability to seek a ROW variance should be al development applications, regardless of applica
42.3	Division 23-9B-1: General Provisions	x			JSc			Right-of-Way Variance	Yes		23-9B-1030 (B)	(B) Application Requirements. A request for a variance under this- section must be: (1) Submitted in a manner approved by the director and- include any information required by the director to evaluate the variance- request; and (2) Associated with a pending development application,- unless the director determines that the amount of public right of way that would be required for dedication is 15 percent or more of a project site's- total land area.	The application requirements need clarification a variance request application submittal requirem discretion to the director for approval. The applic predictable for an applicant.
42.4 42.5	Division 23-9B-2: Right-Of-Way Dedication and Improvement Division 23-9B-2: Right-Of-Way Dedication and Improvement	X			JSc			Dedication of right of way and construction of improvements	Yes		23-98-2010 (A)	Right of Way Dedication. A landowner shall dedicate all public right of way required to adequately serve the transportation needs of proposed- development consistent with the standards of this Tile. The amount, location, and alignment of right of way to be dedicated shall conform to the Transportation Plan, an approved collector plan, or an approved- capital improvement project and may be required within, adjacent to, or outside the boundaries of a proposed development.	Delete with the purpose of re-writing. This section be interpreted to required dedication of land that own. There is also nothing defined in the code the considered "adequate". We suggest clarification to ensure that this requirement for right-of-way of is not required outside of a site plan boundary.

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
) review process, including inations, needs to be	-	
fined in current code nor in Draft in a manner that is predictable.		
nly an applicant whose by the Land Use Commission or ariance. Section 25-6-86 in the is seeking a ROW variance. be allowed by all types of blication type.		
ion and are too broad. The rements give too much pplication process is not		
ection is problematic as it can that the landowner may not de that clarifies what is ation and an edit to this section ray dedication by the landowner ry.		

CHAPTER	NOISINIQ	3) 11		IRED PRO			INI	TIATED B	Y COMMS	SIONER		EX	OFFICIO	то	OPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
						ANDERSON	ANDERSON HART KKAZI KKANY MCGRAW NUCKOLS OLIVER OLIVER SHEH THOMPSON WHITE SHAW WHITE SHAW WHITE SHAW WHITE SHAW TEICH TEICH						mendoza Teich				GENERA	L SPECIFIC SECTION		
42.6	Division 23-9B-2:	Right-Of-Way Dedication and Improvement		x					JSc					A r	Adjacent roadway	Yes		23-9B-2010 (B) (1) (C)	(c) the likelihood that adjoining property will develop in a timely manner.	
42.0	Division 23-9B-2:	Right-Of-Way Dedication and Improvement			x				JSc					rig cons	edication of ght of way and astruction of provements	Yes		23-9B-2010 (A) (2)	Construction of all required street improvements and transportation- facilities, consistent with the applicable standards of this Title, is required within public right of way needed to directly serve a proposed- development.	
42.8					x				JSc					Dec rig cons	dication of ght of way and istruction of provements			23-9B-2010 (B)(2) Frontage Roads	(2) Right-of-Way Improvements. Construction of all required street- improvements-and transportation facilities, consistent with the applicable- standards of this Title, is required within public right of-way-needed to- directly serve a proposed development.	This section mandates improvements or dedica federal, or other sole municipality managed tran outside of the City's purview. The language in th open-ended. This code section should be remo- unnecessary mandate and additional layer upor existing process is already in place. For exampl adjacent to State right-of-way is currentry requir process for review and approval relating to nece
42.9	Division 23-9B-2:	Right-Of-Way Dedication and Improvement		x					JSc					of Ri Ded	termination tight of Way dication and provements	Yes		23-9B-2020 (A)(2)(B)	(b) Approval of the rezone would substantially increase the intensity of development allowed on the property to the extent that right of way- needs may be reasonably assessed without a site plan, subdivision, or- other development application: increase the anticipated traffic generated on the site more than 25% what is allowed under current zoning at maximum build out. A traffic engineer should provide clarification via a signed and sealed letter of the traffic generated by the modified zoning compared with the traffic generated by the existing zoning.	
42.10	Division 23-9B-2:	Right-Of-Way Dedication and Improvement			x				JSc					est rig	andards for stablishing ght of way lignment	Yes		23-9B-2040 (B)(2)(c) (ii)	(ii) if the centerline of the street is proposed to be shifted from its present alignment, <u>such shift shall be shown in a published/approved</u> <u>transportation plan</u> , the proposed right-of-way centerline; or	
42.11 <b>43</b>		Right-Of-Way Reservation	С																	
43 43.1		sportation Review and Analysis General Provisions								TT				П						
	Division 23-9C-1:	General Provisions								J	Τ						Yes		Per UTC recommendation, "Specifically remove Level of Service (LOS) as a metric and include VMT as a replacement."	
43.2		General Provisions		x					JSc						nsportation Review			23-9C-1010(A)(2)	(A) This article establishes procedures for analyzing and mitigating the impacts of new development on the transportation system by: (1) Determining the extent to which streets and other municipal transportation infrastructure are impacted by new development; and (2). Requiring new development to provide transportation infrastructure-improvements and other mitigation necessary to address the impacts of new development, and (2). Require new development to provide payment for or improvements to transportation infrastructure. Improvements and/or other mitigation to best address the impacts of new development, as is feasible given physical constraints of the transportation network and projects financial constraints of Rough. Pronortionality.	The mitigation language needs to be restated in development approval and/or permit is not cont funding and/or building transportation infrastruc mitigate traffic caused by the development. To Imagine Austin, we recommend that this langua prioritization of density in urban zones (cbd and
43.4	Division 23-9C-1:	General Provisions			x				JSc						rpose and oplicability	Yes		23-9C-1010 (A)	This article establishes procedures for analyzing and mitigating the impacts of new development on the transportation system by:	Language should be modified as mitigation is m development in urban environments – language development on congested streets that increase Language shall be crafted such that infill development
43.5	Division 23-9C-1:	General Provisions			x				JSC						irpose and oplicability	Yes		23-9C-1010 (B)(1)	Division 23-9C-2 (Comprehensive Transportation Review) is the highest level of transportation review and applies to new development anticipated to generate impacts of at least <del>1,000</del> <u>2,000</u> vehicle trips per day <del>or 100</del> <del>peak hour trips;</del>	RECA: The lowered TIA threshold of 1,000 trips requirement to downtown discourages density in our corridors. To encourage Imagine Austin der critical mass for transit, as well as expedite incr threshold for TIA requirements should be reeva
43.6	Division 23-9C-1:	General Provisions		x					JSc					Trip	Calculation	Yes		23-9C-1020 (b)	(B) To determine a street's existing trip count, the director shall rely on most recent data or establish a current trip count based on generally- accepted guidelines, regulations within this code or the Transportation <u>Criteria Manual and utilizing the federally accepted measures for</u> <u>calculating vehicle trips.</u>	
43.7		General Provisions			x				JSc						nsportation Review			23-9c-1030 (B)	Add "If an affordable development does not require an analysis" and Delete language: Under(B) (1)-(3), "reasonably priced" because it is too vague and undefined.	
43.8	Division 23-9C-2:	Comprehensive Transportation Review																		
43.0	Division 23-9C-2:	Comprehensive Transportation Review							JSc									23-9C-2010 Purpose and Applicability (B)	(B) Compliance with this division is required if a proposed development is anticipated to generate impacts of at least 1,000 vehicle trips per day or 100 peak hour trips, after deducting any trip reductions approved by the director under Section 23 9D 2030 (Transportation Demand- Management) A Comprehensive Transportation Plan is required when both a TLA and a TDM are required (per section 23-9C-2020 and 2030) and refers to the combined report containing information found in both a typical TIA and TDM.	This section needs to be evaluated. In addition t modification, consider including a threshold bas that aligns with method of study and determinat (such as peak hour analysis) to provide more of

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		YES/NEUTRAL /NO	STAFF RESPONSE
			STATE RESPONSE
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dications related to state, transportation networks which is in this section is too general and moved as it creates an upon the landowner where an umple, every project that is quired to go through TxDOT necessary dedication and			
ed in such a way that a contingent upon development tructure improvements to To accomplish the goals of aguage is modified to allow for a and corridors).			
is not always an option for new Jage needs to allow for infill eases transit ridership over time. velopment is not restricted.			
trips/day and application of said ity in the urban core and along density goals and create a increased housing supply, the evaluated.			
			Dtwn Comm: 2010 exempt TIAs and allow TDMs in CC &
ion to the suggested			DC zones
ion to the suggested based on alternate methodology ination of impact at intersections re certainty and predictability.			

No.         No. <th>HAPTER</th> <th>NUISION</th> <th>DESIRED PROPOSED CHANGES TO D3</th> <th></th> <th>INITIATED</th> <th>BY COMMSS</th> <th>IONER</th> <th></th> <th></th> <th>TOPIC AR</th> <th>EA</th> <th>REQ. ADD'L STAFF FEEDBACK</th> <th>]</th> <th>AMENDMENT TYPE</th> <th>SUBSTITUTE LANGUAGE</th> <th>COMMISSIONER NO</th>	HAPTER	NUISION	DESIRED PROPOSED CHANGES TO D3		INITIATED	BY COMMSS	IONER			TOPIC AR	EA	REQ. ADD'L STAFF FEEDBACK	]	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
All       All<				ANDERSON HART	KENNY MCGRAW MLICKOLS	OLIVER SCHISSLER SEFEER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MEN DOZA TEICH				GENERAL	. SPECIFIC SECTION		
Number of the second	43.10	Division 23-9C-2: Comprehensive Transportation Review	X			JSc				Transporta	ition			Transportation Impact	the scope approved by the director under Subsection (A) and must comply with the requirements described in this subsection.(1) A transportation impact analysis must be prepared in accordance with the Transportation Criteria Manual and must establish: (c) the capacity of affected streets intersections before and after the proposed development;	
Image: Section of the sectio		Division 23-9C-2: Comprehensive Transportation Review	x			JSc				Transporta	ition			Transportation Impact	others that a TIA will be performed at the same time of site plan submittal. (a) must be submitted with an application for a site plan or subdivision. or planned unit development zoning district; and (b) may be submitted, at the applicant's discretion, or as required by the city council, for a zoning application other than a planned unit	
All       Sector	43.12					JSc								Transportation Impact	<ol> <li>(1) Initial TIA. If a proposed development meets the trip threshold established in Section23-9D-2010 (Purpose and Applicability), an initial transportation impact analysis:</li> <li>(a) must be submitted with an application for a site plan or subdivision. or planned unit development zoning district; and</li> <li>(b) may be submitted, at the applicant's discretion, or as required by the city council, for a zoning application other than a planned unit</li> </ol>	The conflicting timing concepts between (C)(1)( removed. TIA submittal requirements should be Current draft language suggests that City Counc when it is not initially required, which could add development process.
Alian         Alian <th< td=""><td></td><td>Division 23-9C-2: Comprehensive Transportation Review</td><td>x</td><td></td><td></td><td>JSc</td><td></td><td></td><td></td><td>Transporta</td><td>ition</td><td></td><td></td><td>23-9C-2030 (B)</td><td>Need to see TCM draft and vet along with proposed code language</td><td>Need more information on trip reduction measur code can be adopted</td></th<>		Division 23-9C-2: Comprehensive Transportation Review	x			JSc				Transporta	ition			23-9C-2030 (B)	Need to see TCM draft and vet along with proposed code language	Need more information on trip reduction measur code can be adopted
Aliant       Description       Temperature	43.14	Division 23-9C-2: Comprehensive Transportation Review	x			JSc				Transporta	ition			23-9C-2030(C)	Subsection (B)(2), a TDM plan that meets the requirements of this- section must be submitted concurrent with a transportation impact- analysis required under Section 23 9C 2020 (Transportation Impact- Analysis). A TDM review shall be submitted with a formal application for zoning, subdivision, preliminary plan, or site plan review. A TDM shall be reviewed and approval provided with formal comment report on the application. If the TDM reduces trips below the TTA threshold, the	TDM submittal requirements, procedures and tir appear to be inefficient by requiring multiple stu concurrently. The timing of TDM submittal could TDM plan should be submitted in lieu of a TIA an needs to be clarified. To be more clear and pred timing of a TDM submittal becomes part of a pre the predevelopment summary identifies any and applicant.
Distant 25-80-2       Competition Review       X       X       R						JSC									TDM plan in lieu of a transportation impact analysis if the director finds- that implementing the TDM plan is sufficient to reduce vehicle trips- generated by a proposed development to a level below the threshold- established in Section 23-9C-2010 (Purpose and Applicability). (b) The- director shall allow submittal of a proposed TDM plan in lieu of transportation impact analysis if a proposed development is anticipated to generate less than 2,000 trips per day. A TDM plan submitted under this paragraph shall be limited to reasonable design enhancements and other- cost effective strategies that can be efficiently integrated into project- design. (c) Compliance with a TDM plan approved under Paragraphs- (B)(2)(a) (b) shall be required as a condition to approval of a development application under Division 23-9C-4 (Development Conditions and Mitigation) and may be subject to conditions under-	CONTD
43.17       Division 23-9G-3. Neighborhood Transportation Impact Analysis       Image: Constraint on Constrant constrant on Constraint on Constraint on Constraint		Division 23-9C-2: Comprehensive Transportation Review	x			JSC				Transporta	ition			23-9C-2030(D)	strategies for reducing transportation demand based on the layout,	TDM submittal requirements, procedures and til appear to be inefficient by requiring multiple stu concurrently. The timing of TDM submittal could TDM plan should be submitted in lieu of a TIA a needs to be clarified. To be more clear and prec timing of a TDM submittal becomes part of a pr the predevelopment summary identifies any and applicant.
Analysis       Analysis       Analysis       Analysis       Image: Analysis       <		Analysis														
Division 23-9C-3:       Neighborhood Transportation Impact       X       X       V       ISC	43.18		×			JSc				Transporta	ition	Yes				The definition of multi-modal transportation is un predictable process, multi-modal transportation and defined in code. The code should include a approved "modes" and specific goals of mode s implementing code policies regarding redirecting
A1.1       Division 23-9D-1:       Action on Development Application       V	43.19	Analysis	x			JSc				Transporta	ition			23-9C-3020	include list of allowed/approved "modes" and goals regarding mode split for purpose of implementing code policies regarding redirecting traffic to	
Division 23-9D-1: Action on Development Application X X X X X X X X X X X X X X X X X X X	44.1	Division 23-9D-1: Action on Development Application					$\square$	$\square$	1							
44.3						JSc JSc				Nonzoni	ng			23-9D-1030 (B)	regulations are finalized and once the new method of reviewing street	

NOTES		
	YES/NEUTRAL /NO	
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(1)(a) and (C)(1)(b) should be d be clear and predictable. ouncil can ask for a TIA even add 6-9 months to the		
easures before this section of		
nd timelines are unclear and s studies to be reviewed sould be simplified. Whether a 1Å and/or concurrent with a TIA predictable, we suggest that the a predevelopment meeting and <i>v</i> and all studies required for the		
nd timelines are unclear and sould be simplified. Whether a IA and/or concurrent with a TIA predictable, we suggest that the a predevelopment meeting and v and all studies required for the		
is unclear. In order to create a		
to noncepts should be clear te a list of allowable and de split for purpose of ecting traffic to other modes.		

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CHAPT ARTIC	птие		SIRED PRO HANGES T			IN	IITIATE	D BY CC	ommss	SIONER	1	E	X OFFI	ICIO	TOPIC AREA	FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
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44.4	Division 23-9D-1: Action on Development Application			x					JSc						Nonzoning			23-9D-1030 (B)(1)	(1) Delaying or phasing development until construction of municipal transportation infrastructure required to accommodate vehicle trips- generated by the development or other transportation improvements- necessary to directly serve the development; or	
44.4	Division 23-9D-1: Action on Development Application			x					JSc						Nonzoning			23-9D-1030 (B)(2)	(2) Reducing the density or intensity of the development, to the extent- necessary to ensure that the capacity of the street network is sufficient to accommodate vehicle trips generated by the proposed development.	
44.6	Division 23-9D-1: Action on Development Application			x					JSc						Transportation			23-9D-1030 (C)	Update section (C) to read as follows: "To the extend authorized under division 23-9D-2 (transportation INfrastructure IMprovements), and within limits of a projects approved Rough Proportionality Determination per section 23-9-XX, the director may condition development approval on the construction, dedication or funding of municipal transportation infrastructure improvements that would benefit the transportation system immediately adjacent to the development and assist in mitigating the effects of newly generated traffic from the development."	Need to clarify that application cannot be condit over/above RP value.
44.7	Division 23-9D-2: Transportation Infrastructure Improvements Division 23-9D-2: Transportation Infrastructure Improvements		x						JSc						Transportation			23-9D-2010(B)	Replace item (B) with following text "A Comprehensive Transportation Plan is required when both a TIA and a TDM are require (per section 23- 9C-2020 and 2030) and refers to the combined report containing information found in both a typical TIA and TDM."	23-9D-2010(B): Requirement of Comp Transpo with requirement for TDM per 23-0C-2030(A)(2
44.8 44.9	Division 23-9D-2: Transportation Infrastructure Improvements			x					JSc						Transportation			23-9D-2020(B)(1)	Add item (3) as follows "Identified improvements shall be funded by the applicant based on an estimated cost of the system improvement or, at the discretion of the applicant, may be built by the applicant conditioned on a cost reimbursement from the City of Austin equal to at least 20% of the estimate cost of the improvement."	Requirements for offsite improvements should incentivized (similar to 2010(B) language)
	Division 23-9D-2: Transportation Infrastructure Improvements			x					JSc						Transportation			23-9D-2030(B)(2)	Update item (2) to replace "or refund the fee at the request of the applicant who paid the fee" to say "automatically upon expiration of the 10 year period to the applicant who paid the fee."	The City shall automatically refund these funds responsible for managing funds and improvemente accountable.
44.10	Division 23-9D-2: Transportation Infrastructure Improvements			x					JSc						Transportation			23-9D-2040	Update item (A) to replace " certified under Division 23-3E-4 (SMART Housing)." to read " proposing any number of affordable housing units or affordable square footage for commercial use based on the percentage of affordable units/square footage (commercial) against the total units/square footage (commercial) of the project."	Reduced transportation mitigation should be ap housing projects regardless of whether they foll proposal as they serve to benefit all affordable
45	Article 23-9E: Right-Of-Way Construction Division 23-9E-1: General Provisions		-																	
45.1	Division 23-9E-2: Construction License	C C	-			++		+								-	-	-		
45.2	Division 23-9E-3: Right-Of-Way Permit							_				_					-			
45.3	Division 23-9E-4: General Design and Maintenance	C																		
45.4 45.5	Requirements Division 23-9E-5: Drivways and Alleys																			
45.6	Division 23-9E-6 Sidewalks, Urban Trails, Street Trees																			
45.7 <b>46</b>	Division 23-9E-6 Article 23-9F: Street Design																	23-9E-6040(B)	Add "If public right-of-way adjacent to the development is of insufficient width for the planting of street trees, street trees shall be planted on the applicant's property."	Imagine Austin calls for "complete communities need a healthy tree canopy.
46.1	Division 23-9F-1: General Provisions																			
46.2 46.3	Division 23-9F-2: Access to Major Streets Division 23-9F-3: Street Layout	_						_			_		_			_	_			
46.3 47	Article 23-9G: Road Utility Districts																			
47.1	Division 23-9G-1: Transportation Demand Management	С				++														
47.2	Division 23-9G-2: Construction of Facilities	С															150 400			
Chapter 48	23-10: Infrastructure Article 23-10A: Austin Water Service	NONE	MINOR	MAJOR												YES/NO	YES/NO			
48.1	Division 23-10A-1: General Provisions																			
48.2	Division 23-10A-2: Extension of Service, General Provisions																			
48.3	Division 23-10A-3: Extension of Service, Cost Participation Division 23-10A-3: Extension of Service, Cost Participation			x					JSc						Nonzoning			23-10A-3040 (D)		In many cases the City may deny cost participa and will still require the developer to build out th increase the pipe size to serve adjacent proper By limiting it only to servicing the proposed proj development on that site it will limit potential ab
48.5	Division 23-10A-4: Tap Permits			1																
48.6	Division 23-10A-4: Tap Permits		x						JSc						Nonzoning			23-10A-4080 Refund of Tap Permit Fee (B)	Strike "before the expiration date of the permit" because it should allow a request for a refund to be made at any time	
49	Article 23-10B: Water Districts Division 23-10B-1: General Provisions	С						T												
49.1	Division 23-10B-2: Procedure for Creation	C		+		++	+	+	++	++	-	+	+							
49.2	Division 23-10B-3: Conditions and Restrictions on Consent to	C				++	╉		++	+		$\vdash$	+							
49.3	Creation of District			1			1			1										

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nditioned based on request	_	
spo Plan here creates conflict		
uld not be required and rather		
nds if not used; The City is		
ements so this is a way to keep		
e applied to all affordable		
follow the City SMART housing ble renters		
itias " Complete communities		
ities." Complete communities		
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ipation due to lack of funding		
ut the new infrastructure or perties at the applicant's cost.		
property and proposed abuse of overreach by AWU.		

CHAPTER		HTTLE	DESIRED PR CHANGES			IN	IITIATED I	BY CON	MMSSION	IER		EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					ANDERSON	HART KAZI	KENNY MCGRAW NUCKOLS	OLIVER	SCHISSLER SEEGER	зніен THOMPSON	WHITE SHAW	BURKARDT MFNDOZA	TEICH			GENERAL	SPECIFIC SECTION		
49.4		4: Out-of-District Service	С																
49.5		5: Amendment to a Consent Document or an Agreement with a Water District	С																
49.6		3: District Bond Issuance	С																
<b>50</b> 50.1		ater and Wastewater Capital Recovery Fees : General Provisions				<u> </u>	TT	<u> </u>		<u> </u>									
50.2		2: Fee Established						+			-								
50.3	Division 23-10C-2	2: Fee Established	x					1	JSc					Nonzoning			23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a-site plan- or-building plan review; or	This ensures that the impact fee being paid is d is performing the impact.
50.4	Division 23-10C-3	3: Determination of Service Units	С																
50.5	Division 23-10C-4	4: Exemptions	С																
50.6	Division 23-10C-5	5: Discounts and Adjustments	С																
51	Article 23-10D: Re	eclaimed Water		-		<u> </u>	<u> </u>			<u> </u>									
51.1 52	Article 23-10E: D		С																
52.1	Division 23-10E-1	I: General Provisions					TT	TT		ТТ									
52.2	Division 23-10E-1	: General Provisions		x				l	ISc					Nonzoning			23-10E-1050 Obstruction of Waterways Prohibited	Unless authorized by a development application approved in compliance with Title 23, a person may not place, or cause to be placed, an obstruction in a waterway or drainage easement used for overland conveyance if the obstruction would cause impact to the conveyance of the waterway or drainage easement.	Clarifies that an easement may be obstructed, p does not cause impact to the conveyance.
	Division 23-10E-1	1:		х				l	JSc								23-10E-1060 Duty to	A waterway or other drainage infrastructure located within a City	This clarification eliminates the instances where required to remove the obstruction in a City own
52.3														Nonzoning			Maintain Ubnobstructed Waterways	drainage easement of any type shall be maintained by the City of Austin. The person in control of real property traversed by a waterway or drainage easement is prohibited from obstructing the waterway or drainage easement is accordance with 23-10E-1050 and shall be responsible for alerting appropriate City Officials of any obstructions within the waterway or drainage easement promptly upon discovery. Removal of naturally occurring obstructions is the responsibility of the City of Austin. Removal of unauthorized, manmade obstructions within, the waterway is the responsibility of the party responsible for placing the obstructions. must keep the waterway free from an obstruction that is- not authorized by a development application approved under Title 23.	an obstruction (tree or tree branch, etc.) ending
	Division 23-10E-1	Control Comments									TS								Removed the requirement that the engineer mu
52.4	Division 23-10E-2	2: Drainage Studies; Erosion Hazard Analyis;																	Engineer, a professional Engineer from any stat how much Texas's registered Professional Engineers other States' registered Professional Engineers work in Texas.
52.5	Division 23-10C-2	Floodplain Delineation 2: Fee Established	x						JSc	+						-	23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment	This ensures that the impact fee being paid is d
52.6	District 00 405 0	3: Standards for Approval												Nonzoning				Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a-site plan- or-building plan review; or	is performing the impact.
52.7		3: Standards for Approval		x		++		+	JSc	++			+ +	-		-	23-10E-3010	Proposal would include the following alternative options for site in an	Provide alternative options. Potential options lis
52.8														Nonzoning				<ul> <li>urban/suburban watershed that are also along a corridor, within ½ mile o transit or within a TOD:</li> <li>Option to develop to existing site impervious cover with 75% water quality volume compliance and detention required up to the 10 year storm for the full impervious cover.</li> <li>Option to develop to reduce existing impervious cover by 10% with 75% water quality volume compliance and no detention required.</li> <li>Option to develop above existing site impervious (if allowed by zoning/watershed code) with full water quality compliance and detention of new impervious to 100 year storm and existing impervious cover to 25 year storm.</li> </ul>	
52.9		3: Standards for Approval		x				1	JSc					Nonzoning			23-10E-3020 Regional Stormwater management Program (C) [NEW]	(C) The director may approve additional reductions to participation in the Regional Stormwater Management Program if: (1) The applicant. contributes towards the cost of drainage studies for the watershed (2). The applicant constructs off-site improvements in lieu of payment.	studies or construct off-site improvements that I
52.10	Division 23-10E-3	<ol> <li>23-10E-3010 Criteria For Approval of Development Applications</li> </ol>																	(A)(5) (f) reduces the post-development peak fic match the peak flow rate discharge for undeveloprescribed on the Drainage Criteria Manual.

NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
is directly related to the unit that		
ed, provided that the obstruction		
nere a property owner would be		
owned easement as a result of		
ling up there due to conveyance.		
must be a Texas Professional	-	
state can certify plans. Not sure Engineers will be open to having		
ers being able to do engineering		
is directly related to the unit that	-	
s listed here		
to participate in drainage nat benefit the whole watershed.		
at sonont the whole watershed.		
k flow rate of discharge to		
k flow rate of discharge to veloped conditions as		

CHAPTER	DIVISION		IRED PRO HANGES T			INIT	IATED B	Y COM	MSSION	ER		EX OFF		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
					ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSI FR	SEEGER	THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERA	L SPECIFIC SECTION		
52.11	Division 23-10E-3: 3020 - Certificate of Engineer Required for Certain Alterations and Improvements		x								TS			Certificate of Engineer Required for Certain Alterations and Improvements			3020 -	DELETE: (B)Subsection (A) does not prohibit the director from- accepting a plan or specification for a minor alteration or improvement- that, in the judgment of the director, does not require certification by an- engineer.	Director should not be allowed to circumvent S
52.12	Division 23-10E-5: Responsibilities of Applicant or Owner Division 23-10E-5: Responsibilities of Applicant or Owner			x				2L	5c					RSMP and Downstream Conveyance			23-10E-5020 Dedication of Easemetns and Rights of-Way	(B) An easement or right of way required by Subsection 23-10-5020 (A) must be of sufficient width to provide continuous access for the operation, maintenance, or repair of a drainage facility, as prescribed in the Drainage Criteria Manual.(C) The applicant must dedicate any additional easement or right of way that is necessary to allow continuous access for the operation, maintenance, or rehabilitation of a drainage facility.(B) The applicant shall allow access through the project site as necessary to allow City operation, maintenance, or rehabilitation of a drainage facility; such access shall be described in the easement terms for the facility, but shall not be required to be dedicated as an easement.	intentions of both.
	23-11: Technical Codes (TBD) Article 23-11A: Introduction	NONE	MINOR	MAJOR											YES/NO	YES/NC	)		
54	Article 23-118: Technical Codes Division 23-11B-1: Building Code	<b>.</b>	T	1			r r		<u> </u>	<del></del>		-				_			
54.1 54.2	Division 23-11B-2: Food Establishments																		
54.3	Division 23-11B-3: Reserved																		
54.4	Division 23-11B-4: Electrical Code Division 23-11B-5: Mechanical Code						$\vdash$		++							-			
54.5 54.6	Division 23-11B-6: Plumbing Code											_							
54.7	Division 23-11B-7: Fire Code																		
54.8	Division 23-11B-8: Solar Energy Code Division 23-11B-9: Property Maintenance Code						$\vdash$		++	+	+					-			
54.9 54.10	Division 23-11B-10: Reserved								++	+	+								
54.11	Division 23-11B-11: Residential Code																		
54.12 <b>55</b>	Division 23-11B-12: Energy Code Article 23-11C: Administration of Technical Codes																		
	23-12: Airport Hazard and Compatible Land	( NONE	MINOR	MAJOR											YES/NO	YES/NC	)		
56	Article 23-12A: General Provisions Division 23-12A-1: Height Limits and Airport Hazards			1 1	-		п		пт	<u> </u>	<u> </u>	-			1 1	-			
56.1	Division 23-12A-2: Compatible Land Uses	C C					$\vdash$					_					-		
56.2	Division 23-12A-3: Nonconforming Uses, Structures, and															_	-		
56.3	Objects; Marking and Lighting Division 23-12A-4: Permits	C					$\vdash$		++	+ +	++	_				_			
56.4	r 23-13: Definitions and Measurements		MINOR	MAJOR											YES/NO	YES/NC			
57 57	Article 23-13A: Definitions and Measurements	NONL	MINOK	MAJOR											TES/NO	TES/NC	, 		
57.1	Division 23-13A-1: Terms and Measurements Division 23-13A-1: Attached		x							Т	w			DEFINITIONS		F	13a-1 pg 3	ATTACHED-When used with reference to two or more buildings units, means having one or more common walls or being joined by a roof; eovered porch or covered passageway measured 20' in depth from the front lot line to rear.	
57.2	Division 23-13A-1: Conserve		x							Т	w			DEFINITIONS				Conserve: to maintain the height, footprint and roof line of an existing building for the first 25' as measured from the building line toward the rear lot line	
57.3	Division 23-13A-1: Gross (GFA)			x						Т	w			DEFINITIONS			13A-1 pg.11	GROSS (GFA) The total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The term excludes loading docks, 1st floor porches, stoops, basements, atties, stories below grade plane, parking facilities, driveways, and enclosed loading berths and off-street manuvering areas	The intention with this change is to reduce the toreduce the cost of projects by making it easie easier to review. It would also reduce the num of FAR limits by homeowners who turn exempl space. This change would go hand in hand
57.4	Division 23-13A-1: Small Area Plan									т	w				x			Small Area Plan (MISSING). <u>Please add.</u>	allowable FAR in all residential zones. Small Area Plan (MISSING). Please add. Sma planning tool and are referenced in Draft 3, yet
57.5	Division 23-13A-1: Stepback								$\dagger$	Т	w	$\uparrow$			x			Stepback (MISSING). <u>Please add.</u>	Stepback (MISSING). Please add. The term 's throughout 23-4D, but is not defined. The curre but that is not the same thing.
57.7	Division 23-13A-1: Urban Core									T	w							Urban Core (MISSING). <u>Please add.</u>	Urban Core (MISSING). Please add. 'Urban C 3 to describe geographical areas where certain so this needs a clear definition, ideally with live currently defines it only in the context of Parkla
57.8	Division 23-13A-1: Valid Petitions									T	w				x			please add a definition for Valid Petitions, including applicability, procedures, etc., similar to what the draft provides for Vested Rights Petitions in 23-K-2	In the interest of fairness, please add a definitic including applicability, procedures, etc., similar Vested Rights Petitions in 23-K-2
57.9									i I	5				Attached			23-13A-1030	When used with reference to two or more buildings ADD - When used with reference to duplex or single family dwellings with dual same street frontage, means being joined by a roof of 20' minimum measured perpendicular to the street frontage.	this will be tweak by workging group

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
it State P.E. Rules.		
amendment which clarifies the		
	-	
	-	
he amount of exemptions		
asier to calculate the FAR and imber of unintentional violations mpted space into habitable nd with an .05 increase to the		
Small area plans are a major city yet not defined here.		
n 'stepback' is used in irrent draft does define setback,		
n Core' is used throughout Draft tain zoning requirements apply live link to map. The draft kland Dedication		
nition for Valid Petitions, ilar to what the draft provides for		

CHAPTER		DESIRED PROPOSED CHANGES TO D3		INITIATED BY COMMSSIONER							EX OFFICIO		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NO
			ANDERSON	HART KAZI	kenny Mcgraw	NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	SHAW	BURKARDT	MEN DOZA TEICH			GENERAL	L SPECIFIC SECTION		
57.10	Division 23-13A-1: Terms and Measurements	x					JSc						Definitions			23-13A-1030	Delete Deficient Park Area Map definition and replace with "Proximity to Park Area Map": "A map depicting areas that the Parks Director has by rule determined lack sufficient parkland based on the criteria in 23-3B 1 and 23-3B-2"	Delete Deficient Park Area Map definition and re Park Area Map"
57.11	Division 23-13A-1: Terms and Measurements	x					JSc						Definitions			23-13A-1030	HEIGHT, ACCESSORY STRUCTURE. Height, for the purpose of establishing required setbacks, shall be defined for every point within the footprint area of an accessory structure, including a tree house, as the vertical distance between <u>finished grade</u> and the highest part of the structure directly above. Height in all cases shall include, but is not limited to, any slab, platform, pad, mound or similar elevated base above pre-existing grade.	
57.12	Division 23-13A-1: Terms and Measurements	x					JSc						Definitions			23-13A-1030	UNIFIED DEVELOPMENT AGREEMENT. An agreement approved at the discretion of the responsible director in order to treat two or more legal lots or tracts, as a single site for the purpose of applying specified regulations of the Land Development Code, <u>including sites zoned for</u> residential use.	UDA's are currently not allowed on residential si aggregation that is often required to achieve uni Allows more flexible site planning for tree prese
57.13	Preservation				KN	и											Preservation is defined as the act or process of applying measures neces- sary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, elec- trical, and plumbing systems and other code-required work to make prop- erties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment. The Standards for Preservation require retention of the greatest amount of historic fabric along with the building's historic form.	Per secretary of Interior - proposed by HLC
57.14	Division 23-13A-1: Terms and Measurements								TL				DEFINITION				Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.]	Per HLC recommendation, from Dept of Interior
57.15					KN	v							Definitions			23-13A-1030	REWRITE PER EXISTING MCMANSION CODE	This should say NATURAL grade NOT FINISHE
57.16	Division 23-13A-2: Land Uses																	
57.17	Division 23-13A-2: Land Uses	x	GA	FK	¢		JSc						Definitions			23-13A-2030(C)	Cooperative Housing: A housing use operated by a cooperative (under Section 251.002 of Texas Business Organizations Code), or a nonprofit or other entity in which residents are entitled equal voting rights, and equal ownership shares if the cooperative sells shares.	Amend Language
57.42	Division 23-13A-2: Land Uses	x		FK	(								Definitions			23-13A-2030-A	ACCESSORY DWELLING UNIT 1. RESIDENTIAL. A subordinate dwelling unit added to, created within, or detached from a primary residential structure that provides basic. requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the primary structure. A tiny home, Manufactured Home or Recreational Vehicle that does not have a motor may be used as a residential accessory dwelling unit. 2. COMMERCIAL. A subordinate dwelling unit added to, created within, or detached from a primary commercial structure that provides basic requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the primary structure.	
57.18	High Opportunity Area								Т	w				x			High Opportunity Area (INACCURATE, POTENTIALLY OFFENSIVE). Please replace with "Qualifying area" and strengthen the definition to require an area to provide at least three or more of the listed conditions to qualify	High Opportunity Area - a metric needs to be ad this area will be redefined
									Т	w							Please add definition of <b>Multi-Unit</b> .	Please add definition of <b>Multi-Unit</b> . While Draft references to Multi-Family, it replaces this term
57.20	Multi-Unit			$\left  \cdot \right $	++	++	+	$\neg$	Т	w	$\left  \right $	+		x			Affordable Housing (INCOMPLETE). <u>Please replace or augment</u>	23-4D. Please provide a definition for both terms
57.21	Affordable Housing			$\left  \right $		+	+		Т	w	$\mathbb{H}$		doficitio			specific definition	current definition with: "See Article 23-3E: Affordable Housing." remove work/live definition	this is redundant with the definition for live work.
57.22	live/work & work/live	x		$\left  \cdot \right $		++	+	-	   T	w		+	definitions	×			Please add definitions	simplyfies anything and I think it'll end up being a let's discuss why these aren't included as definit
57.23	micro units, modular, mobile homes	x											missing defe	х				code?

NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
nd replace with "Proximity to		STAFF RESPONSE
rements interpretations shouldn't		
al sites. UDAs facilitate e unit yields per AIA Charrettes. reservation, etc.		
)		HLC: 1030 Define Preservation
erior.		HLC: 1030 Define Preservation
SHED GRADE		
ies and should be allowed.		
e added to mandate how often		
raft 3 still contains a few erm with Multi-Unit throughout erms.		
vork. I don't see how this ing subjective which is which.		
finitions or uses in our new		