

1. Provide by Wednesday (5/2/18) at 10pm any amendments, additions, removals of code language you plan for action taken during our CodeNEXT deliberations.
2. Mark a simple "x" in the column labeled "A" if you have no exceptions, minor (such as wordsmithing or something you believe is in line with Draft 3 but only slight differentiation) or major (departure from Draft 3 intent or character). I recognize this is somewhat subjective between minor and major, such as suggesting a small height or setback change that may be small in number that in actuality may be viewed by some as major change. All will be discussed regardless and this is simply an initial organizational tool.
3. Mark an "x" under your name in column "B".
4. Under "C", include the most simple identification that can organize code discussions during our deliberations. For Example, "Parking, Compatibility, Environment, ADU, Form, Admin, Mapping, Flooding, Uses, Transportation, etc."
5. If you need staff available related your questions, concerns, proposed amendments that authored related code text, please mark a YES/NO under column "D" so that I can notify Director Guernsey provide necessary
6. Under column "E", if your proposed comments, questions, concerns are general or broad in nature, mark an "x" in the "General" column. However, it is critical for our efforts to identify, as specifically as possible, which section of code you are addressing with your comments. If you must identify the whole division that is understandable, however as we organize any potential motions using specific code sections will be most beneficial to our efforts. In doing so, you will allow the opportunity to see if there are similar offerings for consideration. In addition, you will give me better support to organize our deliberation efforts most efficiently. There may be instances where potential draft changes extend to other sections of code or are contingent upon specific information included in other sections. Please utilize the Notes column as much as needed to describe your intentions. This can help fellow commissioners understand your suggested changes or questions and thereby reduce additional discussion time during our deliberations.
7. Utilize column "F" for specific draft code you propose related to that section.
8. This spreadsheet format has been left editable. Obviously there will be the need to add rows between Divisions so that multiple sections can be addressed within the respective Division. It was not feasible to add all the sections within each division. Add as many rows between divisions as you need to address your full list. I will combine them together.

CHAPTER ARTICLE	DIVISION TITLE	A			B												C	D	E		F	G		H									
		DESIRED PROPOSED CHANGES TO D3			INITIATED BY COMMSIONNER												EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE		SUBSTITUTE LANGUAGE		COMMISSIONER NOTES									
					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE					
GENERAL		NONE	MINOR	MAJOR							SO											YES/NO		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.							
Chapter 23-1: Introduction		NONE	MINOR	MAJOR	YES/NO																		YES/NO										
1 Article 23-1A General Provisions																																	
1.1	Division 23-1A-1	Title, Purpose, and Scope																															
1.3	Division 23-1A-2	Authority	C	X								JSc													23-1A-2030	(A) Effect of Land Development Code. The standards and procedures applicable to development of property within the City limits and within the City's extraterritorial jurisdiction are stated in the land Development Code (LDC) or technical criteria manuals 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.	This clarifies that the technical criteria manuals supercede the statements of city officials or employees.						
1.4	Division 23-1A-3	Classification of Application and Decisions																															
2.6	Division 23-1A-4	Classification of Application and Decisions										JSc													23-1A-3020 (C)Administrative 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 quasi-juducial approval, conflicts with 32-1A-3020(C) as administrative decision						
1.5	Division 23-1A-4	Consistency with Comprehensive Plan	C									JSc																					
1.7	Division 23-1A-5	Rules of Interpretation	C	X								JSc													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 inside the LDC. This new language gives the director the authority to interpret the LDC to avoid any potential conflicts wherever possible.						
2 Article 23-1B Responsibility for Administration																																	
2.1	Division 23-1B-1	City Council	C																														
2.2	Division 23-1B-2	Boards and Commissions	C																														
2.3	Division 23-1B-3	Administration	C																														
2.4	Division 23-1B-4	Neighborhood Planning																															
2.5	Division 23-1B-4	Neighborhood Planning										KM													23-1B-4010	Neighbrohood Contact Teams may submit plan amendments.	This should not be removed.						
2.7	Division 23-1B-4	Neighborhood Planning																						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 neighborhood feedback other than public hearing. The process should go to PC much sooner so we can provide early feedback.							
Chapter 23-2: Administration and Procedures		NONE	MINOR	MAJOR	YES/NO																		YES/NO										
A.3.0.1	GENERAL	Administration & Procedures		X																				X									
3 Article 23-2A Purpose and Applicability																																	
3.1	Division 23-2A-1	Purpose and Applicability																															
3.2	Division 23-2A-2	Development Process																															

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH											THOMPSON
																	GENERAL	SPECIFIC SECTION							
3.3	Division 23-2A-2																No	23-2A-2010 (2) Quasi-Judicial approvals	(2) Quasi-judicial approvals: (a) Zoning variances and special exceptions; (b) Environmental variances; (c) Subdivisions and subdivision variances; and (d) Conditional use permits.	A business requiring a Conditional use Permit (CUP) and a rezoning should be allowed to submit concurrently. Allowing for concurrent submittals would provide a more transparent process and more certainty to the applicant and interested parties. In addition, there is a concern that this section, along with 23-2A-2020, gives the Director discretionary authority over concurrent applications. Language in existing code (25-1-61) is preferable for this provision which would allow for applications to be submitted and reviewed concurrently.					
	Development Process		x										JT					No							
3.4	Division 23-2A-3																								
3.5																TS		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	23-2A-3030 One to Two-Unit Residential		x																						
3.7	Division 23-2A-3																								
	23-2A-3040 Three to Six Unit Residential												JSh						engineers letter	Amendment: Replace language. (2) An engineer’s certification that any changes to existing drainage patterns will not negatively impact adjacent property if the construction, remodel, or expansion: a. Is more than 300 square feet; and b. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted WITH (2) Provide acceptable drainage improvements on site to preserve OR IMPROVE existing drainage patterns if the construction, remodel or expansion: A. Is more than 750 square feet; and B. in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.	too costly, and spending money on things that do not may not make much difference				
3.8																			C. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted 1. Acceptable drainage improvements include, 1. An engineer’s certification that any changes to existing drainage patterns will not adversely impact adjacent properties 2. swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve OR IMPROVE existing drainage patterns as calculated by: i. grading plan ii. per Table X-X-XX (gallons per sf of impervious cover and grade changes+12”) iii. a fee in lieu is available at the director’s discretion if a water mitigation project has been identified in the area to be implemented within 12 months.						
3.9	Division 23-2A-3030 & 3040 (B)			x	x												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 300 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 and enforcement concerns for both engineer and homeowner. V3 language shifts liability from the owner of the property to the engineer, which no engineer would ever agree to without obscene fees. At first blush, 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 citywide. Furthermore, "Negative Impact" is vague & subjective. The term 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.					
	letter of no impact		x															23-2A-3030 & 3040 (B)	please see Exhibit TW Additional language	Comment: 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.					
4	Article 23-2B Application Review and Fees																								
4.1	Division 23-2B-1																								
4.3	Division 23-2B-1			x								JSc							Admin & Procedures	Add new (A)(4) that states <u>(4): An application that has been submitted and not rejected as incomplete in 45 days shall be automatically approved under this section.</u>	This would create certainty that applications that meet all requirements of completeness will be accepted				
4.4	Division 23-2B-1		x									JSc							Admin & Procedures	Replace with: The responsible director may adopt application requirements under this Section by administrative rule or by policy memo , and shall post required application forms and all relevant rules on the City's website.	This clarifies that directors are empowered to adopt application requirements and deadlines only through an administrative rule process, and not via policy memo. The administrative rule process provides due process for all residents and stakeholders.				

3

Prepared by Stephen Oliver
City of Austin, Planning Commission | Chair

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH												THOMPSON	WHITE
																	GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE					
8.6		2050 - Alternative Equivalent Compliance			x											TS			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 specific enough to know affect of 10% reduction or that should be decided in consult with other departments.						
8.7	Division 23-2F-2	Administrative Relief Procedures		x							JSc							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 <u>any Zone</u> 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 equivalent compliance in any zone. The City should support alternative equivalent compliance where apporriate as it encourages creative and original design and accommodates developments where particular site conditions or the nature of a proposed use prevent strict compliance with the code and therefore should be allowed in all zones							
9	Article 23-2G Nonconformity																										
9.1	Division 23-2G-1	General Provisions																									
9.4	Division 23-2G-1				x				CK										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.			
9.6	Division 23-2G-1	General Provisions									JSc								23-2G-1010 Purpose, Applicability, and Review Authority	(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.						
9.11	Division 23-2G-1	General Provisions			x													23-2G-1010 Purpose, Applicability, and Review Authority		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.			
9.14		1010- Purpose, Applicability and Review Authority													JT				Non-conformity	NO			1010 (A) (2)	Delete	Too onerous		
9.7	Division 23-2G-1				x						JSc					TS			23-2G-1020 Nonconforming Status	(B) Nonconforming Structures (1) 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.						
9.12	Division 23-2G-1	General Provisions													JT				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.		
9.5	Division 23-2G-1	General Provisions			x				FK										Nonconformity	Yes			23-2G-1050 (B)	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		
9.10	Division 23-2G-1	General Provisions		x							JSc								Continuation of Nonconformity	No			23-2G-1050(B)(3) and (4)	(3) Conversion to Other Nonconforming Use Prohibited. A nonconforming use may not be established or replaced by another nonconforming use, except as provided in Subsection (B)(4): (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: (a) The responsible director determines that the requested use is of comparable or lesser intensity to the original nonconforming use; and (b) The original use was not abandoned under Section 23-2G-1060 (Termination of Nonconforming Use).	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.		

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					ANDERSON HART KAZI KENNY MCGRAW NUCKOLS OLIVER SCHISLER SEGER SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH											GENERAL	SPECIFIC SECTION													
Chapter 23-3: General Planning Requirements		NONE	MINOR	MAJOR	YES/NO																			YES/NO						
15	Article 23-3A Purpose and Applicability																													
15.1	Division 23-3A-1	Purpose and Applicability	C																											
16	Article 23-3B Parkland Dedication																													
16.1	Division 23-3B-1	Parkland Dedication																												
16.2	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 purpose section of the parkland dedication section of the code. The original language in Draft 3 is too broad and should be clarified.					
16.5	Division 23-3B-2	Dedication																												
16.6	Division 23-3B-2	Dedication			x		GA												Parkland Dedication	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.				
16.7											JSc												23-3B-2010 Dedication of Parkland (A) Dedication Required (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). (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. (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 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. (b) The combined total area between open space and parkland, shall not exceed 15% of site.	Applicants must be able to predict during their due diligence period what may be required for parkland dedication. Our recommendation in (A)(1) and (A)(1)(a) is taken directly from the existing Parkland Dedication Operating Procedures (PDOP). Leaving such important procedures to be defined and determined outside of the revised LDC process and in the PDOP does not provide clear guidance and predictability. In addition, limiting the maximum required dedication would allow for density to continue and support the principles in Imagine Austin for compact development.					
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 that is already outlined in the parkland procedures.				
16.9	Division 23-3B-2	Dedication		x							JSc								Dedication of Parkland	No				23-3B-2010 (I) and (J)	(I) As authorized by the Parkland Dedication Ordinance, City Code § 25-1-605, 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. (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.	This proposed language codifies the early determination process that is currently in the Parkland Dedication Operating Procedures and clarifies that the early determination includes all types of open space. This proposed language provides regulatory certainty while also ensuring parkland is dedicated throughout Austin.				
16.10	Division 23-3B-2	Dedication		x							JSc								Dedication of Parkland	No				23-3B-2010 (H)	(H) 15 Percent Urban Core Cap. The amount of parkland, civic open space, and common open space required to be dedicated or provided, 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 parkland dedication cap to the entire city, not just the urban core. The City's current requirement to dedicate more than 15% has a major impact on acheiving the goals established in the City's Housing Blueprint. This proposed language does not change the Parks Director's ability to go to the land use commission to exceed that cap if conditions warrant. The Cap is a "soft cap" because the land use commission can raise or lower it on appeal of the applicant or director. In addition, the cap will now apply to the new requirements for civic open space and common open space introduced in CodeNEXT.				
16.11	Division 23-3B-2	Dedication		x							JSc								Dedication of Parkland	No				23-3B-2010 (J)	(J) Sites Fronting Corridors. (1) An applicant seeking a Subdivision or Site Plan for a site that is ten acres 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. (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.	This proposed language clarifies when parkland may be required to be dedicated for sites that front an Imagine Austin Corridor. The proposed language provides the park director the ability to request for the dedication by approval of the land use commission. Imagine Austin calls for transit-supportive corridors, which in turn require population and job densities along our corridors. Parkland requirements that limit unit yield should not limit or prevent housing along our corridors.				

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																				GENERAL	SPECIFIC SECTION						
16.17	Division 23-3B-2	2010- Dedication of Parkland														TS				Dedication of Parkland	NO		2010 (G)	(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). <u>Therefore, the 15% cap limit provisions in 23-3B-2010 (H) do not apply to PUD zones.</u>	(H) Add that 15% cap does not apply to PUD's. The rules are already administered this way.		
16.19	Division 23-3B-2	2020 - Standard for Dedication of Parkland-		X												TS				Park Standards	NO		2020 - Standard for Dedication of Parkland-	ADD: E) Dedicated Parkland shall meet site condition requirements <u>within the Parkland Dedication Operating Procedures</u>	(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 23-3B-3	Fees			X																						
16.24	Division 23-3B-3	Fees				X						JSc								Fee In-Lieu of Parkland Dedication	No		23-3B-3010(A)	(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: (1) The director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B); and (2) <u>The following additional requirements are met:</u> (a) <u>Less than six acres is required to be dedicated under Section 23-3B-2010 (Dedication of Parkland); or</u> (b) <u>The land available for dedication does not comply with the standards for dedication under Section 23-3B-2020 (Standards for Dedicated Parkland).</u>	This proposed language allows a fee in lieu to be used any time the normal standards are met, without regard to total size of the subdivision or site plan. This allows more flexibility for both PARD and the applicant.		
16.22		3010 - Fee in Lieu of Dedication				X										TS				Fee in Lieu of Dedication	NO		3010 (A)(2)	ADD: <u>(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.</u>	PARD commented that they have difficulty finding land for parks especially in urban core. In general, all fee-in-lieu of options for developers should be predicated on the City's ability to utilize the fees. If it is more difficult for the city to provide the benefits than the developer.		
16.21		3010 - Fee in Lieu of Dedication					X									TS				Fee in Lieu of Dedication	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 threshold 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.		
16.25	Division 23-3B-3	Fees			X							JSc								Fee In-Lieu of Parkland Dedication			23-3B-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. <u>(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.</u>	The language as written does not provide clarity on how gross site areas may be calculated. A major concern is that if the area is calculated after the parkland dedication, the result is that the developable parcel will have less entitlements, including FAR and Impervious Cover. This recommendation would calculate the gross site area before the dedication and allow for better density on sites, including ones along major corridors		
16.26	Division 23-3B-3	Fees			X							JSc											23-3B-3010(E)(1)	(1) <u>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:</u> (a) <u>Post fiscal surety in an amount equal to the development fee; and</u> (b) <u>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</u> (c) <u>Document the required amenities concurrent with subsection or site plan approval, in a manner consistent with the parkland dedication operating procedures.</u>	This proposed language allows fee-in-lieu to be used on the construction of on-site recreational facilities. This will incentivize the construction of on-site facilities and lower the City's burden on existing parks.		
16.27	Division 23-3B-3	Fees			X							JSc								Fee In-Lieu of Parkland Dedication	No		23-3B-3010(F) and (H)	(F) <u>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.</u> (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.			

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City of Austin, Planning Commission | Chair

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CHAPTER ARTICLE	DIVISION TITLE	DESIRED PROPOSED CHANGES TO D3			INITIATED BY COMMSIONER												EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES			
					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON	WHITE										
																		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE			
18.6	Division 23-3D-2										Jsc								23-3D-2050 ©	(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: (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.	Clarifies the area on a site subject to this regulation and establishes a minimum type of acceptable water quality controls.					
18.7											Jsc								23-3D-2070 ©	(e) Necessary to allow reasonable development of the property according to the level of development allowed under 23-4.	This amendment requires Watershed to consider the reasonable amount of					
18.8	Division 23-3D-2	Exceptions and Variances		x							Jsc								23-3D-2090 (NEW)	"23-3D-2090 Residential Construction of three to ten units on one acre or less with Increased Water Quality Control Measures (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)."	This is necessary to allow missing middle to fit on a property, in some cases, but forces the developer to opt in to water quality and drainage rules that apply to commercial property					
18.9	Division 23-3D-3	Impervious Cover									Jsc								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 Chapter 23-4 to push parking towards the back of the property, impervious cover limitations, new setbacks, landscape buffers, etc. It is now more likely that some sites will be undevelopable due to the prevalence of heritage trees. Adding (B) and renumbering this section would allow the land use commission to take into consideration whether or not the development of a site is being unreasonably encumbered by the heritage trees on the site.					
18.11	Division 23-3D-3	Impervious Cover																								
18.14	Division 23-3D-3	Impervious Cover		x							Jsc			JT					23-3D-3040(C)	(C) Impervious cover calculations exclude: (1) Sidewalks in a public right-of-way or public easement; (2) Multi-use trails open to the public and located on public land or in a public easement; (3) Water quality controls, excluding subsurface water quality controls; (4) Detention basins, excluding subsurface detention basins; (5) Ground level rainwater harvesting cisterns, excluding subsurface eisterns; (6) Drainage swales and conveyances; (7) The water surface area of ground level pools, fountains, and ponds; (8) Areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base; (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; (10) Fire lanes designed as prescribed in the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from routine vehicle access;	This proposed language removes the exclusion of subsurface infracture. Subsurface water quality controls and subsurface cisterns should not count towards impervious cover.					
18.12	Division 23-3D-3	Impervious Cover		x							Jsc								23-3D-3070(B)(2)(d)	(d) Impervious cover for a commercial, mixed use , civic, or industrial use may not exceed:	Mixed use should be permitted the same IC as commercial.					
18.13	Division 23-3D-3	Impervious Cover		x							Jsc								23-3D-3070(B)(2)(e)	(e) Impervious cover for mixed use may not exceed: (i) The limits in Subsection (B)(1)(c) for the portion of the ground floor that is multi-family residential; (ii) The limits in Subsection (B)(1)(d) for the portion of the ground floor that is commercial, civic, or industrial; and (iii) Impervious cover for the entire site is based on the ratios determined on the ground floor.	With the proposed language for 23-3D-3070(B)(2)(d) this section is no longer necessary.					
18.15	Division 23-3D-4	Waterway and Floodplain Protection																								
18.16	Division 23-3D-4	Waterway and Floodplain Protection		x							Jsc								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 to use hydrology analalasis to reduce water quality boundaries on a case by case basis.					

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			ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT									MENDOZA	TEICH		
																	GENERAL		SPECIFIC SECTION									
18.17	Division 23-3D-4	Waterway and Floodplain Protection		x							Jsc								Critical Water Quality Zone Development	No		23-3D-4040(E)(4)	(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: (1) The utility line follows the most direct path into or across the critical water quality zone to minimize disturbance; (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 (3) In the Barton Springs Zone, is approved by the Watershed Director.	The amendment clarifies that the department/person requiring the alignment of a utility parallel to and within a critical water quality zone is responsible for the payment.				
18.18	Division 23-3D-4										Jsc											23-3D-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 occurring.				
18.19	Division 23-3D-5	Protection for Special Features																										
18.20	Division 23-3D-5	Protection for Special Features		x							Jsc								Environmental Resource Inventory	No		23-3D-5010(A)	(A) An applicant must <u>shall</u> file an environmental resource inventory with the director for proposed development located on a tract that may cause disturbance to: (1) Within the Edwards Aquifer recharge or contributing zone; (2) Within the Drinking Water Protection Zone; (3) Containing a water quality transition zone; (4) Containing a critical water quality zone; (5) Containing a floodplain; or (6) With a gradient of more than 15 percent. <u>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.</u>	Clarifies that a environmental resource inventory only applies to developments where any of these features may be disturbed, as it would be a severe cost to the applicant to do this for every site. In addition, the clarification for (6) allows for flexibility when working with larger sites which may have varying types of typography.				
18.21	Division 23-3D-6	Water Quality Control and Green Infrastructure Standards																										
18.22											TN												23-3D-6010(B)(3)	Delete “8,000” and substitute “5,000.”	Nationwide, best practices for exemptions from undertaking water quality control measures is 5,000 sf, not 8,000 sf. Imagine Austin calls for “complete communities.” Complete communities need water quality controls.			
18.23	Division 23-3D-6	Water Quality Control and Green Infrastructure Standards		x							Jsc								Optional Payment Instead of Structural Controls in Suburban Watersheds	No		23-3D-6050 (B)	(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: (1) Be located within the zoning jurisdiction; (2) Be (a) a residential subdivision less than two acres in size (b) a commercial property with less than an acre of the site that is requesting optional payment; or (c) a vertical commercial, residential, or mixed-use development with structured parking below the primary building, up to three acres in size., and (3) Demonstrate exemption from the preliminary plan standard as determined by Section 23-5B-2010 (Preliminary Plan Requirement).					
18.24											Jsc													(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							Jsc								Dedicated Fund	No		23-3D-6080(C)	(C) The Watershed Director shall use the administrative rules process to <u>propose rules that</u> administer the fund, <u>calculate the fee, collect the fee, and</u> 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. <u>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(B)(3)	(B)(3)If the total of new and redeveloped impervious cover exceeds 5,000 8,000 square feet.	Per Environmental Commission.				
18.27	Division 23-3D-7	Erosion and Sedimentation Control	C																									
18.28	Division 23-3D-8	Additional Standards in All Watersheds			x						PS																	
18.29	Division 23-3D-9	Save Our Springs Initiative	C																									
19	Article 23-3E Affordable Housing																											
19.2	Division 23-3E-1	Design Standards														TW				AHDB			23-3E-1030 (G)	The affordable units should have the same finishes features and appliances as the market rate units.	do not allow designated affordable units to encourage the affordable units to be equal to the market rate units in both finishes and sf. This discourages discrimination and allows for the affordable units to be throughout the project and for availability even if units are under repair or renovation.			
19.3	Division 23-3E-1	Small scale density bonus for R1 zones			x											TW				AHDB			x			add R1 zone bonus to include an additional ADU if it's 50% MFI		

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19.4		Division 23-3E-1	Small scale density bonus for R2 zones			x												TW									x					add R2 zone bonus to include an additional ADU if it's 50% MFI		
19.5		Division 23-3E-1	AHBP for MS2 Zones			x												TW									x							
19.6		Division 23-3E-1	Land trust programs															TW									x					these should be defined and added to the arsenal so that we can use them as part of the affordability programs. Ordoes this live somewhere else? NHCD is supportive of land trusts but unsure of how to put them into the code since the code doesn't discuss ownership models.		
19.9						x				CK																	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 Plan and other available or procured data that establishes demand for affordable housing the City of Austin. Individual 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 affordable bonus program with established goals.					
19.7									CK																	Super Affordable Housing Bonus.	Yes		23-3E-1030	(NEW) (I) 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 gives free height if 100% of the additional height goes to affordable housing units, up to twice the base entitled height of any zone that allows residential.			
19.8					x				CK																				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"			
19.10						x			CK																		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. Average 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.	This requires an annual assessment of the affordable bonus program with established goals.					
19.11									CK																					viii. If any goal shortcomings are noticed, the report shall assess the reasoning behind the failure to achieve the goals. 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. The AHBP shall be modified when: i. 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. ii. In any year the annual report shows that based on current market data, including but not limited to rent rates, construction costs, land and tax values, interest rates, or operating expenses, the AHBP no longer results in an increase in yield on cost to a project, the AHBP shall be adjusted per item (i) above.'	This requires an annual assessment of the affordable bonus program with established goals.			
19.12																																		

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19.13								x											Skip the line for affordable projects				new division	Mandate that all city departments involved in site plan review, permit review, or other development services immediately prioritize 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 program projects.			
19.14				x				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 citywide affordable bonus program.			
19.15	Division 23-3E-1	Citywide Affordable Housing Bonus Program		X					AH												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							AH												No		23-3E-1020 (A)	(A) Applicability (1) The AHBP applies citywide, except in the following zones: (a) Downtown Zones. A density bonus request in the Downtown Core (DC) Zone and Commercial Center (CC) Zone must meet the requirements of Division 23-3E-2 (Downtown Density Bonus Program). (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). (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).	A substantial number of lots are zoned F25. We need to allow F25 participation in our AHBP.			
19.17	Division 23-3E-1								AH															(d) Former Title 25. A density bonus request in the Former 25 (F25) 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. (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 Director shall 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.				
19.18		floating units																						23-3E-1030(E)		add language to ensure that the affordable unit occupancy rate is at least similar to the market rate occupancy of that building. And the owner should alert the city to it's vacancy		
19.19	Division 23-3E-1	Citywide Affordable Housing Bonus Program							AH												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 submited in the early determination request, then the determination shall be binding for two years.	An early determination decreases the risk that an applicant may face and lowers the cost of providing affordable homes.		
19.20	Division 23-3E-2	Downtown Density Bonus Program																										
19.24	Division 23-3E-2	Downtown Density Bonus Program																			Yes			23-3E-2030 (B)(6)	NHCD Director should not be able to adjust without a proper, third-party calibration study. Applying some sort of index does not accurately reflect market conditions.	23-3E-1070 gives NHCD Director authority to recommend FIL or % units to City Council annually. 23-3E-2030 (B) (6) states that downtown fees may vary by use and district (ok). Claims nine districts, but unclear what those are.		
19.25	Division 23-3E-2	Downtown Density Bonus Program																			No			23-3E-2040 (A)(2)	(2) The Design Commission shall evaluate and make recommendations regarding whether the development is in substantial compliance with the City's Urban Design Guidelines and the director shall consider comments and recommendations of the Design Commission.	The Design Commission oversight for compliance with the Urban Design Guidelines was always intended to be an interim solution until design standards were codified, as they will be in CodeNEXT.		
19.26	Division 23-3E-2	Downtown Density Bonus Program																						23-4E-2040 (B)	(B) Appeal. (1) An applicant may appeal to the city council the director's determination that the gatekeeper requirements have not been met. (2) An applicant must appeal the determination within 30 days from the date of the director's denial (3) 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 Hearings.	Current code allows applicant to appeal to the City Council if director determines that the gatekeeper requirements have not been met. This proposed language replicate ability to appeal in the current LDC 25-2-586 (J) (1 - 3)		

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																		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE				
19.23	Division 23-3E-2	Downtown Density Bonus Program			X	GA													Downtown	No		23-3E-2060(B)	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 approve the density bonus administratively.	With Amendment this would match current LDC. Does not appear to 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 paying a fee in lieu.			
19.27	Division 23-3E-2	Downtown Density Bonus Program			X	GA	AH					JSc							Community Benefits	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 approve the density bonus administratively.	This proposed language replaces the phrase "(C) through (E)" with "C 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 adminisitrative approval, the need to go to Council and Planning Commission to approve something allowed by code is eliminated, simplifying the process.			
19.21	Division 23-3E-2															TW			AHDB	x		23-3E-2060-E-1-c	A unit is affordable for purchase if the maximum sales price for the unit does not exceed three times the annual income for a household at 120 percent of the MFI...The maximum sales price can be up to 3.5 times the annual income for a household at 420 80 MFI if a household member has completed a City- approved homebuyeer counseling of education class.	I think we can do better. 3.5x 120MFI for a one bedroom is \$239,400; 3.5x 80MFI is \$159,600 for a one bedroom; this is comparable to a teacher's salary			
19.22	Division 23-3E-2	Downtown Density Bonus Program														TW			AHDB	x		23-3E-2060-E-2-c	A unit is affordable for rent if the maximum monthly rent for the unit does not exceed 30% of the average gross monthly income for a household at 80 60 percent of the MFI.	I think the price of units downtown should be able to handle a little more affordability			
19.29	Division 23-3E-2	Downtown Density Bonus Program			x		AH					JSc							Rainey Street Subdistrict Bonus	No		23-3E-2070 (B) (1)	(1) A development in the Rainey Street Subdistrict may 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 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 conducts the income determination.	The proposed language amends this section to keep current standards. To 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 80% Median Family Income.			
19.30	Division 23-3E-2	Downtown Density Bonus Program			X							JSc							Rainey Street Subdistrict Bonus	No		23-3E-2070 (B) (6)	Strike 23-3E-2070 (B) (6)	Requiring a percentage of bonus area units to be affordable, AND requiring 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 make this new provision feasible.			
19.33	Division 23-3E-3	Tenant Notification and Relocation	C																								
19.34	Division 23-3E-4	S.M.A.R.T. Housing																									
19.35	Division 23-3E-4	S.M.A.R.T. Housing			X	GA													SMART	No		23-3E-4010 - 4090	SEE EXHIBIT ANDERSON-1	SMART housing needs to be strong. These adjustments come from Mark Rogers at GNDC and Nicole Joslin spent a lot of time going over them with me. They are better than what we have today.			
19.36	Division 23-3E-4	S.M.A.R.T. Housing				GA													SMART	No							

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																			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE					
19.37	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART	No									
19.38	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART	No									
19.39	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART										
19.40	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART										
19.41	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART										
19.42	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART										
19.43	Division 23-3E-4 S.M.A.R.T. Housing					GA													SMART										

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19.44	Division 23-3E-4	S.M.A.R.T. Housing				GA																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

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19.51																					
19.52																					
19.53																					

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19.54																								
19.55																								
19.56																								

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																		GENERAL	SPECIFIC SECTION						
21.10	Division 23-4B-2	Code Interpretations and Use Determinations									JSc			JT					23-4B-2030 Use 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								23-4B-2040 Administrative Appeal	(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 23-2I (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. (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 23-2I (Appeals). (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 non-compliance with the zoning code may be appealed to the Board of Adjustment under Article 23-2I (Appeals).	Section 23-4B-2040 Administrative Appeal states that a decision by the Development Services Director or another responsible director to approve or disapprove a development application may be appealed to the BOA under Article 23-2I (Appeals). This is broader than just site development standards under the Zoning Code. This Section should be limited. A development permit that is issued should only be appealable because of non-compliance with the zoning code and the provision of the code not correctly interpreted was the zoning code (not building, fire, electric, etc.).				
21.12	Division 23-4B-3	Zoning Map Designations and Amendments																							
21.13		3100 - Requirement for Approval from 3/4 of Council -													TS				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 PUDs are equal.	Neutral			
21.14	Division 23-4B-3	Zoning Map Designations and Amendments		x							JSc								23-4B-3040 (D)	(1) A zoning map amendment regarding a Historic District Overlay Zone may be initiated by: (a) The Historic Landmark Commission; (b) A petition of the applicants owners of at least 51 percent of the land, measured by land area, in the proposed zone or at least 51 percent of the applicants owners of individual properties in the proposed zone; or (c) The council.		Neutral			
21.15	Division 23-4B-4	Criteria for Variances and Special Exemptions																							
21.16	Division 23-4B-4	Criteria for Variances and Special Exemptions									JSc			JT					23-4B-4010 Purpose and Applicability (A) and (B)	(A) This division establishes review criteria for zoning variances and special exceptions considered by the Board of Adjustment, consistent with the standards <u>regulations</u> 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 <u>regulations</u> established under Division 23-2F-1 (Variances and Special Exceptions).	The current Land Development Code uses the term "regulations" as it relates to the zoning district. Regulations are laws and are codified. The use of "standards" is problematic because these are not codified law. Standards provide for guidelines, with which compliance is not mandatory. The current language suggests that the BOA would look outside of the zoning code regarding development regulations, which is not consistent with the current Code or State law.	Neutral			
21.17											JSc			JT					23-4B-4020(B)(1)(c)(iii)	(B) General Findings (1) The Board of Adjustment may grant a variance from a site development standard adopted under this chapter if the Board determines that: (a) The requirement does not allow for a reasonable use of property; (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 (c) Development in compliance with the variance does not: (i) Alter the character of the area adjacent to the property; (ii) Impair the use of adjacent property that is developed in compliance with the City requirements; or (iii) Impair the purposes of the standards <u>regulations</u> of the zone in which the property is located.	The current Land Development Code, Section 25-2-474(A)(3), uses the term "regulations" as it relates to the zoning district. The sentence in (iii) of Draft 3.0 is problematic because it uses the word "standards" and these are not codified law. The use of the phrase "impair the purposes of the standards of the zone" in this section could possibly result in a subjective determination by the BOA to not grant a variance. The use of standards is not consistent with the current Code or State law regarding development regulations.				
21.18											JSc			JT					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 Development Code, Section 25-2-476 pertaining to special exceptions and this is a change to "may" in Draft 3.0. The wording of "may" in Draft 3.0 infers that the BOA determines that the special exception meets the findings set forth in this section and has discretion to grant a special exception or not and this is not consistent with the currently accepted general practice. Using the word "shall" in this instance is consistent with a quasi-judicial decision that is only appealable to a court. If the wording changes to "may" as it is in this current draft 3.0, and it is discretionary for BOA to grant a special exception, then there is virtually no way to appeal the decision to a court.				
22	Article 23-4C General to all Development																								
22.1	Division 23-4C-1	Large Site Requirements																							
22.2	Division 23-4C-1			x										JSh										whats article 23-9H connectivity? Cant find	Addendum removes this reference.

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22.3	Division 23-4C-1	1010 - Applicability																						
				X																				
22.4	Division 23-4C-1																							
			x																					
22.5	Division 23-4C-1	Large Site Requirements		X								JSc												
22.6	Division 23-4C-1	1020 - Internal Circulation			X												TS							
22.7	Division 23-4C-1	1030 - Common Open Space															TS							
22.8	Division 23-4C-1	1030 - Common Open Space															TS							
22.9	Division 23-4C-1	1030 - Common Open Space															TS							
22.10	Division 23-4C-1	1030 - Common Open Space															TS							
21.2	Division 23-4C-1	1030 - Common Open Space	x				AH												No	No				
22.11	Division 23-4C-1	Large Site Requirements			X							JSc												
22.12	Division 23-4C-1	Large Site Requirements			X							JSc												

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																GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE					
22.13	Division 23-4C-1	Large Site Requirements		X							JSc							23-4C-1030 (B)	B) Amenity Required. A site that is one acre or more, <u>and is not on an 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							23-4C-1030 (C) (5)	(5) A site that is located outside of 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.	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							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 is used as a continuation of an 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 asphalt 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 cannot 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 is designed as a vegetated or green roof.	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							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			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 i) less than two acres, ii) 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 iii) not located in a Park Deficient Area as determined by the Parks and Recreation Department.	There is very little 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 exemption should not be allowed.		For i), PARD supports the existing 4-acre threshold for civic space, instead of the two acres proposed. PARD supports ii). PARD does not agree with iii). Civic space is not part of the park deficiency map unless it is dedicated as parkland; and is, therefore NOT permanent open space. Civic space provides a design criteria for open spaces on a property. If it is not not parkland, it may go away when the site is redeveloped.				
22.18	Division 23-4C-1	1040 Civic Open Space			x										TS			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	no definition for safe pedestrian travel distance or means of measurement				
22.19	Division 23-4C-1	1040 Civic Open Space		X											TS			1040 Civic Open Space (B) (5)	...at least a quarter acre	missing unit	Yes	erratta				
22.20	Division 23-4C-1	Large Site Requirements			X						JSc							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 unnecessary.	No	Civic space is a design standard that requires a publicly accessible location and well-designed open space. It does not require a public easement unless the land is counted for 23-3B.				
22.21	Division 23-4C-1	Large Site Requirements		X							JSc							23-4C-1040 (A)	(A) General (1) An applicant for a site plan or subdivision <u>that results in one or more parcels greater than 4 acres</u> , 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							23-4C-1040 (B)	(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>public sidewalks, required landscaping areas, parkland dedication, land located between the property line and a building setback, water quality features, and detention areas not located within buildings.</u>	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							23-4C-1040 (B) (2)	(2) Except as provided in Subsection (B)(3), an applicant for a site plan or subdivision shall designate at least <u>5 to 40</u> percent of the net development acreage as civic open space. <u>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.</u>	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							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 unnecessary.	No	Civic space is a design standard that requires a publicly accessible location and well-designed open space. It does not require a public easement unless the land is counted for 23-3B.				

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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"				
23.211		6060-6080; CC, UC, DC			x												TS				Compatibility	NO		Table 23-4D-XXXX(B)- Building Placement	tbd	Review setback requirements related to compatibility with Residential House Scale			
A-23.211.1					x					TN															See Compatibility Exhibits 1-3: "Within 45' of the property line of any zone or use of R4C or lower, a use higher than R4C shall establish a vegetative buffer complying with the Environmental Criteria Manual. Within 25' and 50' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 25', notwithstanding any other provision of this code. Within 50' and 150' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 45', notwithstanding any other provision of this code. Within 150' and 225' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 45', notwithstanding any other provision of this code. However, building heights may reach up to 65' based on the affordable housing density bonus program. Within 225' and 360' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 65', notwithstanding any other provision of this code. However, building heights may reach up to 85' based on the affordable housing density bonus program."	If there is a "third rail" of Austin zoning politics that is dangerous for anyone (especially elected Council members) to touch, it's probably compatibility. PC needs to have the courage to address compatibility, as well as all other aspects of CodeNext, head on. The bottom line is this: Imagine Austin said our city will both increase density and preserve neighborhood character. Those who argue against either extreme now are just re-litigating IA, which just wastes PC's time. Neither density advocates nor neighborhood character advocates won all they wanted when IA was adopted. So both sides need to stop trying to take a second bit at the apple and re-litigate IA. Density advocates? Y'all lost because IA says to preserve neighborhood character. Neighborhood character advocates? Y'all lost because IA says to add density. The only option that makes sense is for CodeNext to balance between the two. This proposal does exactly that. It's time for everyone to stop demanding ideological purty and reach a pragmatic compromise instead.			
23.133	Division 23-4D	All zones with compatibility setbacks							CK												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-tall person standing in the middle of their backyard, that would be no more restrictive than their view if a 35' tall single family home was built next door. The compatibility for affordable housing projects is similar, but with a 45' tall home built next door.			
23.3	Division 23-4D	All Subsections	x				AH	FK													Affordable Housing	No	Yes	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 with applicable zoning regulations - it's a model that everyone should 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	
23.4	Division 23-4D	Use Tables 23-4D-2030(A, B, C)		x				FK													Day Cares	No		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 and increase affordability of daycare by removing obstacles			
23.5	Division 23-4D-1	Purpose																											
23.6					X	GA															Coops	No		23-4D-1-8	Allow cooperatives by MUP in R1, R2B, R2C, R2D, R2E, R3B, R3C, RR; Allow cooperatives by right in zones R4A, R4B, R4C, RM1A, RM1B, MH, MS1A, MU3B, and MU4		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	
23.14	Division 23-4D-2	23-4D-2030 Use Tables			x			FK													Coops and Daycare			x	Make coops MUP in R2B and up. And make Daycares 7-20 MUP in all R zones		No/Yes	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 R zones; Staff supports daycares 7-20 having an MUP in residential zoning	
23.7		All Zones			x								PS								Alcohol Sales on-site consumption					Require a CUP for bars, night clubs, brew pubs and distilleries within 1,000' of residential properties.	No	Add specific to use language for Bars/Nightclubs with same language as Restaurants when referring to distance and CUPs	
23.8													JSh								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 slab to top of roof. Slab Height is defined as height from ??? 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 increases by 1' for every 1' past 5' from the side lot line. So 23' at 6' from the side 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 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. Multiple pages: 4D-2 pg. 60 23-4D-2070 through 23-4D-2210: R1-R4 Maximum Height Limit Amendment: Amend maximum height limit.	Yes/No	Okay with 35' overall due to consistency but disagree with other suggestions	
23.10								FK					JSh		TW						FY Imp Cov				ALL R ZONES	delete frontyard impervious regulation		No	purpose is to prevent full front yard pavement - if removed from D3, it will be removing a NP subset from some mcmansion areas, can
23.11													JSh								pools fountains				ALL R ZONES	Encroachment table for Pools and Fountains • Side street match interior side • Front match rear		Yes	Make pool encroahments same as fountains in all Residential house scale zones

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE		
23.12															JSh								articulation				No	In draft 3 where mcmansion already applies		
23.13	Division 23-4D-2	Residential House-Scale Zones																										HLC: ADU up to 1375sf when retaining house		
23.16	Division 23-4D-2	23-4D 2151			x			FK															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											JSh												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 multi unit, landscaping "may" be required ???? SEE RESIDENTIAL WORKGROUP COMMENTS!! (ARTICULATION, HEIGHT, USE, FORMS, LOT SIZES, ETC) dont want to duplicate	N/A	commentary	
23.18	Division 23-4D-2	Residential House-Scale Zones						CK															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.	No	this is change in current policy
23.21					x			CK															R-Zones: Remove SF-Attached and allow detached Duplexes	Yes	No	23-4D-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 <u>or 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 lot.</u> "	no	does not recommend combining sf attached with duplex or changing language	
23.22					x			CK															Residential Citywide Affordable ADU Bonus	Yes	No	23-4D-2 (the "Lot Size 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 Accessory Dewlling Unit Incentive: When participating in Affordable Housing Bonus Program, 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.</u> " 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.	No	staff believes in truth in numbers, to do this in R2 then name R2 into R3
23.23					x			CK															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.	No	other site requirements affect building size and parking capabilities too much to make this situation pencil out
23.24					x			CK															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			CK															Residential Citywide Affordable ADU Bonus	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.	Neutral	using this will lessen th viability of the preservation incentive
23.26	Division 23-4D-2				x			CK															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.	No	See response in line 23.22
23.27					x												TS						<2500 SF Uses w/o Parking	NO	x			Within Specific to Zones 23-4 parking requirements, remove all references to parking required that allow for use in zone to exclude off-street parking if <2500 SF.	?	
23.28					x												TS						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- Level 2, add requirement for a CUP.	yes	See response on line 23.7
23.30	Division 23-4D-2	Residential House-Scale Zones			x								PS										Minor Use Permits			23-4B-1030 Minor Use Permits General.	Remove Section 23-4B-1030	Minor Use Permits (MUP) give staff too much discretion over granting uses that are not minor. This process denies citizens the opportunity of a public hearing. Remove the MUP process and apply 23-4B-1020 CUP process. Revisit the MUP permit and associated uses after CodeNext approved.	no	
					x																									

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					ANDERSON HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON										
																	GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE		
23.76	Division 23-4D-2	2100 - 2140; R2A-R2E			x											TS			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 s.f. to 5,750 s.f. and now with draft 3 to 5,000 s.f. with an option to subdivide every lot to 2,500 s.f. This will dramatically change the number of units allowed an negatively alter most single family neighborhoods.This version has included small lots with attached housing. The purpose and overview for for R2A, R2B and R2C (previously in Draft 2 matched current single family SF2/SF3) does not mention small lots just duplexes and single family with ADU, but in lot size and intensity permits small lots and attached single family. If allowed, the small lot and attached single family should be relagated to the R2D and R2E which are specifically for small lot. With large enough lot size, single family attached subdivisions would allow 4 units where there is one; a dramatic increase in density for most neighborhoods, encouraging tear downs and increasing on street parking which will make our neighborhoods unsafe. Single family attached do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions.	No	Staff supports reducing nonconforming lots with 5000 square foot lot and 45' width; Staff does not support removing Single Family Attached use	
23.77	Division 23-4D-2	Residential House-Scale Zones			X	GA		FK											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 existing home that is older than 10 years is a good incentive. Preservation Incentive should apply in every R-type zone.	No	Not all R Zones have an FAR limit.	
23.78	Division 23-4D-2	Residential House-Scale Zones			X			FK											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-21020(G) Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max	Zero side setback when adjacent to other Small Lots 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.	No	see response on line 23.47	
23.79	Division 23-4D-2	Residential House-Scale Zones			X			FK											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.	No	see response on line 23.44	
23.80	Division 23-4D-2				x				CK									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 size brackets in R2A, which is missing the 3500-5000 sq ft. bracket.	No	Appropriate rows listed in table.	
23.81	Division 23-4D-2	2100 - 2140; R2A-R2E			x											TS			2100 Table 23-4D-2100(A), 2110 Table 23-4D-2110(A), 2120 Table 23-4D-2120(A)	1) RESTORE Single Family and Duplex - min. width from 45' to 50' , min. Area from 5000' to 5750' 2) DELETE : Single-Attached, Other Allowed Uses	R2 Zones have already been reduced from 7000 s.f. to 5,750 s.f. and now with Draft 3 to 5,000 s.f. with an option to subdivide every lot to 2,500 s.f. This will dramatically change the number of units, from one to four, allowed and negatively alter most single family neighborhoods. 2500' small lot and attached single family should be relagated to the R2D and R2E which are specifically for this purpose. This will encourage tear downs and increase on- street parking which will make our neighborhoods unsafe. Single family attached do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions.	No	se response on line 23.31	
23.82	Division 23-4D-2	2100 - 2140; R2A-R2E			X											TS		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. There are also no design criteria for this house form which will lead to abuse.	No	see response on line 23.44	
23.83	Division 23-4D-2	2100 - 2140; R2A-R2E			x											TS			2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)		If Single-Family Attached remains as option for R2, ADUs should not be allowed on these smaller subdivided lots.	No	ADUs only allowed on 5000' lot	
23.84	Division 23-4D-2	2100 - 2140; R2A-R2E			x											TS			2100 - 2140; R2A-R2E Table 23-4D-XXXX(G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	No	see response on line 23.1	
23.85	Division 23-4D-2	2100 - 2140; R2A-R2E			x											TS			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 thoroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	see response on line 23.74	
23.86	Division 23-4D-2	2150-2180; R3A-R3D			x											TS			2150 Table 23-4D-2150(A), 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.	no		
23.87	Division 23-4D-2	2150-2180; R3A-R3D	x													TS			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.	Yes	Need to add footnote on side setbacks for uses with zero lot lines including single family attached and townhomes.	
23.88	Division 23-4D-2	Residential House-Scale Zones			x	GA												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.	No	Changed to simplify McMansion regulations and administration.	
23.89	Division 23-4D-2	Residential House-Scale Zones			x	GA												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.	No	suggest remapping instead of altering zones	
23.90	Division 23-4D-2	Residential House-Scale Zones			X	GA		FK											23-4D-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 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. A small step up would encourage more Missing Middle housing creation.	Neutral	Allowing more FAR for a duplex or single family with an ADU would align these uses with the .6 FAR allowed for cottage court. Would have impact on preservation incentive.	

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			ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA							TEICH	YES/NEUTRAL /NO	STAFF RESPONSE	
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.	No	suggest remapping instead of altering zones	
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.	No	see response on line 23.1	
23.93	Division 23-4D-2	2150-2180; R3A-R3D			x										TS			Common and Civic Open Space	NO		2150-2180; R3A-R3D Table 23-4D-XXXX(G) or (I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed thoroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	see response on line 23.74	
23.94	23-4D-2150	R3A						KM															Minimum Lot Size should be 7,000 w/ width of 60'	Likely existing duplex lots.	no	see response on line 23.31
23.95	Division 23-4D-2	2150-2180; R3A-R3D			x										TS			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'	Smaller R3 lots used adjacent to corridors.	no	see response on line 23.31	
23.96	Division 23-4D-2	2150-2180; R3A-R3D			x										TS			R3C and R3D	NO		2170 Table 23-4D-2170(A), 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	x												TS			Townhouses	NO		2190 - 2210 R4A- R4D; Table 23-4D -XXXX (A)		ADDENDA: Removed Townhouses. Keep the same as shown in Draft 3.	N/A	comment	
23.98	Division 23-4D-2	2190 - 2210 R4A- R4D	x												TS			Side St. Setbacks	NO		2190 - 2210 R4A- R4D; Table 23-4D -XXXX (B)		Single family attached and townhouses do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.	Yes	Need to add side setback exception.	
23.99	Division 23-4D-2	2150-2180; R3A-R3D			x										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	No	reference to civic open space in zoning is helpful, not sure how it is incorrect	
23.100												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)				
23.101	Division 23-4D-2	Residential House-Scale Zones			X			FK										residential			23-4D-2190, 2200, 2210 All R4 Zones	Table (A) Lot Size and Intensity - add footnote " +.1 FAR for every unit 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.	No	FAR bonuses included in zone.	
23.102	Division 23-4D-2	Residential House-Scale Zones						AH				JSc						Parking			23-4D-2150 through 2210 (G) (3): Parking Driveway	Edit Parking Table (G) (3) in all R3 & R4 zones to read: 40'-max 12' 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.	Neutral		
23.103	Division 23-4D-2	Residential House-Scale Zones		X				AH				JSc						Parking			23-4D-2150 through 2210 (G) (3): Parking Driveway	Delete Parking Table (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;"	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.	No	Add exception for existing curb cuts to be continued to be used. Need to coordinate with public works on allwy improvements.	
23.104	Division 23-4D-2	Residential House-Scale Zones		X				AH										residential			23-4D-2150 through 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	Neutral	If parking setback reduced, recommend adding frontyard IC to R4 Zones.	
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 (2) Setback – Front 30' , Side St. 20' , Side 2' , Rear 5' (3) Parking Driveway	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.	Neutral	If parking setback reduced, recommend adding frontyard IC to R4 Zones. Consider exceptions for trees.	
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.	No	See above	
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 adjacent to (list R2A, R2C, R2E ie McMansion zones) 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.	No	"U" shape does not cause drainage problems.	
23.110	Division 23-4D-2	Residential House-Scale Zones		X				AH										residential			23-4D-2100(G) to 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.	No	The footnote does not inherently reduce impervious cover.	
23.111	Division 23-4D-2	Residential House-Scale Zones		X				AH										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 existing home that is older than 10 years is a good incentive. Preservation Incentive should apply in every R-type zone.	No	Not all R Zones have an FAR limit.	

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		ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA	TEICH	YES/NEUTRAL /NO	STAFF RESPONSE			
23.112	Division 23-4D-2	Residential House-Scale Zones			X		AH										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.	Yes	
23.113	Division 23-4D-2	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.	No	R2A zone matches existing conditions of duplexes on corners within neighborhoods, allows for consistent mapping, and encourages infill through ADUs within neighborhoods.
23.114	Division 23-4D-2	Residential House-Scale Zones			X		AH										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 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-21020(G) Impervious Cover add "(?) Small Lot Impervious Cover 65% max, 55% building cover max	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.	No	Staff supports proposed R2D ,R2E, R4 small lot zones.
23.115	Division 23-4D-2	Residential House-Scale Zones			X		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.	No	See above
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.	No	R3A matches lot size pattern of existing neighborhoods and can be mapped through future small area plans.
23.117	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2150, 2160, 2170: All R3 Zones	Table (A) Lot Size and Intensity - add footnote <u>+.1 FAR for every unit above Single Family Use</u>	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. A small step up would encourage more Missing Middle housing creation.	Neutral	See above
23.118	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2150, 2160, 2170, 2190, 2200, 2210: Side Street Encroachment	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.	Neutral	
23.119	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2150, 2160, 2170, 2190, 2200, 2210: Grade Limit Encroachment	Table 23-4D-2xxx (E) Encroachments Porch, Stoop 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.	Yes	Footnote unclear. 3' limit should only apply to uncovered steps. Recommended language: Uncovered Steps may not exceed 3' above ground.
23.120	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2190, 2200, 2210	Table (A) Lot Size and Intensity - add footnote <u>" +.1 FAR for every unit above Single Family Use</u>	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.	No	Bonus available in R4.
23.121	Division 23-4D-2	Residential House-Scale Zones			X		AH										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' 60'</u>	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.	No	R4C allows townhomes and therefore wider building.
23.122	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2210: R4C Zone	R4C: Table (C) (2) Building Articulation and (C) (3) Façade(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.	No	R4 Zones are designed to be compatible with R2 and R3 in the urban core.
23.123	Division 23-4D-2	Residential House-Scale Zones			X		AH										residential	23-4D-2190, 2200, 2210: R4 Cottage Courts	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 50' 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.	Neutral	Unlikely to fit 4 or 8 units of the smallest lots sizes respectivley.
23.124	Division 23-4D-2	Residential House-Scale Zones			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.	Yes	

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						ANDERSON	HART	KAZI	KENNY	MCGRAW	MUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON	WHITE											SHAW	BURKARDT	MENDOZA	TEICH
																		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE								
23.126	Division 23-4D-2	Residential House-Scale Zones				X		AH												residential			23-4D-3	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.	?	If referring to RM1A, table corrected in addendum.				
23.128	Division 23-4D-3	Residential Multi-Unit Zones																									UTC: Exempt from Comp Std w/in 1/4 mile of transit/IA cooridors				
23.129																				New, more flexible RM1 zones	Yes	No	23-4D-3xxx	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.	No	RM1A intended to be small scale multifamily or townhouse development.				
23.130	Division 23-4D-3	Residential Multi-Unit Zones								X	KM												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	No					
23.131	Division 23-4D-3	Residential Multi-Unit Zones									CK									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 6/1/2018 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, that building will not become considered non-conforming. However, no new non-conforming single family housing may be built.	No	Consider mapping change to R4 or RM1A.				
23.132	Division 23-4D	All RM, MS, MU zones									CK									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 affordable units to 13,500.	?	Need more detail.				
23.134	Division 23-4D-3	Residential Multi-Unit Zones				X					FK									residential			Add RM1C Zone	Table A: Allowed Uses are the same as R2C (no multiplex). Allow Any Uses up to 14 units per acre. .4 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 ⅓ to 1 acre tracts to a new "residential scale" RM zone that allows units per acre rather than a fixed unit count is the most efficient and cost effective way to utilize existing "developable" capacity within neighborhoods, removing the need to resubdivide or rezone. A common objection to upzoning is the risk of change in housing type, so multiplex use is excluded. This new zone is intended for infill tracts within the neighborhood as a "resubdivision/rezoning replacement", not for transition zones. It trades off lower density and residential house form vs increased "mappability", increased capacity and reduced regulatory burden under CodeNext. 14 units per acre is limited by 10' separation and .4 FAR, forcing much smaller units to get to the max units/acre.	No					
23.135	Division 23-4D-3	Residential Multi-Unit Zones						GA	AH	FK										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, given that scale is already regulated through height, IC, FAR, etc. Also, it is a regulation that is wholly internal to the building and doesn't affect the public domain. LDC should regulate the built environment, not those who live within it. Unit caps impose a de facto tax on small, affordable homes.	No	Density bonus program calibrated to du/acre.				
23.136	Division 23-4D-3	3030 - Land Use and Permits																	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.		commentary				
23.125	Division 23-4D-2	Residential House-Scale Zones	X								AH									residential			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 300 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. <u>(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:</u> <u>Is more than 750 square feet; and</u> <u>Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted.</u> <u>And in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.</u>	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.	Pending					
23.137	Division 23-4D-3	3040- Parking Requirements (Residential House Scale)				X												TS		Maximum Number of Parking Spaces	NO		3040 (B) Maximum Number of Parking Spaces	Delete section 3040 (B)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though minimums are established and that developers are allowed to put in as many parking spots as they want.	Neutral	Suggest replacing "double" with 2.5" for this zone category				
23.138	Division 23-4D-3	3040- Parking Requirements (Residential House Scale)																TS		Parking Limitations	NO		3040 (C) Parking Limitations	Delete section 3040 (C)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though minimums are established and that developers are allowed to put in as many parking spots as they want.	Yes	Duplication. Subsection should be deleted, refer to (C).				

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		ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA	TEICH	GENERAL	SPECIFIC SECTION	YES/NEUTRAL /NO	STAFF RESPONSE					
23.151	Division 23-4D-3 Residential Multi-Unit Zones																	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate setback. It's the combination that makes no sense. These clauses need to be looked at together.	Max height is 40 feet, yet limited to 35 feet until 50 feet from property line 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.	No		
23.152	Division 23-4D-3 Residential Multi-Unit Zones																	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate setback. It's the combination that makes no sense. These clauses need to be looked at together.	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, MS3B.	No		
23.153	Division 23-4D-3 Residential Multi-Unit Zones																	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate setback. It's the combination that makes no sense. These clauses need to be looked at together.	Same issue of previous section as the graduated height went up to 50 feet from property line for both MU2A&B and MS2A-C.	No		
23.154	Division 23-4D-3 3050 - 3090; RM1A-RM5B																TS	RM2A, RM2B, RM3A, RM4A, and RM5A Compatibility Height Stepbacks	NO		3070 - 3110; RM2A-RM5A; Table 23-4D-XXXX- Height (4) Compatibility Height Stepback	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.	No	Staff supports information within each zone.	
23.155	Division 23-4D-4 Mixed-Use Zones																									UTC: Exempt from Comp Std w/in 1/4 mile of transit/IA cooridors
23.156	Division 23-4D-4 Mixed-Use Zones																	Corridor and Centers	No		23-4D-4 All MU Zones	Increase overall height maximums in all MS zones: MU1A, MU1B: 32' to 52' MU1C, MU1D, MU2A: 45' to 65' MU2B, MU3A, MU3B: 60' to 80' MU4A, MU4B: 60' to 80', 120' with AHBP Bonus MU5A: 100'	In order to properly absorb density along our corridors, we must increase overall height maximums in proposed corridor and center zoning types	No		
23.157																		Adjust compability and height for MU1	No	No	MU1A-MU1D	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 mimic a legal single family home next door, restores the entitled height under current zoning, and removes articulation requirements from walls hidden behind a required vegetative screen.	Yes/No	Support reducing setback in MU1A/B which have the same height restrictions as Rzones. In MU1C/D, open to reducing side setbacks.	
23.158	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements	x															TS	Uses	NO		Table 23-4D-4030(A)		ADDENDA: Added Townhouses as permitted use to zones MU3, MU4 and MU5		Commentary	
23.159	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements																	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 changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added. Review Attached Adult Entertainment for Adult Uses in MU4B and MU5B zones.		Commentary	
23.160	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements																TS	Bars and Nighclubs, Restaurants Uses	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 changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added.		Commentary	
23.161	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements																TS	Adult Entertainment	NO		Table 23-4D-4030(A)(6)	Change MU4B and MU5B permitting to CUP only	23-4E-6060 permitted adutl entertainment other than an adult lounge	No	Specific to use standards clarifies when use if P vs. CUP.	
23.162				x													TW	uses			Table 23-4D-4030 (A)	Senior Housing <12 P & Senior > 12 MUP in MU1A; MU1B; MU1C; MU1D	Allow Senior/ Retirement housing in MU zones; see exhibit Table 23-4D-4030 (A) for more clarity	No	Zones are designed for small buildings.	
23.163				x													TW	uses			Table 23-4D-4030 (A)	Micro-Brewery/Micro-Distillery/Winery to CUP in MU1B; MU1D MUP IN MU2B	Micro-Brewery/Micro-Distillery/Winery change to CUP & MUP see exhibit Table 23-4D-4030 (A) for more clarity	Neutral		
23.164	Division 23-4D-4 Mixed-Use Zones																	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, Manufactured 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 seem to have any true methodology governing them.	No		
23.165	Division 23-4D-4 4040 - Parking Requirements																TS	Parking	NO		Table 23-4D-4040(A) (4) Office, General (non-medical)	1 per 500 sf after first 2,500 sf	If cars are expected to travel and park related to use, then parking should be provided. ADDENDA has this shown this way.	Yes	Addendum matches suggestion	
23.166	Division 23-4D-4 4040 - Parking Requirements																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 Private Seconday Schools. Keep at levels in Draft 3.	Yes	Addendum makes parking requirements consistent for schools.	
23.167	Division 23-4D-5 Parking and Loading																	Parking	No	no	Table 23-4D-4040 A	Provide a 2500 sf exemption in MU similar to exemption in MS zones.	Encourage small businesses in mixed use areas.	No	MS zones intended for more walkable development.	
23.168	Division 23-4D-4 Mixed-Use Zones																	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-way may come in several different forms. The recommended language clarifies that any legal document that authorizes the extension of certain features into public right-of-way, providing any appropriate legal document is presented.	Pending	Needs law review	
23.169	Division 23-4D-4 Mixed-Use Zones																	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, unless a license agreement, encroachment agreement, or other appropriate legal document is in place.	Agreements to encroach within a public right-of-way may come in several different forms. The recommended language clarifies that any legal document that authorizes the extension of certain features into public right-of-way, providing any appropriate legal document is presented.	Pending	Needs law review	
23.170	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 from ZAP/PC Compatability working group.	No	see above	
23.171	Division 23-4D-4 4060-4160; MU1A - MU5A																TS	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 renumber (3)(c). Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	see above	

**Dtwn Comm: 6070(A)(2) Allow Transitional Housing
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.**

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23.231	Division 23-13A-2 (Land Uses), Division 23-4D-7 (Commercial and Industrial Zones), Division 23-13A-2 (Land Uses)	Commercial and Industrial Zones, Land Uses			X			GA				CK																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			

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24.22	Division 23-4E-4	Parking and Loading			X	GA																On Street Parking	No		23-4E-3060	(A) Simple Parking Adjustments. (1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table. (2) Minimum off-street parking requirements shall be further reduced as follows: ----- 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;		No	Parking districts would best implement this reduction.	
24.23	Division 23-4E-3	Parking and Loading							KM																	Eliminate all parking reductions beyond those already in place	Note AISD requests to maintain parking regulations near schools. Note: 2500 SF bars & restaurants near homes w/o parking is not compatible Using street parking to count for bars is unfair to other businesses and residents. Code Lready allows extensive reductions in parking that are not enforced. Tandem parking results in many cars already on the streets. Vistors and emergency responders have no place to parkIng when streets are crowded. This also impacts trash and bicyclists.	No		
24.24	Division 23-4E-4	Landscape																												
24.25	Division 23-4E4	Landscape		X									JSh														is landscape reqs more onerous and difficult to comply and review? Also says foundation buffer reqd all zones. CC and DC zones currently has no setback.. No we have to do landscaping with the new setbacks? Does it all have to have landscape architect? what about small projects? maybe req only for 10k sqft or more projects.			
24.26													JSh									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				
A-24.26.1		Front yard Planting reqs		X												TW						landscape	X	X		Reduce the Front Yard Planting Requirements.	The draft requires significantly more trees than existing Street yard code requirements. There is concern for over-planting and the health of the new trees that are planted if they are spaced too closely together, especially for small lots. Reduce, or make scalable, the Front Yard Planting Requirements.			
24.27													JSh									landscape			23-4E-4020	A-1-C: single family, duplex, and other residential house scale buildings		Yes	Staff concurs: A-1-C. Change to single family, duplex, and other residential house scale buildings	
24.28													JSh									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.			23-2A-3040 for 3 to 6 units and under 45% are exempt from site plan.	
24.30	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).	Currently no landscape requirements downtown to maximize density, Great Street trees are required.			per table23-E-4E-4040(A) Front Yard Planting Requirements, there are no Front Yard Planting Requirements. No Change needed
A-24.30.1	Division 23-4E-4	Landscape		X							JSc											Landscaping			Table 23-4E-4040(A)	Reduce Front Yard Landscaping to 25%	Architects do not design buildings for them to be hidden by landscaping, current requirement is 20%.			
24.29													JSh									landscape			23-4E-4050	C. This section applies to commercial zones (says all zones)		Yes	staff agrees: replace "all" with "commercial"	
24.31	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 be hidden, would destabilize soil conditions around foundation, conflicts with AFD Requirements for clear zone for ladders around building			Landscape requirements include shrubs, grasses, groundcover, and small trees. These are meant to enhance the architecture of the building and not required as a solid planting against the entire length of the façade, nor directly against the foundation.
24.32	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 standard for decades, onerous and will make redevelopment costly to retrofit parking lots			There is no requirement for landscape island at 10 spaces in the current code. The current code requires each parking space to be within 50' of a tree and the tree doesnt have to be within an island. New code requires a maximum of 8 consecutive spaces before a parking tree island is required. This ensures parking lots will have adequate shade from trees spread uniformly throughout the parking lot thereby reducing the Urban Heat Island Effect and fostering more hospitable human conditions within parking lots.
24.33	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 is minimum for planting zones, no need to change.			Proposed code increases the minimum width for landscaped Islands, medians or peninsulas which contain new trees from eight (8) feet to ten (10) feet, measured from the inside of the curb, to help accomodate new minimum soil volume requirements and to provide significant space for the growth of trees planted within these areas.
A-24.33.1		Street Tree Requirements		x								PS										Street Trees				Per Environmental Commission Recommendation: Reinstate Street Tree Requirements	Reinstate, as written in Draft 2 23-9E-5050 (b)(1,) which states "the width requirements for street tree planting shall apply regardless of the available right-of-way; the street planting area shall extend onto private property, within a public access easement, to fulfill the width requirement when sufficient right-of-way is not available"			

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																						YES/NEUTRAL /NO	STAFF RESPONSE				
24.65	Division 23-4E-6	Specific to Use			x		AH											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 more flexible site development standards to encourage their efficient and effective development.		same motion as line 24.55				
24.66	Division 23-4E-6	Specific to Use			x		AH											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 more flexible site development standards to encourage their efficient and effective development.		same motion as line 24.56				
A-24.66.1		Schools		X													X		Amend Section 23-4E-6320 School to incorporate corrections submitted by Susan Moffat as vetted by the law department. Please see exhibit	Amend Section 23-4E-6320 School to incorporate corrections submitted by Susan Moffat as vetted by the law department. Please see exhibit							
24.67	Division 23-4E-6	Specific to Use			x			CK										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.		same motion as line 24.43				
A-24.67.1		23-4E-6			x							PS							Definitions			23-4E- 6xxx	Add definition for Cooperative Housing	Need to understand and define difference between group residential and coops.			
24.68	Division 23-4E-7	Additional General Standards																							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' setback or 1/3% of existing build for old buildings		
24.69	Division 23-4E-7	Additional General Standards			x		FK											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 occupancy for all zones, this can still work in harmony with it because its a larger limit for co-ops.	Neutral	Not limiting the cooperative occupancy to 4 would allow them to be more feasible, NEED TO DISCUSS				
24.70	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 occupancy allowance under same allowance as SF homes	Neutral		
24.71	Division 23-4E-7	Additional General Standards			x							JSh												max occupancy duplex up 10 total "if", land use commission able to allow more under CUP - hey Co-ops! Do we allow more occupancy for coops? Fences are too restrictive compared to today... we are okay 4-5' on front property line, and on the property line, intersections okay. Ramp encroachment says allowed only 3' on side, for corner lot more can be allowed		commentary	
24.72	Division 23-4E-7	Additional General Standards			X	GA	AH											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-Se-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 4-6 unrelated individuals does not allow sufficient residency to make a cooperative viable	no	In a housing crisis It is not staff's opinion to further restrict occupancy limits				
24.73	Division 23-4E-7	Additional General Standards			X	GA	AH											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 the limit as it stands today at four unrelated adults unnecissarily drives up the cost of housing for people who need to share space. This is also supported by the Austin Housing Coalition and Austin Tenants Council	no	there are grandfathering rights that are associated with these dates (need confirmation)				

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																		GENERAL	SPECIFIC SECTION						
27.8													JSh					23-5C-2040	D. REINSTATE THAT IT REQUIRES VARIANCE FROM LAND USE COMMISSION		no	refer to comments on item 27.4			
A-27.8.1		2040 Flag Lots		x									PS					23-5C-2040	Restore Variance requirement to all Flag Lots	Add Variance requirement for Flag Lots back into code.Originally initiated from ZAP to assist certain neighborhoods in core Austin voice public opinion					
27.9		2060-Single Family Attached							KM										Delete this use	This was called Small Lots in Version 2 and it was not clear what zones is this allowed? The name has been changed to single-family attached lots. What comments to version 2 drove the need to add this to the code?	no	The concept of the "small lot subdivision" is no longer applicable. Instead, the minimum lot size varies by zone and the subdivision chapter will not regulate lot size, except in the ETJ. In the same manner, if the applicable base zone allows single-family attached dwellings, the subdivision chapter should not impede the creation of those type of lots. The applicable zone will also regulate the lot size, setbacks and impervious cover standards. Those standards are no longer in the subdivision chapter. The definition of Single-Family Attached is located in 23-13A 2030 "Land Uses". There is no definition for "small lot" because that term is no longer used.			
27.10													JSh					23-5C-2060		C CCRS approved by City Attorney... spell out the requirements... need general language about operations and maintenance... possibly HOA creation...we call out the technical parts but that is it	neutral				
A-27.10.1	TS	2080		x												TS		23-5B-2080 D	(D) Changes Approved by Commission. For a preliminary plan approved on or after October 28, 2013, an applicant may request that the Land Use Commission approve a residential change in land use for up to 25 percent of the land area included in the preliminary plan. The Commission may approve the request if it finds that the change would not significantly increase the amount of right-of-way required to be dedicated or otherwise impair the orderly planning of roads, utilities, drainage, and other public facilities.	23-5B-2080 D Add the word "residential" between the words a change in land use for up to 25% of the land area included in a preliminary plan. Reason: This requirement was put in to make it easier for an applicant to change single-family residential lots to small lot single-family residential lots. To avoid interpretation questions, the word "residential" should be added.					
27.11		Division 23-5C-3 Utilities	C																						
27.12		Division 23-5C-3 3099 - TRASH							KM									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 services in any subdivision. The rpreponderence of small lots and flag lots requires that this be accounted for. Many central city resubs result in utilities and trash not in locations consistent with adjacent properties. we need to do a better job of planning as we chop up the city into smaller pieces.	neutral	General comments: Each lot has frontage to a public ROW, and the ROW is used for trash collection. The utility providers determine the location of utilities, in accordance with state statutes, city code, and criteria manuals.			
27.13		Division 23-5C-4 Trees for Residential Subdivision																					Residential Tree Standards were added to the subdivison chapter in error. Their correct location is in a criteria manual, and a reference to the criteria manual will be added to Article 23-3C: "Urban Forest Protection and Replenishment"		
A-27.13.1													JSh					23-5C-2020 B1	Revise area values with what is presented in zones						
A-27.13.2													JSh					23-5C-2060	B - ADD - 1) zero lot line is allowed only on one side and not allowed on a front, or street-side lot line						
A-27.13.3													JSh					23-5C-2060	4) PER TECHNICAL CODES, appropriate and adequate space must be provided for utilities including water meters and wastewater cleanouts (OR DELETE THIS IF THIS IS COVERED IN SECTION C C) ADD: Standard regarding site alterations and IC Maintenance responsibilities Limitations of City liabilities	needs city legal to clary what is in the CCR's. Condo regiem duplex has agreements this should too					
A-27.13.4													JSh					5C-2040	Refeneces SF4a						
A-27.13.5													JSh					23-5c-4020	C) Trees preserved REMOVE - A tree required...AND USE... Trees required.... C. Trees of species and caliper inches described in Protected and Heritage trees	this is to allow large preserved caliper trees to suffice for site requirement Heritage and protected trees can already have a huge canopy					
A-27.13.6			x													TS		Trees in Res, Sub	YES	YES/NO	Division 23-5C-4	Ask City Arborist if they reviewed.			
Chapter 23-6: Site Plan			NONE	MINOR	MAJOR											YES/NO		YES/NO							
28	Article 23-6A: Purpose and Applicability																								
28.1		Division 23-6A-1: Purpose and Applicability	C																						
28.2		Division 23-6A-2: Exemptions																							
28.3		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) No more than two residential structures are constructed on a legal lot or tract <u>Structure quantity does not exceed the quantity allowed in the applicable zoning category; and"</u>	No	The language as proposed, "Structure quantity does not exceed the quantity allowed in the applicable zoning category" has unintended consequences, and will prevent staff from being able to enforce applicable regulations.

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28.4									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 communities.” Complete communities need a healthy tree canopy.	Neutral	This amendment would contradict the requirement limiting demolition with a site plan exemption to 10,000 sf and may encroach on the definition of a small project site plan. While tree planting should be supported, it's still site work that needs to be reviewed and approved. The intent of limiting what is permitted with a site plan exemption is to allow incremental adjustments and improvements to a site without going through a full site plan process. Relaxing limits on impervious cover removal in lieu of tree planting may be outside of the scope of an exemption review.			
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 through a complete site plan - otherwise you'll only get six units and rarely ever seven to ten units.			
A-28.5.1	Division 23-6A-2:	Exemptions			X												TW				X	X	direct staff to crete a site plan light for missing middle housing between 6-12 units.	We want to lower the barrier for missing middle; the threshold of 6 for triggering a site plan is a step in the right direction. But we'd like to see more in the way of reducing the number of hurddles for the 6-10 units as well. Site plan light would include watershed review but not necessarily all departments.			
29	Article 23-6B: Site Plan Review and Filing Requirements																										
29.1	Division 23-6B-1:	Application Review and Approval																									
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.	Yes	This language reflects how most staff understand code. However, current code is not clear, and there is conflict in review. This language provides clarification; DSD supports this addition		
29.3	Division 23-6B-2:	Submittal Waivers																									
29.4	Division 23-6B-3:	Release																									
30	Article 23-6C: Expiration																										
30.1	Division 23-6C-1:	Expiration		C																							
Chapter 23-7: Building, Demolition, and Relocation Permits; Special Requirement Permits For Historic Structures																	YES/NO	YES/NO									
31	Article 23-7A: General Provisions																										
31.1	Division 23-7A-1:	General Provisions																									
31.2	Division 23-7A-1:	General Provisions		X								JSc								Historic Zoning		23-7A-1020	Historic Properties and Buildings 45-50 or More Years Old (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. (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.	The national standard for historic protection is 50 years.			
31.3	Division 23-7A-1:	General Provisions			X							JSc								Historic Zoning		23-7A-1050	<u>HISTORIC PROPERTY INVENTORY. A list of all properties across 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.</u>	This will provide regulatory certainty and identify properties that are not currently protected but should be.			
A-31.3.1		23-7A Historic			x							PS								Historic Preservation		23-7	Include Historic Landmark Commission recommendations 20180423	Include HLC changes recommended changes (1) encourage ADUs as a tool to retain older, historic-age residential buildings, 50+ years, while increasing density (2) Maintain the historic street pattern, (3) preserve the built form of low-rise residential neighborhoods and commercial corridors via context-sensitive form-based zoning (4) discourage demolitoons of older commercial and residential buildings (compressd recommendations)			
A-31.3.2		23-7A-1020 Historic			x							PS								Historic Preservation		23-7A-1020	Change 45 back to 50 years	Why is there a change of age from National Histoic guidelines of 50+ years. Change back to standard.			
32	Article 23-7B: Building Demolition and Permits																										
32.1	Division 23-7B-1:	Building and Demolition Permits		C																							
32.2	Division 23-7B-2:	Permit Applications																									
32.3	Division 23-7B-3:	Demolition Permit Expiration and Extension																									
32.4	Division 23-7B-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	Article 23-7C: Relocation Permits																										
33.1	Division 23-7C-1:	Relocation Permits																									
33.2	Division 23-7C-1:	Relocation Permits			X							JSc								Historic Zoning		23-7D-1020	Article 23-7D: Special Requirements for Historic Properties and Buildings-45-50 or More Years Old	50 is the national standard			
33.3	Division 23-7C-2:	Relocation Requirements																									
34	Article 23-7D: Special Permit Requirements for Historic Properties and Buildings 45 or More Years Old																										
34.1	Division 23-7D-1:	Overview																									
34.2	Division 23-7D-2:	Properties with Historic Designation																									
34.3	Division 23-7D-3:	Properties without Historic Designation																									

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34.4	Division 23-7D-3: Properties without Historic Designation				X								Jsc																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													

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41.10											JSc							(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							
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."				
41.14	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			X	GA					JSc							Rough Proportionality	No		23-9A-2020 B	"(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: (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; (2) Shall be completed in compliance with generally recognized and approved measurements, assumptions, procedures, formulas, and development principles; and	A clearly defined Rough Proportionality (RP) review process, including standardized procedures for making determinations, needs to be established. There is no specific process defined in current code nor in Draft 3. The RP review process should be written in a manner that is predictable.			
41.12	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			X						JSc							Proportionality Determination	Yes		23-9A-2020 (B) (3)	(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.				
41.15											JSc							Rough Proportionality	No			(4) Within 30 days of submission, must provide a list of included/qualified rough proportionality improvements and estimated costs. (5) The Director shall develop rules using the admistrative rule process to develop a process for submittal and review of rough proportionality evaluations, and the timing them in relation to TIAs, 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.	Continued from above			
41.9	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			X						JSc							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 determined prior to adoption of code and listed within Code.			
41.13	Division 23-9A-2	Proportionality of Transportation Infrastructure Requirements			X						JSc							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.				
42	Article 23-9B: Right-Of-Way Dedication and Reservation																									
42.1	Division 23-9B-1: General Provisions																									

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH											THOMPSON	WHITE
43.4	Division 23-9C-1: General Provisions			x								JSc							Purpose and Applicability	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 not always an option for new development in urban environments – language needs to allow for infill development on congested streets that increases transit ridership over time. Language shall be crafted such that infill development is not restricted.		
43.5	Division 23-9C-1: General Provisions			x								JSc							Purpose and Applicability	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 1,000 2,000 vehicle trips per day or 400-peak-hour-trips;	RECA: The lowered TIA threshold of 1,000 trips/day and application of said requirement to downtown discourages density in the urban core and along our corridors. To encourage Imagine Austin density goals and create a critical mass for transit, as well as expedite increased housing supply, the threshold for TIA requirements should be reevaluated.		
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 Criteria Manual and utilizing the federally accepted measures for calculating vehicle trips.			
43.7	Division 23-9C-1: General Provisions			X								JSc							Transportation 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																								Dtwn Comm: 2010 exempt TIAs and allow TDMs in CC & DC zones	
43.9	Division 23-9C-2: Comprehensive Transportation Review											JSc							23-9C-2010 Purpose and Applicability (B)			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 400 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 TIA 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 to the suggested modification, consider including a threshold based on alternate methodology that aligns with method of study and determination of impact at intersections (such as peak hour analysis) to provide more certainty and predictability.		
43.10	Division 23-9C-2: Comprehensive Transportation Review		X									JSc							Transportation			23-9C-2020 Transportation Impact Analysis (B)(1)(c)(d)	(B) Contents. A transportation impact analysis must be consistent with 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; (d) deficient streets intersections; and			
43.11	Division 23-9C-2: Comprehensive Transportation Review			X								JSc							Transportation			23-9C-2020 Transportation Impact Analysis (B)(1)(c)(d)	Do not require TIAs at zoning and make it clear to both City Council and 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-development.			
43.12												JSc										23-9C-2020 Transportation Impact Analysis (C)(1)(b)	(C) Timing of Submittal. (1) Initial TIA. If a proposed development meets the trip threshold established in Section23-9D-2010 (Purpose and Applicability), an initial transportation impact analysis: (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-development.	The conflicting timing concepts between (C)(1)(a) and (C)(1)(b) should be removed. TIA submittal requirements should be clear and predictable. Current draft language suggests that City Council can ask for a TIA even when it is not initially required, which could add 6-9 months to the development process.		
43.13	Division 23-9C-2: Comprehensive Transportation Review			X								JSc							Transportation			23-9C-2030 (B)	Need to see TCM draft and vet along with proposed code language	Need more information on trip reduction measures before this section of code can be adopted		
43.14	Division 23-9C-2: Comprehensive Transportation Review			X								JSc							Transportation			23-9C-2030(C)	(C) Timing of Submittal. (+) Concurrent with TIA. Except as provided in 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 TIA threshold, the TDM shall serve to replace a TIA and a TIA shall not be required.	TDM submittal requirements, procedures and timelines are unclear and appear to be inefficient by requiring multiple studies to be reviewed concurrently. The timing of TDM submittal could be simplified. Whether a TDM plan should be submitted in lieu of a TIA and/or concurrent with a TIA needs to be clarified. To be more clear and predictable, we suggest that the timing of a TDM submittal becomes part of a predevelopment meeting and the predevelopment summary identifies any and all studies required for the applicant.		
43.15												JSc											(2) In Lieu of TIA. (a) The director may allow submittal of a proposed 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 Section 23-9C-1030 (Waiver of Transportation Review).	CONTD		

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH											THOMPSON
																		GENERAL	SPECIFIC SECTION						
43.16	Division 23-9C-2: Comprehensive Transportation Review		X								JSc							23-9C-2030(D)	Change text in (d) by removing the following "...and includes reasonable strategies for reducing transportation demand based on the layout, location, and context of a proposed development."	TDM submittal requirements, procedures and timelines are unclear and appear to be inefficient by requiring multiple studies to be reviewed concurrently. The timing of TDM submittal could be simplified. Whether a TDM plan should be submitted in lieu of a TIA and/or concurrent with a TIA needs to be clarified. To be more clear and predictable, we suggest that the timing of a TDM submittal becomes part of a predevelopment meeting and the predevelopment summary identifies any and all studies required for the applicant.					
43.17	Division 23-9C-3: Neighborhood Transportation Impact Analysis																								
43.18	Division 23-9C-3: Neighborhood Transportation Impact Analysis			X							JSc							Section 23-9C-3020 (A)(1)	Provide clear definition of "multimodal level of service" to better understand implications of this requirement	The definition of multi-modal transportation is unclear. In order to create a predictable process, multi-modal transportation concepts should be clear and defined in code. The code should include a list of allowable and approved "modes" and specific goals of mode split for purpose of implementing code policies regarding redirecting traffic to other modes.					
43.19	Division 23-9C-3: Neighborhood Transportation Impact Analysis			X							JSc							23-9C-3020	Clear definition is needed of multi-modal level of service – Code should include list of allowed/approved "modes" and goals regarding mode split for purpose of implementing code policies regarding redirecting traffic to other modes						
44	Article 23-9D: Development Conditions and Mitigation																								
44.1	Division 23-9D-1: Action on Development Application																								
44.2	Division 23-9D-1: Action on Development Application			X							JSc														
44.3	Division 23-9D-1: Action on Development Application			X							JSc							23-9D-1030 (B)	Application Approval will be addressed after the Street Impact Fee regulations are finalized and once the new method of reviewing street impacts is considered.						
44.4	Division 23-9D-1: Action on Development Application			X							JSc							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						
44.5	Division 23-9D-1: Action on Development Application			X							JSc							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							23-9D-1030 (C)	Update section (C) to read as follows: "To the extent 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 conditioned based on request over/above RP value.					
44.7	Division 23-9D-2: Transportation Infrastructure Improvements																								
44.8	Division 23-9D-2: Transportation Infrastructure Improvements			X							JSc							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 Plan here creates conflict with requirement for TDM per 23-0C-2030(A)(2)					
44.9	Division 23-9D-2: Transportation Infrastructure Improvements			X							JSc							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 not be required and rather incentivized (similar to 2010(B) language)					
44.10	Division 23-9D-2: Transportation Infrastructure Improvements			X							JSc							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 if not used; The City is responsible for managing funds and improvements so this is a way to keep them accountable.					
44.11	Division 23-9D-2: Transportation Infrastructure Improvements			X							JSc							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 applied to all affordable housing projects regardless of whether they follow the City SMART housing proposal as they serve to benefit all affordable renters					
45	Article 23-9E: Right-Of-Way Construction																								
45.1	Division 23-9E-1: General Provisions		C																						
45.2	Division 23-9E-2: Construction License		C																						
45.3	Division 23-9E-3: Right-Of-Way Permit		C																						
45.4	Division 23-9E-4: General Design and Maintenance Requirements		C																						
45.5	Division 23-9E-5: Driveways and Alleys																								
45.6	Division 23-9E-6: Sidewalks, Urban Trails, Street Trees																								
45.7	Division 23-9E-6																	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." Complete communities need a healthy tree canopy.					
46	Article 23-9F: Street Design																								

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					ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEEGER	SHIEH	THOMPSON	WHITE	SHAW	BURKARDT	MENDOZA	TEICH										
																			GENERAL	SPECIFIC SECTION										
52.5	Division 23-10E-2:	Drainage Studies; Erosion Hazard Analysis; Floodplain Delineation																												
52.6	Division 23-10C-2:	Fee Established		X								JSc								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 directly related to the unit that is performing the impact.								
52.7	Division 23-10E-3:	Standards for Approval										JSc																		
52.8	Division 23-10E-3:	Standards for Approval			X							JSc								23-10E-3010	Proposal would include the following alternative options for site in an urban/suburban watershed that are also along a corridor, within ½ mile of transit or within a TOD: 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. Option to develop to reduce existing impervious cover by 10% with 75% water quality volume compliance and no detention required. 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.	Provide alternative options. Potential options listed here								
52.9	Division 23-10E-3:	Standards for Approval			X							JSc								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	This amendment incentivizes the developer to participate in drainage studies or construct off-site improvements that benefit the whole watershed.								
52.10	Division 23-10E-3:	23-10E-3010 Criteria For Approval of Development Applications																	Drainage critieria for new and redeveloped sites	23-10E-3010 (A)(5)(b)	MOTION: PC shall adopt section 23-10E-3010 as proposed in CN draft 3 (refer to exhibits: SHAW EXHIBIT WS-1, SHAW WS-2, and SHAW WS - 3.	(A)(5) (f) reduces the post-development peak flow rate of discharge to match the peak flow rate discharge for undeveloped conditions as prescribed on the Drainage Criteria Manual.								
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 State P.E. Rules.								
52.12	Division 23-10E-5:	Responsibilities of Applicant or Owner																												
52.13	Division 23-10E-5:	Responsibilities of Applicant or Owner			X							JSc								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.	The former B & C are unnecessary with the amendment which clarifies the intentions of both.								
Chapter 23-11: Technical Codes (TBD)			NONE	MINOR	MAJOR																	YES/NO	YES/NO							
53	Article 23-11A: Introduction																													
54	Article 23-11B: Technical Codes																													
54.1	Division 23-11B-1:	Building Code																												
54.2	Division 23-11B-2:	Food Establishments																												
54.3	Division 23-11B-3:	Reserved																												
54.4	Division 23-11B-4:	Electrical Code																												
54.5	Division 23-11B-5:	Mechanical Code																												
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																												
54.9	Division 23-11B-9:	Property Maintenance Code																												
54.10	Division 23-11B-10:	Reserved																												
54.11	Division 23-11B-11:	Residential Code																												
54.12	Division 23-11B-12:	Energy Code																												
55	Article 23-11C: Administration of Technical Codes																													
Chapter 23-12: Airport Hazard and Compatible Land Us			NONE	MINOR	MAJOR																	YES/NO	YES/NO							
56	Article 23-12A: General Provisions																													
56.1	Division 23-12A-1:	Height Limits and Airport Hazards	C																											
56.2	Division 23-12A-2:	Compatible Land Uses	C																											
56.3	Division 23-12A-3:	Nonconforming Uses, Structures, and Objects; Marking and Lighting	C																											
56.4	Division 23-12A-4:	Permits	C																											
Chapter 23-13: Definitions and Measurements			NONE	MINOR	MAJOR																	YES/NO	YES/NO							
57	Article 23-13A: Definitions and Measurements																													
57.1	Division 23-13A-1:	Terms and Measurements																												

Prepared by Stephen Oliver
City of Austin, Planning Commission | Chair

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					ANDERSON HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON	WHITE	SHAW										
																		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE			
57.17	Division 23-13A-2: Land Uses		X		GA	FK					JSc								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					
57.18	Division 23-13A-2: Land Uses		X			FK													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.	Tiny homes provide simple options for families and should be allowed.					
57.19	High Opportunity Area													TW			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 added to mandate how often this area will be redefined					
57.20	Multi-Unit													TW						Please add definition of Multi-Unit.	Please add definition of Multi-Unit. While Draft 3 still contains a few references to Multi-Family, it replaces this term with Multi-Unit throughout 23-4D. Please provide a definition for both terms.					
57.21	Affordable Housing													TW		X				Affordable Housing (INCOMPLETE). Please replace or augment current definition with: “See Article 23-3E: Affordable Housing.”						
57.22	live/work & work/live		x											TW		x		specific definition		remove work/live definition	this is redundant with the definition for live work. I don't see how this simplifies anything and I think it'll end up being subjective which is which.					
A-57.22.1												JSh								REINSTATE accessory apartment “USE” ALLOWED IN ALL R ZONES 23-4D-2030 LAND USE TABLE - ADD USE 23-4D-6050 ACCESSORY USES - ADD SECTION 23-13A-2030 LAND USES - ADD DEFINITION 25-2-901 - ACCESSORY APARTMENTS. A An accessory apartment is a separate dwelling unit that is contained within the principal structure of a single-family residence, and that is occupied by at least one person who is 60 years of age or older or physically disabled. B. If space within a principal structure is converted to an accessory apartment, the accessory apartment may not include: 1. converted garage space; or 2. a new entrance visible from a street. REMOVE SECTION C BELOW C. The building official may not issue a building permit for construction or remodeling of an accessory apartment unless the applicant delivers to the building official an affidavit verifying that one of the proposed occupants of the accessory apartment is 60 years of age or older or physically disabled.						
A-57.22.2												JSh								Accessory Apartment Allowed Use - Reincorporated and allowed use. Internal to an existing home - adaptive reuse Internal to main house, http://www.plgrove.org/documents/faq-accessory-apartments.pdf Should firewall separation be required between the AA and the main dwelling? No. This is required for a duplex, but not normally required for Accessory apartments. It is a substantial cost that would need to be required for most existing situations that might cause difficulties for compliance. An accessory apartment Is considered a part of the same home and structure, and normally the main dwelling unit is required to have access to it. proposed definition as refined over the years is: Attached: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities, within or attached to a single family residential building; or Detached: Within a detached accessory structure associated with a single Family dwelling. https://extension2.missouri.edu/gg14 Mention costs to do an accessory apartment - very VERY affordable vs adu.						
A-57.22.3	Designated Review Group		x											TW		x				Please add definition and details	Clearly define Designated Review Group . Draft 3 repeatedly references a “Designated Review Group,” which it invests with significant authority, but fails to provide any definition, including how review group members will be selected and by whom, qualifications for membership, terms of service, and whether the group is subject to the Open Meetings Act. Please revise to provide clear standards for this group					
A-57.22.4	micro units, modular, mobile homes		x													x				Please add definitions	let's discuss why these aren't included as definitions or uses in our new code?					
57.23	micro units, modular, mobile homes		x											TW		x				Please add definitions	let's discuss why these aren't included as definitions or uses in our new code?					