#### 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 differentation) 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 included 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 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.

			А						в						с	D			E	F	G
CHAPTER	ITLE ITLE		SIRED PRO		Г											REQ. ADD'L STAFF					
AR		c	HANGES	TO D3	-		INITIA	TED BY C	COMMS	SIONER	2		EX OFF	ICIO	TOPIC AREA	FEEDBACK	-	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONE
					NDERSON	IART (AZI	(ENNY ACGRAW	UCKOLS	JUIVER	EEGER	'HOMPSON VHITE	HAW	IURKARDT AENDOZA	EICH			GENE	·RΔI	SPECIFIC SECTION		
GENERAL	_	NONE	MINOR	R MAJOR	- 4	<u> </u>	<u>×                                    </u>		5 0	<u> </u>	- 2	0				YES/NO	<b>U</b> LITE				
	All Non 23-4 Divisions		×	×				s	0						FORMAT		×	(		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.	
	3-1: Introduction	NONE	MINOF	R MAJOR												YES/NO	YES/	/NO			
1 Art 1.1	ticle 23-1A General Provisions Division 23-1A-1 Title, Purpose, and Scope		1	Т			тт	TT	TT			П					п –				
1.3	Division 23-1A-2 Authority	С	x						JSc						Admin & Procedures				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 ( <u>LDC</u> ) 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.	
1.4	Division 23-1A-3 Classification of Application and Decisions																				
2.6	Division 23-1A-4 Classification of Application and Decisions								JSc						Admin & Procedures				23-1A-3020 (C)Administative Decisions (1)(b)	Move 23-1A-3020(C)(2)(c) to 23-1A-3020(B)(2)(e) and revise 23- 1A3020(C)(1) (b) The authority to make administrative decisions is delegated to City departments and to boards and commissions, as provided in Article 23-1B (Responsibility for Administration). A public- hearing is required for an administrative decision by a board or commission.	Section 23-2A-2010(A)(2) (c )has subdivi conflicts with 32-1A-3020(C ) as administ
1.5	Division 23-1A-4 Consistency with Comprehensive Plan	С																			
1.7	Division 23-1A-5 Rules of Interpretation	C	х						JSc						Admin & Procedures				23-1A-5020 (b) (1)	Wherever possible, the Director shall have the authority to interpret this. Title in a manner that gives effect to all provisions <u>and wherever</u> . <u>possible, shall</u> avoid interpretations that render a provision of this Title in conflict with one or more other provisions.	Conflicts should be avoided whenever po language gives the director the authority to potential conflicts wherever possible.
2 Art	ticle 23-1B Responsibility for Administration																				
2.1	Division 23-1B-1 City Council	С			+++		++	++	+												
2.2	Division 23-1B-2 Boards and Commissions	С			$\square$				+												
2.3	Division 23-1B-3 Administration	С														_					
2.4 2.5	Division 23-1B-4 Neighborhood Planning Division 23-1B-4 Neighborhood Planning		-	-				м	++			+				-	-		23-1B-4010	Neighbrohood Contact Teams may submit plan amendments.	This should not be removed.
2.5							Ň	vi							Contact Teams				23-18-4010	Neighbronood Contact reams may submit plan amendments.	This should not be removed.
2.7	Division 23-18-4 Neighborhood Planning										л				Neighborhood Plans		Ye	25		When PC first sees a new Neighborhood plan, or small area plan, etc., it is on the dias (or perhaps at SAP) where we are expected to give an up or down vote. There is no method for additional nighborhood feedback other than public hearing. The process should go to PC much sooner so we can provide early feedback.	
	3-2: Administration and Procedures GENERAL Administration & Procedures	NONE	MINOR	R MAJOR					_		-					YES/NO	YES/	_			
A.3.0.1	GENERAL Administration & Frocedures		^									v			Admin		×	(			
3 Art	ticle 23-2A Purpose and Applicability																				
3.1	Division 23-2A-1 Purpose and Applicability																				
3.2	Division 23-2A-2 Development Process													11							

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ER NOTES		
	YES/NEUTRAL	
	/NO	
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anuals suppressed the statements of		
anuals supercede the statements of		
	_	
isions as quasi-juducial approval, trative decision		
posible incide the LDC. This new		
ossible inside the LDC. This new to interpret the LDC to avoid any		

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CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		INI	FIATED B	SY COMM	SSIONE	ER	E	EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	SHAW	BURKARDT MENDOZA	TEICH			GENERAI	SPECIFIC SECTION		
3.3	Division 23-2A-2 Development Process	x						т				Admin & Procedures	No	No	23-2A-2010 (2) Quasi- Judicial approvals	<ul> <li>(2) Quasi-judicial approvals:</li> <li>(a) Zoning variances and special exceptions;</li> <li>(b) Environmental variances;</li> <li>(c) Subdivisions and subdivision variances; and <ul> <li>(d) Conditional use permits.</li> </ul> </li> </ul>	A business requiring a Conditional use Perm be allowed to submit concurrently. Allowing fi provide a more transparent process and mor interested parties. In addition, there is a conc 23-2A-2020, gives the Director discretionary applications. Language in existing code (25-1 provision which would allow for applications to concurrently.
3.4 3.5	Division 23-2A-3 Residential Development Regulations								TS	_		One-Two Unit	NO		23-2A-3030 One to Two-	A)2) Residential development that is subject to this section must comply	Clearer language
3.6	23-2A-3030 One to Two-Unit Residential Division 23-2A-3 23-2A-3040 Three to Six Unit Residential	X										Residential			Unit Residential	with the regulations of this Title specified under this section.	
3.7							ISI	h							engineers letter	<ul> <li>Amendment: Replace language.</li> <li>(2) An engineer's certification that any changes to existing drainage patterns will not negatively impact adjacent property if the construction, remodel, or expansion: <ul> <li>a. Is more than 300 square feet; and</li> <li>b. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted</li> <li>WITH</li> <li>(2) Provide acceptable drainage improvements on site to preserve OR IMPROVE existing drainage patterns if the construction, remodel or expansion:</li> <li>A. Is more than 750 square feet; and</li> <li>B. in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.</li> </ul> </li> </ul>	too costly, and spending money on things tha difference
3.8																<ul> <li>C. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted</li> <li>1. Acceptable drainage improvements include,</li> <li>1. An engineer's certification that any changes to existing drainage patterns will not adversely impact adjacent properties</li> <li>2. swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve OR IMPROVE existing drainage patterns as calculated by:</li> <li>i. grading plan</li> <li>ii. per Table X-X-XX (gallons per sf of impervious cover and grade changes+12")</li> <li>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.</li> </ul>	
3.9	Division 23-2A- 3030 & 3040 (B)	x	x									residential and affordability	NO	NO	23-2A-3030 & 3040 (B)	An engineer's certification that any changes to existing drainage patterns- will not negatively impact adjacent property if the construction, remodel, or expansion:           Is more than 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 liabili for both engineer and homeowner. V3 langue owner of the property to the engineer, which to without obscene fees. At first blush, The cr work plus \$5000 for the letter. Est \$8000 per last year fitting the requirements = over \$40 r Furthermore, "Negative Impact" is vague & s allow for pre-existing deficient conditions on a calculations are necessary for engineer revie inaccurate on small tracts.
	letter of no impact	x										water mitigation	x		23-2A-3030 & 3040 (B)	please see Exhibit TW Additional language	Comment: This section incurs high cost along concerns for both engineer and homeowner. from the owner of the property to the enginee subjective. It does not allow for pre-existing adjacent properties. Drainage calculations ar review and are known to be inaccurate on sm estimated at \$3000 in site work plus \$5000 fc house for over 5100+ permits last year fitting million additional cost.
<b>4</b> 4.1	Article 23-2B Application Review and Fees Division 23-2B-1 Application Requirements																
4.3	Division 23-2B-1 Application Requirements	x				JSc						Admin & Procedures				Add new (A)(4) that states (4): An application that has been submitted and not rejected as incomplete in 45 days shall be automatically approved under this section.	This would create certainty that applications t completeness will be accepted
4.4	Division 23-2B-1 Application Requirements	x				JSc						Admin & Procedures			23-2B-1010 (b)	Replace with: The responsible director may adopt application requirements under this Section by administrative rule <del>or by policy memo,</del> and shall post required application forms and all relevant rules on the City's website.	This clarifies that directors are empowered to requirements and deadlines only through an and not via policy memo. The administrative process for all residents and stakeholders.

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ermit (CUP) and a rezoning should ing for concurrent submittals would more certainty to the applicant and concern that this section, along with hary authority over concurrent (25-1-61) is preferable for this ons to be submitted and reviewed		
	-	
s that do not may not make much		
iability and enforcement concerns nguage shifts liability from the nich no engineer would ever agree ne cost is estimated at \$3000 in site per house for over 5100+ permits \$40 million additional cost citywide. e & subjective. The term does not on adjacent properties. Drainage eview and are known to be		
along with liability and enforcement ner. V3 language shifts liability jineer. "Negative Impact" is vague sting deficient conditions on is are necessary for engineer n small tracts. The cost is 00 for the letter. Est \$8000 per thing the requirements = over \$40		
ons that meet all requirements of		
ed to adopt application an administrative rule process, ative rule process provides due s.		

And Processor         Application         Completion         Com	CHAPTER	DIVISION		SIRED PRO				NITIATE	ED BY (	COMMS	SIONEF	2	E	X OFFI	сю	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER 1
And Processor       Consistent						ANDERSON	KAZI	KENNY MCGRAW	NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA	TEICH			GEI	NERAL SPECIFIC SECTION		
Image: Section in the sectio	4.5	Division 23-2B-1 Application Requirements			x					JSc									Completeness		This would create certainty that applications completeness will be accepted
Image: State	4.6	Division 23-2B-1 Application Requirements			x					JSc										subsequent updates but is unable to resolve outstanding comments after the third submittal, the City Manager shall require a meeting of all reviewers and the applicant to take place within 2 weeks following the third set of comments such that conflicting issues can be resolved in a	If, after 3 rounds of comments, there is still c meeting will help resolve and expedite the pr staff time and developer costs
9.1       9.100 / 23.8       Makes Againation       N       N       N       N       A <t< td=""><td>4.7</td><td>Division 23-2B-1 Application Requirements</td><td></td><td>x</td><td></td><td></td><td></td><td></td><td></td><td>JSc</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>This section lists different reasons that a dela application expiring. A common delay that is Because legal review is outside the control o to not having an application expire when the reviewing it.</td></t<>	4.7	Division 23-2B-1 Application Requirements		x						JSc											This section lists different reasons that a dela application expiring. A common delay that is Because legal review is outside the control o to not having an application expire when the reviewing it.
130       Dubris 33.83       Roker Proceders       Image: State Proceders <td< td=""><td></td><td></td><td></td><td></td><td>x</td><td></td><td></td><td></td><td></td><td>JSc</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>23-2B-1060</td><td>unapproved applications for that development, which are listed below the expired application under Section 23-2A-2010 (Order of Process), also</td><td>There's no reason to have all other items exp resetting something back to zero. Other appl</td></td<>					x					JSc									23-2B-1060	unapproved applications for that development, which are listed below the expired application under Section 23-2A-2010 (Order of Process), also	There's no reason to have all other items exp resetting something back to zero. Other appl
414       Dimen 23 20       Press and Paul Bardy       I       X       I       I       X       I       I       X       I       I       X       I       I       X       I       I       X       I       I       X       I       I       X       I       I       X       I       I       X       X       I       X					x					JSc									23-28-2010 (A)	review and comment <u>within 21 days of the initial submission of</u> pending applications, <u>and within seven days for an updated application</u> , <del>including</del> deadlines for issuing comments on pending applications for purposes of- determining when an application expires under Division 23-2B-1	This would add certainty to the development staff is meeting timely deadlines. The director setting his/her own deadlines.
A12       Description       Review Procedures       Review Procedures <threview procedures<="" th=""> <threview procedures<="" th=""></threview></threview>																					
Article 23:5 Unite       Article 2	4.14	Division 23-28-3 Fees and Fiscal Surety		x						JSc									23-26-2030(C )		
1       Division 23-20:       General Provisions       C       Image: Constraint of the c	4.12				x					JSc									23-2B-2050	years after issuance of development assessment by City of Austin. (F) Determinations or Code interpretations made at the time of a Development Assessment shall be upheld through the application review. process for all project development applications so long as the initial application for development is submitted prior to expiration of the	Uncertainty drives complexity and project co development assessment will significantly in
5.3       Distant 23:02:3       General Noice Procedures       C       Image: Constraint of the procedures       Constraintof the procedures       Constraint of	<b>5</b> 5.1		С																		
A       Division 23-2C-       Notice of Applications and Administrative Decisions       C       Image: Decision 2000 and the policy of the polic	5.2	Division 23-2C-2 Notice Requirements																			
5.5       Division 23-2C5       Notice of Applications and Administrative Decisions       C       Image: Control of Applications and Administrative Decisions       C       Image: Control of Applications and Administrative Decisions       Image: Control of Applications and Applic	5.3	Division 23-2C-3 General Notice Procedures	С																		
5.6       Division 23-2C-5       Notice of Public Hearing       Notice of Application       NO       Artice 23-2C-5010 (b)       (b) Action on Application. Unless otherwise provided by this Title, the presentation for which notice is required under this section sconer than 44 30 days after the date that instance presentation of the public Hearing       Artice 23-2D Public Hearing       NO       NO       23-2C-5010 (b)       (b) Action on Application. Unless otherwise provided by this Title, the responsible director may not approve an application for which notice is required under this section sconer than 44 30 days after the date that instance is provided.       Change to 30 days. 14 days is impacted parties to receive no MUPs]         6       Article 23-2D Public Hearings       -<	5.4		С																		
Decisions       Decisions       Impacted parties to receive no MUPs]         6       Article 23-2D Public Hearings       Impacted parties to receive no MUPs]         6.1       Division 23-2D-1       Conduct of Public Hearings       Impacted parties to receive no MUPs]         6.2       Division 23-2D-1       Conduct of Public Hearings       Impacted parties to receive no MUPs]         6.3       Division 23-2D-1       Conduct of Public Hearings       Impacted parties to receive no MUPs]       Modice of notice is partial.       NO       Public Hearing notice no mup and parties to receive no MUPs]       23-2D-1010       Add: (A)(6) With approval of the chair, the order of presentation of those supporting and opposing the application or proposal may be modified to accommodate those present.       23-2D-1020.       Suggest alternation instead of allowing all support in modified to accommodate those present.       23-2D-1020.       Suggest alternation of those supporting and opposing the application or proposal may be modified to accommodate those present.       23-2D-1020.       Suggest alternation of those supporting and opposing the application or proposal may be modified to accommodate those present.       23-2D-1020.       Suggest alternation of those supporting and opposing the application or proposal may be modified to accommodate those present.       23-2D-1020.       Suggest alternation of those supporting and opposing the application or proposal may be modified to accommodate those present.       23-2D-1020.       Suggest alternation of those suporting and opposing the application or proposal may be modified t	5.5	Division 23-2C-5 Notice of Applications and Administrative Decisions																			
1       1 <th1< th=""> <th1< th=""> <th1< th=""></th1<></th1<></th1<>	5.6	Division 23-2C-5 Notice of Applications and Administrative Decisions		x									TS				NO		23-2C-5010 (D)	responsible director may not approve an application for which notice is required under this section sooner than 14 30 days after the date that	Change to 30 days. 14 days is not enough ti impacted parties to receive notice and respo MUPs]
6.2       Division 23-2D-1       Conduct of Public Hearings       x	6 6.1						1 1			TT											
Article 23-2E Legistative Amendments       C       C       I	6.2	Division 23-2D-1 Conduct of Public Hearings		x				км					TS				NO		23-2D-1010	those supporting and opposing the application or proposal may be	23-2D-1020: Suggest alternating between th instead of allowing all supporting presentation
7.1       Division 23-2E-1       Text Amendments       C       Image: Constraint of the system of the s	6.3		С																		
1/2       Division 23-2E-2       Plan and Map Amendments       Image: Marcine Marcin	7.1		С																		
Neighborhood       Neighborhood       Plan Amendment       LAND USE MAPS (FLUMs) No Neighborhood Plan Amendments will be amended until such time as the Land Use Department Director has       requirements, which takes pre- an amendment?	7.2	Division 23-2E-2 Plan and Map Amendments																			
Amendments Converted Chapter 23 zones within the land use classifications identified in the Neighborhood Plan FLUM.	7.3	Division 23-2E-2 2030 -Neighborhood Plan Amendment			x								TS			Plan	NO			LAND USE MAPS (FLUMs) No Neighborhood Plan Amendments will be amended until such time as the Land Use Department Director has converted Chapter 25 zones to new Chapter 23 zones within the land use	Where there are conflicts with approved neig requirements, which takes precedent when a an amendment?

ER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
one that most all requirements of		
ons that meet all requirements of		
till conflict between departments, a le process for everyone, limiting		
delay shoudin't lead to an at isn't on this list is legal review. rol of the applicant, it makes sense the city legal department is		
s expire when one does - effectively applications may still be going		
nent review process and ensure ector should not be responsible for		
such as transportaton		
t cost, and having an upfront ly improve outcomes.		
gh time after notice issued for ispond. [This is process required by		
n those opposed and supporting tations to go first.		
neighborhood plan and new zoning en and individual or entity requests		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		NITIATED BY	COMMSSI	DNER	EX	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART KAZI	kenny Micgraw Nuckols	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT	MEN DOZA TEICH			GENERAL SPECIFIC SECTION		
7.4	Division 23-2E-2 2030 -Neighborhood Plan Amendment	x			JSc				Admin & Procedures		23-2E-2030	<ul> <li>"()</li> <li>(B) Applicability</li> <li>(1) Individual Property. A neighborhood plan amendment regarding an individual property may be initiated by: <ul> <li>(a) The owner of the subject property;</li> <li>(b) The council;</li> <li>(c) The Planning Commission; or</li> <li>(d) The responsible director;; or</li> <li>(e) The neighborhood plan contact team for the planning area in which the property is located</li> <li>()</li> <li>(D) Meetings, Hearings, and Notice</li> <li>()</li> <li>(5) Responsibility for Cost of Notice</li> <li>(a) Individual Property</li> <li>(i) For a neighborhood plan amendment regarding an individual property, the applicant is responsible for the cost of notice, unless the applicant is a neighborhood plan contact team if the applicant is the owner of the subject property.</li> <li>(ii) If the applicant is a neighborhood plan contact team, the City is responsible for the cost of notice."</li> </ul></li></ul>	In this minor amendment to neighborhood pl teams should not be allowed to initiate the d
7.5	Division 23-2E-2 Plan and Map Amendments	x			JSc				Admin & Procedures		23-2E-2030 (K)	(K) Map and Filing Date. The responsible director shall establish a map- designating the area of the City for which a neighborhood plan- amendment must be submitted in February and the area for which an application must be submitted in July.	In this minor amendment to neighborhood pl submitted at any time, and not just one time regulation creates an unnecessary burden or plans.
7.6	Division 23-2E-2 2030 -Neighborhood Plan Amendment	x					TS		Neighborhood Plan Amendments	NO	2030 -Neighborhood Plan Amendment (H)	(H) Director's Recommendation. The responsible director may recommend approval of the neighborhood plan amendment only if the applicant <u>meets all of the following requirements</u> ; <del>demonstrates that</del> :	(H) Does applicant have to demonstrate that so,wording should state that.
7.7	2030 (E) Pre-application Meeting			КМ								Application to amend a Neighborhood Plan or for a zoning change where a FLUM was not created but a neighborhood plan was adopted.	Some NP's do not have FLUMS and therefor Pre-application meeting for a zoning change especially when changing zoning to a more i
<b>8</b> 8.1	Article 23-2F Quasi-Judicial and Administrative Relief Division 23-2F-1 Variances and Special Exceptions									r r			
8.2	Division 23-2F-1 Variances and Special Exceptions	x			JSc				Public Hearing and Notification	No	23-2F-1040(C)	(C) An administrative modification granted under Section 23-2F-2040 does not need a public hearing or public notification.	This proposed language clarifies that a publi is not needed for administrative variances si are determined by the land use official, not th
8.3 8.4	Division 23-2F-2 Administrative Relief Procedures 2040			км					Administrative		23-2F-2040 (B) (1) (a) (b)	The allowed modification should not exceed 2% for coverage, setback or	Condones large errors. Designers should bu
8.8	Division 23-2F-2 Administrative Relief Procedures					т			Modifications	No	23-2F-2030 Exempt Residental Uses and Structures	height. (A) Purpose. (1) This section authorizes the building official to issue a certificate of occupancy for certain noncompliant residential structures established before the effective date of this Title. (2) The purpose of this section is to avoid the unnecessary loss of- residential housing opportunities available to Austin residents and reduce- the costs to homeowners associated with remedying longstanding code- violations which do not threaten public health and safety (3) This section further seeks to minimize the costs to the City associated with enforcing residential code violations that predate the advent and implementation of electronic property records and tracking methods and that do not pose a threat to public health health and safety.	construction errors. This section is a major shift from the current Amnesty Certificate of Occupancy (CO) prox- major impact. By restricting and limiting the u- residential uses, many people will be unable for older commercial structures and thus will continue with the project (which requires a C program currently in place). The effect is thave have to come into compliance with current c upgrades, tenant improvements, etc. This w expensive. Further, this could cause default documents.
8.9	Division 23-2F-2 Administrative Relief Procedures	x				т			Nonconformity	No	23-2F-2030 Exempt Residental Uses and Structures	(D) Status of Affected Properties. If the building official approves a certificate of occupancy under this section(1) The structure becomes a nonconforming structure under Article 23-2G (Nonconformity), if the structure does not comply with applicable site development regulations on the date it receives the certificate of occupancy; and (2) The use becomes a nonconforming use under Article 23-2G (Nonconformity) if it is unpermitted in the applicable base zone on the date the structure in which the use or occupancy is located receives the certificate of occupancy.	This section needs to be rewritten. Under cu restrictions applicable to nonconforming use cases of noncompliance with zoning regulati nonconformity frequently arise in other conte structure does not meet current watershed o meet the regulations applicable at the time it relates back to Article 23-G and this is anoth concept of nonconformity to other site develo Development Code, besides just zoning dist clarifies staff's authority to limit modifications nonconformity with other kinds of City regula
8.10				TN							23-2F-2040(c)(2)	In Table 23-4F-2040(A), delete "Decrease in minimum open space. adjacent to bus rapid transit (BRT) stations."	Imagine Austin calls for complete communiti need open space near BRT stops, so don't a
8.11	Division 23-2F-3 Limited Adjustments												
8.5	Division 23-2F-2 2050 - Alternative Equivalent Compliance	x					TS		Alternative Equivalent Compliance	NO	2050 - Alternative Equivalent Compliance (C )	<ul> <li>(C) Modification Thresholds</li> <li>(1) If the director finds that a request for an alternative equivalent compliance meets the criteria in Subsection (D), the numeric standard for the design feature listed in Table (A) (Types of Alternative Equivalent Compliance Allowed) may be modified by:</li> <li>(a)Up to 10 percent, for any design purpose;</li> <li>(b)Up to 20 percent, if necessary to protect an existing natural site-feature; or</li> <li>(e)Any amount, if necessary to preserve a heritage tree.</li> </ul>	Protection of natural site features and herita result in abuse.

ER NOTES		
ER NOTES	_	
	YES/NEUTRAL /NO	STAFF RESPONSE
d plans, peighborhood contact		
d plans, neighborhood contact le down zoning of specific parcels.		
d plans, amendments may be		
d plans, amenoments may be me per year. This once per year en on amending neighborhood		
that all conditions are met? If		
refore are not currently entitled to a inge. The meeting is important ore intense zone.		
bublic hearing and public notification as since administrative variances not the board of adjustments.		
d build in room for minor		
rent Land Development Code provisions that will potentially have the exemptions for CO to only able to get certificates of occupancy will be unable to get financing to a CO through the Amnesty s that commercial properties will nt code to get a CO, to do is will be time consuming and aults under many financing		
r current Code, the general uses and structures are limited to ulations. However, issues of ontexts as well, such as where a ed or drainage regulations but did ne it was constructed. This section nother issue. By extending the welopment regulations of the Land district regulations, Article 23-2G ions that increase the degree of gulations.		
unities. Complete communities n't allow it to be eliminated.		
eritage trees is required. This will		

CHAPTER	DIVISION		ED PROPOSED NGES TO D3		INITIAT	ED BY CON	MMSSION	ER	E	X OFFICI	о тор	PIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON HART VAZI	kenny Mcgraw	NUCKOLS	SCHISSLER SEEGER	THOMPSON	WHILE SHAW	BURKARDT MENDOZA TFICH				GENERAL	SPECIFIC SECTION		
8.6	2050 - Alternative Equival	ent Compliance	x						TS		Equ	ernative uivalent npliance	NO		2050 - Alternative Equivalent Compliance; Table 23-2F-2040(A)	Remove from Table: Decrease in the minimum distance between a building and installed utilities, Modification of internal circulation routes, Decrease in minimum drive-through circulation lane width, Modification of building design standards, Modification of building articulation requirements, Modification of building entrance requirements, Modification of entryway spacing and location, Increase of the portion of open space above ground level that may be counted towards compliance, Decrease in minimum open space adjacent to bus rapid transit (BRT) stations	Too broad. Remove all items that are not sp 10% reduction or that should be decided in co
8.7	Division 23-2F-2 Administrative Relief Proc	edures	x				Sc				Equ	ernative uivalent npliance	No		23-2F-2050(A)(2)	(2) Alternative equivalent compliance may only be used for development located in Mixed Use, Main Street, Regional Center, or Commercial and Industrial Zones any Zone as authorized in this section, and may not be used to vary or modify zone regulations, such as height, setbacks, impervious cover, building coverage, or floor area ratio.	This proposed language allows alternative ed zone. The City should support alternative ed apportprinte as it encourages creative and or accommodates developments where particul of a proposed use prevent strict compliance should be allowed in all zones
9 9.1	Article 23-2G Nonconformity Division 23-2G-1 General Provisions						Т	ТТ	ТТ	TT							
9.4	Division 23-2G-1		×		СК						Reside Conf	ezoned ential Non- oforming uctures	Yes - Brent Lloyd is working on it	in this division		TK from staff	This amendment ensures that any current sin owner who is rezoned under CodeNEXT doe available entitlements. They maintain their no not in compliance) and are not subject to the usual mechanisms (vacancy, etc.). They are expand their structures as long as it meets F2 CodeNEXT zoning. They do lose their status to the new, conforming use, or to a different r
9.6	Division 23-2G-1 General Provisions						Sc								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 rewrit nonconforming uses under the extended defi be in effect reviewed by the Planning Directo
9.11	Division 23-2G-1 General Provisions		x					т			Nonco	onformity	Yes		23-2G-1010 Purpose, Applicability, and Review Authority		This section needs to be reviewed and rewrit nonconforming uses under the extended defi be in effect reviewed by the Planning Directo
9.14	1010- Purpose, Applicabil Authority	ity and Review	x						TS		Non-co	conformity	NO		1010 (A) (2)	Delete	Too onerous
9.7	Division 23-2G-1						Sc		13				Yes		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 rewrit nonconforming uses under the extended defi be in effect reviewed by the Planning Directo
9.12	Division 23-2G-1 General Provisions		x					п			Nonco	onformity	Yes		23-2G-1020 Nonconforming Status		This section needs to be reviewed and rewrit nonconforming uses under the extended defin be in effect reviewed by the Planning Directo
9.5	Division 23-2G-1 General Provisions		x	F	ĸ						Nonco	onformity	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 p
9.10	Division 23-2G-1 General Provisions		x				Sc					nuation of onformity	No		23-2G-1050(B)(3) and (4)	<ul> <li>(3) Conversion to Other Nonconforming Use Prohibited. Anoneonforming use may not be established or replaced by anothernonconforming use, except as provided in Subsection (B)(4).</li> <li>(4) Conversion of Nonconforming Uses in Residential Buildings. A nonconforming use operating within a single or multi-family any building may be replaced by another nonconforming use if:</li> <li>(a) The responsible director determines that the requested use is of comparable or lesser intensity to the original nonconforming use; and</li> <li>(b) The original use was not abandoned under Section 23-2G-1060 (Termination of Nonconforming Use).</li> </ul>	This proposed language deletes Section 23-2 nonconforming uses in any building can be re comparable or lesser intensity use. The city s conforming use be allowed anywhere, as it re use while preserving the existing building.

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ot specific enough to know affect of in consult with other departments.		
ve equivalent compliance in any a equivalent compliance where id original design and rticular site conditions or the nature nce with the code and therefore		
t does not have a reduction in does not have a reduction in ir non-conforming (allowed, though the loss of their status through the are also able to maintain and even tts F25 compatibility for their pre- atus if they make an alteration either ent non-conforming use.		
ewritten. This states that any definition of "nonconforming" must rector and will ultimately go to BOA.		
ewritten. This states that any definition of "nonconforming" must ector and will ultimately go to BOA.		
written. This states that any definition of "nonconforming" must ector and will ultimately go to BOA.		
ewritten. This states that any definition of "nonconforming" must rector and will ultimately go to BOA.		
ver possible		
23-2G-1050(B)(3) and clarifies that be replaced with another city should allow a lesser non- it reduces intensity of the existing g.		

CHAPTER	Division		ED PROPOSED		I	NITIATE	ED BY (	COMMS	SIONE	R		EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER	SEEGER SHIEH	THOMPSON	SHAW	BURKARDT	MENDOZA TEICH				GENERAL SPECIFIC SECTION		
9.2	Division 23-2G-1 General Provisions		x					JSc						Continuation of Nonconformity	No		23-2G-1050(B)(6)	<ul> <li>(6) Conversion to Cooperative Housing. A nonconforming use operating within a multifamily building may be replaced by Cooperative Housing and allowed to expand or extend beyond the floor area that is occupied on the date it became a nonconforming use if:</li> <li>a) Cooperative Housing is allowed or conditional use within the zoning district.</li> <li>b) The responsible director determines that the new use meets the definition of Cooperative Housing in 23-13A-2030.</li> </ul>	This proposed language allows a nonconfor cooperative housing. The City should suppo possible and avoid burdening the developm cooperatives.
9.3	Division 23-2G-1 General Provisions		x							Т	w			Uses	x		23-2G-1060-D-1	23-2G-1060-D-1-a except a single family home which is subject to the requirements of 23-2G-1080-D	single family homes on more intense zoning neighborhoods as a legacy of previous spot continue to punish them by not alllowing the damage. This same type of protection is affe structures under 23-2G-1080-D
9.8	Division 23-2G-1		x					JSc									23-2G-1060 Termination of Nonconforming Use	(D) Termination by Destruction (1) A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 50 90 percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official.	A damaged structure used for a nonconform the nonconforming use continued only if the the cost of repair does not exceed 50 percer immediately before the damage, as determin manner approved by the building official. If you don't do all of the repairs) you lose the u Code Sec. 25-2-944 allows 90%. This chan financing and for insurance purposes.
9.13	Division 23-2G-1 General Provisions		x							т				Continuation of Nonconformity	Yes		23-2G-1060		This section needs to be reviewed and rewr for a nonconforming use may be repaired an continued only if the building official determi not exceed 50 percent of the value of the st damage, as determined by a licensed appre- the building official. If it costs more than this repairs) you lose the use. Current Land Dev This change in Draft 3.0 is problematic for fi purposes.
9.15 9.9	Division 23-2G-2 Specific Types of Nonconformity Division 23-2G-2 Specific Types of Nonconformity		x		FK			JSc						Nonconforming Lots	No		23-2G-2020(C)(2) and (3)	<ul> <li>(2) If a nonconforming lot is used with one or more contiguous lots for a single use or unified development, the standards of this Title apply to the aggregation of lots as if the aggregation were a single lot.</li> <li>(3) A nonconforming lot that is aggregated with other property to form a site may not be disaggregated to form a site that is smaller than the minimum lot area required by this Title.</li> </ul>	This proposed language deletes two section legally platted and meet the definition in the which has a minimum lot size of 2,500 sq.ft allowed to be developed. The City should hu and allow them to be deveoped. Currently o legally platted lots which locks up the land fi for.
A-9.16.1	Division 23-2G-2 General					ск ?				т	w								Brent Lloyd's language with EXHIBIT simpli Is this Kenny's amendment as well?
10 10.1	Article 23-2H Construction Management and Certificates Division 23-2H-1 General Provisions	С					П								11				
10.2	Division 23-2H-1 General Provisions		x					JSc						Timeline	No		23-2H-1020(B)	No later than seven THREE days	This is standard construction note that three
10.3 10.4	Division 23-2H-2 Subdivision Construction Division 23-2H-3 Site Construction and Inspection	C						++											
10.5	Division 23-2H-4 Certificates of Compliance and Occupancy	С																	
<b>11</b> 11.1	Article 23-21 Appeals Division 23-21-1 General Provisions				<u> </u>					$\frac{1}{1}$									
11.2	Division 23-21-2 Initiation and Processing of Appeals							+								۲			
11.3	Division 23-2I-3 Notification and Conducte of Public Hearing	С																	
11.4 <b>12</b>	Division 23-2I-4 Action on Appeal Article 23-2J Enforcement																		
12.1	Division 23-2J-1 General Provisions							TT								Т			
12.2	Division 23-2J-2 Suspension and Revocation	С																	
12.3	Division 23-2J-3 Enforcement Orders	С																	
12.4 13	Division 23-2J-4 Appeal Procedures Article 23-2K Vested Rights																		
13.1	Division 23-2K-1 Petition and Review Procedures	С																	
13.2	VALID PETITION RIGHTS		x							Т	w			PROCESS	x		X	add a section outlining the valid petition process	valid petitions should be allowed for both MI sectionon this would help empower people process, it shouldn't be a secret and having transparent and effective
13.3 13.5	Division 23-2K-2 Vested Rights Determinations Division 23-2K-3 Expiration	C														+			
13.5	Article 23-2L Miscellaneous Provisions	С																	
14.1	Division 23-2L-1 Interlocal Development Agreements	С																	
14.2	Division 23-2L-2 General Development Agreement	С														ļ			
14.3	Division 23-2L-3 Closed Municipal Landfills																		

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
nforming use to be converted into a		
pport cooperative housing wherever pment and expansion of		
ning appear all over our poorer pot zoning. I don't think we should		
them to repair their home if there's afforded to non-conforming		
orming use may be repaired and		
the building official determines that recent of the value of the structure rmined by a licensed appraiser in a If it costs more than this (even if he use. Current Land Development hange in Draft 3.0 is problematic for		
written. A damaged structure used d and the nonconforming use		
rmines that the cost of repair does a structure immediately before the praiser in a manner approved by this (even if you don't do all of the Development Code allows 90%. or financing and for insurance		
the standard at the standard standard		
tion to clarify that all lots that are the prior Section 23-2G-2020(C)(1), q.ft., a frontage of 25 ft. should be d honor existing legally platted lots ly one house can sit on two or three d from being used as it was platted		
plicity & housing blueprint goals		
ree days notice is adequate.		
MUP & CUP including a specific le to participate in the democratic ing it right here in the code is		
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CHAPTER ARTICLE	DESIRED PROPOSED CHANGES TO D3					INITIATED BY COMMSSIONER E								ICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
	Chapter 23-3: General Planning Requirements					ANDERSON HART	kazi kenny	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENER			
Chapter 2		lanning Requirements ose and Applicability	NONE	MINOR	MAJOR											YES/NO	YES/N	0		
15.1		Purpose and Applicability	С								TT									
16	Article 23-3B Park	land Dedication																		
16.1		Parkland Dedication																		
16.2		General Provisions		x					JSc						Purpose and Applicability	No		23-3B-1010(A)(1)	(1) The City of Austin has determined that recreational areas in the form of public parks and open spaces within 1/4 mile walk of each resident are necessary for the well-being of the City's residents, and a network of greenways and trails promote a compact and connected city.	This proposed language provides clarity to the parkland dedication section of the code. The too broad and should be clarified.
16.5	Division 23-3B-2																			
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, con the urban core". In many instances, sites with required to dedicate at or near the 15 percen density in the urban core and along the majo
16.7									JSc									23-38-2010 Dedication of Parkland (A) Dedication Required (1)[NEW]	<ul> <li>(A) Dedication Required. An applicant for subdivision or site plan approval must provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this. article or by payment of a fee in-lieu of dedication under Section 23-3B-3010 (Fee In-Lieu of Parkland Dedication).</li> <li>(1) An applicant may request a binding determination from PARD regarding whether total land dedication for all types of open space, including but not limited to parkland, common open space, civic open, space, private open space, payment of fee in-lieu in land or a combination of fee and land will be required.</li> <li>(a) A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units 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 ne-year from the date the determination was issued.</li> <li>(b) The combined total area between open space and parkland, shall not exceed 15% of site.</li> </ul>	Applicants must be able to predict during the may be required for parkland dedication. Ou (A)(1)(a) is taken directly from the existing P. Procedures (PDOP). Leaving such importan determined outside of the revised LDC proce provide clear guidance and predictability. In i required dedication would allow for density to principles in Imagine Austin for compact dev
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 pol the parkland procedures.
16.9	Division 23-38-	Dedication		x					JSc						Dedication of Parkland	No		23-38-2010 (I) and (J)	<ul> <li>(f) 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.</li> <li>(J) A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units 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 submitted within one-year from the date the determination was issued.</li> </ul>	This proposed language codifies the early de currently in the Parkland Dedication Operatir the early determination includes all types of langauge provides regulatory certainty while dedicated throughout Austin.
16.10	Division 23-3B-	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 perci- the entire city, not just the urban core. The C dedicate more than 15% has a major impact established in the City's Housing Blueprint. T not change the Parks Director's ability to go 1 exceed that cap if conditions warrant. The C land use commission can raise or lower it on director. In addition, the cap will now apply t civic open space and common open space in
16.11	Division 23-3B-	Dedication		x					JSc						Dedication of Parkland	No		23-3B-2010 (J)	<ul> <li>(1) Sites Fronting Corridors.</li> <li>(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.</li> <li>(2) An applicant seeking a Subdivision or Site Plan for a site that is more than ten acres and fronts an Imagine Austin Corridor shall not be required to dedicate parkland fronting the corridor.</li> </ul>	This proposed language clarifies when parkl dedicated for sites that front an Imagine Aus language provides the park director the abilit by approval of the land use commission. Im supportive corridors, which in turn require po along our corridors. Parkland requirements t limit or prevent housing along our corridors.

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ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
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to the purpose section of the The original language in Draft 3 is		
, compact family-friendly housing in within the urban core will be rcent cap which severely limits the najor corridors.		
their due diligence period what Our recommendation in (A)(1) and ig Parkland Dedication Operating rtant procedures to be defined and rocess and in the PDOP does not . In addition, limiting the maximum ity to continue and support the development.		
policy that is already outlined in		
ly determination process that is rating Procedures and clarifies that : of open space. This proposed hile also ensuring parkland is		
ercent parkland dedication cap to the City's current requirement to boact on acheiving the goals in. This proposed language does go to the land use commission to the Cap is a "soft cap" because the it on appeal of the applicant or ply to the new requirements for ce introduced in CodeNEXT.		
arkland may be required to be Austin Corridor. The proposed billity to request for the dedication Imagine Austin calls for transit- e population and job densities the that limit unit yield should not prs.		

CHAPTER ARTICLE	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIAT	TED BY COMMSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART KAZI KENNY MCGRAW	NUCKOLS OLIVER SCHISSLER SEEGER SHIEH THOMPSON WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION		
16.12									<ul> <li>(3) The director may request that the Land Use Commission approve. onsite dedication for a site that fronts an Imagine Austin Corridor. up to the amount required under Subsection (E), if doing so is necessary to address a critical shortage of parkland for an area identified in the Deficient Parkland Area Map or provide connectivity with existing or planned parks or recreational amenities.</li> <li>(a) Before the Land Use Commission considers a request under this subsection for approval, the director shall present the request to the Parks Board for a recommendation.</li> <li>(b) In considering a request from the director under this subsection, the Land Use Commission may: <ul> <li>(i) Deny the director's request; or</li> <li>(ii) Approve the director's request for the full amount requested or a portion of the amount the Land Use Commission finds to be necessary based on the criteria in code and the parkland dedication operating procedures.</li> </ul> </li> </ul>	
16.15	Division 23-3B-2	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, co the urban core". In many instances, sites wit required to dedicate at or near the 15 percer density in the urban core and along the major
16.16	Division 23-3B-2	x	GA			Parkland Dedication	No	23-38-2010	An applicant seeking a Subdivision or Site Plan for a site that fronts an Imagine Austin Corridor shall not be required to dedicate parkland on site.	Dedication of Parkland - specify that onsite p required on an Imagine Austin Corridor. Ima supportive corridors, which in turn require p along our corridors. Parkland requirements t important in other parts of Austin city, should corridors
16.18	Division 23-38-2 Dedication	x		Л		Process	No	23-38-2010 Dedication of Parkland (A) Dedication Required (1)[NEW]	<ul> <li>(A) Dedication Required. An applicant for subdivision or site plan approval must provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this article or by payment of a fee in-lieu of dedication under Section 23-3B-3010 (Fee In-Lieu of Parkland Dedication).</li> <li>(1) An applicant may request a binding determination from PARD regarding whether total land dedication for all types of open space, including but not limited to parkland, common open space, civic open space, payment of fee in-lieu in land or a combination of fee and land will be required.</li> <li>(a) A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units originally provided by the applicant and relied upon by PARD to make the determination. A binding determination is subdivision, site plan or building permit application submitted within one-year from the date the determination is usued.</li> <li>(b)The combined total area between open space and parkland, shall not exceed% of site.</li> </ul>	Applicants must be able to predict during the may be required for parkland dedication. Ad- are taken directly from the existing Parkland Procedures (PDOP). Leaving such importan determined outside of the revised LDC proc provide clear guidance and predictability. In required dedication would allow for density t principles in Imagine Austin for compact dev
16.3	Division 23-3B-1 General Provisions	x		JSC		Review Authority	No	23-38-1020(C)(1)	(1) A Deficient Park Area Map Proximity to Park Area Map illustrating shortages in parkland that shows only required connections to greenways and trails and areas of the City that are more than a one quarter (1/4) mile walk of an existing park or a school playground or other applicible open space that is at least one acre and is accessible to the public; and	
16.4	Division 23-3B-1 General Provisions	x		JSC		Review Authority	No	23-38-1020(D)	(D) Before the director may adopt or amend a rule under this Article, the director shall present the rule to the Parks Board and Planning. Commission for consideration and recommendation to City Council and the City Council will approve, modify, or disapprove the proposed rule.	This proposed language adds a requirement an existing rule must be reviewed by the Pa Commission for consideration and recomme proposed language also requires the City Cr disaprove any proposed rule or rule change, almost the exact language used for rules rel. Section 15-6-3 of our City Code.
16.13	Division 23-38-2 Dedication	x		JSC		Standards for Dedication of Parkland	No	23-38-2020 (E)	(E) The director shall approve the inclusion of additional features that satisfy other regulatory requirements, such as Water Quality features, drainage features, detention features, trails, or other features if they do not disrupt the primary purpose of the dedication.	Section 15-6-3 of our City Code. This proposed language would allow other rr impact the development of a full site's area t dedicated to the city so long as they do not d the dedication.
16.14	Division 23-3B-2 Dedication	x		JSc		Standards for Dedication of Parkland	No	23-3B-2020 (F)	(F) Gazebos, pavilions, and other open air structures are permitted.	This proposed language clarifyies that gazeb structures are allowed in parkland that is dec
A-16.14.1	Division 23-38-2 Dedication	x		Т			x	X	??	It's unclear whether 23-3B-2030 intends for u of privately-owned, publicly-accessible park or if privately-owned, publicly-accessible par development can satisfy requirements in the This section has not changed, and its still red update the Deficient Park Area Map to includ owned, publicly-accessible parks.

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ER NOTES	-	
	YES/NEUTRAL /NO	STAFF RESPONSE
, compact family-friendly housing in within the urban core will be rcent cap which severely limits the hajor corridors.		
ite parkland dedication is not Imagine Austin calls for transit- e population and job densities tts that limit unit yield, while ould stymie housing along our		
I their due diligence period what Additions in (A)(1) and (A)(1)(a) and Dedication Operating rtant procedures to be defined and rocess and in the PDOP does not I. n addition, limiting the maximum ity to continue and support the development.		
tent that any new rule or change to Parks Board and Planning mendation to the City Council. The v Council to approve, modify, or ge. This proposed requirement is related to Solid Wate Services in		
er regulatory requirements that ea to be included in parkland ot disrupt the primary purpose of		
azebos, pavilions, or other open air dedicated.		
for up to 100% of on-site dedication arkland to satisfy the requirements, parkland outside of the the same way public parks would. I recommended that the director clude this new wave of privately-		

CHAPTER	NOISING	IRED PROP				NITIATE	D BY C	OMMSS	SIONER			EX OFFI	cio	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	1	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON	KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER	SHIEH	THOMPSON WHITE		BURKARDT MENDOZA				GENERA			
16.17	Division 23-38-2 2010- Dedication of Parkland	x									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). Therefore, the 15% cap limit provisions in 23-3B-2010 (H) do not apply to PUD zones.	(H) Add that 15% cap does not apply to PUI administered this way.
16.19	Division 23-38-2 2020 - Standard for Dedication of Parkland-	x									ΤS			Park Standards	NO		2020 - Standard for Dedication of Parkland-	ADD: E) Dedicated Parkland shall meet site condition requirements within the Parkland Dedication Operating Procedures	(A)(3) Does PARD's operating procedures h 50% meet active play and <10% slope requi be added to dedication requirements. (C) 5 yr. floodplain to count as parkland as these a public use many times during the year.
16.20 16.24	Division 23-38-3 Fees Division 23-38-3 Fees		x					JSc						Fee In-Lieu of Parkland Dedication	No		23-3B-3010(A)	<ul> <li>(A) Fee In-Lieu Authorized. The director may require or allow a subdivision or site plan applicant to deposit with the City a fee in-lieu of parkland dedication under Section 23-3B-2010 (Dedication of Parkland) if.</li> <li>(1) The director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B); and</li> <li>(2) The following additional requirements are met: <ul> <li>(a) Less than six acres is required to be dedicated under Section 23-3B-2010 (Dedication of Parkland); or</li> <li>(b) The land available for dedication does not comply with the standardsfor dedication under Section 23-3B-2020 (Standards for Dedicated-Parkland).</li> </ul> </li> </ul>	This proposed language allows a fee in lieu t standards are met, without regard to total siz. This allows more flexibility for both PARD an
16.22	3010 - Fee in Lieu of Dedication		x								TS			Fee in Lieu of Dedication	NO		3010 (A)(2)	ADD: (c) the director determines that land is available in the service areas being considered so as to assure that City will able to utilize the fees per 23-3B-3030.	PARD commented that they have difficulty fir in urban core. In general, all fee-in-lieu of op predicated on the City's ability to utilize the fe city to provide the benefits than the develope
16.21	3010 - Fee in Lieu of Dedication		v								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 threshhold amount of considered for exemption from dedication rec will ensure that even small parcels of dedicat serve needs if increased number of residents 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. (3) Parkland dedication that complies with this section shall be included in the gross site area for the parcel dedicating Iand. Zoning entitlements including but not limited. to impervious cover and FAR shall be calculated on the gross site area. prior to the parkland dedication.	The language as written does not provide cla may be calculated. A major concern is that if parkland dedication, the result is that the dev- entitlements, including FAR and Impervious ( would calculate the gross site area before the density on sites, including ones along major of
16.26	Division 23-3B-3 Fees		x					JSc									23-38-3010(E)(1)	<ul> <li>(1) Construction of Amenities. The director shall allow an applicant to construct recreational amenities on public or private parkland, if applicable, in-lieu of paying the dedication fee required by this section. In order to utilize this option, the applicant must:</li> <li>(a) Post fiscal surety in an amount equal to the development fee: and</li> <li>(b) If a dedication of land is required, construct recreational amenities. prior to the dedication in a manner consistent with the parkland_dedication operating procedures; and</li> <li>(c) Document the required amenities concurrent with subsection or site plan approval, in a manner consistent with the parkland dedication operating procedures.</li> </ul>	This proposed language allows fee-in-lieu to on-site recreational facilities. This will incentin facilities and lower the City's burden on exisit
16.27	Division 23-3B-3 Fees		x					JSC						Fee In-Lieu of Parkland Dedication	No		23-3B-3010(F) and (H)	<ul> <li>(F) A Fee in lieu for parkland dedication shall be allowed by right on corridors and within 1/2 mile walk of high frequency transit stops.</li> <li>(F<u>H</u>) 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.</li> </ul>	

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PUD's. The rules are already		
es have requirements for min. of equirements? If not, these need to C ) 50% is to large amount of 100 ese areas are not accessible for		
ieu to be used any time the normal		
I size of the subdivision or site plan. D and the applicant.		
ty finding land for parks especially of options for developers should be ne fees. If it is more difficult for the loper.		
Int of Parkland to be able to be n requirements with fee-in-lieu. This dicated park are made available to lents and developer has option to		
e clarity on how gross site areas at if the area is calculated after the developable parcel will have less bus Cover. This recommendation e the dedication and allow for better ajor corridors		
u to be used on the construction of eentivize the construction of on-site exisisting parks.		

CHAPTER	NOISINI	9 LLL	 SIRED PROI HANGES TO			INI	TIATED	ву сомі	VISSION	ER		EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
					ANDERSON HART	KAZI KFNNY	MCGRAW NILICKOL S	OLIVER	SEEGER SHIFH	THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENE	RAL SPECIFIC SECTION		
16.28	Division 23-3B-	Fees		x				SI	c								23-3B-3010(G)	(G) A dedication determination issued under this Subsection is valid for a period of one year from the date of issuance and will not expire if a site. plan application is filed within one year from the date of issuance.	Initial parkland dedication determination sho plan process.
16.23		3030 - Fee Payment and Expenditure		x							TS			Fee Payment and Expenditure	NO		3030 (C )	C) The City shall expend a fee collected under this article within five years from the date the fees are appropriated for expenditure by the director. This period is extended by five years if, at the end of the initial five-year period: 1) less than 50 percent of the residential units within a subdivision or site plan have been constructed, or 2) City demonstrates hardship in availability of land to purchase for parkland.	PARD should have a way to request extensi are ssues with land availability etc.
<b>7</b> 17.1	Article 23-3C Urba Division 23-3C-	n Forest Protection and Replenishment General Provisions		1		TT	ТТ		TT							Π			
17.2	Division 23-3C-	General Provisions	x					S	c					Review Authority	No		23-3C-1020 (C)	(C) The city arborist shall adopt administrative rules, in accordance with the administrative rules process, to implement this article and, in consultation with the Public Works Director, additional rules to implement Division 23-9F-5 (Sidewalks, Urban Trails, and Street Trees). Rules adopted under this article shall include:	This proposed language clarifies that the rul administrative rules process. Rules adopted follow administrative rules procedures
17.3	Division 23-3C-	General Provisions	x					JS	c					Tree Designations	No		23-3C-1030 (B)	Heritage Tree Species. To qualify as a heritage tree, a tree must meet the size requirements listed in Subsection (A) and qualify as one of the following species or as an additional heritage tree species listed in the Environmental Criteria Manual:         (1) Texas Ash;         (2) Bald Cypress;         (3) American Elm;         (4) Cedar Elm;         (5) Texas Madrone;         (6) Bigtooth Maple;         (7) All oaks;         (8) Pecan;         (9) Arizona Walnut; and         (10) Eastern Black Walnut.	This proposed language clarifies that only trr qualify as a heritage tree. The list of Heritage approved by City Council and listed in code; administrative change by a criteria manual.
17.4							Т	N									23-3C-1030	Ensure that PC recommends what is in the Addenda re: Young Public Trees 2-7.9' and Keystone Trees 8-18.9.	Imagine Austin calls for "complete communi need a healthy tree canopy.
17.5								2L	c	TL							23-3C-1040 (A) Tree Requirements for Site Plan (2)	(A) Tree Requirements for Site Plans. An application for site plan approval must: (1) Include a grading and tree protection plan, as prescribed by the Environmental Criteria Manual and other applicable rules; and (2) Demonstrate that the design will preserve the existing natural character of the landscape, including the retention <u>or mitigation</u> of trees eight inches or larger in diameter to the extent feasible.	Removing conflict. Requiring a plan to prese above exceeds code requirements. Trees le option for mitigation.
17.6	Division 23-3C-	General Provisions	x					SI SI	c					Application and Review Procedures	No		23-3C-1040 (B)	(B) Restrictions on Removal of Keystone Trees. If development under a proposed site plan will remove a keystone tree, the city arborist may require mitigation, including the planting of replacement trees. The city arborist may not release the site plan withhold the building permit or certificate of occupancy until the applicant satisfies the condition or posts fiscal surety to ensure performance of the condition.	This proposed language still provides the cit that an applicant satisfies code but simply m site plan to the ability to withhold the building occupancy. The requirement of mitigation pr before the horse and unachievable; Requesi mitigation is a large cost and seems unnece trees are planted prior to acceptance of a bu
17.7		General Provisions	x					JS	c					Application and Review Procedures	No		23-3C-1040 (C)	(B) Restrictions on Removal of Protected Trees. For an application for preliminary plan, final plat, building permit or site plan approval that proposed the removal of a protected tree, the city arborist must teview the application and make a recommendation before the application is administratively approved or presented to the Land Use Commission or- eity Council.	Protected tree trmoval should not need Lanc Council approval.
17.8	Division 23-3C-	General Provisions	x					SI	c					Review by City Arborist	No		23-3C-1050 (B)	(B) Mitigation Requirements. If a regulated tree is permitted for removal, the city arborist shall require reasonable mitigation, consistent with the applicable requirements of this article and the Environment Criteria Manual. Compliance with required mitigation measures, which may include planting replace trees, must occur before the Development Services Director may approve the application_issue a certificate of occupancy:	This proposed language still provides the cit that an applicant satisfies code but simply m approval of an application to withhold the ce requirement of mitigation prior to SDP appro unachievable; Request to post fiscal surety fi and seems unnecessary as staff can ensure acceptance of a building/CO.
17.9	Division 23-3C-	General Provisions		x				SI	c					Review by City Arborist	No		23-3C-1060	<ul> <li>"(A) The city arborist may request that a city department waive or modify a policy, rule, or design standard, other than a regulation of this Title, <u>if</u> the waiver provides an opportunity for a tree to be preserved. The city department shall make best efforts to preserve the tree, and any conflicts between the city arborist and the city department shall be resolved by the <u>City Manager within 30 days of the initial request for waiver</u>, enforcement will result in removal of a regulated tree under Section 23-3C-1030 (Tree Designations).</li> <li>(B) At the city arborist's request, a responsible director may waive or modify the applicable policy, rule, or design standard, other than a regulation of this Title, if the director determines that a waiver or modifycation will not pose a threat to public safety.</li> </ul>	Make this authority more explicit, and allow t

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should continue through the site		
ension for use of funds when there		
rules must be adopted by the ted by this department should		
y tree species listed in code can tage Tree Species should be de; the list should not be subject to al.		
nunities." Complete communities		
reserve existing trees 8 inches or es less than 19 inches have an		
e city arborist the authority to ensure y moves his ability to withould a ding permit or certificate of n prior to SDP approval is cart uest to post fiscal surely for tree eccessary as staff can ensure the a building/CO.		
and Use Commissionor city		
a city arborist the authority to ensure y moves his ability to withould e certificate of occupancy. The pproval is cart before the horse and aty for tree mitigation is a large cost ure the trees are planted prior to		
ow for bonuses.		

CHAPTER ARTICLE	ED PROPOSED NGES TO D3	INITIATED BY COMMSSIONER								210	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMI	ENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER	
			ANDERSON	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE	SHAW	BURKARDT MENDOZA	TEICH			GENERA	AL	SPECIFIC SECTION		
17.10						JSc											<ul> <li>(C) The city arborist shall have the administrative authority to grant the following additional entitlements that exceed zoning criteria or waive specific regulations to encourage the preservation of a protected or heritage tree. These entitlements are:</li> <li>(1) Additional FAR;</li> <li>(2) Articulation requirements;</li> <li>(3) Parking siting requirements;</li> <li>(4) Minimum parking requirements;</li> <li>(5) Additional height; and</li> <li>(6) Smaller front, side, and rear setbacks (while maintaining fire code fire rating requirements); and</li> <li>(7) other non-zoning regulations.</li> <li>(D) The city arborist shall develop using the administrativerulemaking process described 23-2C-1020 to implement procedures for granting these entitlements."</li> </ul>	
17.11 A-17.11.1	Division 23-3C-2 Young Public, Keystone, and Protected Trees Division 23-3C-2 Young Public, Keystone, and Protected Trees	x				JSc						Residential Uses	No		2	3-3c-2020 (B)	*(B) Single Family.Residential Scale (1) No permit is required to remove or impact a keystone tree located on one-or-two-unit <u>residential scale (1-10</u> unit <u>development</u> (2) Keystone stress may be used to fulfill mitigation requirements for-one-or-two-unit single family residential scale development if Protected Trees and Heritage trees are approved for removal or impact, or to satisfy planting requirements. The city arborist shall review keystone trees proposed for full mitigationn or planting requirements during review of the building permit to ensure the keystone trees are identified prior to construction.	Keystone trees should not require a permit fi development. Addendum text only exempts keystone tree permit requirement, which es- trees. Residential scale housing that does r units) should not be subject to commercial s removal of keystone trees. The intent of res reduce the site plan requirements and expe
17.12 17.13	Division 23-3C-3 Heritage Trees Division 23-3C-3 Heritage Trees							т								3-3C-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 towards the back of the property, imperviou setbacks, landscape buffers, etc. It is now n undevelopable due to the prevalence of her renumbering this section would allow the lan consideration whether or not the developme unreasonably encumbered by the heritage t
<mark>18</mark> 18.1	Article 23-3D Water Quality Division 23-3D-1 General Provisions																and trapation of more than 1070 of the potential time year is rost.	
18.2 18.3	Division 23-3D-2 Exceptions and Variances Division 23-3D-2 Exceptions and Variances	x				JSc						Redevelopment Exception in Urban and Suburban Watersheds	No		2		<ul> <li>(B) Requirements for Redevelopment Exception. This article does not apply to redevelopment of property under this section if the redevelopment:</li> <li>(1) Does not increase the existing amount of impervious cover;</li> <li>(2) Provides water quality controls that comply with Section 23-3D-6030 (Water Quality Control and Green Stormwater Infrastructure Standards) for the redeveloped area or an equivalent area on the site;</li> <li>(3) Does not generate more than 2,000 vehicle trips a day above theestimated traffic level based on the most recent authorized use on the property;</li> <li>(4) Is consistent with the neighborhood plan adopted by council, if any;</li> </ul>	This propose language removes language t redevelopment exceptions and should be re exceptions allow impervious cover to be rec water quality requirements should be remov
18.4						JSc											<ul> <li>(53) Does not increase non-compliance, if any, with Section 23-3D-4040 (Critical Water Quality Zone Development), Section 23-3D-4050 (Critical Water Quality Zone Street, Driveway, and Trail Crossings), Section 23-3D-5030 (Critical Environmental Features), or Section 23-3D- 5040 (Wetland Protection); and</li> <li>(64) Does not place redevelopment within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage Criteria Manual.</li> </ul>	
18.5	Division 23-3D-2 Exceptions and Variances	x				JSc						Redevelopment Exception in the Barton Springs Zone	No		2	3-3D-2040 (D) (1)	<ul> <li>(D) Council Approval.</li> <li>(1) Applicability. Council approval of redevelopment under this section is required if the redevelopment:</li> <li>(a) Includes more than 25 dwelling units;</li> <li>(b) Is located outside the City's zoning jurisdiction;</li> <li>(c) Is proposed on property with an existing industrial or civic use;</li> <li>(d) Is inconsistent with a neighborhood plan; or</li> <li>(e) Will generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property.</li> </ul>	Extensive water quality rules are appropriat need to take the items to a vote at Council for Requiring this to go to Council adds addition development

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hit for residential scale pts one or two family uses from essentially protects them like 19*+ se not require a full site plan (1-10 al site plan requirements governing residential heavy permits was to penses like this.		
Ider Chapter 23-4 to push parking ious cover limitations, new w more likely that some sites will be heritage trees. Adding (B) and land use commission to take into ment of a site is being je trees on the site.		
e that is not germane to e removed. Redevelopment reduced in the watershed, so non- noved		
riate in this zone, but there's no il for non-water quality items. tional costs to the overall		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	1	IITIATED BY COM	MSSIONER	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART KAZI	KENNY MCGRAW NUCKOLS DLIVER	SEE GER SHIEH FHOMPSON WHITE	JURKARDT JURKARDT VIENDOZA FEICH			GENERAL SPECIFIC SECTION		
18.6	Division 23-3D-2			1					23-3D-2050 ©	<ul> <li>(C) Requirements for Redevelopment Exception. The requirements of this article do not apply to the redevelopment of property under this section if the redevelopment meets all of the following conditions:</li> <li>(4) The water quality controls for the redeveloped areas or an equivalent area on the site must provide a level of water quality treatment that is equal to or greater than that which was previously provided. At a minimum, the site must provide water quality controls-sedimentation/filtration ponds for the areas of increased impervious cover or an equivalent area on the site.</li> </ul>	Clarifies the area on a site subject to this reg minimum type of acceptable water quality co
18.7				1:	ic				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 cons
18.8	Division 23-3D-2 Exceptions and Variances	x		и И И И И И И И И И И И И	ic		Water Quality Control Measures	No	23-3D-2090 (NEW)	<ul> <li>"23-3D-2090 Residential Construction of three to ten units on one acre or less with Increased Water Quality Control Measures</li> <li>(A) An applicant seeking to construct three to ten units on one acre or less may increase, up to 65%, the amount of impervious cover on the site above the impervious cover amounts in the base zone listed in 23-4, provided that the applicant comply with all of Article 23-3D (Water Quality), 23-10E (Drainage), and Division 23-2A-3 (Residential Development Regulations)."</li> </ul>	This is necessary to allow missing middle to cases, but forces the developer to opt in to w that apply to commercial property
18.9	Division 23-3D-3 Impervious Cover				ic				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 towards the back of the property, impervious setbacks, landscape buffers, etc. It is now m undevelopable due to the prevalence of herit renumbering this section would allow the lan consideration whether or not the developmer unreasonably encumbered by the heritage tra-
18.11 18.14	Division 23-3D-3 Impervious Cover	x		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ic JT		Impervious Cover Calculations	No	23-3D-3040(C)	<ul> <li>(C) Impervious cover calculations exclude:</li> <li>(1) Sidewalks in a public right of way or public easement;</li> <li>(2) Multi use trails open to the public and located on public land or in a public easement;</li> <li>(3) Water quality controls, excluding subsurface water quality controls;</li> <li>(4) Detention basins, excluding subsurface detention basins;</li> <li>(5) Ground level rainwater harvesting cisterns, excluding subsurface- eisterns;</li> <li>(6) Drainage swales and conveyances;</li> <li>(7) The water surface area of ground level pools, fountains, and ponds;</li> <li>(8) Areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base;</li> <li>(9) Porous pavement designed under the Environmental Criteria Manual, limited to only pedestrian walkways and multi-use trails, and located outside the Edwards Aquifer recharge zone;</li> <li>(10) Fire lanes designed as prescribed in the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from routine vehicle access;</li> </ul>	This proposed language removes the exclus Subsurface water quality controls and subsu towards impervious cover.
18.12	Division 23-3D-3 Impervious Cover	x		J	ic		Impervious Cover Limits for Suburban Watersheds	No	23-3D-3070(B)(2)(d)	(d) Impervious cover for a commercial, <u>mixed use</u> , civic, or industrial use may not exceed:	Mixed use should be permitted the same IC
18.13	Division 23-3D-3 Impervious Cover	x			ic		Impervious Cover Limits for Suburban Watersheds	No	23-3D-3070(B)(2)(e)	<ul> <li>(e) Impervious cover for mixed use may not exceed:</li> <li>(i) The limits in Subsection (B)(1)(e) for the portion of the ground floor-that is multi-family residential;</li> <li>(ii) The limits in Subsection (B)(1)(d) for the portion of the ground floor-that is commercial, eivice, or industrial; and-</li> <li>(iii) Impervious cover for the entire site is based on the ratios determined on the ground floor.</li> </ul>	With the proposed language for 23-3D-3070 longer necessary.
18.15 18.16	Division 23-3D-4 Waterway and Floodplain Protection Division 23-3D-4 Waterway and Floodplain Protection	x			ic i	++-	Critical Water		23-3D-4020(B)(6)	(6) Zone boundaries may be reduced based on hydrology analysis or	The proposed language would allows the direct
							Quality Zones Established	No		floodplain model as approved by the director.	analalysis to reduce water quality boundaries

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regulation and establishes a y controls.		
consider the reasonable amount of		
e to fit on a property, in some to water quality and drainage rules		
Ider Chapter 23-4 to push parking ious cover limitations, new w more likely that some sites will be heritage trees. Adding (B) and I and use commission to take into iment of a site is being ge trees on the site.		
clusion of subsurface infracture. Ibsurface cisterns should not count		
IC as commercial.		
070(B)(2)(d) this section is no		
e director to use hydrology		
aries on a case by case basis.		

CHAPTER ARTICLE DIVISION TITLE		SIRED PROF HANGES TO			INI	TIATED	BY COI	MMSSI	ONER			EX OFFI	сіо	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON HART	KAZI KENNY	MCGRAW	NUCKOLS	SCHISSLER SEEGER	SHIEH	THOMPSON WHITE	SHAW	BURKARDT MENDOZA	TEICH			GEN	ERAL 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)	<ul> <li>(E) A utility line, including a storm drain, is prohibited in the critical water quality zone, except as provided in Subsection (E) or for a necessary rossing. A necessary utility crossing may cross into or through a critical water quality zone only if:</li> <li>(1) The utility line follows the most direct path into or across the critical water quality zone to minimize disturbance;</li> <li>(2) The depth of the utility line and location of associated access shafts are not located within an erosion hazard zone, unless protective works are provided as prescribed in the Drainage Criteria Manual; and</li> <li>(3) In the Barton Springs Zone, is approved by the Watershed Director.</li> </ul>	The amendment clarifies that the departmen of a utility parallel to and within a critical wate the payment.
18.18 Division 23-3D-4 18.19 Division 23-3D-5 Protection for Special Features								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 occ
18.20 Division 23-3D-5 Protection for Special Features		x						JSc						Environmental Resource Inventory	No		23-3D-5010(A)	<ul> <li>(A) An applicant must shall file an environmental resource inventory with the director for proposed development located on a tract that may cause disturbance to:</li> <li>(1) Within-the Edwards Aquifer recharge or contributing zone;</li> <li>(2) Within-the Drinking Water Protection Zone;</li> <li>(3) Containing a vatier quality transition zone;</li> <li>(4) Containing a critical water quality zone;</li> <li>(5) Containing a field water quality zone;</li> <li>(6) With a gradient of more than 15 percent. For applications with a tract containing a gradient of more than 15 percent the environmental resource inventory shall be required for the portion of the site within 150 linear feet from the slope over 15 percent.</li> </ul>	Clarifies that a environmental resource inver developments where any of these features n a severe cost to the applicant to do this for e clarification for (6) allows for flexibility when may have varying types of typography.
18.21 Division 23-3D-6 Water Quality Control and Green Infrastructure Standards						Т	ſN									F	23-3D-6010(B)(3)	Delete "8,000" and substitute "5,000."	Nationwide, best practices for exemptions fr control measures is 5,000 sf, not 8,000 sf. In "complete communities." Complete commun 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)	<ul> <li>(B) Instead of providing the water quality controls required by Section 23-3D-6010 (Applicability of Water Quality Control Standards), in a Suburban watershed an applicant may request approval to deposit with the City a nonrefundable cash payment. The director shall review the request and approve or disapprove the request based on the standards in the Environmental Criteria Manual. To be eligible to request the optional payment, the development must:</li> <li>(1) Be located within the zoning jurisdiction;</li> <li>(2) Be</li> <li>(a) a residential subdivision less than two acres in size</li> <li>(b) a commercial property with less than an acre of the site that is requesting optional payment, or</li> <li>(c) a vertical commercial, residential, or mixed-use development with structured parking below the primary building, up to three acres in size; and</li> <li>(3) Demonstrate exemption from the preliminary Plan standard asdetermined by Section 23-5B 2010 (Preliminary Plan Requirement).</li> </ul>	Controis.
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 <u>use the administrative rules process to</u> <u>propose rules that</u> administer the fund, <u>calculate the fee</u> , <u>collect the fee</u> <u>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</u> <u>should be presented the Environmental Commission for a</u> <u>recommendation to Council</u> . <u>The Council shall approve the proposed</u> <u>rules</u> , reject them, or approve them with modifications.	
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           18.28         Division 23-3D-8         Additional Standards in All Watersheds	С		×					PS											
18.29 Division 23-3D-9 Save Our Springs Initiative	С																		
19         Article 23-3E Affordable Housing           19.2         Division 23-3E-1           19.3         Division 23-3E-1		x	Ţ							TV	v			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 et be equal to the market rate units in both finis discrimination and allows for the affordable u project and for availability even if units are u add R1 zone bonus to include an additional A

ER NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
nent/person requiring the alignment		
water quality zone is responsible for		
occurring.		
nventory only applies to es may be disturbed, as it would be		
or every site. In addition, the nen working with larger sites which		
	_	
s from undertaking water quality	-	
f. Imagine Austin calls for munities need water quality		
to encourage the affordable units to		
finishes and sf. This discourages ble units to be throughout the		
re under repair or renovation.		
nal ADU if it's 50% MFI		

CHAPTER ARTICLE	NOISINIQ	31		IRED PRO				INITIA	ATED B	у сомі	MSSIO	NER		EX	OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
						ANDERSON	HART KAZI	KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA	IEICH			GENERAL	SPECIFIC SECTION		
19.4		Small scale density bonus for R2 zones			x								TW				AHDB		x	_		add R2 zone bonus to include an additional
19.5 19.6	Division 23-3E-1 Division 23-3E-1	AHBP for MS2 Zones Land trust programs			×								TW TW				AHDB		x		allow MS2b to take part in AHBP if along IA corridor	these should be defined and added to the arr as part of the affordability programs. Ordoes NHCD is supportive of land trusts but unsure of l since the code doesn't discuss ownership model
19.9					x			СК												23-3E-1010(B) and add new 23-3E-1025	Add to purpose and intent section- 23-3E-1010(B):         (4) Meet the annual affordable housing goals set forth by the City Council.         (5) Encourage denser development via the AHBP program by providing a quantifiable incentive to a project measurable by an increase in project yield on cost.         Add NEW section – suggest between Applicability (23-3E-1020) and General Provisions (23-3E-1030)         23-3E-1025: Affordable Housing Goals & Performance Requirements Goals         A goal for a minimum affordable housing units developed using the Citywide Affordable Housing Bonus program shall be set by City Council on an annual basis. The goals shall be proposed by Neighborhood Housing and Community Development based on the Strategic Housing 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 a established goals.
19.7								СК									Super Affordable Housing Bonus.	Yes		23-3E-1030	(NEW) (1) In all zones, a site that participates in the citywide affordable housing program and has at least 50% of the dwelling units as income- restricted, FAR, parking requirements, and dwelling units per acre are waived for that zone. In addition, the height limit will be twice the height	This is a super-affordable bonus. It essential the additional height goes to affordable hous entitled height of any zone that allows reside
19.8			-		x			СК							$\mathbf{T}$		Right of Return	Yes	-	23-3E-1030	entitled in the base zone. 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			СК									Calibration	Yes		23-3E-1010(B) and add new 23-3E-1025	Measurement Neighborhood Housing and Community Development shall keep records of the number of affordable units permitted and developed via the AHDB program as required to annually measure the goals as established in 23- 3E-1025. An annual report shall be prepared to document each areas progress towards annual goals. The annual report shall include, but is not limited to, the following: i. Number of total affordable housing units permitted, by unit type and number of bedrooms iii. Number of affordable housing units built, by unit type and number of bedrooms. iii. Value of Fee in Lieu collected in lieu of commercial bonus area iv. Value of Fee in Lieu collected in lieu of on-site affordable housing units, and equivalent unit count v. Average size of affordable housing units permitted, separated by bedroom count. vi. A verage size of affordable housing units built, separated by bedroom count. vii. A summary of feedback from all applicants to the AHDB program. viii. An assessment of the income levels in this Title and whether they could be adjusted to better acheive the goals of the Strategic Housing Plan.	
19.11								СК													<ul> <li>viii. If any goal shortcomings are noticed, the report shall assess the reasoning behind the failure to achieve the goals.</li> <li>An annual calibration of all area AHDB programs shall be done to ensure the AHBP encourages use of the program by providing an increase in project yield on cost. The calibration shall include a review of the number of units required (by %), bedroom counts, or any other requirements associated with the use of the bonus.</li> <li>The AHBP shall be modified when: <ol> <li>in any year that the annual report shows that the annual goal is not met by more than 10%, the AHBP shall be adjusted to lower the requirement for utilizing the bonus, either by reducing the number, size or bedroom count of units, or by reducing the fee-in-lieu. A calibration study shall be done to confirm the adjustments made to the AHBP result in an increase in yield on cost to the project.</li> <li>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.'</li> </ol> </li> </ul>	

ER NOTES	_	
	YES/NEUTRAL /NO	STAFF RESPONSE
nal ADU if it's 50% MFI		
e arsenal so that we can use them oes this live somewhere else? of how to put thiem into the code odels.		
e affordable bonus program with		
ntially gives free height if 100% of ousing units, up to twice the base sidential.		
e affordable bonus program with		
e affordable bonus program with		

CHAPTER ARTICLE	DIVISION	DESIRED PROPO CHANGES TO			INITIA	ATED B	у сомм	ISSIONI	ER		EX C	DFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT	MENDOZA TEICH			GENERAL			
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 priortize projects participating in the affordable housing program over all projects that do not have an affordable program participation.	Re-instates skip-the-line for affordable hous
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 program.
19.15	Division 23-3E-1 Citywide Affordable Housing Bonus Program	x		АН									Affordability	No	No	23-3E-1010	"(A) The purpose of this division is to establish general requirements and procedures for the submittal and review of an application for the Citywide Affordable Housing Bonus Program (AHBP), which is a voluntary, incentive-based density bonus program that provides enhanced development potential for projects that increase the supply of moderate to lower-cost housing consistent with the requirements of this division. (B) The intent of the AHBP is to financially incentivize new development to include affordable homes or pay fees-in-lieu for affordable homes to: (1) Implement the goals and policies of the Austin Comprehensive Plan and the Austin Strategic Housing Blueprint; (2) Increase housing supply, diversity, and affordability while preserving and enhancing the unique character of the City's neighborhoods; (3) Actively desegregate Austin's neighborhoods and dismantle institutional racism in the location and cost of housing; and (3) Narrow the housing deficit for households that cannot afford market- priced rental or for-sale housing."	
19.16	Division 23-3E-1 Citywide Affordable Housing Bonus Program		x	АН									Affordability	No	No	23-3E-1020 (A)	<ul> <li>(A) Applicability</li> <li>(I) The AHBP applies citywide, except in the following zones: <ul> <li>(a) Downtown Zones. A density bonus request in the Downtown Core</li> <li>(DC) Zone and Commercial Center (CC) Zone must meet the</li> <li>requirements of Division 23-3E-2 (Downtown Density Bonus Program).</li> <li>(b) University Neighborhood Overlay Zone. A density bonus request</li> <li>in the University Neighborhood Overlay (UNO) Zone must meet the</li> <li>requirements of Section 23-4D-9130 (University Neighborhood Overlay Zone).</li> <li>(c) Planned Unit Development (PUD) Zone. A density bonus request</li> <li>in the Planned Unit Development (PUD) Zone must meet the</li> <li>requirements of Section 23-4D-8130 (Planned Unit Development</li> </ul> </li> </ul>	A substantial number of lots are zoned F25. participation in our AHBP.
19.17	Division 23-3E-1			АН													(4) 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								T	w						23-3E-1030( E)		add language to ensure that the affordable u similar to the market rate occupancy of that alert the city to it's vacancy
19.19	Division 23-3E-1 Citywide Affordable Housing Bonus Program Division 23-3E-2 Downtown Density Bonus Program		x	АН									Affordability	No	No	23-3E-1080 (E)	(E) The Director shall provide a process for a potential applicant to seek out and receive an early determination for AHBP compliance. Such a determination shall be made by the Director within thirty days of the submission of a complete determination request. If the approved application matches the information submitted in the early determination request, then the determination shall be binding for two years.	An early determination decreases the risk th lowers the cost of providing affordable home
19.24	Division 23-3E-2 Downtown Density Bonus Program		x				JSc						Application Review	Yes	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 City Council annually. 23-3E-2030 (B) (6) states that downtown fee (ok). Claims nine districts, but unclear what
19.25	Division 23-3E-2 Downtown Density Bonus Program		x				JSc						Downtown Density Bonus Gatekeeper Requirements	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 comp Guidelines was always intended to be an int standards were codified, as they will be in C
19.26	Division 23-3E-2 Downtown Density Bonus Program		x				JSc						Downtown Density Bonus Gatekeeper Requirements	No		23-4E-2040 (B)	<ul> <li>(B) Appeal.</li> <li>(1) An applicant may appeal to the city council the director's. determination that the gatekeeper requirements have not been met.</li> <li>(2) An applicant must appeal the determination within 30 days from the date of the director's denial</li> <li>(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.</li> </ul>	Current code allows applicant to appeal to t determines that the gatekeeper requiremen proposed language replicate ability to appea (J) (1 - 3)

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ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
ousing program projects.		
for the citywide affordable bonus	-	
25. We need to allow F25		
le unit occupancy rate is at least hat building. And the owner should		
k that an applicant may face and omes.		
ity to recommend FIL or % units to		
fees may vary by use and district hat those are.		
ompliance with the Urban Design i interim solution until design n CodeNEXT.		
to the City Council if director rents have not been met. This peal in the current LDC 25-2-586		

CHAPTER	TITLE	DESIRED PROPO CHANGES TO			INITIA	TED BY C	OMMSS	ONER		EX OFI	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS OLIVER	SCHISSLER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION		
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 L require 'designated review group' for downth projects receive approval for using codified 100% affordable housing. This seems to be projects can currently earn density via a mer 50% of the bonus area is earned through pro 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 through F.* The density bonus program prov benefits including alfordable housing, green provision of day care, etc. This allows admir community benefits listed in this section to n benefits over others. By allowing adminsitra Council and Planning Commission to approv eliminated, simplfying the process.
19.21	Division 23-3E-2		×						тw			AHDB	x		23-3E-2060-E-1-c	A unit is affordable for purchse if the maximum sales price for the unit does not exceed three times the annual income for a household at 120 percent of the MFLThe 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 o 80MFI is \$159,600 for a one bedroom; this is salary
19.22	Division 23-3E-2 Downtown Density Bonus Program		x						тw			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 affordability
19.29	Division 23-3E-2 Downtown Density Bonus Program		x	АН			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 achieve density above 40 up to 8:1 FAR, suy affordable housing requirement. Support rev requirements in place before 2014, 5% of the opposed to 5% of the bonus square footage) 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 the affordable unit mix to match the unit mix residential with on-site affordable housing in were already entitled and therefore exempt, projects has been proposed on Rainey Stree imposed in 2014, and they declined to build make this new provision feasible.
19.33 19.34	Division 23-3E-3 Tenant Notification and Relocation Division 23-3E-4 S.M.A.R.T. Housing	С	_														
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 Rogers at GNDC and Nicole Joslin spent a lo me. They are better than what we have toda
19.36	Division 23-3E-4 S.M.A.R.T. Housing			GA								SMART	No				

ER NOTES			
		YES/NEUTRAL /NO	STAFF RESPONSE
ent LDC. Does not appear to	T		
wntown, but does not indicate how ied community benefits other than be an oversight since downtown menu of options, as long as at least providing housing on site or			
rase "(C) through (E)" with "C provides alternatives for community een roofs, music/cultural spaces, dministrative approval for any of the to not discourage some kinds of sitrative approval, the need to go to prove something allowed by code is			
a one bedroom is \$239,400; 3.5x is is comparable to a teacher's			
d be able to handle a little more			
ction to keep current standards. To support continuing the on-site treverting to the on-site of the number of bonus units (as age) be designated affordable to			
hits to be affordable, AND requiring mix of the building, make downtown g infeasible. Except for those that pt, only one new residential street after this requirement was uild any 3-bedroom units in order to			
ese adjustments come from Mark t a lot of time going over them with today.			

HAPTER	DESIRED PROPOSED							[	STAFE	1					
	CHANGES TO D3		INITIATED	BY COMMSS	ONER	EX OF	FICIO	TOPIC AREA	FEEDBACK	AM	VENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		ANDERSON	KAZI KENNY MCGRAW	NUCKOLS OLIVER SCHISSLER SEEGER	SHIEH THOMPSOI WHITE	SHAW BURKARDT	TEICH			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						
								SIVIARI	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							

CHAPTER ARTICLE	NOISINI	3) LLL		ED PROPOSE NGES TO D3			INITIAT	ED BY CO	OMMSSI	ONER		EX OFFIC		OPIC AREA	REQ. ADD'L STAFF FEEDBACK	,	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
						ANDERSON HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
19.44		S.M.A.R.T. Housing				54								SMART							
A-19.44.1		S.M.A.R.T. Housing Additional Affordable Housing Incentives			x						τw			SMART		X		please see Exhibits TW SMART HOUSING and TW SIMPLICITY HOUSING BLUEPRINT GOALS	There are a number of general and specific changes outlined in the exhibit		
19.45 19.46		Additional Attordable Housing incentives 23-3E-5010 Additional Affordable Housing Incentives		x							TS		АН	I Incentives	NO		5010 (A)	(A) An applicant who provides income restricted affordable units, as verified by the Housing Director, may request a parking adjustment from the Planning Director before the site plan is approved under Article 23- 4D (Specific to Zones).	This does not have any specifics as to the limits that parking can be adjusted. Delete section.		
19.47 19.48		23-3E-5010 Additional Affordable Housing Incentives Affordability Impact Statements		x							TS		АН	I Incentives	NO		5010(B)(3)(a), (b), (c )	(a) If at least 10 percent, but less than 20 percent, of the dwelling units are <u>equal to or less than 80% MFI reasonably-priced</u> , the maximum cost is reduced by the percentage of affordable units; (b) If at least 20 percent, but less than 50 percent, of the dwelling units are <u>equal to or less than 80% MFIreasonably priced</u> , the maximum cost is reduced by 50 percent; and (c) If at least 50 percent of the dwelling units are <u>equal to or less than</u> 80% MFI <del>reasonably-priced</del> , no mitigation may be required.	B)3) grants benefits for providing reasonably priced units. What does this mean? I propose following but should be discussed		
19.49		Art, Music, and Culture	С		x	SA					TW			, Music, and Culture	No		23-3F	please see Exhibit WHITE_EXHIBIT-ART, MUSIC CULTURE Proposed Future CodeNEXT Article 23-3F: Art, Music, and Culture Both the Imagine Austin Comprehensive Plan and the Code Prescription on Household Affordability reference the need for regulations to sustain and strengthen the music and arts industries and communities. To this end, the CAG recommends developing a future code section that would provide city-wide regulations to promote arts, music, and culture with the goals of: protecting existing assets and promote new ones in areas deficient of art, music, and cultural assets, and supporting housing and jobs for musicicans and artists, and sustaining these important elements of Austin's economy. Proposed Code Additions: 1. Add arts, music culture to the Purpose Statement of General Planning Standards. The current draft of the new Land Development Code for Austin, dubbed CodeNEXT contains the following purpose statement in Chapter 23-3: General Planning Standards for All [1]. The red underlined clause below would add reference to a to-be-written section governing arts, music and culture. 23 24. D100 Burnese	This is the Live Music Capital of the World and we are not doing nearly enough for our artists! We should also consider a density bonus for music venues.		
19.50																		This Chapter provides standards and regulations for the following purposes: to provide parkland; to provide for the protection and replenishment of urban forest resources; to provide for the protection of water quality and protection from flooding; to encourage the creation and preservation of affordable housing; and to sustain the local arts, music, and culture communities and industries. These aspects are all essential to the development of a healthy, sustainable and desirable city environment. The interests of the community and the goals of the Comprehensive Plan and Zoning Code are further ensured through the application of this Chapter. 23-3A-1020 Applicability This Chapter applies to all development within the City of Austin and the ETJ. 2. Working with appropriate city boards and stakeholders, develop a new code section to be numbered 23-3F. Provisions for consideration, several of which are already supported by City of Austin Economic Development Department and the City's Arts Commission and Music Commission, are outlined below. 23-3F-1010 Purpose and Intent (A) The purpose of this division is establish general requirements and procedures to sustain the local arts, music, and cultural lauses are distributed across the city in an appropriate manner within neighborhoods, along activity corridors, and within neighborhood, town, and regional centers.			

CHAPTER ARTICLE	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
			ANDERSON HART KAZI KAZI MCGRAW MCGRAW MCGRAW NUCKOLS SCHISSLER SCHISSLER SCHISSLER SCHISSLER SCHISSLER SEGER SHAW WHITE SHAW MEN DOZA MEN DOZA			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
19.51							<ul> <li>23-3F-1020 Artist Live/Work and Live/Work/Sell</li> <li>(A) Allow artists to sell finished goods from their live/work home studios. Specify in which districts a live/work artist may "sell", including performance art. This is an important distinction as multidisciplinary spaces are becoming increasingly common – where both object-based art and experience-based att are being created (i.e. "work") and offered to the public within a single building envelope.</li> <li>23-3F-1030 Density Bonus Provisions for Art and Music</li> <li>(A) In designated town/regional centers and activity corridors allow density bonus rules to trade greater building entitlements for including art galeries, studio space, live theater, dance performance space, live music venues, or other forms of performance art on the first floor or for preserving an existing an iconic venue on the tract (e.g., Broken Spoke).</li> <li>23-3F-1040 Art Districts</li> <li>(A) Describe the basis for designating arts districts (similar to that provided for historic districts) in neighborhood plans, neighborhood centers, town centers, and regional centers, and target one or more arts districts per Council District.</li> <li>23-3F-1050 Theater and Art Venue Scale</li> <li>(A) In establishing capacity rating for theater or arts venue consider how the venue is used in addition to overall size.</li> </ul>		
19.52							<ul> <li>23-3F-1060 Art, Music, and Culture Nomenclature and Definitions</li> <li>(A) Add explicit definitions that clearly distinguish types of arts/music spaces for flexible and hybrid uses in city ordinances and other regulation (i.e. distinguish terms "gallery", "theater", "studio", "live music venue," etc.).</li> <li>(B) Live Music Venue Use</li> <li>An establishment where live music programming is the principal function of the business and/or the business is a live music destination, and where the venue clearly establishes the ability of an artist to receive payment for work by percentage of sales, guarantee or other mutually beneficial formal agreement.</li> <li>A live music venue is a destination for live music consumers, and its music programming is the primary driver of its business as indicated by the presence of at least five (5) of the following:</li> <li>edefined performance and audience space;</li> <li>mixing desk, PA system, and lighting rig;</li> <li>back line (e.g., sound amplification or video equipment for performers on or behind the stage);</li> <li>at least two of: sound engineer, booker, promoter, stage manager, security personnel;</li> <li>applies cover charge to some music performance through ticketing or front door entrance fee;</li> <li>marketing of specific acts through show listings in printed and electronic publications;</li> <li>hours of operation coincide with performance times.</li> <li>23-3F-1070 Codify of Agent of Change Principle.</li> </ul>		
							<ul> <li>Imagine Austin and Code Prescriptions Support New Code Section Justification for the proposed new code section comes from the Imagine Austin Comprehensive Plan and more recent work done in developing the CodeNEXT draft. Priority Program 5 (among 8 Priority Programs) in the 2012 Imagine Austin Comprehensive Plan is "Grow and invest in Austin's creative economy." A short term (1-3 years) work program item is: "Explore and reimagine existing City development tools, such as incentives, regulations, and financing options, with a focus on creative industries" facility needs. Expand access to affordable and functional studio, exhibition, performance space, museums, libraries, music venues, and office space."</li> <li>The proposed new section is also supported by the following policies and priority actions in the Imagine Austin Comprehensive Plan:</li> <li>Develop regulations to mitigate the sound from live music venues through a collaborative process that includes the City of Austin, musiciams, venue operators, property owners, and residents.</li> <li>Create incentives and programs to preserve iconic and established music venues and performance spaces throughout Austin and its extraterritorial jurisdiction (ETJ).</li> <li>Expand access to affordable and functional studio, exhibition, performance, and office space for arts organizations, artists, and creative industry businesses.</li> </ul>		

CHAPTER		DESIRED PROPOSED	INITIATED BY COMMSSIONER		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK			SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
<u> </u>	ā F	CHANGES TO D3	NDERSON ART ART ART CRESON VORON CGREAU VORON SON HILE HILE HILE ANV ANV ANV ANV ANV ANV ANV ANV ANV ANV	URKARDT IENDOZA EICH		FLEDBACK	GENERAL	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
19.54									<ul> <li>Explore existing City policies, processes, and regulations regarding the arts to determine what changes can be made to coordinate these with other goals, such as historic preservation, affordable housing, and high-density development.</li> <li>Incorporate the arts and cultural preservation themes and elements into small area plans, such as neighborhood and corridor plans.</li> <li>Create incentives, and programs to promote the inclusion of public art into new development.</li> <li>Encourage artists and other creative individuals by promoting the creation of live/work spaces and creative industry hubs, districts, and clusters as retail, community, or neighborhood anchors and activity generators to attract and support other economic and community enterprises.</li> <li>Establish incentives and regulations to promote the creation of artists' live/work space in residential areas that allow for limited gallery space.Further, the Code Prescription on Household Affordability written in 2016 in response to the CodeNEXT consultant's Code Diagnosis, specifically addressed affordability impacts to small businesses and the cultural arts in the following three prescriptions:</li> <li>Allow for compatible retail and commercial uses by right including arts, culture and creative uses such as rehearsal, gallery, studio, performance or exhibit spaces and offices in areas where form-based zones have been applied and a diversity of uses is desired. This includes adequate commercial space allowances in corridors, centers, and in between these</li> </ul>			
19.55									areas and neighborhoods. • Revise the density bonus program in targeted areas such as cultural districts by adding the preservation or creation of an existing creative venue or business as a Community Benefit. Density bonus fee-in-lieu requirements will be evaluated for 501(c)(3)s to promote emerging small non-profits. The existing density bonus provisions will be evaluated to determine if they can incorporate preservation or development of a music or creative venue that will be used for rehearsal, gallery, studio, performance, or exhibit spaces and offices. • The opportunity to expand live/work units will be found in all form- based code districts in order to promote the opportunity for the small businesses, including artists to be able to work where they live. The allowance of live/work units will be both within the uses regulated by the different form-based code districts but also in the regulation of building types to ensure the proper form to allow for live-work units. [1] see https://codenext.civicomment.org/chapter-23-3-general-planning- standards-all			
19.56									<ul> <li>The New Flex Industrial zoning may cover this</li> <li>In 23-3F and in 23-2M</li> <li>In Division 23-4D-7: Commercial and Industrial Zones</li> <li>Accessory Use as a Theater or Art Gallery (as would be in 25-2-865, for example</li> <li>A) This section applies to the following uses and zoning districts:</li> <li>1) LIGHT MANUFACTURING use with IP, MI, LI, CS, MU zoning district</li> <li>2) LIMITED WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district</li> <li>3) GENERAL WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district</li> <li>4) ART WORKSHOP use with IP, MI, LI, CS, MU zoning district</li> <li>B) The use of the space as ART GALLERY and THEATER:</li> <li>1. is a permitted accessory use</li> <li>2. shall not exceed 33 percent or 5,000 square feet of the total floor area of the principal developed use, whichever is less</li> <li>C) During the Permitting Process the Council on appeal or Planning Commission may increase the square footage allowed under subsection B.</li> </ul>			

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CHAPTI		DESIRED PROPOSED	INITIATED BY COMMSSIONER EX OFFICIO		STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
<u>A</u>	ō F	CHANGES TO D3	INITIATED BY COMMISSIONER EX OFFICIO		TEEDDACK		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			Son Son Son						YES/NEUTRAL	
			VDERS ART CGRAVY CGRAVY CGRAVY JJVER HITE HITE HITE AAW SKAR RAW						/NO	STAFF RESPONSE
19.57				-	_	GENERAL SPECIFIC SECTION				STAFF RESPONSE
							D) On-site parking is required according to Schedule A of Appendix A (TABLES OF OFF-STREET PARKING AND LOADING			
							REQUIREMENTS). PART 2. City Code Chapter 25-6, Appendix A (TABLES OF OFF-			
							STREET PARKING AND LOADING REQUIREMENTS) is amended to amend Schedule A to read:			
							SCHEDULE A			
							The minimum off-street parking requirement for a use is the sum of the parking requirements for the activities on the site, in accordance with the			
							following table: Activity Requirement			
							Accessory Use as a Theater or Art Gallery <2.500 sq. ft 1 space for each 275 sq. ft.			
							2,500-10,000 so. ft 1 space for each 100 sq. ft. > 10,000 sq. ft 1 space for each 50 sq. ft.			
							Office or administrative activity 1 space for each 275 sq. ft. Indoor sales, service, or display 1 space for each 500 sq. ft.			
							Outdoor sales, services, or display 1 space for each 750 sq. ft. Indoor storage, warehousing, equipment servicing, or			
							Manufacturing 1 space for each 1,000 sq. ft. Outdoor storage, equipment servicing, or manufacturing 1 space for each			
							2,000 sq. ft. Commercial off-street parking requires one bike parking space for every			
Chaptor 2	3-4: Zoning Code	NONE MINOR MAJOR			YES/NO	YES/NO	10 motor vehicle parking spaces.			
20 20.1	Article 23-4A Introduction Division 23-4A-1 Purpose				123/110		1		1	
20.2	Division 23-4A-1 Purpose	x	JSc JSc			23-4A-1010		Implies a hierarchy of code that was not established in Imagine Austin Plan.		Can bring forward language from 23-1A-1020
							welfare of the public; and implements the Comprehensive Plan. This chapter establishes the land use and building form requirements that are		No	
							intended to promote compatible land patterns- that address the social and environmental values described in 23-1A-1020.			
20.3	Division 23-4A-2 Establishment of Zones	N								
20.4	Overlay Zones		KM L L L L L L L L L L L L L L L L L L L			23-4A-2020(H)	Cobnservation Combining Districts	NP and NCCD are tools that need to be here to support existing districts and allow for new districts.	No	Staff is not recommending carrying forward NCCDs because new zones are improving current standards
20.5	Division 23-4A-2 Establishment of Zones	x	Л	Overlays	No	23-4A-2020(H)	Eliminate the Downtown Plan overlay until Small area plan can be completed with funding assistance provided by DAA.		No	Staff does not support this without Council directive
20.6 20.7	Division 23-4A-3 Zoning Map Division 23-4A-3 2020		TS			2020 A)1)	Residential house-scale (R) zone category includes single-family	Add other house types.		
				Residential Housing Types	NO		detached homes, <u>single-family-attached</u> , duplexes, small multiplexes, cottages, row houses, townhouses, and <u>accessory dwelling units (garage</u>		Yes	
20.8	Division 23-4A-4 How to Use the Zoning Code	x C					apartments or granny flats).			
<b>21</b> 21.1	Article 23-4B Zoning Administration and Procedures Division 23-4B-1 Land Use Approvals									
21.3	Division 23-4B-1 1020 - Conditional Use Permit		TS C	Conditional Use	NO		Delete (F)(1)	F)1) Land Use Commission may impose conditions such as limits on FAR, setbacks etc. This seems to purpetuate zoning classes with additional	No	Intent of text is correct
21.4	Division 23-4B-1 1020 - Conditional Use Permit	x		Permit	110	Permit (F)(1) 1020 Conditional Use		conditions like we have now. Reword to require all bars,nightclubs andrestaurants w/ alcohol that have	110	Language already included in 23-4E-6310 Restaurant; staff
						Permit (F)(2)		late night hours and/or outdoor seeting that are close to neighborhoods to obtain a CUP. F) 2) Late Hours Permit - This minimum distance should		would support adding specfic to use language for Bars/Nighclub
				Conditional Use			seating, the having a parking area associated with the use must be a minimum of less than 200 feet from a Residential House-Scale Zone is	be included in the Division 23-4E-6: Specific to Use section for Bars/NightClubs and Restaurants.		
				Permit	NO		required to obtain approval of a conditional use permit., unless the use is located within an enclosed shopping center.		Yes	
							(b) The Land Use Commission may waive the 200-foot restriction if it finds that the effects of a parking area are sufficiently mitigated based on			
		x					the criteria in Subsection (E).			
21.5	Conditional Use Permits Division 23-4B-1 1030 - Minor Use Permit	×		CUPs		23-4B-1020	please see Exhibit TW Conditional Use Permits	There are a number of general and specific changes outlined in the exhibit		Staff balieves timeline is appropriate
21.6	Crisci 20-40-1 1000 - Million USB Fermit			Minor Use		1030 - Minor Use Permit (C )(1)	C) Administrative Review Process (1) Notice of Application. The director shall provide notice of an application for a minor use permit under Section 23-2C-5010 (Notice of	C) (1)Admin Review- requires a 14 day public comment period. 30 days is needed.		Staff believes timeline is appropriate
				Permit	NO		Application) and allow parties to submit comments on the application for		No	
21.7	Division 23-4B-1 1030 - Minor Use Permit	x					a period of at least 14 30 days.			
21.8	Division 23-4B-1 1030 - Minor Use Permit			Minor Use	NO	1030 - Minor Use Permit (E)	Delete (E)	E) Allows Director to impose conditions same as Conditional Use Permit. Land Use Commission may impose conditions such as limits on FAR,	N	Staff supports this disgression
		x		Permit	NO			setbacks etc. This seems to purpetuate zoning classes with additional conditions like we have now.	No	
21.9	Division 23-4B-2 Code Interpretations and Use Determinations									

CHAPTER ARTICLE	NOISINI	3	SIRED PROP			INI	IATED B	у сомм	SSION	ER		EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	E	SUBSTITUTE LANGUAGE	COMMISSIONER N
					ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	ΝÖ	SEEGER SHIFH	THOMPSON	WHITE SHAW	BURKARDT	MEN DOZA TEICH			GEN	ERAL SPECIFIC SE			
21.10		2ode Interpretations and Use Determinations						JSc		π							23-4B-2030 Us Determination		(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 possil seek clarification and understanding of why w for classified zoning uses and when this deter play. The existing LDC section is for use dete defined or classified within the zoning code. F that a property that is legally nonconforming is property owner is required to prove a lot of inf have in order to avail itself to the legally nonco CodeNEXT 3.0. This will be costly and in a lo possible, as the information may not be availed
21.11	Division 23-46-97	Zoning Map Designations and Amendments						JSc									23-48-2040 Administrative	e Appeal	<ul> <li>(A) Project Interpretations. A project code interpretation or use determination issued under this division for a particular development application may be appealed to the Board of Adjustment under Article 23 21 (Appeals). If the code interpretation or use determination is not appealed, or is upheld by the Board on appeal, a subsequent decision by the director to approve or disapprove a development application associated with the interpretation or determination may not be appealed under this section.</li> <li>(B) Non-project Interpretations. A non-project code interpretation or use determination issued under this division may be appealed to the Board of Adjustment under Article 23-21 (Appeals).</li> <li>(C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another responsible director to approve or disapprove a development application because of non-compliance with the zoning code may be appealed to the Board of Adjustment under Article 23-21 (Appeals).</li> </ul>	Section 23-48-2040 Administrative Appeal st Development Services Director or another res or disapprove a development application may under Article 23-21 (Appeals). This is broader standards under the Zoning Code. This Secti development permit that is issued should only non-compliance with the zoning code and the correctly interpreted was the zoning code (not
21.12	3	1100 - Requirement for Approval from 3/4 of Council -		x							TS			Requirement for Approval from 3/4 of Council -	NO		3100 - Require Approval from Council (A) (2)	3/4 of	(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 Land Use Commission to trigger requirement for PUDs on unzoned property which is a high properties. This was a rule created by Coun Creek PUD hearings and needs to be reconsi for PUD's related to unzoned properties to be zoned properties. Suggest that this section b for all PUDs are equal.
21.14		Coning Map Designations and Amendments	x					JSc									23-4B-3040 (D)	)	<ul> <li>(1) A zoning map amendment regarding a Historic District Overlay Zone may be initiated by:</li> <li>(a) The Historic Landmark Commission;</li> <li>(b) A petition of the 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</li> <li>(c) The council.</li> </ul>	
21.15 21.16	Division 23-4B-4 C	Zriteria for Variances and Special Exemptions Zriteria for Variances and Special Exemptions						JSc		TL							23-4B-4010 Pu Applicability (A		(A) This division establishes review criteria for zoning variances and special exceptions considered by the Board of Adjustment, consistent with the standards regulations of this Title and Chapter 211 (Municipal Zoning Authority) of the Texas Local Government Code. (B) An application for a variance or special exception authorized under this division is subject to the application, notification, and other standards regulations established under Division 23-2F-1 (Variances and Special Exceptions).	The current Land Development Code uses the relates to the zoning district. Regulations are use of "standards" is problematic because the Standards provide for guidelines, with which of The current language suggests that the BOA zoning code regarding development regulatio the current Code or State law.
21.17								JSc		TL							23-4B-4020(B)	(1)(c)(iii)	<ul> <li>(B) General Findings</li> <li>(1) The Board of Adjustment may grant a variance from a site development standard adopted under this chapter if the Board determines that:</li> <li>(a) The requirement does not allow for a reasonable use of property;</li> <li>(b) The hardship for which the variance is requested is unique to the property all is not generally characteristic of the area in which the property is located; and</li> <li>(c) Development in compliance with the variance does not:</li> <li>(i) Alter the character of the area adjacent to the property;</li> <li>(ii) Impair the use of adjacent property that is developed in compliance with the City requirements; or</li> <li>(iii) Impair the purposes of the standards regulations of the zone in which the property is located.</li> </ul>	codified law. The use of the phrase "impair th the zone" in this section could possibly result by the BOA to not grant a variance. The use c with the current Code or State law regarding of
21.18								JSc		TL							23-4B-4030 (C) Exceptions Rec 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 25-2476 pertaining to special exceptions and Draft 3.0. The wording of "may" in Draft 3.0 in that the special exception meets the findings : discretion to grant a special exception or not a the currently accepted general practice. Using instance is consistent with a quasi-judicial det a court. If the wording changes to "may" as it is discretionary for BOA to grant a special e no way to appeal the decision to a court.
<b>22</b> 22.1		al to all Development Large Site Requirements			H				Ц.											
22.2	Division 23-4C-1		x						JS	ih										whats article 23-9H connectivity? Cant find

ER NOTES			
		YES/NEUTRAL /NO	STAFF RESPONSE
possibly rewritten or deleted. We thy we need this section included determination would come into determinations not particularly de. Further, Article 23-2G states ing is appealable to the BOA. The of information that they may not nonconforming provisions of n a lot of instances, just not available.			
eal states that a decision by the er responsible director to approve n may be appealed to the BOA pader than just site development Section should be limited. A d only be appealable because of d the provision of the code not e (not building, fire, electric, etc.).			
equire disapproval by 3/4 of the ment for approval by 3/4 of Council a higher bar than PUDs on zoned Council during the Grove at Shoal considered. There is no justification to be handled any differently than ion be deleted so that requirements		Neutral	
		Neutral	
es the term "regulations" as it s are laws and are codified. The se these are not codified law. hich compliance is not mandatory. BOA would look outside of the ulations, which is not consistent with		Neutral	
action 25-2-474(A)(3), uses the term istrict. The sentence in (iii) of Draft ord "standards" and these are not air the purposes of the standards of seult in a subjective determination use of standards is not consistent ding development regulations.			
Land Development Code, Section s and this is a change to "may" in 3.0 infers that the BOA determines ings set forth in this section and has not and this is not consistent with Using the word "shall" in this al decision that is only appealable to as it is in this current draft 3.0, and cial exception, then there is virtually			
nd	Ħ		Addendum removes this reference.

CHAPTER ARTICLE	NOISINID	31111	-	) PROPOSED GES TO D3			INITIAT	TED BY C	COMMSS	IONER		EX OFFICI	D TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDFRSON	ANDERSON HART VAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
22.3	Division 23-4C-1	1010 - Applicability		×							TS		Common Open Space	YES		1010 Applicability (C )	(C) A site that is <u>more than</u> one acre-but less than four shall comply with Section 23-4C-1030 (Common Open Space).(B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space).	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table J-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf.	No	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold.
22.4	Division 23-4C-1		x								TS							REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit.		Commentary
22.5	Division 23-4C-1	Large Site Requirements		x					JSc				Parkland and Open Space			23-4C-1010	<ul> <li>(B) Open Space.</li> <li>(1) Common. Sites two acres or larger <u>and that have a zone that requires</u> <u>it</u> must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and</li> <li>(2) Civic. Sites four acres or larger <u>and that have a zone that requires it</u> must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."</li> </ul>	Minor update - not every zone requires open space	Yes	agree with clarification of applicability
22.6	Division 23-4C-1	1020 - Internal Circulation		x							TS		Reduced Parking	NO		1020 - Internal Circulation (M)(2)	Delete 1020(M)(2)	Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it more costly for developers to provide parking they need.		Staff supports multi-modal offset with more automobile parking
22.7	Division 23-4C-1	1030 - Common Open Space		x							TS		Common Open Space	NO		1030 - Common Open Space	ADD AND RENUMBER ( <u>A</u> ) General (1) An applicant for a site plan or subdivision must designate common open space that complies with the requirements 23-4C-1030, (2) An exemption described in this Section does not exempt the development from any applicable parkland dedication required by Article 23-3B (Parkland Dedication) or Civic Open Space required by 23-4C- 1040.	Similar to 1040 General Section.	Neutral	
22.8	Division 23-4C-1	1030 - Common Open Space									TS		Common Open Space	NO			(B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities) and the remaining requirements of 24-4C-1030. A site partially complies with this section, if Credit for Common Open Space can be given with approval by Parks Directory on no greater than an acre for acre basis, if (1) The site provides civic open space that complies with Division 23-4C-2 (Civic Open Space) excluding fee-in-lieu: or (2) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication) excluding fee-in-lieu.	The term partially complies is subjective. This allows actual dedicated parkland and civic space to count toward the common space requirements as approved by PARD Director (This may also require Planning Director approval)		No to suggested language but staff agrees that "partially complies" needs to be further defined
22.9		1030 - Common Open Space		×							TS		Common Open Space	NO		1030 - Common Open Space (C )(5)	(5) A site that is located outside inside within the Downtown Core (DC) zones and is more than one acre, must provide at least 150 square feet, plus an additional 100 square feet for, each acre of open space. The amount of open space required may not to exceed 1,000 square feet.	Apply this requirement for lower amounts of common open space to DC zones.		Staff agrees that this language needs further clarification though do not agree with amendment
22.10		1030 - Common Open Space		×							TS		Common Open Space	NO			ADD: 1030(C)(6) A site that is located outside within the Downtown Core (DC) zones and is more than one acre, must provide at least 5% of the gross site area as common nopen space.	This will align with the 5% of gross site area in Article 23-4D: Specific to Zones/Table J-Open Space and requires all development greater than an acre to provide common open space in all zones 5% of gross site area.	NO	Staff agrees with the current text and does not support adding this paragraph
21.2		1030 - Common Open Space	×			AH							Common Open Spac	No	No	23-4C-1010	(D) Civic open space that complies with this division may be used to satisfy Section 23-4C-1030 (Common Open Space) if the eivic open- space is publicly accessible.	Strike this section as it conflicts with the requirements of section 23-4C- 1010 as common open space and civic open space are triggered by size of the site and not required at the same time.		See addendum
22.11	Division 23-4C-1	Large Site Requirements		×					JSc				Parkland and Open Space			23-4C-1030 Common Open Space	Remove section	Common open space is a requirement to provide an amenity. For the market to deliver moderate income housing, sometimes amenities will need to be cut. Amenities onsite shouldn't be a requirement of the zoning code.		Staff does not have policy requirement to remove common open space requirements
22.12	Division 23-4C-1	Large Site Requirements		X					JSc				Parkland and Open Space			23-4С-1030 (В)	B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities). A site partially complies with this section, if (4) The site provides civic open space that emplies with Division 23-4C-2 (Civic Open Space); or (2) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication). (1) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication), or (2) The land is privately owned and maintained as a park complies with Article 23-3B (Parkland Dedication).	As written, there is no incentive to encourage on-site amenities which may be privately maintained. This recommendation encourages private amenity space which lowers the overall burden placed on public facilities and allows for partial credit towards the open space requirement.		Other open space types apply toward parkland dedication if they are open to the public and meet design standards for their section and for 23-3B

CHAPTER ARTICLE	DIVISION	DESIRED PROPOSED CHANGES TO D3		INIT	ATED B	Y COMN	ASSIO	NER		EX	OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER	SHIEH THOMPSON	WHITE	SHAW BURKARDT	MENDOZA	IEICH			GENERAL SPECIFIC SECTION		
22.13	Division 23-4C-1 Large Site Requirements	x				JSo							Parkland and Open Space		23-4С-1030 (В)	B) Amenity Required. A site that is one acre or more, and is not on an Imagine Austin Corridor or within an Imagine Austin Center, shall provide	Onerous requirements along Imagine Austin decrease the developable area, impacting re supportive density. This amendment would e requirements of this section.
22.14	Division 23-4C-1 Large Site Requirements	X				JSG							Parkland and Open Space		23-4C-1030 (C) (5)	(5) A site that is located outside of the Downtown Core (DC) zones and is more than one 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 for open space and is excessive.
22.15	Division 23-4C-1 Large Site Requirements	×				JSc							Parkland and Open Space		Delete 23-4C-1030 (E) (4) & (5)	(E) Design Criteria. An area used for common open space shall comply the requirements of this subsection:(1) Unless the land includes sensitive natural resources, a common open space area must be readily accessible and usable.(2) A common open space area must be compact and contiguous unless the common open space 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 asphall for designated recreation areas.(4) Net- more than 30 percent of the required common open space may be located on a roof, balcony, or other area above ground level, except as otherwise provided in this section. Required common open space amot include areas occupied by mechanical equipment or structures not associated- with designated recreation areas.(5) Up to 50 percent of the required common open space may be located on a roof, balcony, or other area above ground level, if a minimum of 50 percent of the common open space is located on the roof, balcony, or other area above ground level, if a 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 Removing these sections would allow for it t above ground area.
22.16	Division 23-4C-1 Large Site Requirements	x				JSo							Parkland and Open Space		23-4C-1030 ADD (I)	(1) 100% of the square feet of on-site parkland or on-site Civic Open. Space shall be credited toward the requirement for Common Open Space	Common Open Space shouldn't be required and Parkland. Our understanding is that this
22.17	1040 Civic Open Space									rs			Civic Open Space	NO	1040 Civic Open Space (B) (3)	(3) An application for a site plan or subdivision is not required to provide Civic open space when the site is <u>i</u> ] less than two acres, <u>ii</u> ] located within one-quarter mile of a safe pedestrian travel distance of an existing and developed dedicated parkland that is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, and <u>iii</u> ] not located in a Park Deficient Area as determined by the Parks and Recreation Department.	There is very litle development at the scale- large threshold is too large and will not allow of this section which is to increase the amou from non-residential development. To aligr "and each residential lot is within 1/4 mile" "dedicated parkland." How to measure distan 1/4 mile must defined in terms of connectivit Refer to section Division 23-4E-6: Specific to needs to take into consideration park deficien route to the Civic Space, then the excemption
22.18	Division 23-4C-1 1040 Civic Open Space								1	rs				NO	1040 Civic Open Space (B) (4) (a) and (b)	(4) An applicant shall locate each residential lot within: (a) one-quartermile 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 c route. Remove "existing" as this for new civ
22.19	Division 23-4C-1 1040 Civic Open Space	x								rs		I		NO	1040 Civic Open Space (B) (5)	at least a quarter acre	missing unit
22.20	Division 23-4C-1 Large Site Requirements	x				JSc							Parkland and Open Space		23-4C-1040	Strike 23-4C-1040 AND all of 23-4C-2	Civic Open Space is a new requirement that dedication. For proof, just look at the kinds o the next division: It includes things called pai on-site parkland dedication requirement whe strongest parkland ordinances in the state is
22.21	Division 23-4C-1 Large Site Requirements	x				JSo	2						Parkland and Open Space		23-4C-1040 (A)	(A) General (1) An applicant for a site plan or subdivision <u>that results in</u> one or more parcels greater than 4 acres, must designate civic open space that complies with the requirements of Division 23-4C-2 (Civic Open Space).	This would not require civic open space on p would allow for better use of density on sma
22.22	Division 23-4C-1 Large Site Requirements	x				JSC							Parkland and Open Space		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.pubic. 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.	This clarifies that civic open space does cou requirements and redefines the net developr land where the development actually occurs
22.23	Division 23-4C-1 Large Site Requirements Division 23-4C-2 Civic Open Space	x				JSG							Parkland and Open Space		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 5 40 percent of the net development acreage as civic open space. The net development acreage does include street rights-of-way, water-quality and detention features not located in a building, sidewalks, and other features located inside the development acreage.	This section provides how much of the land away from providing the primary purpose of
22.24	Division 23-4C-2 Civic Open Space	x				150	-						Parking		STRIKE 23-4C-2	STRIKE DIVISION	Civic Open Space is a new requirement that dedication. For proof, just look at the kinds o this division: It includes things called parks I site parkland dedication requirement when A strongest parkland ordinances in the state is

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
stin corridors and centers will		common open space types described in table 23-4C-
g rents, affordability and transit- uld exempt these areas from	No	1030(A) are compatible in urban environments
d by land already being dedicated	Pending	text needs clarification
e the open space is provided. r it to be on a balcony, roof, or other	Neutral	
ired in addition to Civic Open Space this is the staff intent.	Neutral	Need to revisit "partially complies" language in 23-4C- 1030
ale of 8 acres. Therefore, this llow for the code to meet the intent nount of parks and open space align with 4)a) should be worded e" Need to change "park" to istance of 1/4 mile? The basis for tivity and be safe and walkable. iic to Use/6240- Multi-Family. This icient areas. If there is not a safe ption 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.
he distance of a safe and walkable civic space.	No	no definition for safe pedestrian travel distance or means of measurement
	Yes	erratta
that heavily overlaps with parkland ds of civic open space mentioned in I parks! Requiring an entirely new when Austin already has one of the re is totally uncessary.	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 23-38.
on parcels less than 4 acres and smaller parcels.	No	the purpose is to work with projects at 4 acres or larger
count towards parkland dedication lopment acreage as the portion of surs.	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
and that civic open space will take e of the site.	No	staff agrees with 10%
that heavily overlaps with parkland ds of civic open space mentioned in ks! Requiring an entirely new on- en Austin already has one of the e is totally uncessary.	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 23-38.

CHAPTER	NOISINI	37	D PROPOS IGES TO D			INITIA	TED BY C	COMMSSI	ONER	E	K OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS OLIVEB	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW BUIBKABDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
22.26	Division 23-4C-2	2010- Purpose		x						TS		Purpose	NO		2010- Purpose	Purpose - This division sets the requirements for a wide range of civic open space types that are appropriate for the City. Civic Open Space aligns with Imagine Austin Priority "Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city" and will ensure adequate open spaces are incorporated into mixed use developments creating complete communities.	Revise Purpose Section to show alignment with IA priorities Marilyn Lamensdorf stated that intent of Civic Spaces is to provide the additional open space needs for commercial development.	No	PARD has no issue with the revised Purpose for Civic Space. It is intended to be a site design guideline for quality open space and will assist with parkland dedication design if the land doubles for parkland dedication.
22.27	Division 23-4C-2	2 2020 - Applicability and Conflict		x						TS		Civic space relationship to parks and common space	YES PARD		2020 - Applicability and Conflict (B)	(B) A required civic open space shall comply with the requirements in this division, Article 23 4D (Specific to Zones) and Division 23-4C-1 (Large Site Requirements).	The tables for Open Space in the 23-4D sections are incorrect and recommend that the civic space section is deleted from each zone table. This along with 2020 (C) will allow residential and mixed use developments to satisfy the residential unit requirements for parkland through 23-3B and provide additional civic space for commercial development through this section.	No	reference to civic open space in zoning is helpful, not sure how it is incorrect
22.28	Division 23-4C-2	2020 - Applicability and Conflict		x						TS		Civic space relationship to parks and common space	YES PARD		2020 - Applicability and Conflict (C )	(C) parkland dedicated per 23-3B can be used to satisfy the requirements of this division on no more than an acre for acre basis as approved by the Parks and Recreation Department.	The language was not specific enough.	No	staff supports current language PARD recommends the following clarification: <u>Civic open space that</u> complies with this division and is dedicated to the City via a deed or an easement may be used to satisfy Section 23-3B (Parkland Dedication)
22.29	Division 23-4C-2	2 Civic Open Space	x					JSc	тι			Process		No	23-4C-2020 Applicability and Conflict (D)	(D) Civic open space that complies with this division may be used to satisfy Section 23 4C 1030 (Common Open Space) if the civic open- space is publicly accessible.	Strike this section as it conflicts with the requirements of section 23-4C- 1010 as common open space and civic open space are triggered by size of the site and not required at the same time.		Other open space types apply toward parkland dedication if they are open to the public and meet design standards for their section and for 23-38
22.30		2050 - Civic Open Space Standards		x						TS			NO		2050 - Civic Open Space Standards	ADD (F) Parks and Recreation Department shall approve final civic open space type provided based on park and open space needs in the area and Civic Open Space shall comply with Parks and Recreation Department Operating Procedures.	Civic Open Space should comply with PARD Oeprating Procecures and final park typology should have PARD approval.	No	PARD has discretion over parkland dedication PARD will only review other open space types if they are being used for parkland dedication. Otherwise DSD will review. This is current practice.
22.31	Division 23-4C-2	Civic Open Space	x	x				JSc	ΤL			Parking			23-4C-2050 (D) Parking Requirements	(D) Parking. The director shall require a specific number of parking- spaces for a civic open space that is more than five acres			PARD does not require parking spaces for Pocket and Neighborhood parks. PARD and DSD have a parking agreement related to Recreation Uses. Therefore, this reference could be deleted to default to the Recreation use parking requirements in the 23-4D tables. However, Residential House Scale and Residential Multi-Unit tables 23-4D-2040 (A) and 23-4D-3040 (A) need to be changed to Recreation: As determined by the Planning Director. Entertainment: 1 per 100 sf.
22.32	Division 23-4C-2	2050 - Civic Open Space Standards		v						TS			NO		2050 - Civic Open Space Standards (D)	(D) Parking. The minimum parking requirements shall comply with 23- 4D-8040.	This excludes parking from all of the Civic Open Space Types. It is unlikely that any of the parks will be greater than 5 acres given that this would require a 50 acre development to yield this amount of open space (10% required). The parking should only be exempted when there is other public parking included in the development. 23-4D-8040 is the parking section for parks and specified that the Director will determine parking levels.	No	See above comment for 22.31
22.33 22.34	Division 23-4C-3 (NEW)	Civic Open Space Parking Reduction Matrix	x	x	GA				т			Shade Parking Reduction	No	No		Delete (No required shade)           Include reductions in car parking for items including but not limited to:           Meeting TDM requirements: 15%           exceeding TDM requirements: 15%           providing indoor bike storage for half of jobs/residents: 5%           providing bike maintenance facilities for residential uses: 2%           contributing 1/2 cost to a bike share dock (if their coverage area): 3%           providing bus passes for residentis in a 20 yr agreement: 20%           X% affordable housing: (X)%.           being within a 1/4 mile of a corridor: 15%           1/2 mile of a train station or planned train station: 10%           1/4 mile of a train station or planned train station: 10%           1/4 mile of a train station or planned train station: 10%           1/4 mile of a train station or planned train station: 10%           1/4 mile of a train station or planned train station: 10%           in a parking benefit district: 15%           Adjacent to a parking benefit district: 15%           Adjacent to resident permit parking 20%           bar, cocktail, or other alcohol permit use: 30%           showers for bikers or pedestrians: 15%           near under capacity public parking garage: 15%, electric bike charging for 5% of bike parking: 20%           within the UNO or south central waterfront overlays, within downtown: 100%           a dev. that exceeds Green Stormwater Infrastructure req'ts by 10%: 1	Shade for football fields? Community Gardens? If we are ever going to have a viable transit system then we must allow for developments that look to utilize such modes of transit. We have tools such as parking management districts and residential parking permits to address parking in areas where we look to do so.	No	Shade is preferred and could be awnings, shade structures and/or trees. Staff recommends keeping off street parking adjustments per 23-4E-3060
<b>23</b> 23.1	Article 23-4D Spec	ific to Zones General		x		x						Live Music Venue Use	Yes	Yes	All zone allowed use tables	Insert "Live Music Venue" as a use with the same NP/CUP/MUP/P categories as a Performance Venue/Theater, with the same breakdowns for indoor and outdoor, and square footage, in all zones.	Previously Live Music Venue was lumped in with performance venue, which limits alcohol sales to below 50%, which is not consistent with the business model of most music venues. This is the use activation for a definition submitted by Comm. Anderson.	Yes	Staff can support the inclusion of Live Music Venue use
23.2		General		x		×						Compatibility	Yes	Yes	All zone allowed use tables	In all zones, all instances of properties across alleys must state that the trigger line is based on the Zone of the property across the alley.	Submitted by Comm. Anderson. Right now D3 reads that compatibility stepbacks may start on the property line of the impacted property, not the triggering property. This reverses that clearly.	Yes	language needs to be added that calrifiles this point
23.9		All Zones except RC		x				PS				Compatibility			Restore existing Compatibily Standards		CodeNEXT eliminated protections given to neighborhoods from encroachments of nearby businesses. Restore existing compatibility standards citywide.	No	staff supports the new compatability standard as they are integrated into zoning for D3

CHAPTER ARTICLE			ESIRED PRO CHANGES 1				INITI	ATED E	BY CON	MMSSIC	ONER			EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AME	NDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER N
					ANDERSON	HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER	SCHISSLER SEEGER	SHIEH	THOMPSON	SHAW	BURKARDT MENDOZA	TEICH			GENER	AL	SPECIFIC SECTION		
23.20	Division 23-4D-4 Mixed Use Zones				GA	4										Compatibility	No	Yes	G	eneral	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			able 23-4D-XXXX(B)-	tbd	Review setback requirements related to com House Scale
A-23.211.1				x				AT.	v										<u> </u>	uilding Placement	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 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 politic (especially elected Council members) to touc PC needs to have the courage to address co aspects of CodeNext, head on. The bottom li our city will both increase density and presen Those who argue against either extreme now just wastes PC's time. Neither density advoc character advocates won all they wanted wh sides need to stop trying to take a second bit Density advocates? Y'all lost because IA say character. Neighborhood character advocate add density. The only option that makes sens between the two. This proposal does exactly stop demanding ideological purity and reach instead.
23.133	Division 23-4D All zones with compatibility setbacks				I		СК									Adjust compatibility	No	No		ll zones with ompatibility	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-fc middle of their backyard, that would be no m a 35' tall single family home was built next d affordable housing projects is similar, but wit door.
23.3	Division 23-4D All Subsections	x		x	I	AH I	FK									Affordable Housing	No	Yes	2:	3-4D	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 appl regulations - it's a model that everyone shoul
23.4	Division 23-4D Use Tables 23-4D-2030(A, B, C)		x		ľ	1	FK								Π	Day Cares	No		2	3-4D	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 daycare by removing obstacles
23.5 23.6	Division 23-4D-1 Purpose			x	GA	4		-							H				2	3-4D-1-8	Allow cooperatives by MUP in R1, R2B, R2C, R2D, R2E, R3B, R3C,	
																Coops	No				RR; Allow cooperatives by right in zones R4A, R4B, R4C, RM1A, RM1B, MH, MS1A, MU3B, and MU4	
23.14	Division 23-4D-2 23-4D-2030 Use Tables			x			FK									Coops and Daycare			×		Make coops MUP in R2B and up. And make Daycares 7-20 MUP in all R zones	
23.7	All Zones			x	T					PS						Alcohol Sales on-site consumption						Require a CUP for bars, night clubs, brew pu of residential properties.
23.8											JSh					height			A	LL 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 Slab Height is defined as height from ????           Maximum building height is 35' from top of sl in McMansion Zones:           Maximum building height is 32' at 5' from the Max Building Height increases by 1' for every So 23 at 6' from the side lot line and so on, u Max Slab Height: 5' above finished grade at Max Slab Height can be no more than 12" ab Pier and beam foundations are not subject to Max Slab Height does not apply to portion(s) or greater slope of natural grade The same Height Encroachments/Exemption current McMansion tent.           Multiple pages: 4D-2 pg. 60           23-4D-2070 through 23-4D-2210: R1-R4 Max Amendment: Amend maximum height limit.
23.10						$\frac{1}{1}$	FK	+	+		JSh	тм	v			FY Imp Cov			A	LL R ZONES	delete frontyard impervious regulation	
23.11											JSh					pools fountains			A	LL R ZONES	Encroachment table for Pools and Fountains • Side street match interior side • Front match rear	

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
compatibility with Residential		
bilitics that is dangerous for anyone touch, it's probably compatibility, as compatibility, as well as all other im line is this: Imagine Austin said serve neighborhood character. now are just re-litigating IA, which tvocates nor neighborhood when IA was adopted. So both d bit at the apple and re-litigate IA. says to preserve neighborhood cates? Y'all lost because IA says to sense is for CodeNext to balance actly that. It's time for everyone to ach a pragmatic compromise		
5-foot-tall person standing in the o more restrictive than their view if xt door. The compatibility for t with a 45' tall home built next		
apply with applicable zoning hould 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
erved and increase affordability of		
	Yes/No	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; Staff agrees that it can be allowed in MU3B and MU4
	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
w pubs and distilleries within 1,000'	No	Add specific to use language for Bars/Nightclubs with same language as Restaurants when referring to distance and CUPs
top of slab to top of roof. ?? grade to top of slab. of slab to top of roof. hthe side lot line. every 1' past 5' from the side lot line. on, up to the 35' max height limit. a at any point. " above the highest finished grade, ct to this limit. n(s) of building footprint over 10% obtions apply to this as apply to Maximum Height Limit nit.	Yes/No	Okay with 35' overall due to consistency but disagree with other suggestions
	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
	Yes	Make pool encroahments same as fountains in all Residential house scale zones

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3	Γ	INIT	FIATED BY	COMMSS	SIONER		EX OFFIC	CIO TOPIC AF	REQ. A STA FEEDE	FF	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON	HART KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGEK SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA	теісн			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.12							JSh			articulati	in			ALL R ZONES	25-4D-XX Articulation All R zones Recommend articulation requirements removed due to affordability. If motion does not pass, then modify as below Articulation is required for interior lot side walls on additions or new construction that have taller than 15' plate and located within 9' of the side lot line Administrative variance to dimensions allowed to meet unique lot configurations to accommodate trees, slopes, or adjacency issues.		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 23.17	Division 23-4D-2 23-4D 2151 Division 23-4D-2	x		FK			ICh			Small Lo	:	_		-	Add small lot in R3 and R4 of 2,000SF	front parking areas are too limited and forms will create poponforming to	No	staff supports the current proposal commentary
23.17	Division 23-40-2	×					JSN									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	x		СК	(					McMansi ordinan update	e No	D	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				СК						R-Zone Remove Attached allow deta Duplexe	F- nd Ye hed	25	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 o <u>r 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</u> 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."		no	does not recommend combining sf attached with duplex or changing language
23.22				СК	c					Resident Citywid Affordable Bonus	. Ve	25	No	1040 (Affordable Housing Bonus Calculation)	Add a row to the bottom of the table: " <u>Residential Citywide Affordable</u> <u>Accessory Dewlling Unit Incentive: When participating in Affordable</u> <u>Housing Bonus Program, in addition to base entitlements, an additional,</u> <u>income-restricted Accessory Dwelling Unit may be built and the size</u> <u>does not count toward FAR limit and the principal use's FAR limit is</u> <u>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 Dwelling 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 bonuese, 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				СК	¢					R4 boni adjustme		25	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				СК	¢					Increas affordat bonus entitleme	e No	D	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	×		СК	(					Resident Citywid Affordable Bonus	al	o	No	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			СК	(					Corrido Transitie Accesso Dwelling I Incentiv	n No y No	D	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								TS		<2500 SF U w/o Park		D C	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 an Restaura		b	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				P	PS			Minor U Permit				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	

CHAPTER	NOISIN	2		PROPOSED	Γ							] [	REQ. ADD'L STAFF FEEDBACK				COMMISSIONER NOTES		
4	<u> </u>	F	CHANG	ES TO D3	NDERSON	ART AZI	ICGRAW CGRAW		HITE	HAW URKARDT	IEN DOZA EICH	TOPIC AREA	FEEDDACK	GENERAL	AMENDMENT TYPE	SUBSTITUTE LANGUAGE		YES/NEUTRAL /NO	STAFF RESPONSE
23.31					4		<u>×                                    </u>	PS		S B		Lot Size		GENERAL	Zones R1B-R2C, R3B-R3D		Restore 5,750 sq. ft. lots and 50' width	No	5000' brings 7000 lots into conformity
A-23.31.1				x				PS				Uses			23-4E-6200 Home Occupations	zones."	The addition of 3 employees and limited retail sales is a burden in residential neighborhoods especially parking and traffic congestion. The Live/Work zone allows up to 2 employees by-right and up to 3 with an CUP. Interesting that a CUP is required for 3 employees in a Live/Work zonewhile only an MUP in R zones (residential).		
23.33	Division 23-4D-2	Preservation Incentive		x					ти	,		ADU	x	X	Lot Size & Intensity Table; R1C, R2A, R2C, R2E,R3A,R3B,R3C,R3D,R 4A,R4B,R4C,		The intention was to preserve the street scale. The word preservation is not defined in D3. The HLC has recommended against this incentive because the word preserve conjurs up the National Register's Standards. I don't think the intention was to subject homewoners to these standards and additional expenses, I think it was to preserve the street scale and to reduce the # of demolitions. These changes eliminate the word confusion and go hand in hand with a definition of conserve that promotes the conservation of the existing homes street presence. This also further clarifies where you can use the additional FAR that you're granted.	Neutral	HLC has asked for a definition of "preservation"; Staff support using a different term than "preservation"
A-23.33.1	D:::: 00 4D 0	Preservation Incentive	,	ĸ					ти	1		ADU		х	All R zone	extend Preservation Incentive to all R zones	we heard a lot of positive feedback regarding this incentive		
23.35	Division 23-4D-2	Residential House-Scale Zones					КМ								23-40-2 simplify uses maintain; minimum lot sizes in some zones	R1B, R1C, R2A, R2C, R3C, R4A (6,000 - 60' width)	Remove these uses in favor of only referencing dwelling units without respect to their attachment or not per zoning - only per Buildign code. FAR is permitted for any dwelling unit on the lot with the only limitation being 550 SF on the second floor of the rear 1/3 of the lot. per current ADU code. Smaller lot sizes may be incorporated into zones intended to be used in greenfield areas and as implementation for use via the Small Area Planning Process with full public participation. These include R2B, R2D, R2E, R3C, R3D This amendment provides balance required to achieve the Austin Bargain to allow neighborhoods to maintain existing current zoning while creating new zones for greenfield, areas where the new regulations match current development and for sites identified in a Small Area Planning process.	No	See response on line 23.31
23.36	23-4D-2	Residential House Scale Zones					км								23-4D FAR	Maintain .4: I FAR for most zones while these R3D, R4B and R4C may be up to .6:1. Eliminate the default FAR provisions (2,300 for 5,000 SF lots)	Dfault FAR skews the market to remove modest homes on small lots.	No	2300 is currently institued for nonconforming lots through variance process, so changing the size from 2300 to 2000 will make more houses noncomforming; brings 7000 lots into conformance with same entitlements they would have today
23.37	Division 23-4D-2	Lot size minimum		x					ти	,		Lot Sizes		х	Lot Size & Intensity Table; R1B-R2C	replace 5000 with 5750	This reduction inadvertently allows an additional 39,469 lots (lots in this zoning category between 11.5k-10k) to be subdivided leading to increased demolitions and reducing the amount of existing affordable units	No	Staff supports reducing nonconforming lots with 5000 square foot lot; the 39,469number is erroneous and the correct numnber is closer to 14,000
23.38	Division 23-4D-2	Residential House-Scale Zones			GA	АН			π			Residential	no	no	23-4D-2010	This division establishes the land use and building form requirements for property zoned residential house-scale. The requirements <u>are intended to</u> implement the Comprehensive Plan and <u>address the social and</u> <u>environmental values described in 23-1A-1020</u> , <u>are intended to ensure-</u> that proposed development is compatible with existing and future- development on neighboring properties. Additionally, the requirements- are intended to produce an environment of desirable character, consistent- with the Comprehensive Plan and any applicable area plan.	The goals of the Title should guide the goals of this Division. The purpose of zoning should be to implement the adopted Imagine Austin Comprehensive Plan.	Neutral	if one purpose statement is changed, then others may need to be changed also
23.39	Division 23-4D-2	Residential House-Scale Zones		X		AH						residential			23-4D-20XX	Table 23-4D-20XX (F) Impervious Cover (2) Frontyard Impervious         Cover – Paragraph (2)(e)         Amendment: This requirement should be deleted for parking on paved areas only.         (e) A motor vehicle may only be parked or stored on driveway or paved parking space.	Comment: The current city requirements are adequate with gravel being an acceptable parking space material.	No	Gravel has issues with clogging storm drains, acts as impervious cover, and by removing E parking would be allowed on grass
23.40	Division 23-4D-2	Residential House-Scale Zones		<u> </u>		AH						Residential			23-4D-20XX	Table 23-4D-20XX (H) Impervious Cover (2) Front yard Impervious Cover	Removing this section does not alter the total impervious cover limit on the site. Targets low income / high occupancy tenants, where more vehicles are common. It adds \$1000 cost for preparation of site plan and survey. It can't accommodate site conditions like trees, triggering routine variances. 40% IC limit does not allow more than a single car driveway on a 50' lot.	No	See response on line 23.1
23.41	Division 23-4D-2	Residential House-Scale Zones		×					т			Residential Uses	No	Yes		Remove the following uses and replace with "residence": ADU, Duplex, Single-Family, Single-Family Attached	Agree with Residential Working Group	No	Staff supports maintaining use separation as listed in D3
23.42	Division 23-4D-2	Use		,					TV	'		Uses	x		23-4D-2030	replace duplex, single family attached, secondary, ADU; with two family, mulifamily	reduce the number of uses to reduce the confusion perpetuated by this code. Rely on the definition of dwelling unit to support the zones.	No	see response on line 23.41
23.43	23-4D-2	Residential House-Scale Zones		Ĵ,	×	$\uparrow \uparrow \uparrow$			$\uparrow \uparrow$			Residential	No	no	Table 23-4D-2030 C	Allow triplex as a residential use in R3S - R4C and amend the tables in each zone accordingly	This is a logical house scaled use in this zone that is compatible with existing uses.	No	staff supports current use definitions, aggregation does not address neighborhood character
23.44	Division 23-4D-2	2030- Allowed Land Uses and Permit Requirements		X						TS		Single Family Attached	NO		Table 23-4D-2030(C) Allowed Uses in Residential House-Scale Zones	CHANGE: Single-Family Attached status from "P" to "-"in R2A, R2B, R2C, R3A, R3B.	Change permit status of Single-Family Attached in Specific Zones to not allowed.	No	Staff does not aggree with reducing SF attached permissions in D3 as it will be reducing entitlements currently allowed today
23.45	Division 23-4D-2	Parking Standards		X					ти	/		Parking	NU		Table 23-4D-2040-A-1	Home Occupations 1 if clients come to the site, otherwise none		No	Home Occupation use limits trips to 4, also addendum prohibits retail sales
23.46	Division 23-4D-2	STR-2						++	ти	'		uses	x		all use tables	why are we including this as a permitted use If we're in the process of fading these out over the next 5 years??			STR type 2 is still a permitted use for 5 more years that the code will be implemented

CHAPTER ARTICLE	DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OF	FICIO TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			AND ERSON HART KAZI KKAZI KENNY MCGRAW MCGRAW VUCKOLS SCHISSLER SCHISSLER SFIEH	IHUMIPSUN WHITE SHAW BURKARDT MENDOZA	н		GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.47	Division 23-4D-2 Residential House-Scale Zones	x	FK		residential		23-4D-2 & 23-4D-3: R2C Zone	Allowed Uses" to table of uses. min. lot size: 2500sf. max lot size: 4999sf	36' min width for R2C prevents flag lot resubs of 50' lots. Reduced Building Size from 2300 to 1500sf. Zero side yard setback when adjacent to other small lot uses eliminates need for SF-Attached. The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city.	No	R2D and R2E are the small lot zones, a new use seems redundant
23.48	Division 23-4D-2 2030- Allowed Land Uses and Permit Requirements	x		TS	2030- Allowed Land Uses and Permit Requirements	NO			Co-op Housing - R3A now allowed with CUP, R4A and R4B changed from P to MUP. ADDENDA -now not allowed in R2 where previously was CUP.	N/A	comment
23.49	Division 23-4D-2 2030- Allowed Land Uses and Permit Requirements			TS	2030- Allowed Land Uses and Permit Requirements	NO			Group Home Removed.	N/A	comment
23.50	Division 23-4D-2 2030- Allowed Land Uses and Permit Requirements	x		TS	2030- Allowed Land Uses and Permit Requirements	NO			Addenda - allowed cottage court in R4C and removed Townhouses from R4A and R4B.	N/A	comment
23.51	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x		TS	2040- Parking Requirements (Residentail House Scale)	NO	2040 (B) Maximum Number of Parking Spaces	Delete section 2040 (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.	Yes	Staff agrees with only deleting this language in the Residential House Scale zones; and staff supports changing language in Residutial Multi-Unit zones to only apply to non-residential zones
23.52	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x		TS	2040- Parking Requirements (Residentail House Scale)	NO	2040 (2)(a) and (b)		Definition for Building Façade is different than the one in 23-13. Parking Structure definitiion in this section is not found in 23-13.	Yes	Staff agrees with only deleting this language in the Residential House Scale zones; and staff supports changing language in Residntial Multi-Unit zones to only apply to non-residential zones
23.53	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x		TS		NO	Table 23-4D-2040(A) (1) Residential Accessory Dwelling Unit - Residential	CHANGE: Accessory Dwelling Unit - Residential (Existing or new construction with existing dwelling unit) None Required ADD: Accessory Dwelling Unit - Residential (new construction and no existing dwelling unit) - 1 per unit.	Table 23-4D-2040(A) - ADU's do not require parking. ADUs allow 3 unrelated adults and it is incomprehensible that none of these adults would require parking. This should changed to conform to 23-4E-3020 which requires parking for ADUs unless there is an existing unit.	No	staff supports not requiring parking for ADUs as incentive and furthering affordability capability
23.54	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x		TS		NO	Table 23-4D-2040(A) (1) Residential	ADD: RR, LA, R1, R2, and any Residential House-Scale Zone adjacent to Public School - 2 per unit	Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking. Furthermore, the occupancy limits for residential dwelling units can be from 4-6 unrelated adults. Condider variance if sidewalks in neighborhood. Request from Public schools to maintain parking adjacent to schools.	No	staff does not support requiring more parking near schools
23.55	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	x		TS		NO	Table 23-4D-2040(A) (1) Residential		Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking.	N/A	see above
23.56	Division 23-4D-2 2040- Parking Requirements (Residentail House Scale)	X		TS	Residential use parking	NO	Table 23-4D-2040(A)	Bed and Breakfast - 1 plus 0.8 1 -per bedroom Cooperative Housing - 1 plus 1 per every 4 2 bedrooms Group Residential - 1 plus 1 per every 3 2 bedrooms	ADDENDA: Adds Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels for residential neighborhoods	No	staff supports the parking recommendations in D3 addendum
23.57	Division 23-4D-2 2100 - 2140; R2A-R2E	x		TS		NO	Table 23-4D-2040(A)	Change Co-operatives and Group Residential to 1 + 1 per every 2 bedrooms	Addenda reduces parking for Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels.	No	staff supports the parking recommendations in D3 addendum
23.58	Division 23-4D-2 Residential House-Scale Zones	x	JSc				23-4D-2040(C)(3)(a) Parking requirements for R1-R3	Delete 23-4D-2040(C)(3)(a) & Delete similiar text in every zone	Will make thousands of existing homes nonconforming. Limitations on parking locations remove flexibility to accommodate site conditions, such as trees. Rule would require additional IC to get spaces deeper into lot. Pushing parking back into structure leaves less area for units, restricting unit yield. Trades parking for additional units.	No	Incoporated into CodeNEXT from neighborhood plan tool. Suggest changing applicability rather than removing completely.
23.59			JS h		parking			<ul> <li>Parking requirements</li> <li>3. B and C is described again in each zone. (at least in R3's This is confusing, Pick a spot, otherwise its inconsistent)</li> <li>OFFSTREET HOUSE SCALE TABLE:</li> <li>ADU - should require 1 if more than 1 bedroom</li> <li>HOME OCCUPATION - should require 1 space for commercial vehicle</li> <li>3. B and C is described again in each zone. (at least in R3's This is confusing. Pick a spot, otherwise its inconsistent)</li> </ul>		No	Parking structure regulations are different than Frontyard IC limits. Staff does not recommend changing parking.

CHAPTER	NOR STATE BUILD BUILD BU				INITIATED BY COMMSSIONER EX OFFICI			O TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	FF		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES				
4			NDERSON ART	AZI ENNY	ICGRAW	LIVER	HEH	HITE	URKARDT IENDOZA							YES/NEUTRAL /NO	STAFF RESPONSE
23.60			ΕÌ	2 2	Σz	<u>o</u> X	i <del>č</del> č	<u>+ 3</u>	ΞΣ			GENERAL	SPECIFIC SECTION	OFFSTREET HOUSE SCALE TABLE:			staff supports the parking recommendations in D3 addendum
2.00							h			parking				ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle		No	
23.127	Division 23-4D-2 Residential House-Scale Zones	x					J	т		Parking	No	Yes	23-4D-2040	Do not require parking in Residential Zones		No	
23.61	Division 23-4D-2 Residential House-Scale Zones	x				JSc				Parking			23-4D-2040 R1-R3 Zones: Table 23-4D-21x) (F) Impervious Cover (2) Frontyard Impervious Cover - paragraph (2)(e)	(c) A motor vehicle may only be parked or stored on driveway or paved- parking space.	Gravel is an accepted parking space material in code. While counted as IC, it is more pervious than concrete and less expensive. Not a problem under current code.	No	See response on line 23.39
23.62	Division 23-4D-2	x		СК						Lot Size Brackets for ADUs in RR	No	No	Table 23-4D-2050(A), "Lot Size and Intensity"	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.	No	Lot size must be one acre in Rural Residential. Smaller lots are not allowed.
23.63	Division 23-4D-2 Residential House-Scale Zones	X		FK						Rural Residential			23-4D-2050	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in RR by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in RR with an affordability requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.64	Division 23-4D-2	x		СК						Lot Size Brackets for ADUs in LA	No	No	Table 23-4D-2060(A), "Lot Size and Intensity"	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.	No	Lot size must be one acre in Rural Residential. Smaller lots are not allowed.
23.65	Division 23-4D-2 Residential House-Scale Zones	x		FK						Lake Austin			23-4D-2060	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in LA by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in LA with an affordability	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.66	Division 23-4D-2			СК						Lot Size Brackets for ADUs in R1 zones	No	No	Table 23-4D-2070(A), 23- 4D-2080(A), and 23-4D- 2090(A), "Lot Size and Intensity" in R1A, R1B, and R1C, respectively.	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.	No	ADU not allowed on lots smaller than 15,000 sf, therefore the largest ADU is allowed.
23.67	Division 23-4D-2 Residential House-Scale Zones	X		FK						R1A			23-4D-2070	Strike Accessory Dwelling Unit allowed only when participating in- Affordable Housing Bonus Program.	Allowing ADUs in R1A by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in R1A with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.68	Division 23-4D-2 Residential House-Scale Zones	×	АН							residential			23-4D-2070 through 23- 4D-2210: R1-R4 Maximum Height Limit	Update each district to max height of " <u>35' from top of slab to top of roof</u> " and limit slab height above finished grade <u>"slab height is limited to a</u> <u>maximum of 6' above finished grade and a maximum of 12" above</u> <u>highest finished grade</u> "	32' to top of roof is too low to accommodate three stories along with roof pitch, etc. 35' max to top of roof is very similar to current code limit of 32' max to average roofline. 35' is limit in non-McMansion zones in v3. Common standard reduces cost and time for regulatory compliance, allows more flexibility for site conditions, and allows enough slab exposure for adequate drainage - identified as a concern by staff under current McMansion tent.	Yes/No	Ok with 35' due to difference in height measurement. Do not support other provisions.
23.69	Division 23-4D-2 Residential House-Scale Zones	x		FK						R1B			23-4D-2080	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program:	Allowing ADUs in R1B by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in R1B with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.70	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	x						TS			NO		R1B, R1C		Keeps at least on zone for single family residence. Currently all R1 zones allow 2 units.	No	staff supports current proposal and R1 only allows an ADU on lots over 15,000 square feet and it must be affordable
23.71	Division 23-4D-2	x						TS			NO		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX(A)	Width (min.) = 50', Area (min.) = 5750'	R1B and R1C reduced lot with 45' and lot size 5000 SF needs to revert back to 50' and 5750'. These lots are outside of urban core and should be larger.	No	Staff supports reducing nonconforming lots with 5000 square foot lot
23.72	Division 23-4D-2	x						TS			NO		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX(A)	Remove "Other Allowed Uses"	What is the purpse of the new use called "other allowed uses." It is not defined and not explained what it will be used for.	No	this only refers to condensing parking table
23.73	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	x						TS		Front Yard Impervious Cover	YES		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (F) or (G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	NA	would limit the amount of surface parking in the front yard and prevents entire front yard from being paved over
23.74	Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	x						TS		Common and Civic Open Space	YES		2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (G) or (H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	Reference in zoning is helpful. See addendum change for applicability.
23.75	Division 23-4D-2 Residential House-Scale Zones	x	AH	FK						residential			23-4D-2100, 2120, 2140 Table (D) Height	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%	22' limit restricted all McMansion R2-R4 zones to 2 stories, substantially limiting unit yield and reducing entitlements below current code. Current code "tent" is very complicated and costly to administer and enforce. Amendment is easy to administer, uses one base measurement (max height) and creates the same building envelope without tent sections, can be verified by form boards on site and allows three stories within tent. 35' to top of roof better replicates the average roofline height calc under current code, allowing most existing homes under McMansion to conform. 35' to top of roof as proposed is not an increase in overall height vs today, even including the slab height measurement, due to change from average roofline to top of roof. 32' to top of roof (in v3) does not allow enough room for a third story with much of a pitch on the roof, increasing massing and eliminating finished attics above a second floor on most lots. Three stories, which are allowed under current SF-3 code, are essential to achieving R3 and R4 unit yields while accommodating impervious cover and off street parking.	Yes/No	Ok with 35' due to difference in height measurement. Do not support other provisions.

CHAPTER	NOISINIQ	11116	DESIRED PI CHANGE			INITI	ATED BY (	COMMSSI	ONER	E)	( OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SEEGER SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH					GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.76	Division 23-4D-2	2 2100 - 2140; R2A-R2E		x						TS			NO		2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)	CHANGES: 1) Remove Single-Attached and Other Allowed Uses, 2) Restore lot size to 5750 SF, 3) Restore width to 50',	R2 Zones have already been reduced from 7000 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						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.
23.78	Division 23-4D-2	Residential House-Scale Zones		x		FK						residential			23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other         Allowed Uses" to table of uses.         min. lot size: 2500sf.         max lot size: 4999sf         min. lot width: 25'         Building Size (max) for all Small Lot uses: the greater of .4 FAR or         1500sf         Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front         15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear         10'.         Table 4D-2120(C) Building Form (1) Building Articulation New         Construction add "Building Articulation is not required for Small Lot         uses."         Table 4D-2120(C) Building 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						residential			23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Delete SF-Attached Use	Small Lot Use replaces SF-Attached Use.	No	see response on line 23.44
23.80	Division 23-4D-2	2		x		СК						Lot Size Brackets for ADUs in R2A and R2B	No	No	Tables 23-4D-2100(A) and 23-4D-2110(A)	Strike the entire rows of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	R2A should have the same standard three ADU 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		Changes to R2A, R2B, and R2C Table A	NO		2100 Table 23-4D- 2100(A), 2110 Table 23- 4D-2110(A), 2120 Table 23-4D-2120(A)	<ol> <li>RESTORE Single Family and Duplex - min. width from 45' to 50', min. Area from 5000' to 5750' 2) DELETE : Single-Attached, Other Allowed Uses</li> </ol>	R2 Zones have already been reduced from 7000 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		Single Family Attached Side Setback	YES	х	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	2 2100 - 2140; R2A-R2E		x						тs		Single Family Attached Design	NO		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	2 2100 - 2140; R2A-R2E		x						тs		Front Yard Impervious Cover	NO		2100 - 2140; R2A-R2E Table 23-4D-XXXX(G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	No	see response on line 23.1
23.85	Division 23-4D-2	2 2100 - 2140; R2A-R2E		x						тѕ		Common and Civic Open Space	NO		2100 - 2140; R2A-R2E Table 23-4D-XXXX(H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	see response on line 23.74
23.86	Division 23-4D-2	2150-2180; R3A-R3D		x						TS		R3A and R3B Uses	NO		2150 Table 23-4D- 2150A), 2160Table 23- 4D-2160(A),	DELETE : Single-Attached and Other Allowed Uses	Keep single-family attached with R3 used adjacent to corridors. What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.		
23.87	Division 23-4D-2	2150-2180; R3A-R3D	×							тѕ		Side St. Setbacks	NO		2150-2180; R3A-R3D Table 23-4D -XXXX (B)		Single family attached and do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.	Yes	Need to add footnote on side setbacks for uses with zero lot lines including single family attached and townhomes.
23.88		Residential House-Scale Zones		×	GA							residential	no	no	23-4D-2150 to 2200 Table(A)	For R2-R4 "McMansion" Zones add Note "FAR includes Covered Porches or Balconies above ground level"	Loophole in D3 FAR allows two stories of porches under a finished attic per Chris Allen's drawing. Count 2nd floor porches toward FAR, as they are in current code, to limit attic space, as it is in current code.	No	Changed to simplify McMansion regulations and administration.
23.89		Residential House-Scale Zones		x	GA							residential	no	no	23-4D-2150 to 2200 Table (A)	For R2-R4 "McMansion" Zones add Note for Single Family and Duplex Uses "+150sf for each three bedroom unit within 500' of public school."	Incentivizes family friendly housing around AISD schools.	No	suggest remapping instead of altering zones
23.90	Division 23-4D-2	Residential House-Scale Zones		x	GA	FK						residential			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.		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.

CHAPTER		DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI KCRNY MCGRAW MCGRAW MCGRAW NUCKOLS SCHISSLER SCHISSLER SEGER SHAW	BURKARDT MENDOZA TEICH		GENERAL SPECIFIC SECTION			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 ())	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	see response on line 23.74
23.94	23-4D-2150 R3A		КМ				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- 2170A), 2180Table 23- 4D-2180(A),	DELETE : Other Allowed Uses	What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.		
23.97	Division 23-4D-2 2190 - 2210 R4A- R4D	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 bonues included in zone.
23.102	Division 23-4D-2 Residential House-Scale Zones	x	AH JSc	Parking		23-40-2150 through 2210 (G) (3): Parking Driveway	Edit Parking Table (G) (3) in all R3 & R4 zones to read: <del>10' max 12'</del> max for single unit driveway 20' max for shared driveway	Allow 12" max curb cuts (current code) for driveways serving a single unit and up to 20" max curb cut for shared driveways that are not fire lanes. Multiple curb cuts are allowed on any street frontage of a lot. A 10" curb cut is too narrow to accommodate multiple vehicles to park. Shared driveways should provide two car access where site conditions allow. 12' is the current code minimum requirement.	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		<u>2210(G)</u>	Amendment: Required parking space(s) must not be located in front of the front facade of the building, foreing 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		23-40-2170, 23-40-2180, 23-40-2190, 23-40-2200, 23-40-2210 (G) Parking, (2) Setback	<ul> <li>Table 23-4D-2170 (G) Parking</li> <li>(1) Parking Requirements</li> <li>(2) Setback - Front 30°, Side St. 20°, Side 2°, Rear 5°</li> <li>(3) Parking Driveway</li> </ul>	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	АН	residential			(C) Building Form (2) Facade(s) All Stories: Add "Articulation, Net Area 40 sf", Change Articulation length (min.) to <u>8' and Articulation depth (min.) to 2'</u> . Add note "Articulation not required for a net building area of less than <u>2000sf</u> "	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			For R3-R4 "McMansion" Zones Table 24-4D (C) has Building Form (1) Building Articulation New Construction "Articulation is required when <u>adjacent to (list R2A, R2C, R2E ie McMansion zones)</u> for adjacent side walls on additions or new construction"	Articulation requirement inherently causes drainage problems due to "U" shape. McMansion rules were intended for 1-2 unit uses. Articulation on interior lots makes it more difficult to accommodate environmental considerations (e.g. trees and drainage). Trees would require routine variances for R3-R4. It is a very prescriptive design standard that has no impact on the public domain. Will preserve neighborhood character in R2 zones, while allowing for additional units to be built in R3 and R4 zones.	No	"U" shape does not cause drainage problems.
23.110	Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		2 <u>3-4D-2100(G) to</u> 2210(G)	Impervious cover R2 to R4: Delete Footnote. The maximum impervious- cover may not be attainable due to unique site characteristics, such as trees, waterways, and steep slopes. Where necessary, the project must reduce the impervious cover to comply with other requirements of this- Title:	The Impervious Cover footnote is not in the current code and only serves to reduce flexibility to account for trees, waterways, and steep slopes. Authorizes further reductions in buildable area on site without justification, possibly removing ability to apply for a variance.	No	The footnote does not inherently reduce impervious cover.
23.111	Division 23-4D-2 Residential House-Scale Zones	x	AH	residential		<u>Table 23-4D-2100 to</u> 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.

CHAPTER		DESIRED PROPOSED CHANGES TO D3	Г	INITIATE	D BY COMM	ISSIONER	1	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART	(AZI (ENNY MCGRAW	NUCKOLS DLIVER SCHISSLER	SEEGER SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.112	Division 23-4D-2 Residential House-Scale Zones		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	АН						residential		23-4D-21xx: R2C, All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other         Allowed Uses" to table of uses.         min. lot size: 2500sf.         max lot size: 4999sf         min. lot width: 25'         Building Size (max) for all Small Lot uses: the greater of .4 FAR or         1850sf         Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front.         15', Side 5t. 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 "(2) 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	АН						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	АН						residential		<u>23-4D-2150, 2160, 2170:</u> <u>All R3 Zones</u>	Table (A) Lot Size and Intensity - add footnote <u>+.1 FAR for every unit</u> above Single Family Use	Despite the three-unit capacity, yields will not improve due to FAR limit which is the same as one or two units. Keeping the same FAR for 1 units as for 2 or 3 units does not incentivize building more units. The same .4 FAR for 1, 2 or 3 units is a direct disincentive to build more units versus larger single homes. Current code exemplifies this - 70% demos still 1-1 ratio, not 1-2 despite it being allowed by code. FAR should be increased to encourage more units on the lot. If you have the same FAR for more units, it increases the cost to produce those units (more per unit for taps, etc.) versus single family of same size, while raising cost per unit. A small step up would encourage more Missing Middle housing creation.		See above
23.118	Division 23-4D-2 Residential House-Scale Zones	x	АН						residential		23-4D-2150, 2160, 2170, 2190, 2200, 2210: Side Street Encroachment	Porch, Stoop, Uncovered Steps	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, Stood or Uncovered steps	In all R-type zones, 3' height above grade limit on an encroachment for porch, stoop or uncovered steps cannot accommodate sloping lots, so the requirement should be deleted.	Yes	Footnote unclear. 3' limit should only apply to uncovered steps. Reccommended languauge: Uncovered Steps may not exceed 3' above ground.
23.120	Division 23-4D-2 Residential House-Scale Zones	x	АН						residential		<u>23-4D-2190, 2200, 2210</u>	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	Bonus available in R4.
23.121	Division 23-4D-2 Residential House-Scale Zones	x	АН						residential		23-4D-2190, 2200, 2210: Building Envelope for R4A and R4B	Table 23-4D-2190(C) Building Form       (1) Overall Building Envelope       Width (max.) <u>80</u> ' 60'	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		АН						residential		23-4D-2210: R4C Zone	R4C: Table (C) (2) Building Articulation and (C) (3) Facade(s), Table- (D) (1) Primary and Accessory Building, Table (E) (2) Height- Encroachment, Table (F)(1) Private Frontage Type	There is not an R4 Zone that does not have McMansion limitations, limiting capacity for newly platted R4 lots. The only difference between Draft 3 R4C and R4A is 15' setback and 80' building width. As proposed here, R4A has 25' front setback with McMansion, R4B has 15' front setback with McMansion, and R4C has 15' front setback without McMansion. R4C should not have front porch requirement as it is not intended to be compatible with McMansion neighborhoods.	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		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	

CHAPTER	DESIRED PROPOSED				INITI	TATED BY	COMMSSI	ONER	EX	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				ANDERSON	kazi Kenny	VICGRAW NUCKOLS	DLIVER SCHISSLER SEEGER	shieh rhompson	WHITE SHAW BURKARDT	viendoza Teich			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.126	Division 23-4D-2 Residential House-Scale Zones		×	A	H						residential			<u>23-4D-3</u>	Table 23-4D-3xxx Lot Size and Intensity Lot: Principal dwelling units per acre	There needs to be a deletion of dwelling units per acre for all multi-unit zones. It is a duplicative regulation, given that the scale is already regulated.	?	If refering to RM1A, table corrected in addendum.
23.128	Division 23-4D-3 Residential Mult-Unit Zones		^															UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
23.129											New, more flexible RM1 zones			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.		RM1A intended to be small scale multifamily or townhouse development.
23.130	Division 23-4D-3 Residential Mult-Unit Zones		x		x	км						Yes	No	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 $8,000\ \text{SF}$	No	
23.131	Division 23-4D-3 Residential Mult-Unit Zones		x		СК						Remove existing single family as a non- conforming use in RM	No	Yes	Entire section	Add a footnote that any existing single family home on a lot zoned RM as of 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		,		СК						Increase affordable bonus entitlements	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group	More bonus entitlements got us from 6,000 affordable units to 13,500.	?	Need more detail.
23.134	Division 23-4D-3 Residential Mult-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 ½ 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 Mult-Unit Zones		x	GA A	H 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	x							TS		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	A	H						residential			23-2A-3030 & 3040 (B)	<ul> <li>Is more than 500 square feet; and</li> <li>Located on an unplated fract or within a residential subdivision approved more than five years before the building permit application was-submitted.</li> <li>(2) Install acceptable drainage improvements, such as swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve existing drainage patterns if the construction, remodel or expansion:</li> <li>Is more than 750 square feet; and</li> <li>Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was.</li> <li>submitted,</li> <li>And in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.</li> </ul>	This section incurs high cost along with liability and enforcement concerns for both engineer and homeowner. V3 language shifts liability from the owner of the property to the engineer. "Negative Impact" is vague & subjective. It does not allow for pre-existing deficient conditions on adjacent properties. Drainage calculations are necessary for engineer review and are known to be inaccurate on small tracts. The cost is estimated at \$3000 in site work plus \$5000 for the letter. Est \$8000 per house for over 5100+ permits last year fitting the requirements = over \$40 million additional cost.	Pending	
23.137	Division 23-4D-3 3040- Parking Requirements (Residentail House Scale)		×						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 (Residentail House Scale)		x						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).

APTER		DESIRED PROPOSED	Г	INITIATED BY COMMSSIONE							T	REQ. ADD' STAFF				]		
CH		CHANGES TO D3		I	NITIATED	BY COM	MMSSIO	ONER	E		TOPIC AREA		-	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	_	1
			ANDERSON	HART KAZI	kenny Mcgraw	NUCKOLS	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.139		X			ск						Limited commercial parking use fo RM	Yes	Yes	All RM zone uses	<ul> <li>Allow "Parking Facility" as a CUP use in all RM zones with the following design requirements specific to this use: (A) Screening: All areas used for parking, storage, waste receptacles or mechanical equipment shall be screened from a triggering property. Such screening may be a fence, bern or vegetation and shall be maintained by the property owner. Fences shall not exceed six feet in height.</li> <li>(B) Lighting: Exterior lighting shall be hooded or shielded so that it is not visible from a triggering property.</li> <li>(C) Noise: The noise level of mechanical equipment shall not exceed 70 db at the property low of a triggering property.</li> <li>(D) Waste: Waste receptacles, including dumpsters, shall not be located within 20 (or 50) feet of a triggering property. The City shall review and approve the location of and access to each waste receptacle. Collection of such receptacles shall be prohibited between 10 pm and 7 am.</li> <li>(E) From a parking structure facing and located within 100 feet of a triggering roperty.</li> <li>(J) Vehicle headlights shall not be directly visible;</li> <li>(2) Parked vehicles shall be screened from the view of an triggering property.</li> <li>(F) No vehicle entrances or exits from parking accessible to a MS or MU property may be located within 100 feet of a triggering property.</li> </ul>	This allows corridor-fronting MS and MU properties to aquire and jointly develop an adjacent RM property to better accommodate parking. The parking must be fully screened and there cannot be an exit to the parking within 100 feet of a triggering property. The idea is to allow the structure to cross the lot line but not have it be externally perceivable or impact nearby residential properties. Conditional Use Permit required to provide review of compliance with these requirements.	No	
23.140								JSh `			ю			23-4D-3050	60% impervious cover allowed in RM1A for "Other Use" (more than SF)		No	
23.141	Division 23-4D-3 Residential Mult-Unit Zones	,		AH							Compatibility	No	No	23-4D-3050	"Option 1: Eliminate compatibility setback within 1/10 of a mile of an Imagine Austin corridor or Core Transit Corridor."	Multiple pages: 4D-2 pg. 91	No	
23.142	Division 23-4D-3 Residential Mult-Unit Zones			АН							Multi-Family	No	No	23-4D-3050	Require R-Zone Table (D) (1) Primary and Accessory Building and Table (E) (2) Height Encroachment to apply in lieu of compatibility restrictions.	Small RM tracts under RM1A/RM1B would still be undevelopable under CodeNEXT like they are today due to compatiblity. Maintains current code standards and provides flexibility to increase unit capacity while maintaining neighborhood character and scale.	No	Support removal of compatibility setbacks but height would need further discussion.
23.143	Division 23-4D-3 Residential Mult-Unit Zones	×		АН							Multi-Family	No	No	23-4D-3050	"Option 1: Eliminate compatibility setback, consider changing landscape buffer to semi-opaque. Option 2: 1. Eliminate additional setback if Intermittent Visual Obstruction Buffer (20 ft) is kept 2. Reduce landscape buffer height to 23-4E-4100 (Semi Opaque Buffer, 6 ft) and reduce setback to 15 feet on side and rear 3. Eliminate additional setbacks and just have Semi-Opaque Buffer 4. Change which residential house scale zones trigger compatibility - ie R4A & R4B with MF allowed should not trigger compatibility for other MF"	Compatibility is one of the key drivers of the reduction of housing yield.	No	Option 1 not reccommended. Option 2, reducing setback to 15' and requiring more intense buffer, open to discussion (Option 2.2).
23.144	Division 23-4D-3 Residential Mult-Unit Zones		x								Compatibility	No	No	23-4D-3050	Eliminate compatibility setback within 1/10 of a mile of an Imagine Austin corridor or Core Transit Corridor when an affordable housing bonus program is sought.	Multiple pages: 4D-2 pg. 91	No	
23.145	Division 23-4D-3 3050 - 3090; RM1A-RM5B								TS		Compatibility Setbacks	NO		3050 - 3110; RM1A- RM3B; 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.	Yes	Staff supports measurement from triggering property line. Reccommend 30 ft instead of 25 ft.
23.146	Division 23-4D-3 3050 - 3090; RM1A-RM5B	x							TS		Compatibility Setbacks	NO		3050 - 3110; RM1A- RM3B; 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	
23.147	Division 23-4D-3 3050 - 3090; RM1A-RM5B	x							TS		Common and Civic Open Space	NO		3050 - 3090; RM1A- RM3B; Table 23-4D- XXXX(G), (H) or (I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	See adenddum
23.148	Division 23-4D-3 Parking and Loading	x	GA								Parking	No	no	Section 23-4E-3060 A	(2) Minimum off-street parking requirements shall be further reduced as follows: (a) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.	Same language appears in current code but was dropped from latest draft.	No	Removed intentionally.
23.149	Division 23-4D-4 Parking and Loading	x	GA								Parking	No	no	Section 23-4E-3060 A	One space for each on-street metered parking spaced located w/n 250 feet of the site, measured as the shortests practical and lega walking distance to the nearest principal entrance of the site.	One reason for metering parking is to ensure turnover, so that a space will generally be available when need. The council approvled this language on first reading on 12/11/14 (Resolution 20131024-058)	No	Parking districts would best implement this reduction.
23.150	Division 23-4D-3 Residential Mult-Unit Zones	x		АН							Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need to be looked at together.	In this zone the height is limited to 40 feet and there is a 20 tall landscape buffer, so limiting the building to 2 stories or less than the buffer makes no sense, especially since the height is limited to 2 stories for 25 feet from property line but the setback is 20 ft from side lot and 30 from rear, so you can't even use that.	No	

CHAPTER ARTICLE	NOISINI	DESIRED PROPOSE CHANGES TO D3			INITI	ATED BY	COMMS	SIONER	E	X OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				NDERSON IART	AZI ENNY	ACGRAW	CHISSLER	HIEH HOMPSON	VHITE HAW	AENDOZA EICH			GENERAL				YES/NEUTRAL /NO	STAFF RESPONSE
23.151	Division 23-4D-3 Residential Mult-Unit Zones			AH							Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. 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 Mult-Unit Zones		x	АН							Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. 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 Mult-Unit Zones		x	AH							Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. 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- XXXXX- 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		x								Stepbacks							UTC: Exempt from Comp Std w/in 1/4 mile of transit/IA cooridors
23.156	Division 23-4D4 Mixed-Use Zones		x		FK						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			x		СК						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		~						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	X							TS		Uses	NO		Table 23-4D-4030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss 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		x						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		x						TS		Adult	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	Allowed Uses	x	x						тw		Entertainment 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	Allowed Uses	x							тw		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		x	АН	FK						Corridor and Centers	No	No	23-4D-4030 (A)	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufacured Home, and all sizes of Day Cares to be built within all MU and MS districts.	Permitted uses in MU and MS zones don't 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 <del>after first 2,500 sf</del>	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	x	x						TS		Parking	NO		Table 23-4D-4040(A) (5) Civic and Public Assembly	Public/Private Secondary- 1 space per staff member, plus 1 space for each 3 students enrolled in grades 11 and 12	ADDENDA Changed parking for Public and 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		x	×							Parking	No	no	Table 23-4D-4040 A	Provide a 2500 sf exemption in MU similar to exemption in MS zones.	Encourge small businesses in mixed use areas.	No	MS zones intended for more walkable develpoment.
23.168	Division 23-4D-4 Mixed-Use Zones	x					JSc	rı			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	X					JSc	LI I			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)	property zoned Residential House-Scale. <del>Then</del> , all structures shall be set back at least 25 feet from a triggering property. <del>minimum setbacks shall be provided along the alley or shared lot line that comply with subsections (b) and (c).</del>	Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	see above
23.171	Division 23-4D-4 4060-4160; MU1A - MU5A		x						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

CHAPTER	LLE L	DESIRED PROPOSED							REQ. ADD'I STAFF A FEEDBACK						
AR AR		CHANGES TO D3	NDERSON ART	AZI ENNY ACGRAW	CHISSLER EEGER HIEH	R HOWPSON	AENDOZA			GENERAI	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
23.172	Division 23-4D-4 4060-4160; MU1A - MU5A					T	s a c	MU2A, MU MU3A, MU MU4A, MU MU5A Compatibi Height Stepback	HB, HB, NO		4100 - 4160; MU2A- MU5A; Table 23-4D- XXXX(D)(2)	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements. Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	see above
23.173	Division 23-4D-4 Mixed-Use Zones			СК				Add Microbrew and Live M Venue a permitted in all MU zo	isic No	No	All sections	Expands the allowed zones for microbreweries and adds the new live music venue use to all MU zones.	More live music and brewpubs throughout the city.	No	
23.174		x		СК				Adjust compability MU1	for No	No	MU1A-MU1D	Adjust the setbacks and compatibility in all MU1 to mimic R zones; adjust height back to 40', remove articulation when behind a vegetative buffer.	Draft 3 breaks MU1 as a viable zone. This would restore it.	Yes/No	Support reducing setback in MU1A/B which have the same height restrictions as Rzones. In MU1C/D, open to reducing side setbacks.
23.175	Division 23-4D-5 Main Street Zones														UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
23.176	Division 23-4D-5 Main Street Zones	x	F	FK				Corridor a Centers			23-4D-5 All MS Zones	Eliminate building articulation requirements. E.g. Table 23-4D-5060(C)(2)	Main street buildings are universally placed side-by-side and take up the entire property width to create an active pedestrian experience. Articulation should be eliminated in all MS zones.	No	Articulation requirements were calibrate for the Main Street zones
23.177	Division 23-4D-5 Main Street Zones	x	F	FK				Corridor a Centers			23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	MS setback requirements currently range from 5-10'. As every foot counts in a pedestrian environment, all MS setbacks should be 0', in line with near universal practice around the world.	No	5' is the minimum required from the utility departments. The intent is still for buildings to be placed at the back of sidewalks
23.178	Division 23-4D-5 Main Street Zones	x	F	FK				Corridor a Centers	NO		23-4D-5 All MS Zones	Increase overall height maximums in all MS zones: MS1A, MS1B: 35' to 55' MS2A, MS2B, MS2C: 45' to 65' MS3A, MS3B: 60' to 80', 120' with AHBP Bonus	In order to properly absorb density along our corridors, we must increase overall height maximums in proposed corridor and center zoning types	No	The proposed heights would go against the intent of the MS1 and MS2 zones. If there is a desire for a taller MS zone district this is a possibility.
23.179		×		СК				Adjust compabili and height MS1		No	All MS1 zones	The setback when adjacent to an R zone property is changed to 10 ft for all MU zones. The height is restored to 40'. Stepback heights 10'-20' from lot line are 25', 20'-25' from lot line is 35', and full height is allowed at 30'	This restores compatibility to more closely 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.	No	
23.180		L L		СК				Create MS MS4A, an MS5A zon	d Yes	No	New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height bonuses 180' of height, 275', and uncapped, respectfully, with bonus IC/BC of 95/90, uncapped units, and uncapped FAR.	If the CC zone is going to be restricted to downtown, we need MS zoning that goes very high as an option for mapping.	?	Proposed MS zones with taller heights should be limited to IA centers, alternative would be to allow UC in all Imagine Austin centers, noit just Imagine Austin regional centers
23.181	Division 23-4D-5 Main Street Zones		AH					Corridor a Centers	NO	No	23-4D-5 All MS Zones	Eliminate building articulation requirements. E.g. Table 23-4D-5060(C)(2)	On every main street in the world, main street buildings are placed side-by- side and expand to the entire envelope of the lot, creating an active pedestrian experience. This is best practice. As such, articulation should be eliminated in all MS zones.	No	
23.182	Division 23-4D-5 Main Street Zones		AH					Corridor a Centers		No	23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	MS setback requirements currently range from 5-10'. As every foot counts in a pedestrian environment, all MS setbacks should be 0', in line with near universal practice around the world.	No	5' is the minimum required from the utility departments. The intent is still for buildings to be placed at the back of sidewalks
23.183	Division 23-4D-5 Main Street Zones		F	FK				Corridor a Centers	NO		23-4D-5030	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venuez/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	Uses in MS zones stagger based on integrating Cos
23.184	Division 23-4D-5 Main Street Zones	x			PS			Parking A Zones exco RC			23-4D-2040, 23-4D-3040, 23-4D-404023-4D-5040 Parking		Reduced parking citywide will create safety and welfare problems. Applying a citywide rule will damage our neighborhoods and the areas surrounding public/private schools. The neighborhood's welfare damage is from no parking requirements for the first 2,500 sq. ft. adjacent to Main Street uses. AISD has repeatedly requested COA to reinstate Chapter 25 parking requirements around schools for the safety of children. A one-size parking scheme does not work in residential areas outside the City Core with no alternative transportation modes just automobiles. Reevaluate parking requirements.	No	
	allowable uses	x				τw		uses			23-4D-5030(A)	Level 1 Night club & Restaurant w/alcohol sales CUP in MS1B; MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
	allowable uses					тw		uses			23-4D-5030(A)	Micro-Brewery/Micro-Distillery/Winery CUP in MS1B; MUP in MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
	allowable uses					тw	1	uses			23-4D-5030(A)	General Retail>5000 & <10,000 & w/onsite production MUP in MS1B; MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
	allowable uses	· · ·				тw		uses			23-4D-5030(A)	Outdoor Formal CUP in MS1A; MS1B; MS2A MS2B; MS2C	Outdoor Formal includes shooting ranges, paintball courses, batting cages etc. see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
	allowable uses					TW		uses			23-4D-5030(A)	Community Agriculture P in MS1A; MS1B; MS2A MS2B; MS2C	exhibit Table 23-40-5030 (A) for more clarity I understand having a MUP for the higher intensity MS zones but why would we discourage a community garden if that's what the owners feel is appropriate for the site; see exhibit Table 23-40-5030 (A) for more clarity	Neutral	
23.190			GA					Parking Re	<b>qs</b> No			The parking requirements for MS zones include a 2,500sf exemption for most uses. (Table 23-4D-5040(A), Parking requirements for MS1A–MS3B.) The parking requirements for Mixed Use zones do not, except for offices. (Table 23-4D-4040(A) Off-street Parking Requirements for Mixed-Use Zones.)	Solution: Incorporate the 2500sf exemption for MS into MU zones.	No	

CHAPTER TICLE	LLE L	DESIRED PROPOSED					REQ. ADD'L STAFF FEEDBACK	]	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
4	ā E	CHANGES TO D3	INDERSON JART CAZI GENNY MCGRAW	D BY COMMISSIONER D IT COMMISSIONER STATUSTER STATUSTER HITE HITE HITE HITE HITE HITE HITE HITE	URKARDT MENDOZA EICH	TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE		YES/NEUTRAL /NO	STAFF RESPONSE
23.191	5030 - Allowed Uses and Permitting Requirements					Bars and Nighclubs, Restaurants Uses	YES	Table 23-4D-5030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added.	?	
23.192	5040 - Parking Requirements			TS		Parking	NO	Table 23-4D-5040(A)	For (3) Services-Other Allowed Uses, (4) Office-Office General (non- medical), (5) Civic and Public Assembly -Library, Museum, or Public Gallery, (6) Bars and Nightclubs, (7) Retail, (8) Entertainment and Recreation - add parking requirements back for first 2,500 SF; 1 per 500 SF after first 2,500 SF, none required if <2,500 SF	If cars are expected to travel and park related to use, then parking should be provided. ADDENDA has others that will need to be altered.	No	
A.23.192.1	Parking Requirements			TW		Parking		23-4D-5040 (D)	(D) Parking Buffer. A 200' parking buffer is required when adjacent to R & RM zones	See exhibit Conditional Uses Permits	L	
23.193	5060-5120; MS1A-MS3B			TS		Compatibility Setbacks	NO	5060 - 5120; M51A- M53B; 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-ScaleThen, 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 aboive
23.194	5060-5120; MS1A-MS3B	x		TS		Compatibility Setbacks	NO	5060 - 5120; MS1A- MS3B; Table 23-4D- XXXX(B)(3)(b)	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to renumber (3)(c). Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	
23.195	5060-5120; MS1A-MS3B			TS		Common and Civic Open Space	NO	5060 - 5120; MS1A- MS3B; Table 23-4D- XXXX(I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	see above
23.196	5060-5120; MS1A-MS3B			TS		MS2, MS3 Compatibility Height Stepbacks	NO	5080 - 5120; MS2A, MS2B, MS3A, MS3B; Table 23-4D-XXXX(D)(2)	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements.Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	
23.197	Division 23-4D-5 Main Street Zones		AH			Corridor and Centers	No	No 23-4D-5080/90 (B)(D)	"For each of the sections (a), strike Residential House Scale and add in R1, R2, and R3 into text instead."	Allow missing middle transition zones that don't trigger compatibility corridors.	?	
23.198	Division 23-4D-5 Main Street Zones		СК		a	Add Microbrewery and Live Music Venue as permitted use in all MS zones	No	No All sections	Expands the allowed zones for microbreweries and adds the new live music venue use to all MU zones.	More live music and brewpubs throughout the city.	No	
23.199			СК			Adjust compability for MS1	No	No All MS1 zones	Adjust the setbacks and compatibility in all MS1 to mimic R zones; adjust height back to 40', remove articulation when behind a vegetative buffer.	Draft 3 breaks MS1 as a viable zone. This would restore it.	No	
23.200			СК			Create MS3C, MS4A, and MS5A zones	Yes	No New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height and increasing bonus height to 275'.	If the CC zone is going to be restricted to downtown, we need MS zoning that goes very high as an option for mapping.	?	Proposed MS zones with taller heights should be limited to IA centers, alternative would be to allow UC in all Imagine Austin centers, noit just Imagine Austin regional centers
23.201	Division 23-4D-6 Regional Center Zones											Dtwn Comm: 6070(A)(2) Allow Transitional Housuing Supportive housing as permitted uses, 6050(B) 0" setbacks, 6050(B) allow 100% IC, Increase DC FAR to 12:1 and 6080 2-Star Grn Bldg min.
23.202	Division 23-4D-6 Regional Center Zones		GA			Parking Reqs	No	Division 23-4D-6	<ul> <li>(A) Parking Required. Regional center zones do not require off-street parking.</li> <li>(B) Decoupling required for residential leases. In a multi-unit dwelling, a parking space must be leased separately from a dwelling unit.</li> </ul>	Decoupling in UNO already exists. Helps to allow folks who don't need a car to go without parking. Seattle just passed a similar law city wide where apartments with 10 or more units are required to decouple	Yes	ATD is supportive of such a motion
23.206	23-4D-6 Regional Center Zones		КМ			Downtown		23-4D-6000	Maintain all provisions of the Downtown Plan as it relates to the Judges HIII District	This adopted plan should be respected.	Yes	Draft 3 implements the Downtown Plan
A-23.206.1	cc	x		TW		design standards	x	X	Revise CC zones to allow 100% impervious cover and remove minimum setbacks.	Revise the zoning map to rezone many of the downtown CC120 sites to DC, especially those along the Waller Creek corridor and north and east of the Capitol. Many of these sites are already limited by Capitol View Corridors and other overlays, and should not be subject to additional height restrictions that limit downtown density. Revise CC zones to allow 100% impervious cover and remove minimum setbacks. The new CC zoning is intended to carry forward the entitlements of current DMU zoning. However, CC reduces impervious cover maximums to 95% and requires minimum building setbacks of at least 5ft. DMU allows for 100% impervious cover and no building setbacks.		

CHAPTER ARTICLE	NOISINIC	T		PROPOSED SES TO D3	Γ		INITIATE	D BY COI	MMSSIOI	NER	EX	( OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEE GER	SHIEH THOMPSON	WHITE SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
A-23.206.2		CC		x						T	ſW		design standards		X		Revise CC zones to allow exceptions for small sites downtown.	Create exceptions for small sites downtown. DC and CC zones are required to have a minimum of 60% (or 75% on designated streets per the Downtown Plan Overlay Zone) of their street frontage in approved active commercial or civic uses. Active frontage requirements are very difficult to achieve on small sites due to the amount of space taken up by parking and loading access, utilities and egress. If the intent is to provide more active pedestrian frontage, consider reducing the amount of required frontage, creating an exception for small sites, or allowing building support spaces (AE vault, fire pump, etc.) to be located directly on the ROW.		
A-23.206.3		cc		x						T	ſW		design standards		x		Revise CC zones to increase heights & FAR.	Increase CC sub-zone height limits and FAR maximums to better match or exceed allowable density under existing code. Consider adjusting height limits to better accommodate common floor-to-floor heights: 401 to 50ft (4 floors); 60ft to 75ft (6 floors), 80ft to 90ft. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Regulating maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights		
23.207		6030 - Allowed Uses and Permitting Requirements		x							τs		Bars/Restauran ts	NO		Table 23-4D-6030(A)(6)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added.	?	
23.208	Division 23-4D-6	6030 - Allowed Uses and Permitting Requirements									TS		Adult Entertainment	NO		Table 23-4D-6030(A)(8)	Change CC and DC permitting to CUP only	23-4E-6060 permitted (P) adult entertainment other than an adult lounge	No	Specific to Use clarifies P and CUP
23.209	Division 23-4D-6	6030 - Allowed Uses and Permitting Requirements		x							TS		Adult Entertainment	NO		Table 23-4D-6030(A)(8)	Change IF, IG, and IH permitting to CUP	23-4E-6060 permitted (P) adult entertainment other than an adult lounge	No	Specific to Use clarifies P and CUP
23.203	Division 23-4E-5	5 Specific to Use		x	×								ADUs	No		Section 23-4D-6030	After "Max 550 sf on a second floor," add "unless located within the primary structure."	Size limited was intened to promote accessibility in new, exterior buildings, not to excisting homes. This change would allow homeowners to remain downtstairs in tehir homes and rent out upstairs to provide for aging in place options.	Yes	
23.204	Division 23-4D-6	Regional Center Zones		x					JSc				Downtown	YES			Clarify if parking facility is a defined term in the code and provide the definition. It is not defined in Article 23-3M Definitions and Measurements. Parking facility should not include surface parking lots.	At Table (A)(11) Automobile Related, Parking Facility is listed as an allowed use by Conditional Use Permit. However, as referenced in (A)(2), the term parking facility is not defined in Article 23-3M Definitions and Measurements. Consider prohibiling surface parking lots as an allowed use in the Regional Center Zones.	No	Parking Facility is defined in 23-3M page 13A-2 pg. 10. Do not recommend changing definition
23.205		Regional Center Zones		x					JSc				Downtown			23-4D-6040 Parking Requirements	At (e): Increase driveway width maximum to 30' to allow for 3 lanes of traffic flow.	Limiting driveways to 25 feet in width will be difficult to achieve on projects that require three parking access lanes and/or on projects which combine loading with their driveway access points. Consider increasing driveway width maximum to 30'.	Neutral	Alternative is to allow up to 30 feet in particular situations but not all.
23.210	Division 23-4D-6	6040 - Parking Requirements	x								τs		Parking	NO		Table 23-4D-6040(A)		No parking required. Isn't this where we would want parking maximums?	No	If we create a maximum then we need to state a clear maximum, pick a number or reference other zones like main street
23.212	Division 23-4D-6	6	x						PS				Parking			23-4D-6040		Retain no parking requirements in RC zones	N/A	comment
23.213	Division 23-4D-6	23-4D-6060(A) Lot Size and Intensity		x	GA	A FK			JSc				Downtown	NO			All CC zones should allow 5:1 FAR maximum. Change CC40, CC60, CC80 FAR max to 5:1.	At FAR max: Consider increasing CC zone FAR maximums to better match or exceed allowable density under existing code. There are lots in the Northwest district of downtown, designated as CC-40 and CC-60 with FAR limitations of 1.0 and 2.0 respectively, that are not eligible for density bonuses. Consider applying the principles of the Downtown Austin Plan for this area: maintain compatibility with the two and three-story pattern of development. Also in the Downtown Austin Plan is a stated goal of Northwest District to incentivize housing over office/commercial. In reviewing sites in this area, it is apparent that allowing max FAR of 5.1 for all CC zones would make residential a more viable use, and removing the density bonus exemption could result in more affordable housing. Consider increasing the maximum density on these sites as part of an expanded density bonus, while maintaining the height limits that promote compatibility. It is recognized that a separate planning effort may be necessary for the consideration of these changes.	No	Will need discussion about the effects on potential density bonus ramifications
23.214		S Regional Center Zones		x					JSc				Downtown	YES		23-4D-6060(B): Overview (2)	Clarify the contradictions between Overview (2) and Table 23-4D- 6060(B) Note 1 and the paragraph above it about ROW and utility easements.	(2) conflicts with Table 23-4D-6060(B) Note 1 and the paragraph above it about ROW and utility easements.	No	23-4D-6060(B) refers to compatibility setbacks
23.215	Division 23-4D-6	23-4D-6060(B) Building Placement		x	GA	A							Downtown	NO			Remove all minimum setbacks for all CC zones. Clarify reference to easements. Note 1 section referenced is Industrial Flex Zones and must be incorrect.	The CC zone establishes a minimum setback of 5 feet on all sites, but the map in the Downtown Plan Overlay Zone described (23-4D-9080 as taken directly from the Downtown Austin Plan) has many streets with 0' setbacks. To simplify and clarify, consider removing the 5-foot minimum setback. This setback can create a significant impediment to development on small sites and does not allow downtown to achieve the density needed for regional centers, as stated in Imagine Austin. DMU zoning, which CC is meant to replace in the new code, does not require any setbacks. Therefore, this new regulation is effectively downzoning (reducing entitlements) as compared to the existing code. Also, Regarding "Additional setback and/or easement may be required where street right of way or utilities easement is required" - where is this addressed in the code? And, at Note 1: section referenced is Industrial Flex Zones and must be incorrect.	Yes	Clarification regarding setbacks in CC zones and Downtown Plan Overlay have been addressed in the addendum.

CHAPTER	ATTICLE DIVISION	DESIRED PROPOSED CHANGES TO D3		NITIATED BY	COMMSSIC	ONER	EX OFFI	CIO TOPIC ARI	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI	KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT MENDOZA	TEICH		GENERAL	L SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.216	Division 23-4D-6 Regional Center Zones	x	GA		JSC			Downtow	n		23-4D-6060(C) Sub- Zones	CC subzones should allow for these height maximums: Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90.	Consider adjusting height limits to better accommodate common floor-to- floor heights. Consider adjusting 40' to 50' (4 floors); 60' to 75' (6 floors), 80' to 90'. Or, consider providing a height limit OR a floor limit. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Providing maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights.	Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.217	Division 23-4D-6 Regional Center Zones	x	GA		JSC			Downtov	n		23-4D-6060(D) Height (1) All Buildings	At (1) All Buildings: Replace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (75' overall max height); Replace CC80 with CC90 (90' overall max height).	At All Buildings: Consider adjusting height limits to better accommodate common floor-to-floor heights. Consider adjusting 40' to 50' (4 floors); 60' to 75' (6 floors), 80' to 90'. Or, consider providing a height limit OR a floor limit. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Providing maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights.	Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.218	Division 23-4D-6 Regional Center Zones	x			JSc			Downtov	n		23-4D-6060(E) Encroachments	Provide reference to the section that describes the process for "Encroachments within a right-of-way, public easement, or utility easement require a license agreement or encroachment agreement."		No	Process for license agreement resides outside of the LDC.
23.220	Division 23-4D-6 Regional Center Zones	x	GA		JSc			Downtov	n		23-4D-6060(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW.	This requirement (in DC and CC zones and in the Downtown Plan Overlay Zone) is only appropriate for full-block sites. Many, if not most downtown sites, will be unable to comply with the frontage requirements unless all building lobbies are allowed to count towards Commercial Group A compliance. It too restrictive and prescriptive to allow viable development on <1/2 block sites and should be eliminated or relaxed. There is confusion with the frontage requirements.	Neutral	staff would support a motion to reduce maximum for smaller sites
23.221	Division 23-4D-6 Regional Center Zones	X	АН					Corridor a Centers	d <sub>No</sub>	No	23-4D-6060 (G)	"Table G: For commercial buildings greater than or equal to one-half block width: Except for building support spaces (including as Austin Energy vault, fire pump), entries must be oriented to the street and located at sidewalk level No ramps or stairs allowed within public right- of-way or front setback For commercial buildings less than one-half block width: The primary entry must be oriented to the street and located at the sidewalk level. Prior Notes for Clarity: Create exception for <1/2 block sites. Either significantly reduce the % requirement or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW."	Create exception for 1/2 block sites and reduce requirements for many building support spaces.	Neutral	staff would support exception
23.222	Division 23-4D-6 Regional Center Zones	x			JSc			Downtow	n		23-4D-6060(H) Impervious Cover	Increase impervious cover and building cover maximums to 100%.	Bring entitlement back to match existing code	Yes	Staff supports aligning CC with current code IC and BC standards
23.223	Division 23-4D-6 Regional Center Zones	x	FK		JSc			Downtow	1		23-4D-6080 (A) Lot Size and Intensity	Change DC zone FAR max to 12:1.		Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.224	Division 23-4D-6 Regional Center Zones	×			JSc			Downtow	n		23-4D-6080(B) Building Placement		Regarding "Additional setback and/or easement may be required where street right of way or utilities easement is required" - where is this addressed in the code? And, at Note 1: section referenced is Industrial Flex Zones and must be incorrect.	Yes	language referencing IF has been updated to reference the Downtown Overlay 23-40-9070; full development standards may not be attainable due to the need for additional utility or right of way easements
23.225	Division 23-4D-6 Regional Center Zones				JSc			Downtov	n		23-4D-6080(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in DC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW. The definition of active commercial uses (Commercial Group A in the Downtown Plan Overlay Zone) needs to be clarified or refined to allow for ground level office or multi-family lobbies. Additionally, revise the requirement that prohibits stairs/ramps in required setbacks to allow them in required setbacks.		Neutral	see line 23.220
23.226	Division 23-4D-6 Regional Center Zones	X			JSc			Downtov	n		23-4D-6080(J) Additional Standards	Add "or at least the minimum level LEED Certification as a substitute for Austin Energy Green Building rating,"	Consider allowing LEED certification as a substitute for Austin Energy Green Building rating.	No	Coordination with AE would be required.
23.227	Division 23-4D-6 Regional Center Zones				JSc			Downtov	n		23-4D-6080(K) Additional Compatibility	Add "except for additional setbacks or height stepbacks."	To better align this with 23-4D-6080(B)(2), add "except for additional setbacks or height stepbacks.	No	Section 23-4D-6080(B)(2) has been corrected in the addendum to reflect Downtown Plan Overlay Zone additional setback standards
23.228	Division 23-4D-7 Commercial and Industrial Zones														-
23.229	Division 23-4D-7 Commercial and Industrial Zones	x		СК				Brewerie	Yes	Yes	Applicable zones	Breweries and brewpubs in MS and MU districts should be limited to 5,000 barrels per year of production. Breweries with more production should be allowed in all industrial zones, but should not have a cap on their production.	This right-sizes brew pubs for the city, but allows breweries to continue to operate without arbitrary production caps that exist in D3.	No	The staff recommendation of 15,000 barrels for microbreweries falls within national standards for microbreweries/ brewpubs. Large scale breweries are only permitted within the higher intensity Industrial zones and are not capped on production
23.230	Division 23-4D-7 Commercial and Industrial Zones														-

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			ANDERSON JART GAZI KENNY MCGRAW	VUCKOLS DLIVER SCHISSLER	SHIEH FHOMPSON MHITE	SHAW BURKARDT MENDOZA			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.231	Division 23-13A-2 Commercial and Industrial Zones, Land (Land Uses), Uses Division 23-4D-7 (Commercial and Industrial Zones), Division 23-13A-2 (Land Uses)		GA CK				Breweries and Microbreweries	Yes - if there arey any issues we should be aware of with these changes.		23-4D-7030	<ul> <li>Sec. 23-13A-2030, "Manufacturing and Storage", change 3(e) ("Brewery/distillery/winery which manufacture more than 15,000 barrels of beverage") from 15,000 barrels to 5,000 barrels, and move it from "Manufacturing and Storage - Restricted" to "Manufacturing and Storage - General".</li> <li>Table 23-4D-7030(A), "Allowed Uses in Commercial and Industrial Zones," change Manufacturing and Storage - General from not allowed to CUP in Commercial Recreational, and from CUP to P Industrial Flex.</li> <li>Sec. 23-13A-2030, "Micro-Brewery/Micro-Distillery/Winery," change "15,000 barrels" to "5,000 barrels".</li> <li>Sec. 23-4E-6220(B), "Requirements for a Brewery/Winery/Distillery," change: (1) Allowed. The sale of beer, ale, wine, or distilled liquor produced on- site for on-site consumption <u>must comply with Section 4-9-4 (Minimum Distance from Certain Uses).</u></li> </ul>	This addresses a problem in Draft 3 that incorrectly distinguishes between microbreweries and breweries and is then overly prescriptive for microbreweries. The break between microbreweries and production breweries is about 5,000 barrels per year. This amendment changes the break from 15,000 to 5,000. It restores breweries as an allowed use in Industrial Flex, which is where at least one Austin brewery is today but was left out of the zone. It also removes restrictions on micro-breweries with tasting rooms that far exceed bars or restaurants that serve alcohol, and replaces the restrictions with a reference to the city ordinance that governs distance requirements for alcohol sales and restaurants that serve alcohol.	No	See row 23.299
23.232			GA CK				Breweries and Microbreweries	Yes - if there arey any issues we should be aware of with these changes.			<ul> <li>(a) Is an allowed use, if the use is at least 540 feet from any single-family residential use, as measured from lot line to lot line;</li> <li>(b) Is a conditional use, if the use is less than 540 feet from any Residential House Scale Zone, as measured from lot line to lot line; and</li> <li>(c) Except as provided in Subsection (B)(2), must not exceed the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use.</li> <li>(2) On-site Consumption Area</li> <li>(a) During a tour, on-site consumption is allowed in an area that exceeds the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use.</li> <li>(b) If the use is located in Airport Overlay Zones AO-1, AO-2, or AO-3, on-site consumption is allowed in an area that exceeds the lesser of 33 percent or 5,000 square feet of the total floor area of 33 percent or 5,000 square feet of the total floor area of 33 percent or 5,000 square feet of the total floor area of 33 percent or 5,000 square feet of the total floor area of 33 percent or 5,000 square feet of the total floor area of the principal developed use.</li> <li>(3) Increased Square Footage. During the conditional use permit approval process, the Planning Commission or city council may increase the square footage allowed under Subsection (B)(1)(c).</li> </ul>	This addresses a problem in Draft 3 that incorrectly distinguishes between microbreweries and breweries and is then overly prescriptive for microbreweries. The break between microbreweries and production breweries is about 5,000 barrels per year. This amendment changes the break from 15,000 to 5,000. It restores breweries as an allowed use in Industrial Flex, which is where at least one Austin brewery is today but was left out of the zone. It also removes restrictions on micro-breweries with tasting rooms that far exceed bars or restaurants that serve alcohol, and replaces the restrictions with a reference to the city ordinance that governs distance requirements for alcohol sales and restaurants that serve alcohol.	No	See row 23.299
23.233	7030 - Allowed Uses and Permitting Requirements	×				rs	Bars and Nightclubs	NO		Table 23-4D-7030(A)(6)		Bars and Nighclubs not permitted in commercial and industrial zones	N/A	comment
23.234	7040 - Parking Requirements					rs	Parking	NO		Table 23-4D-7040(A)	Remove language "after first XXXX SF"	If cars are expected to travel and park related to use, then parking should be provided.	Yes	Removed in addendum.
23.235	7050-7100; CR, CW, IF, IG, IH, RD					rs	Compatibility	NO		Table 23-4D-XXXX(D) Height	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements. Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	Staff supports information within each zone.
23.236 23.237	Division 23-4D-8 Other Zones Division 23-4D-8 Other Zones		x				Parking in F-25	No			<ul> <li>(A) Parking.</li> <li>(A) Parking.</li> <li>(I) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data.</li> <li>(2) For a property wined by the City, the off-street parking requirement for each use allowed in a zone is determined by the director.</li> <li>(3) A property somed Former Title 25 shall comply with the parking-requirements established in the applicable ordinances and agreements-adopted prior to the effective date of this Title_For a property zoned Former Title 25. off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060. Off-Street Motor Vehicle Parking Adjustments.</li> </ul>			- Staff is not recommending adding new regulations to F25. However, because current parking regulations are outside of Title 25, staff recommends referencing current parking standards in the F25 Section.
23.238	Division 23-4D-8 Other Zones	x	x				Parking				3) A property zoned Former Title 25 shall comply with the parking- requirements established in the applicable ordinances and agreements- adopted prior to the effective date of this Title. For a property zoned Former Title 25, off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060, Off-Street Motor Vehicle Parking Adjustments.	F25 areas should be allowed to get the same parking reductions as Chapter 23 areas. Otherwise, they will have abnormally high parking reqs		Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by F25

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G		CHANGES TO D3	INIT	TIATED BY CO	OMMSSION	ER	EX OFFICI	O TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI KENNY	MCGRAW NUCKOLS OLIVER	SCHISSLER SEEGER SHIFH	SHIEF THOMPSON WHITE SHAW	BURKARDT MENDOZA			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.239	Division 23-4D-8 Other Zones		GA					Parking in F-25	No		Division 23-4D-8	<ul> <li>(A) Parking.</li> <li>(I) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data.</li> <li>(2) For a property owned by the City, the off-street parking requirement for each use allowed in a zone is determined by the director.</li> <li>(3) A property zoned Former Title 25 shall comply with the parking-requirements established in the applicable ordinances and agreements-adopted prior to the effective date of this Title, For a property zoned. Former Title 25, off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060, Off-Street Motor Vehicle Parking Adjustments.</li> </ul>		No	See 23.237
23.240	Division 23-4D-8 Other Zones	^	AH		JSc			All Zones	No	No	23-4D-8080 (D)(2)(a)	Delete 23-4D-8080 (D)(2)(a): (2) F25 Compatibility Standards. (a) Properties within the F25 Zone are subject to the compatibility- regulations established under former Chapter 25 2, Subchapter C, Article 10 (Compatibility), which limit the scale and intensity of development- based on the existing use and zoning of adjacent properties.	Use based compatibility can trigger compatibility restrictions long after Council has rezoned a property. This eliminates the desired outcome of rezoning, especially along corridors.		for the fairness of residential properties in F25 staff supports allowing F25 compatability to exist
23.241	Division 23-4D-8 Other Zones		x					F25	No		23-4D-8080 (d)(new)	<ul> <li>(A) Purpose and Applicability</li> <li>(1) The purpose of the former title 25 (F25) zone is to incorporate within the Land Development Code certain specially negotiated regulatory ordinances and agreements applicable prior to the effective date of this Title, but which continue to serve important purposes.</li> <li>()</li> <li>(D) F25 Rezoning Policy. In order to achieve compliance with current, regulations of this Title and minimize reliance on prior regulations, the Citty's preferred policy is to:</li> <li>(1) Rezone properties within the F25 zone to current zones established in this Title and gradually eliminate Plannded Development Agreements.</li> <li>(PDAs), Neighborhood Combining and Conservation District (NCCDs); and conditional overlays (COs); and</li> <li>(2) Rezone properties within an F25 Planned Unit Development (PUD), zoning district or an F25 small-area regulating plan by adopting update PUD zoning ordinances and small-area plans consistent with requirements of this Title.</li> </ul>	This brings the language back to what we had in Draft III and was eliminated in the Errata with no reason. F25 is old as stated in Imagine in Austin we need a new land development code.		for the fairness of residential properties in F25 staff supports allowing F25 compatability to exist
23.242	Division 23-4D-8 Other Zones	x				т		F25	No	Yes	23-4D-8080	Delete all parking requirements from F25	If F25 isn't deleted as recomemnded, at remove parking.	No	Any amendments to F25 would have to be made before adoption of Title 23 since it is the continuation of Title 25
23.243	Division 23-4D-8 Other Zones	x	АН					Corridor and Centers	No	No	23-4D-8080	Delete F25.	"1) No neighborhood should be exempt from affordability bonuses or the policies in CodeNEXT. 2) F25 is clearly inconsistent with Imagine Austin, so designating areas F25 will open the city to lawsuits challenging F25 zoning. Zoning regulations must be consistent with the comprehensive plan, per state law. F25 was developed prior to the adoption of Imagine Austin so is not permitted. 3) Will cause endless headache and confusion."		F25 is used for highly specific regulating plans, PUDs, PDAs, NCCDs and Conditional Overlays (COs). Giving new Title 23 zones to these properties would result in significant changes to entitlements.
23.245		x	СК					F25 compatibility trigger	Yes	No		In 23-4D-8080 (c)(2): Replace (C)(2)(c): Properties within the F25 Zone that are zoned RR, LA, SF1, SF2, SF3, or SF4 shall be treated as Residential House-Scale Zones and trigger the compatibility regulations estaablished in this Title for properties within Zones established in this Title."	This makes clear that it is zoning, not use, in F25 that triggers compatibility on CodeNEXT zones.		Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25
23.246	Division 23-4D-2		СК					Residential ADU Affordable Bonus available in F25 single family zones	No	No		Add new "(E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones): (1) The bonus available as "Citywide Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25. (2) The bonus available as "Corridor Transition Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25.	The affordable ADU bonus should be available in all residential zoning citywide, including in SF zoning left in place through CodeNEXT. This change would not alter setbacks, height, or other requirements, but only the FAR and unit counts.		Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25

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	<u> </u>		ANDERSON HART KAZI	KENNY MCGRAW	NUCKOLS OLIVER	SCHISSLER SEEGER SHIEH	THOMPSON WHITE	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.247	Division 23-4D-8 Other Zones		AH FK				π		A	All Zones	No		23-4D-8080	"Add new (E) Regardless of the requirements of the former chapter 25 (including_NCCDs and F25 zones): (1) one ADU that meets the base zoning requirements of R2 is allowed per residential lot that that meets the standards of R2 or greater, including but not limited to, placement, height, impervious cover, FAR, and setbacks; (2) the minimum lot size is 2,500 square feet; and (3) Parking requirements are determined by the roughly equivalent requirements from this Title, as determined by the Director, (4) The Director of Neighborhood Housing must determine if a roughly. equivalent zone has an AHBP that should apply to an F25 zoned.	If F25 isn't deleted as recomemnded, at least ADUs and small lots should be allowed as supprted by previous unanimous PC vote	No	Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25
23.248	Division 23-4D-8 Other Zones		AH FK						Pub	blic Zoning	No	No	23-4D-8090	<ul> <li>"(A) Purpose. Public (P) zone is intended for areas that are government-owned civic, public institutions, or <u>public</u> or <u>affordable housing</u>, indoor or outdoor active recreation uses.</li> <li>(B) Additional Requirements</li> <li>(1) Residential Uses. If a residential use <u>is for ten or more dwelling units</u>, then a site plan is required, is allowed in Table 23 4D 7040(A), the site development requirements are the same as the most comparable residential Zone.</li> <li>(2) Non-Residential Uses</li> <li>(a) If the site is less than one acre, the site development requirements of the zone on the adjacent property applies. A property owned by the City is not subject to minimum lot size requirements.</li> <li>(b) If a site is larger than one acre, then a conditional use permit and site plan are required."</li> </ul>	Allow greater flexibility for housing on publicly owned land.	No	Site plan required for 6 or more units (3 or more in some cases) in other zones. Site development requirements need to be defined.
23.249	Division 23-4D-8 8110 - Planned Unit Development						Т	s		PUD			8110 - Planned Unit Development		A) Purpose and Overview section rewritten and is more thorough. C) Added back in requirement for establishing baseline zoning.		EV Comm: 8110(GF) Tier 1 must exceed landscape req., 8100(G)(2)(c) delete if not GSI superior, 8100(G0(2)(m) replace with preserve 75% all native caliper inches.
23.250	Division 23-4D-8 8110 - Planned Unit Development Division 23-4D-8 8110 - Planned Unit Development	x					Т	'S	PL	UD Tier 1			(F) Tier One Requirements 8110 (G)(2)(c )	INSERT AND RENUMBER: (F)(8) exceed the minimum landscaping requirements of the City Code. DELETE: (c)Uses green water quality controls as described in the	Add back from current code that all PUDs must exceed the minimum lanscaping requirements of the code. Environmental Commission Recommendation. Environmental Commission recommendation. No longer superior	No	
		x						5		PUD				Environmental Criteria Manual to treat at least 50 percent of the water- quality volume required by this Title.	compared to CodeNext,	No	
23.252	Division 23-4D-8 8110 - Planned Unit Development	x					Т	S		PUD-Tree Protection		NO	8110 (G)(2)(m )	(m) Preserves all heritage trees; preserves 75 percent of the caliper- inches associated with native protected size trees; and preserves 75 percent of all of the native caliper inches.	Environmental Commission recommendation.	No	
23.253 23.254	Division 23-4D-9 Overlay Zones Division 23-4D-9 Overlay Zones							+ $+$ $+$	Do	owntown		Yes	23-4D-9080	Remove things like exemption from TIA, etc from DD and DC zones	Assuming other regional centers that have less supporting infrastructure		
23.255	Division 23-4D-9 Overlay Zones	x			21	Sc			C C	Overlay Capitol ominance erlay Zone			23-4D-9050	and place in overlay Strike section 23-4D-9050 or make it not effective to the west (Because it impacts a portion of the Guadalupe corridor)	than downtown, put these exemptions here. This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.	No	Included in code for ease of use and alignment with State regulations.
23.256	Division 23-4D-9 Overlay Zones	x			51	Sc				pitol View Corridors			23-4D-9060	Strike this section and 23-4D-9150(A) (which describes the details of CVC regulations)	This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.	No	This section is not redundant with State regulations. The City zoning code establishes Capitol View Corridors that are independent of the State View Corridors. These corridors are enforced as zoning restrictions.
23.257	Division 23-4D-9 Overlay Zones				21	Sc			Do	owntown			23-4D-9080(C) Ground Floor Use Requirements	Office, residential, and mixed use building lobbies should be specifically added to the Commercial Group A list to include lobbies as an allowed use.	More restrictive/downzoning: LDC does not require ground floor requirements.	Neutral	Standard described as frontage requirement in DAP, however it is not clear in draft code if this is refering to frontage or total square footage of the ground floor.
23.258	Division 23-4D-9 Overlay Zones	x			21	Sc			Do	owntown			23-4D-9080(D)(1) Development Standards: Driveways, Curb Cuts, and Porte Cocheres	Add Refer to Figure 23-4D-9080(1) Pedestrian Activity Street. Add "exception for corner sites that have frontage on two Pedestrian Activity Streets. These sites will be allowed either a driveway or curb onto the street determined to be secondary of the two streets at the site, or during review process."	More restrictive than LDC. There are no such requirements in existing code.	Neutral	Standard from the Downtown Austin Plan. However, small sites that only front Pedestrian Activity Streets may require this exception.
23.259	Division 23-4D-9 Overlay Zones	x			51	5c			Do	owntown	YES		23-4D-9080(D)(2) Treatment of Commercial Building Fronts	Clarify if the definition of commercial building in this context includes multi-family residential uses.	More restrictive than LDC. There are no such requirements in existing code.	No	Per Chapter 23-13 (Definitions and Measurements) Commercial is a term defining office, service, restaurant, entertainment, or retail uses collectively.
23.260	Division 23-4D-9 Overlay Zones				21	Sc			Do	owntown			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At Note 3: Add "street trees are an acceptable shade device if they provide shade in front of the required area."	More restrictive than LDC. There are no such requirements in existing code.	Neutral	Standard from the Downtown Austin Plan.
23.261	Division 23-4D-9 Overlay Zones	x			21	SC			Do	owntown			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Minimum Shade Note 3: This requirement will likely force a project to seek a license agreement from the City because they will not want to push the building back to accommodate an awning or canopy. License agreements will incur additional costs and time.		No	Standard from the Downtown Austin Plan.
23.262	Division 23-4D-9 Overlay Zones	x			21	Sc			Do	owntown			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Front Setbacks (i) and Figure 23-4D-9080(2) Minimum Front Setback Requirements: Remove setbacks greater than 5' except when a site is within a block with existing greater setbacks. Or At (a) Front Setbacks (i) change to "Minimum front setback is 5' or equal to existing adjacent block front setback when site is within a block with existing greater setbacks" and delete the Figure (2) map until an updated map developed during a district planning process can be codified.	More restrictive than LDC. There are no such requirements in existing code.	Yes	Clarification regarding setbacks in CC zones and Downtown Plan Overlay have been addressed in the addendum.

CHAPTER	NOISINIQ	Ĩ		ED PROPO NGES TO E			INITI	ATED BY	COMM	SSIONER		EX OFF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
						ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	IHUMPSON WHITE SHAW	BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.263	Division 23-4D-9	Overlay Zones			x				JSc					Downtown			23-4D-9080(E) Compatibility	Remove this section. Use base zoning compatibility and the mapping of the zones to achieve the intent of the Downtown Austin Plan. If more restrictive requirements are necessary, use a new district planning process to create additional requirements.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.	No	Compatibility based on Downtown Austin Plan. Compatibility affects height bonus, cannot be accopmplished solely through base zoning.
23.264	Division 23-4D-9	Overlay Zones			x				JSc					Downtown			23-4D-9080(F) (2) Screening	If these requirements will be covered in the Criteria Manual for parking garages, remove them from this section to avoid redundancy.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.	No	Recommendation in Downtown Austin Plan.
23.265	Division 23-4D-9	Overlay Zones		x	~				JSc					Downtown			23-4D-9080(F) (3) Screening	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the affected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the alfected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements		Parking Facility (which includes surface parking) is CUP per 23-4D- 6030.
23.266	Division 23-4D-9	Overlay Zones			x					PS			P	Small Area Plans, NCCDs, Overlays and Neighborhood Plans.					Keep all plans in place through adoption & implementation of CodeNEXT. Then review plans for appropriatness in CodeNEXT context.		
23.267					x		СК							Add Coops to UNO overlay	No	No	23-4D-9130	Change "group residential use" to "group residential or cooperative housing use" in divisions (D)(1)(d), (H)(1), (H)(1)(b), (H)(1)(b)(iii), (I)(1), (I)(2), and (I)(5).	Coops seem to have been forgotten in the university overlay. This adds them in wherever group residential is included.	Yes	Staff supports listing "cooperative housing" as an allowed separate use in list due to the changes in use definitions in the draft code.
23.268	Division 23-4D	All RM, MS, MU zones			Ţ		СК							Increase affordable bonus entitlements	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group. (See attached table.)	More bonus entitlements got us from 6,000 affordable units to 13,500.		need attachment
23.269	Division 23-4D-9	Overlay Zones			^	GA							U	JNO University Neighborhood Overlay			23-4D-9130	<ul> <li>For the figure 23-4D-9130(1):</li> <li>1) increase the max height in the area currently labeled 175' to 275'.</li> <li>2) for the area UNO area from 26th st to the North, San Antonio to the West, Martin Luther King Jr to the South, and the eastern boundary of the UNO overlay to the East, increase the max height to 275' feet.</li> <li>3) for the cyan area south of 28th, east of Rio Grande, north of 26th, and west of Guadalupe, increase the max height to 175'</li> <li>4) for the green area to the north and west of the cyan area, increase the max height to 175'</li> <li>5) For the 90' area, increase the max height to 120'</li> <li>6) For the eremainder of the current UNO area, increase the max height to 70' with the exception of the pink and the yellow areas which stay the same.</li> </ul>		No	Staff not reccommending changes to the UNO overlay.
23.270		23-4D-9130			x	GA								JNO University Neighborhood Overlay			Section 23-4D-9130	<ul> <li>(E) Requirements for Specific Uses in an UNO zone</li> <li>(1) Multi-Family Residential Use</li> <li>(g) No parking spaces are requiredThe minimum off street parking-requirement is 40 percent of required minimum parking if the multi-family residential use:</li> <li>(ii) Includes a car sharing program that complies with the program-requirements established by administrative rule; or</li> <li>(ii) In addition to Subsection (D), for at least 15 years from the date the errificate of occupancy is issued, sets aside at least 10 percent of the dwelling units on the site to house persons whose household income is less than 50 percent of the median income in the Austin statistical metropolitan area.</li> </ul>	We know where they're going. Rideshare services. Project team meetings, utilizatoin of campus nights and weekends. This will help with affordability as well as allowing more parcels to be developable.	No	Staff not reccommending changes to the UNO overlay.
23.271	Division 23-4D-9	Overlay Zones			x		СК							Add Coops to UNO overlay	No	No	UNO overlay	Add cooperative housing use to every place where group housing is an allowable use	Coops seem to have been left out of the UNO overlay provisions.	Yes	Staff supports listing "cooperative housing" as an allowed separate use in list due to the changes in use definitions in the draft code.
23.272	Division 23-4D-9	Overlay Zones	,								TS	5	c	Overlay Zones	NO	x			MOTION: In that the Planning Commission has so many issues to address with draft 3 of code, I propose that we do not make changes to current overlay zones.		
23.273		7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2]			Ţ						TS	5			NO	x	7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2]	Add Neigborhood Plans back as an overlay	The Neighborhood Plan Overlay found in 23-4D-7090 in the first draft has been eliminated. [This is despite a commitment from the CodeNext Team to Council Member Pool to her question #23 posted on-line on 6/24/2017 that 'Neighborhood Plans will remain as overlay districts."] Neighborhoods have spent hundreds of hours creating Neighborhood Plans to reflect the values and character of its residents. The latest CN maps disregard many of the elements of the approved Neighborhood Plans and with the removal of the Neighborhood Plan Overlay, these plans will no longer take precedent over the base zoning requirements in CN. In fact, Article 23-2E, Section 2030 Neighborhood Plan Amendments, (H)(7) Director's Recommendation allows the Land Use Director and Land Use Commission to recommend approval of an amendment based on its compliance with the base zoning alone. Furthermore, Citly Staff's answer to Pool's question #24 as to the future of Neighborhood Plans indicates that the Neighborhood Planning process will be overhauled due to concerns in an audit of the planning process will be overhauled due to concerns in an audit of the planning process and within the Zucker Report. Citly Staff's answer clearly puts future and pending neighborhood planning efforts into question.	No	Adopted NPs will still continue to be used as a reference for administering zoning changes and visions in the neighborhoods they cover. Since the plans are visionary and not technically regulatory, they are not overlays to be added into the LDC.
23.274		ALL USE TABLES		x	_						тw			alcohol		x		Require a CUP for all alcohol uses in or near residential zoning			Dtwn Comm: 9080(B) include lobby and other mandated uses.
23.275		Note to all COMMERCIAL USE TABLES	x								тw			foot notes		X		"Regardless of base zoning, state and local laws do not allow alcohol sales within 300' of a public school, church or public hospital without a City Council waiver."	For clarity and predictability, add a note to all Use Tables stating:	No	Staff could support adding notation to specific to use

CHAPTER		DESIRED PROPOSED CHANGES TO D3		INITIATED	BY COMMS	SIONER	F		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI	KENNY MCGRAW	NUCKOLS OLIVER SCHISSLER	SEEGER SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL				YES/NEUTRAL /NO	STAFF RESPONSE
23.244		×		СК					Add Affordable ADU bonuses to F25	Yes	No	New section E	<ul> <li>(E): In addition to any affordable housing incentives available for zones. SF1, SF2, and SF3, lots with those zonings are eligible for the Residential Citywide Affordable Accessory Dwelling Unit Incentive;</li> <li>(1) In addition to base entitlements, an additional, income-restricted Accessory Dwelling Unit may be built and the size does not count toward FAR limit and the principal use's FAR limit is increased by the size of the income-restricted Accessory Dwelling Unit. When adding an, Accessory Dwelling Unit under this incentive, the total dwelling units per lot may not exceed 4.</li> <li>(2) In taking the incentive, an applicant shall agree to; (a) Continued affordability of all affordable rental units for 10 years, with the affordability period for rental projects begins on the issuance of the last final certificate of occupancy for the development; or</li> <li>(2) Continued affordability of all affordable ownership units for 20 years. The affordability for ownership units begins on the date of sale for each affordable ownership unit to an eligible buyer.</li> </ul>	This adds an affordable ADU to every SF1, SF2, and SF3 lot left in F25.	No	Staff does not recommending adding regulations regarding F25.
<b>24</b> 24.1	Article 23-4E Supplemental to Zones Division 23-4E-1 Private Frontages						TTT									
24.2		x				JSh								confusing diagram, fence heights, porch descriptions, too prescriptive, paths	N/A	comment
24.3	Division 23-4E-1 Private Frontages	x	АН						All Zones	No	No	23-4E-1040 and 1060	Delete "Stoop"; revise "Porch: Projecting" to stoop minimum dimensions of 5' width (clear) and 5' depth (clear); maintain other porch regulations	The differentiation between stoops and porches seems arbitrary and unnecessarily complicates the code.	Neutral	Porch is intended for areas with front yards while stoops are intended for more urban areas
24.4	Division 23-4E-1 Private Frontages	x	AH						All Zones	No	No	23-4E-1040 (A)	4E-1040(A)	Overly prescriptive furniture area dimensions; does not allow for flexibility to work around various site conditions like trees. For example, stair leading up a porch to the front door would not be allowed, as the required "furniture area" forces the porch to be offset.	Yes	Okay as long as other deminsions are maintained
24.5						JSh			fences			23-4E-1040 - 1080	C fence that does not exceed FOUR feet	3' is too short for privacy, safety, and can cause conflicts between codes this is fence not a handrail - change to 4'	Neutral	3' is to ensure an aesthetic fence, but staff could be okay with 4' if it's the desire of a front fence to provide more safety
A-24.5.1	porches Division 23-4E-2 Outdoor Lighting	x					TW		porches		X			Allow Engaged Porches open only on one side. The restriction that an Engaged Porch must be open on two sides prohibits an architectural strategy to recess the porch entirely in the front façade, with interior spaces projecting on either side (similar to the Stoop frontage). This architectural strategy is not incompatible with other frontages in residential zones and maintains a similar street frontage. Therefore, this type of porch should be allowed. The code should not dictate architectural style.		
24.6 A-24.6.1	Division 25-4E-2 Outdoor Lighning	C x					TS		Light Pollution	NO	X			Environmental Commission recommendation that staff draft provisions to address light pollution.		
24.7 24.8	Division 23-4E-3 Parking and Loading Division 23-4E-3 Parking and Loading					TL					Yes		Remove all parking minimums	Places as diverse as Mexico City and Buffalo NY are dropping parking requirements. Just like downtown Austin (where there are no requirements) it doesn't mean parking doesn't get built. Just that developers let the market determine how many to build.	No	- maintaining parking minimum is part of the Austin Bargain
A-24.8.1	Parking and Loading	x					TW		parking	x	x			Consider scalable Parking Lot Landscaping standards. The Parking Lot Landscaping standards, particularly the Tree Island frequency standard, are too restrictive for small-scale, low-intensity Mixed-Use and Main Street zones. For these smaller lots, a parking lot may only need nine or ten spaces, but the Tree Island frequency requirment of every 8 parking spaces may result in the loss of area for a parking space within the width of the lot. At this scale, the loss of even one parking space can be detrimental to development, and the addition of Impervious Cover for the drive-aisle to access spaces further away is significant. Moreover, developments of this scale are most often in well-developed neighborhoods where mature trees exist along the side property lines. A proximity standard may be more appropriate.		
24.9	3020 - Applicability	x					TS		ADU Parking	NO		3020 (A)(4)	<ul><li>(4) new residential units, except for accessory dwelling, on the same lot as an existing dwelling; or</li></ul>	New development where there is not an existing dwelling, would have to provide parking for ADU. New code is going to allow for multiple units including cottage courts.	N/A	comment
24.10	Division 23-4E-3 Parking and Loading					TL			ADA Parking	No		23-4E-3050	Add the following language from current code on CBD/DMU Parking: Except for a use occupying a designated historic landmark or an existing building in a designated historic district, off-street motor vehicle parking for persons with disabilities must be provided for a use that occupies 6,000 square feet or more of floor space under the requirements of this paragraph. (a) The following requirements apply if no parking is provided for a use, other than parking for persons with disabilities: (i) the minimum number of accessible parking spaces is calculated by taking 20 percent of the parking required for the use under Appendix A (Tables of Off-Street Parking and Loading Requirements) and using that result to determine the number of accessible spaces required under the Building Code. The accessible spaces may be provided on- or off-site, within 250 feet of the use. (ii) The director may waive or reduce the number of accessible spaces required under Paragraph (2)(a)(i) if the applicant pays a fee in-lieu to be used by the city to construct and maintain accessible parking in the vicinity of the use.	This is from current code. Require ADA parking if any parking is provided or if loading facility is provided.		

APTER	N	DESIRED PROPOSED			I	REQ. ADD'L STAFF	] [	] [	] [		
GH		CHANGES TO D3	INITIATED BY COMMSSIONER EX	OFFICIO	TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	-	
			ANDERSON HART KAZI KAZI MCGRAW MCGRAW MUCROLS OLIVER SEEGER SEEGER SEEGER HIOMPSON WHITE BURKARDT	MEN DOZA TEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
24.11			л					The availability of this option is contingent on the establishment of a fee by separate ordinance and the adoption of a program by the director to administer the fee and establish eligibility criteria. A decision by the director that a use is ineligible for a fee in-lieu is final. (iii) The director may waive or reduce the number of accessible spaces required if no accessible spaces can be provided consistent with the requirements of Paragraph (2)(a)(i) and the use is ineligible for participation in the fee in- lieu program under Paragraph (2)(a)(ii). (iv) An off-site or on-street parking space designated for persons with disabilities that is located within 250 feet of a use may be counted towards the number of parking spaces the use is required to provide under Paragraph (2)(a)(i).			
24.12	3050		JSh		disability parking for single family			Parking for Persons with Disabilities A. A NON-RESIDENTIAL site must have B. This references single family and duplex, but if we change ramp requirements then can we eliminate this part? Visitability relation to parking is per the ramp. There is not such a thing residential parking space requirements			
24.13	Division 23-4E-3 Parking for Persons with Disabilities	x	TW		parking		23-4E-3050 -A	A non-residential site must have	leaving it as just a site is too vague and could be interpreted to inclue residential projects	No	Residential sites are not exempt from visitability requirements, unless staff is misinterpreting the motion
24.14	Division 23-4E-3 Parking for Persons with Disabilities		TW		parking	x		the number of accessible parking spaces required by the Building Code or one whichever is greater.	We heard very clearly that our community needs accessible parking spaces		
24.15			JSh		parking		23-4E-3060	(B) 2. References 100% reduction in parking. There should never be a full 100% reduction in parking. Handicap parking, car share parking needs to be considered.			HLC: waiver or reduce pkng for maintaining old bldg. <u>UTC:</u> reduce pkng particularily on high tranist/IA activity corridors
24.17	3060 - Off- Street Motor Vehicle Parking Adjustments	x	Т		Max. Parking Ajustment	NO		CHANGES: Transit Corridor 1/4 mile - 10%, Transit Corridor 1/2 mile - 5%, DELETE OR QUANTIFY - Preservation of Trees., CHANGE Car Share - 3 spaces per car share, Buildings Providing Showers - 5%, Affordable Housing Program - Stagger depending on participation 10%, 20%, 30%, 40%	The table provides too great of and adjustment compared to the requirement and many of the requirements are vague and are not quantified. This is especially the case with the AHEP bonus, which should only be allowed when affordable units are actually provided above some threshold.		<u>HLC:</u> waiver or reduce pkng for maintaining old bldg. <u>UTC:</u> reduce pkng particularily on high tranist/IA activity corridors
24.18	Division 23-4E-3	x	JSh						if business have no parking, off street load should be required, parking for disabilty, home occupation ADA, ada for residential vs commercial, parking reduction too much		HLC: waiver or reduce pkng for maintaining old bldg. UTC: reduce pkng particularily on high tranist/IA activity corridors
24.16	3060 - Off- Street Motor Vehicle Parking Adjustments	x	TS		Max. Parking Ajustment	NO	3060 (8)	<ul> <li>(B) Maximum Parking Adjustment.</li> <li>(1) Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumulative parking reduction is 60% 20%.</li> <li>(2) The maximum cumulative parking adjustment for a site that is part of a TDM program that allows multiple parking adjustments is 100%.</li> </ul>	Rervert back to draft 2 levels but allow for reasonable increase for TDM. 100% reduction is not practicle. TDM programs have not been demonstrated to work at 100% reduction. Consider developments with high levels of affordable housing receiving up to 60%.		<u>HLC</u> : waiver or reduce pkng for maintaining old bldg. <u>UTC</u> : reduce pkng particularily on high tranist/IA activity corridors
24.19	Division 23-4E-3 Off-Street Motor Vehicle Parking Adjustments	x	Т		parking		23-4E-3060-B	<ol> <li>Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumlative parking reduction is 60% 20%</li> <li>The maximum cumlative parking adjustment for a site with more then 4 deeply affordable units at 50% MFI or below is 90%.</li> </ol>		No	Parking reductions up to 60% is carried forward from current code (needs confirmation).
A-24.19.1	23-9 General (or maybe 23-4E-3060 - Off- Street Motor Vehicle Parking Adjustments?)	x	СК	2	School parking	Yes		Within 1/8 mile of a public K-12 school, the director of transportation may at their discretion craete a school parking permit district that restricts parking from 6:30AM to 8:30AM and 2:30PM to 5:00PM on weekdays to 15 minutes, except for permit holders. Permits may be issued to any school district employee who works at the campus triggering the parking permit zone, and to residents at the rate of one per residential unit with a cap of one per 50 feet of frontage for that property. The director must determine that there is a parking shortage during pickup/drop-off times for that campus before creating a district under this section.	This creates space for faculty and staff to park at schools by 1) restricting parking to 15 minutes during school begin and end times except for permit holders; and 2) limiting permit holders to campus staff and faculty and to 1 per residential unit with a cap of one per 50 feet of street frontage.		
A-24.19.2	23-9 General (or maybe 23-4E-3060 - Off- Street Motor Vehicle Parking Adjustments?)	x	СК	p	Residential parking permits	Yes		Residential permit parking districts may not be imposed on both sides of a street.	This addresses parking permit districts around town that provide no spaces for the public on publicly financed and maintined streets.		
24.20	residential parking process	x			parking			allow for an easier process by which neighborhoods and streets near MS & MU can receive residential parking requirements	The reduction of the parking by 50% for commercial projects alone will not discourage people from driving. We see this all over South Congress and on E. 6th. I think we should discourage street parking for enviornmental reasons (actual driving reduction) & for safety reasons (street parking is dangerous for pedestrians and bicylist). Let's take this one step further and really mean it when we say we want people to drive less. Open to suggestions on how best to incorporate this aspect into the code	No	Staff does not recommend incorporating the RPP program into code.
24.21	Division 23-4E-3 Parking and Loading	x	GA GA		On Street Parking	No		<ul> <li>23-4E-3060 Off-Street Motor Vehicle Parking Adjustments</li> <li>(A) Simple Parking Adjustments.</li> <li>(1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table.</li> <li>(2) Minimum off-street parking requirements shall be further reduced as follows:</li> <li>(a) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.</li> </ul>	It's in today's code and we need to keep this § 25-6-478 - MOTOR VEHICLE REDUCTIONS GENERAL. (E) Except for development that does not require a site plan under Section 25-5-2 (Site Plan Exemptions), the minimum off-street parking requirement is reduced by the following amounts: (1) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards;	No	Parking districts would best implement this reduction.

CHAPTER NRTICLE DIVISION	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COM	MSSIONER EX OFFICI	D TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		ANDERSON HART KAZI KAZI KENNY MCGRAW NUCKOLS OLIVER SCHISSLER	SEGGER SEGGER SEHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA MENDOZA			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
24.22 Division 23-4E-4 Parking and Loading	x	GA		On Street Parking	No		<ul> <li>(A) Simple Parking Adjustments.</li> <li>(1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table.</li> <li>(2) Minimum off-street parking requirements shall be further reduced as. follows:</li> <li>Image: Space for each on-street metered parking space located within 250 feet of the site, measured as the shortest practical and legal walking distance to the nearest principal entrance of the site. Metered parking spaces may not be counted towards the minimum off-street parking. required for residential uses;</li> </ul>		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 foundtion 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			JS h	parking			(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		W	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			JS h	landscape			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			JS h	landscape			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	JS	c	Downtown				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	JS0	c	Landscaping			Reduce Front Yard Landscaping to 25%	Architects do not design buildings for them to be hidden by landscaping, current requiement is 20%.		
24.29			JS h	landscape		23-4E-4050	C. This section applies to <b>commercial</b> zones (says all zones)		Yes	staff agrees: replace "all" with "commercial"
24.31 Division 23-4E-3 Landscape	x	15	c	Landscaping			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		c	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	JS	c	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 fullfill the width requirement when sufficient right-of-way is not available"		

CHAPTER	NOISIVIO	Ĩ		IRED PROP			INITIATE	D BY COM	MSSIONE	R	EX OFF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
						ANDERSON HART	kazi Kenny Vicgraw	NUCKOLS DLIVER	SEEGER SHIEH	rhompson white	SHAW BURKARDT VIENDOZA	EICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
A-24.33.2		Landscape - General			x				PS				Landscape general				Per Environmental Commission Recommendation:	Recommends that the proposed landscaping requirements be approved, with the following revisions: (1) direct Staff to develop a program to apply the Functional Green scoring system to alllandscapes, regardless of impervious cover, to ensure that we are maximizing the benefits to be achieved via landscaping requirements and to ensure simplicity and consistency (2) Revise the width of landscape buffers for compatibility setbacks as follows: (a) intermittent visual obstruction: 15 feet (b) semi- opaque: 15 feet (c) opaque: 15 feet; (3) remove details regarding plant quantities from the draft code and move to Criteria Manual (4) Coordinate with the Water First Task Force to incorporate recommendations that further incentivize requirements for auxiliary water use and beneficial reuse of stormwater for irrigation, with consideration for the need to use potable water during dry periods, especially to help establish new or young vegetation.		
A-24.33.3	Division 23-4E-4	Landscape		x				15	Sc			L	Landscaping			23-4E-4070(A)	A landscape median seperates every other parking run on the interior portion of a parking lot.	Current requirements have already redued the requirement from every third bay to every other bay.		
24.34	Division 23-4E-4	Landscape Docks, Bulkheads, and Shoreline			x			21	50				Nonzoning	YES		23-4E-4120: Functional Green Requirements.	Requirements of application of Function Green shall be codified including: What sites are required to comply? To what % are sites required to comply? Which team has review authority over decisions? What is allowed to overlap (trees, water quality, other) and what is not? What land can be used for compliance (private land only, parkland, ROW, easements, etc)?		NA	Following Funcitional Green regulations are codified: *Applicability: 23-4E4120(C): applies to all sites that proposed an impervious cover total exceeding 80 percent. * Vovraip: 23-4E-4120(D): F6 landscape plan is required to: 1) comply with all applicable landscape and buffer types; and 2) reach the target score (in ECM). *ROW use: 23-4E-4120(G): Landscape elements may be planted in the ROW. (All plantings on-site can count, Following Functional green rules are in criteria: *Scoresheet *Landscape element list, with directions on how to apply Review by EV Reviewers
24.35 24.36	Division 23-4E-5 Division 23-4E-6		С																	
24.37		6030 - Accessory Dwelling Unit- Residential		x							TS		ADU Placement	NO		6030 (A) Table 23-4E- 6030 (A)	Placement (1) If detached, minimum 6 <sup>c</sup> 10 <sup>o</sup> to the front, rear, or side of the primary structure or above a detached garage; may be connected to the primary structure with a covered walkway;	Restore 10' distance between structures equal to setbacks between adjacent single family units.		HLC: limit bldg size as % of lot or existing bldg.
24.38		6060 - Adult Entertainment			x					1	TS	Er	Adult ntertainment Use	NO		6060 (D)	(D) Allowed. Except as provided in Subsection (E) (+) An adult entertainment use-other than- including an adult lounge: (a) s allowed in a MU4B, or MUSA Zone, DC or CC Zone; and (b) Is allowed with a conditional use permit in the MU4B, MU5A, DC or <u>CC Zones; and</u> (2) An adult lounge is allowed with a conditional use permit in a MU4B, <u>MU5A, DC or CC Zone</u> .	Require CUP for all adult entertainment.		
24.39		6070- Alcohol Sales		x							TS		Alcohol Sales	YES		6070	CORRECT: Section 4-9-4 (Minimum Distance from Certain Uses.	Added Section 4-9-4 (min. distance from certain uses). This reference number is incorrect-does not exist. As ALCOHOL SALES are defined as <b>The retail sale of alcoholic beverages for off-premises consumption</b> , are distances from certain residential uses required?	No	Section 4-9-4 is the correct reference for the section of the Austin City Code (not part of the Land Development Code or CodeNEXT) governing alcohol sales and City zoning approval of Alcoholic Beverage Licenses by the TABC. City of Austin regulations miror minimum distance requirements of State Law and prescribe minimum separation from churches, public schools, day care facilities, and hospitals. There is no minimum separation from residential uses. 23-4E-6070 just reiterates that a business selling alcohol must comply with state law and local regulations governing the approval of alcoholic beverage licenses.
24.40		Add New Bar/NightClub Section (there is a def. for Bar/NightClub)			x						TS		Bars and Nightclubs	YES		23-4E-6 Specific to Use	ADD AND RENUMBER: 6090 Bars and Nightclubs- (A) Location Restrictions. A use that includes the sale of alcohol must comply with Section 4-9-4 (Minimum Distance from Certain Uses). (B) Late-Hours Permit. A restaurant operating late at with a late-hours permit from the Texas Alcoholic Beverage Commission requires a conditional use permit if it is located within 200 feet of a Residential House Scale Zone. The distance is measured to the lot line. (C) Bar or Nightclub with outdoor seating must be a minimum of 200 feet from a Residential House-Scale Zone, unless the use is located within an enclosed shopping center. (D) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A"-weighted decibels, measured at the property line of the licensed premises. In this subsection, "premises" has the meaning ascribed to it in the Texas Alcoholic Beverage Code.	Include same requirements for restaraunts serving alcohol w/ late hours for bars and nightclubs. Need correct reference for 4-9-4		Staff has agreed the Specific to Use article needs a Bar/Night Club section that includes the same language regarding CUPs and distance from certain uses, same as Restaurant currently has
24.41		Coperative Housing			x						TS	C	Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		spefic language is needed for staff to review on whether we agree or disagree

CHAPTER	NOISION	DESIRED PROPOSED CHANGES TO D3		INITI	ATED BY CO	ommssioi	NER	EX OF	FICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
	<u> </u>		ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT MENDOZA	текн			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
24.42	6160 - Duplex	X						TS		Duplex design requirements	NO		6160	ADD:(D) Duplex units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch, that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element.(5) On a lot less than 10.000 square feet the use must not exceed 6 bedrooms.	Add back design requirements and limit on bedrooms to no more than 6 for lots < 10,000 SF.	Νο	staff supports reducing too presecriptive duplex design standards from today's code to continue with concept of simplicity
24.43		×		СК						Remove max ADU size on second floor	No	No	Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a second floor to 550 sq ft.	Νο	Staff does not support complete removal but does support adding language suggested on line xxx that removes this standard from internal or attached ADUs; staff can also support exempting ADUs not in the back of the lot from this standard
24.44	6200 - Home Occupations				км									Eliminate all new entitlements proposed for Home Occupations Including prohibit Signage associated with home occupations in residential house scale zones.	These new entitlements for additional employees, sales, parkiing and signs are invasive to peaceful neighborhoods. Live/Work and other mixed use and commercial areas allow for offices.	No	signs allowed in residential house scale is limited and staff does not believe they will disrupt the fabric of a neighborhood
24.45	6210 - 6280 - 6390				км									Townhouse Use and Live/Work uses require at minimum at least one blockface. Prohibit Signage associated with Live-Work in residential house scale zones.	These uses are not compatible with stand alone houses and should only exist in a cohesive development.	Νο	block sizes differ among neighborhoods and areas of town, so there are times when it is appropriate for townhomes to only cover a portion of a block or live on the same street as a single house
24.46							JS h			Home Occupation			23-4E-6200	C. why is "medical" office referenced if it is a prohibited use either eliminate it from K or C I Off street storage of the commercial vehicle is in addition to requirement of the dwelling unit. L. COMPLIANCE TO ADA? Ramps? Etc??? Help!			
24.47							JS h			livework			23-4E-6210	<ul> <li>(7) Parking is requiredper (does this mean it can not be deemed as NO parking?) I would assume that since it is a dwelling unit, there is at least one parking</li> <li>(8) Landscaping MAY be required and should comply with (small projects shouldnt require)</li> </ul>	If live work, one parking space per unit, but because to 2500sqft commercial exemption, then no parking? But what it there is a commercial vehicle? Need to require.	Yes/ No	Live/ Work is only permitted in Multi-unit Residential and Main Street zones. In both zones, 1 space per unit is required. Live/ Work is a residential use, and does not recieve the 2500 sf parking reduction that is permitted for MS commercial uses Staff supports requiring landscaping for all projects that meet the criteria stated in 23-4E-4 (landscaping). If the project does not meet the applicability requirements, it would be excempt.
24.48		x				PS				Uses			23-4E-6200 Home Occupations	23-4E-6200(D) & 23-4E-6200 (F) add "excluding R1A-R3D residential zones."	The addition of 3 employees and limited retail sales is a burden in residential neighborhoods especially parking and traffic congestion. The Live/Work zone allows up to 2 employees by-right and up to 3 with an CUP. Interesting that a CUP is required for 3 employees in a Live/Work zonewhile only an MUP in R zones (residential).	Yes	In the addendum, Item D relating to three employees was eliminated, and item F was modified to "The sole of merchandise directly to a customer on the premisis is prohibited." Addiditionally another provision was added that limits home accupation to generating no more than 4 vehicular trips each day (which includes trips to and from the site, essentially limiting customers to 2).
24.49	Group Residential	×						тs	c	Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		same motion as line 24.41
24.50	6240- Multi-Family	X						TS		Multi-Family Open Space	YES		6240	DELETE: (B) Required Open Space	Common Open Space is already covered based on zones. This adds confusion as to when common space is required. 23-4C-1030 required common open space for sites greater than one acre in levels of 5% of gross site area. This is based on 10 unit threshold. Also, Personal Open space requirements in (B)(3) are covered in the open space table for each zone requiation. Perhaps this is meant for zones that are not required to have common open space either by zone type or size.		
24.51	6310 -Restaurant Late Night Operation	x						TS		Restaurant Late Night Operation	NO		6310(A((4)	CORRECTION NEEDED: Section 4-9-4	No section 4-9-4 can be found.	No	This refers to City code Chapter 4-9-4 Minimum Distance From Certain Uses, not house inside the LDC
24.52	6310 -Restaurant Late Night Operation	x						TS		Restaurant Late Night Operation	YES		6310(C )	(C) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A"-weighted decibels from the hours of to, measured at the property line of the licensed premises. In this subsection, "premises" has the meaning ascribed to it in the Texas Alcoholic Beverage Code.	Are there hours that this should apply? Should this limit be in all zones?	No	Restaurants wit Late Night Operations are regulated through the Use Charts in 23-4D
24.53	23-4E-6340 Short Term Rentals				КМ								23-4E-6340	Eliminate Short Term Rental as a legal use	In order to make existing housing stock available to serve Austin's "dire housing shortage"	Νο	not sure if we can legally do this

CHAPTER	TITLE	DESIRED PROPOSED CHANGES TO D3		NITIATED BY (	OMMSSIONE	R	EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	A	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI	KENNY MCGRAW NUCKOLS	SCHISSLER SEEGER SHIEH	THOMPSON WHITE SHAW	BURKARDT MEN DOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
24.54	23-4E-6340 Single-Family Attached	x				TS		Single-Family Attached	YES			ADD RELEVANT SECTIONS OF 6160 AND (D) Single Family Attached units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element.(5) On a lot less than 10,000 square feet the use must not exceed 6 bedrooms.	Need design standards for new single family attached. 23-5C-2060 includes Convenants, Conditions and Restrictions.		Code Citations: •Burrent code: 25-4-233 "Single-Family Attached Residential Subdivision" •Bode Next: 23-5C-2060 "Single-Family Attached Lots" The concept of the "small lot subdivision" is no longer applicable. Instead, the minimum lot size varies by zone and the subdivision chapter does 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.
24.55	Division 23-4E-6 Specific to Use	x	FK					Affordability	No			"(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.	Neutrol	this appears to be language added to Specific to Use that pertains to Cooperatives, need to be sure it does not conflict with definition of cooperative housing
24.56	Division 23-4E-6 Specific to Use	x	FK					Affordability	No			(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.		This is going to require coordination with NHCD on adressing the AHBP aspects, ramification, and necessary language of the motion
24.57	Division 23-4E-6	x			JSh								cottage ct diagram wrong, internal drive thru allowed?, Home occupation ADA and parking? Some uses should be allowed, 550sqft adu second floor exempt internal ADU if primary	?	
24.58	Division 23-4E-6 Specific to Use	x	AH					Residential			23-4E-6150 (A)	Remove depth minimum. Table 4E-6150 (A) Cottage Court Requirements <del>Depth Minimum 20° clear, min</del> .	Depth minimums are too prescriptive and cannot fit around site conditions, smaller lots or corner lot	Neutral	Depth solidifies the size of the open space but staff can support only having one deminsion, so long as we maintain some form of open area requirement
24.59	Division 23-4E-6 Specific to Use	X	АН					Residential				Table 4E-6150 (A) Cottage Court Requirements Area <del>1,000 sf. Min. total</del> 200 sf/unit min.	There is already a per unit minimum area spelled out in code. Total minimum area needs to be adjusted to account for 3 unit cottage courts. Total is too large relative to lot size.		need more clarification on where the language is that this motion refers to, also clarity on how the motion defines the adjustment for 3 unit cottage courts
24.60	Division 23-4E-6 Specific to Use	x	AH					Residential			23-4E-6150 (A)	Amendment: Change open space width minimum. Replace open space width minimum to 20' clear minimum <u>on lots over</u> 100' wide, and 10' clear minimum on lots less than 100' wide	The 20' width does not fit on lots less than 100' wide.	yes	to allow for more flexibility and for cottage courts to be a viable product, staff can support a 10' minimum on thinner lots
24.61	Division 23-4E-6 Specific to Use	x	AH					Residential			23-4E-6150 (A)	Open space requirements cannot be met with open space that is provided in a required front or side-street setback on lots that are 100' or greater in width	Requirement cannot be met on lots less than 100' wide.		see above
24.62	Division 23-4E-6 Specific to Use	x	АН					Residential			23-4E-6150 (A)	The main entrance to the court from the front street.	This does not allow enough flexibility for corner lots.	No	this language can be clarified to say that on corner lots the pedestrian main entrance needs to be accessible from at least one front street, though the concept of the open space is to have pedestrian access and it seems reasonable that a corner lot would have some kind of path or access from both streets
24.63 24.64	Division 23-4E-6 Specific to Use Division 23-4E-6 Specific to Use	x	AH					Residential			23-4E-6150 (A) 23-4E-6150 (A)	On a corner lot, the units adjacent to the side street must front both the- court and the street. Driveway and parking areas must be screened from the common court by	If unit is on corner, they should have access from either main or side street. Safety issue parking in fenced/screened area away from residence at night;	Neutral	to make development more viable and keep costs down
24.04			АП					Residential			23-4E-0130 (A)	Driveway and parking areas must be screened from the common court by buildings, fence, or wall.	Parking close to unit is considered a market standard nationwide. Develop regulations to encourage this building type rather than preventing its use.	yes	w none wevergement more vidure and keep costs adwit

CHAPTER	NOISIO	<u>ب</u>	DESIRED P									REQ. ADD'L STAFF	1					
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					AND HAR	KAZI KENI		SHIE	SHAN BURI	MEN			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
24.65	Division 23-4E-6	Specific to Use		×	АН						Affordability	No	No	23-4E-6	"(A) Purpose: This section established the requirements to develop cooperative housing units and to reuse existing residential buildings to accommodate cooperative housing opportunities. (B) Occupancy Requirement. The bedrooms and residential space within a Cooperative Housing unit on a site must be occupied by residents who have shares if the cooperative corporation sells shares. Bedrooms and residential space may be occupied by residents undergoing a trial period of defined duration for membership in the nonprofit or cooperative corporation. (C) Operation. A Cooperative Housing unit must be operated by a cooperative or nonprofit corporation whose members reside on the site. (D) Additional Requirements for Cooperative Housing in a RR, R1-R4, RM, MS, MU Zone. The requirements of the base zone apply, unless modified by Table A."	Allow housing cooperatives in R zones to have 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						Affordability	No	No	23-4E-6	(E) Additional requirements for Cooperative Housing organized as a Cottage Court. a. A housing cooperative may follow the design requirements for Cottage Courts if the Cottage Court type is allowed in the base zone. 2. A housing cooperative organized as a Cottage Court shall follow the Development Requirements established in Section 23-4E- 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					1	īw		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		×		СК					Remove max ADU size on second floor	No	No	Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a second floor to 550 sq ft.		same motion as line 24.43
A-24.67.1		23-4E-6		x			PS				Definitions			23-4Е- 6ххх	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' stepback or 1/3% of existing build for old buildings
24.69	Division 23-4E-7	Additional General Standards		x		FK					Affordability	No		23-4E-7040	<ul> <li>23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single-family residential or duplex and in Subsection (D)(4) for a cooperative use, not more than four unrelated adults may reside in a structure, in the following zones:;</li> <li>(D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation.; 23-4E-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than fifteen unrelated adults may reside in each dwelling unit of Cooperative Housing.</li> </ul>	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 occupany to 4 would allow them to be more feasible, <u>NEED TO DISCUSS</u>
24.70		Additional General Standards						JSh			Dwelling Unit Occupancy Limit			23-4E-7040	C. Max occupancy of a duplex not more than 3 per unit or 5 per unit if meets criteria of B1,2,3	increase duplex occupany allowance under same allowance as SF homes	Neutral	
24.71	Division 23-4E-7	Additional General Standards		x				JSh								max occupany duplex up 10 total "if", land use commission able to allow more under CUP - hey Co-ops! Do we allow more occupany 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		Additional General Standards			GA AH						Coops	No		23-4E-7040	family residential or duplex and in Subsection (D)(4) for a cooperative housing use, not more than four unrelated adults may reside in a structure, in the following zones: 23-4E-7040 (D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation. 23-\$e-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than two unreleated adults times the number of bedrooms in a Cooperative Housing unit.		по	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						Affordability	No		23-4E-7040	(A) Maximum Occupancy. Except as otherwise provided, not more than six unrelated adults may reside in a dwelling unit. <u>The maximum</u> occupancy for a dwelling unit shall be the greater of six unrelated adults, the specifications of (B) through (E) below, or two unrelated adults times the number of bedrooms in the dwelling unit.	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)

GAAFTER ARTICLE DIVISION TITLE		DESIRED PROP CHANGES TO			INITIATE	D BY COM	MSSIONI	ER	E	X OFFIC	10	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				ANDERSON HART KAZI	kenny Mcgraw	NUCKOLS OLIVER	ochiooler Seeger Shieh	THOMPSON	SHAW	MENDOZA	TEICH			GENERAL	SPECIFIC SECTION		
24.76 7040 Dwelling Occu	pancy Limits		x						TS			Dwelling Occupancy Limits	YES		7040	<ul> <li>C) Maximum Occupancy in a Duplex and Single Family Attached. Not more than three unrelated adults may reside in each unit of a duplex, unless:</li> <li>(1)Before June 5, 2003:</li> <li>(a)A building permit for the duplex structure was issued; or</li> <li>(b)The use was established; and</li> <li>(2)After June 5, 2003, the gross floor area in the duplex structure doesnot increase more than 69 square feet unless to complete construction authorized before that date or to comply with the American Disabilities. Act,</li> <li>(b) Occupancy Limits in Certain Zones</li> <li>(c)Except as provided in Subsection (D)(2) for a single-family residential or duplex was, not more than four unrelated adults may reside in a unit -structure, in the following zones:</li> <li>(a)Lake Austin Residence (LA) Zone;</li> <li>(b)Rural Residential House-Scale 2C (R2C) Zone;</li> <li>(c)Residential House-Scale 2C (R2C) Zone;</li> <li>(c)Residential House-Scale 3C (R3C) Zone;</li> <li>(b)Residential House-Scale 3C (R3C) Zone;</li> <li>(c)Residential House-Scale 3C (R3C) Zone;</li> </ul>	Simplify occupancy limits. Check with staff were gransfathering requirements.
24.77									TS							(2)The requirements of this subsection do not apply if: (a)Before March 31, 2014 a building permit was issued for the unit or the use was established; and (b)After March 31, 2014: (i)The gross floor area does not increase more than 69 square feet, except to complete construction authorized before March 31, 2014 or to comply with the American with Disabilities Act, or (ii)Any interior remodel that requires a building permit does not result in additional sleeping rooms.(3) A structure located on a site exempt from these standards under Subsection (0)(2) that is partially or totally destroyed by a natural disaster, act of god, or fire does not become subject to this subsection, if a building permit to repair or reconstruct the structure is applied for- within one-year of the date of the partial or total destruction. (E)Maximum Occupancy for a Site with an Accessory Dwelling Unit. Not more than two unrelated adults may reside in the accessory dwelling unit, unless (1)The use was established before November 18, 2004; or (2)A building permit was received before November 18, 2004; and (3)After November 18, 2004, the unit was not remodeled to increase gross floor area more than 69 square feet, unless to finish construction- authorized before that date or to comply with the American Disabilities- Act.	
24.78 Division 23-4E-7 Additional General S	itandards		x	AH								Residential			23-4E-7060	(5) Fences of any kind, any height, in any zone are prohibited within 20 feet (as measured from the property line) of the intersection of: (a) A driveway and a street or alley; or (b) Two streets; or (c) A street and an alley.	
24.79 24.80 Division 23-4E-7 Additional General S	tandards		x	АН			SI	ih							23-4E-7060 23-4E-7070	B 14' to 5' max for sloped lots in front setback or building line whichever- is less, 6' with administrative variance 2. 6' at rear and side property lines (7' max on sloped lots), 8' with administrative variance (D) Side Setback Exemption for Attached Townhouses. Attached	fence regulations are considerably more res regulations of modify D3 t
24.80 Division 23-42-1 Polanorial General S							sı	ih				Residential			23-4E-7070 23-4E-7080	LD) Side Setback Exemption for Attached Townhouses. Attached townhouses are no subject to side setback requirements.     A. Add ADUs	
24.82 Division 23-4E-8 Building Design Star Chapter 23-5: Subdivision		NONE MINOR	MAJOR										YES/NO	YES/NO			
25         Article 23-5A Introduction           25.1         Division 23-5A-1 General Provisions																	
25.2 1010					КМ											add Item 13) Ensure to the greatest extent legal that additions and subdivisions result in complete communities.	
26         Article 23-5B Subdivision Procedures           26.1         Division 23-5B-1           General Requirement	nts																

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
aff on provisions to see of there	по	in a housing crisis it is not staff's opinion to further restrict occupancy limits
	по	there are grandfathering rights that are associated with these dates (need confirmation)
		need to discuss
restritive Should restore current 3 to our proposal		need to discuss
	yes	townhouse needs same clarification as single family attached on zero lot line setback requirements
	yes	
		·
	neutral	

CHAPTER BATICLE	ITTLE	DESIRED PROPOSED CHANGES TO D3		DNER EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON HART KAZI KGRAW MGGRAW NUCKOLS OLIVER SCHISSLER SEGER	SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
26.2	1050 - Variance Determination	x		TS	Large Residential and PUD platting requirements	NO	1050	preliminary plan or final plat is associated with a mass housing project, a planned unit development, or a similar specially approved development, the Land Use Commission may grant a variance from a requirement of Article 23-5C (Platting Requirements) if the Land Use Commission determines that:	remove special variance for PUDs. PUDs should demonstrate criteria in 1050 (A) for variance.	neutral	This is from the current code. The itent is to remove impediments to affordble housing projects.
A-26.2.1				JSh			23-5B-	Consent disapprovals for subdivisions may be set to either land use commission for review and action.			
A-26.2.2		x		TS	Plat Notes	NO	23-5B-1100 Plat Notes	<ul> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(B)</li> <li>(C)</li> <li>(C)</li> <li>(D)</li> <li>(D)</li></ul>			
A-26.2.3	1100			TS				(2) If an application for a preliminary plan or final plat is submitted for a non-residential development that is exempt from parkland dedication under Section 23-3B-1010(Purpose and Applicability), the director must may require a plat notation stating that any subsequent residential development within the subdivision may be required to dedicate parkland or make payment in-lieu of dedication as required by Article 23-3B (Parkland Dedication) or other applicable ordinance. (3) If a plat note prohibiting residential uses was required by the City of Austin in order to document an exemption from parkland dedication for a non-residential subdivision on or after July 25, 1985, the applicant must may amend the plat in order to conform the notation authorized by this subsection.			
26.3	Division 23-5B-2 Preliminary Subdivision Plan	C									
26.4 26.5	Division 23-5B-3 Final Subdivision Plat Division 23-5B-4 Changes to Recorded Plats										
26.6	Division 23-5B-5 Subdivision Construction Plan										
27 27.1 27.2 27.3	Article 23-5C Platting Requirements Division 23-5C-1 Property Markers, Easements, and Alleys Division 23-5C-1 Property Markers, Easements, and Alleys Division 23-5C-2 Lots	x	JSC JSC		Easements and Alleys	No	23-5C-1020	Easements for public utilities and drainage ways shall be retained in all subdivisions in the widths and locations determined necessary by the director. All easements <u>as defined by the criteria manual</u> shall be dedicated to public use for the named purpose and shall be aligned to minimize construction and future maintenance costs.	This clarifies the section	neutral	
27.4	2040 Flag Lots		КМ					the ETJ.	Flag lots set up new intrusive patterns in existing neighborhoods and require special agreements in greenfield development . These configurations crowd trash and traffic on to narrow flag poles. Small lot entitlements in certain zones can accommodate the desired density without intrusions to existing neighbvorhods. Some areas have deed restrictions that are being ignored.	no	Flag lots are an important tool to address affordability, encourage infill and fight sprawl.           The current code allows flag lots by-right for unplatted land, but requires a variance for platted lots when resubdividing. This is not a best practice.           Staff's recommendation is to remove the variance requirement, but retain all other current standards. The following standards will remain:           • Driveway/utility plan for residential lots.           • Minimum lot width (20') with option for narrower width (15') with shared access.           • Addresses for flag lots posted at closest point to street access.           • The flag portion must meet minimum requirements of the applicable zone (size, width, etc). The pole does not count toward lot size.
27.5	Division 23-5C-2 Lots	x	AH FK JSc		Lot Size	No	23-5C-2020 (B)(1)	Lower the minimum lot size to 2,500 sq ft and 3,000 sq ft on a corner lot		neutral	This is only applicable in the ETJ of Williamson, Hays and Bastrop Counties. Lot sizes in those areas are more commonly determined by county requirements for septic systems and wells.
27.6	Division 23-5C-2 Lots	×	AH FK JSc		Lot Size Affordaibility	No	23-5C-2020	DELETE section 23-5C-2020	The cost of land is a driving factor in household unaffordability.	neutral	refer to comments on Item 27.5
27.7	Division 23-5C-2 2040- Flag Lots	x		TS	Flag Lots		2040	[See RWG recommendations]	Flag lot requirements provided. No variance required. This is identified as a way to remove barriers to missing middle housing. Flag lots should require an MUP at a minimum.	no	An MUP can not be used to create a lot. It can only be used to allow a use on a platted lot. Refer to 23-

CHAPTER	NICIA	DESIRED PROPOSED CHANGES TO D3			TED BY CO	MMSSION	IEP	EY	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT	TTYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
	<u>o</u> F	CHANGES TO DS	NDERSON ART A71	ENNY	UCKOLS UCKOLS	CHISSLER		HAW	IENDOZA EICH				FIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
27.8						12	ō⊨> Sh		2 F	flag lots		23-5C-204		D. REINSTATE THAT IT REQUIRES VARIANCE FROM LAND		no	refer to comments on item 27.4
A-27.8.1	2040 Flag Lots	x				PS				Flag Lot		23-5C-204	40	USE COMMISSION Restore Variance requirement to all Flag Lots	Add Variance requirement for Flag Lots back into code.Originally initiated		
27.9	2060-Single Family Attached			K	м					Variance			_	Delete this use	from ZAP to assist certain neighborhoods in core Austin voice public opinion This was called Small Lots in Version 2 and it was not clear what zones is		The concept of the "small lot subdivision" is no longer applicable.
															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	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						12	Sh			Single Family Attached		23-5C-206			C CCRS approved by City Attorney spell out the requirements need general language about operations and maintenance possibly HOA creationwe call out the technical parts but that is it	neutral	
A-27.10.1	2080	x						TS		Changes to Approved Preliminary Plan	NO	23-58-208		(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	С															
27.12	Division 23-5C-3 3099 - TRASH			KI	м							New secti		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 wsith adjacent properties. we need to do a better job of planning as we chop up the city into smaller pieces.		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 Reolenishment"
A-27.13.1						JS	Sh					23-5C-202		Revise area values with what is presented in zones			
A-27.13.2						st	Sh					23-5C-206	60	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						JS	Sh					23-5C-206		<ul> <li>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</li> <li>C) ADD:</li> <li>Standard regarding site alterations and IC</li> <li>Maintenance responsibilities</li> <li>Limitations of City liabilities</li> </ul>	needs city legal to clariy what is in the CCR's. Condo regiem duplex has agreements this should too		
A-27.13.4 A-27.13.5						EL IS	Sh					5C-2040		Refereces SF4a	this is to allow large preserved caliner trees to suffice for site requirement		
A-27.13.5						15	5ri					23-5c-402		C) Trees preserved REMOVE - A tree requiredAND 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	Division 2	23-5C-4		Ask City Arborist if they reviewed.		
Chapter 23	3-6: Site Plan Article 23-6A: Purpose and Applicability	NONE MINOR MAJOR									YES/NO	YES/NO					
28.1	Division 23-6A-1: Purpose and Applicability	С															
28.2 28.3	Division 23-6A-2: Exemptions Division 23-6A-2: Exemptions	x	F	к		JSc				Exemptions	Yes			Construction or alteration of a single-family residential structure, <u>single-family attached</u> , duplex residential structure, <u>accessory dwelling unit</u> , or an accessory structure (1) - <del>No more than two residential structures are constructed on a legal lot or track <u>Structure quantity does not exceed the</u> quantity allowed in the applicable zoning category; and".</del>		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.

CHAPTER ARTICLE	NOISINIQ	and the second se		SIRED PRO			INI	TIATED I	зү сом	MSSIO	NER		EX	OFFICIO	TOPIC AR	EA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
						ANDERSON HART	KAZI KFNNY	MCGRAW	OLIVER	SEEGER	SHIEH THOMPSON	WHITE SHAW	BURKARDT	men doza Teich				GENERA	L SPECIFIC SECTION		
28.4								T	v										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 commun need a healthy tree canopy.
28.5	Division 23-6A-2	Exemptions		x			FK		21	ic					Exemptio	ns	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 otherwise you'll only get six units and rarely
A-28.5.1	Division 23-6A-2	Exemptions			x							τw					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 mic triggering a site plan is a step in the right dir in the way of reducing the number of hurrdle plan light would include watershed review bo departments.
<b>29</b> 29.1	Article 23-6B: Site	Plan Review and Filing Requirements Application Review and Approval			1																
29.2	Division 23-6B-1	Application Review and Approval Submittal Waivers			x				21	ic					Applicato Requireme		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.	
29.3 29.4	Division 23-6B-3												-		_	-		-			
<b>30</b> 30.1	Article 23-6C: Exp Division 23-6C-1			-	1								<u> </u>								
		Demolition, and Relocation Pe	C	Special	Requir	oment	Pormi	ts For	Histo	ric St	ructu	ras				- 1	YES/NO	YES/NC			
31	Article 23-7A: Gen	eral Provisions		opeciai	ritequil	ement	enni		Thisto		ructu	103	-	-	_	_	125/110	125,110			
31.1 31.2		General Provisions General Provisions	-	x						ic .	_		_			-		-	23-7A-1020	Historic Properties and Buildings 45-50 or More Years Old	The national standard for historic protection
51.2										,c					Historia Zoning				2577-1020	<ul> <li>(A) The building official must notify the historic preservation officer before issuing a building, demolition, or relocation permit for a building 45 50 or more years old.</li> <li>(B) The building official may not issue a building, demolition, or relocation permit for a property described in Subsection (D) unless all applicable requirements of Division 23-7D have been satisfied.</li> </ul>	
31.3	Division 23-7A-1	General Provisions			x				21	ic					Historia Zoning				23-7A-1050	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.	This will provide regulatory certainty and ide currently protected but should be.
A-31.3.1		23-7A Historic			x					PS					Historia Preservat				23-7	Include Historic Landmark Commission recommendations 20180423	Include HLC changes recommended change to retain older, historic-age residential buildi density (2) Maintain the historic street pattern, rise residential neighborhoods and commercial form-based zoning (4) discourage demolitoons o buildings (compressd recommendations)
A-31.3.2 <b>32</b>	Article 22-7P: Puil	23-7A-1020 Historic ding Demolition and Permits			x					PS					Historio Preservat				23-7A-1020	Change 45 back to 50 years	Why is there a change of age from National Change back to standard.
32.1	Division 23-7B-1	Building and Demolition Permits	С									Π									
32.2		Permit Applications					ГĹ			$\square$		Γ									
32.3		Demolition Permit Expiration and Extension							$\downarrow \downarrow$	$\parallel$		$\square$									
32.4	Division 23-7B-3	Demolition Permit Expiration and Extension							21	ic									23-7D-3010	<ul> <li>Review for Buildings 45-50 or More Years Old Without Historic Designation</li> <li>(A) This section applies to a building, structure, or site that is:</li> <li>(1) 45 50 or more years old; and</li> <li>(2) Does not have historic designation of any kind.</li> </ul>	50 is the national standard
33.1	Division 23-7C-1	Relocation Permits																			
33.2	Division 23-7C-1	Relocation Permits			x				15	ic					Historie 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		Relocation Requirements										Ħ			201111g						
<b>34</b> 34.1	Article 23-7D: Spe Division 23-7D-1	cial Permit Requirements for Historic Prope Overview	erties and	d Buildings	s 45 or Mor	e Years O	ld		1 1	Т											
34.2		Properties with Historic Designation			1			++	++	++		$\vdash$	$\top$								
34.3	Division 23-7D-3	Properties without Historic Designation											I								

ER NOTES		
	YES/NEUTRAL /NO	STAFF RESPONSE
nunities." Complete communities	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.
o go through a complete site plan - ely ever seven to ten units.		
middle; the threshold of 6 for direction. But we'd like to see more rdles for the 6-10 units as well. Site v but not necessarily all		
	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
on is 50 years.		
identify properties that are not		
nges (1) encourage ADUs as a tool Iddings, 50+ years, while increasing trin, (3) preserve the built form of low- cial corridors via context-sensitive ns of older commercial and residential and U liste a mideline of 50 years		
nal Histoic guidelines of 50+ years.		
		ı

CHAPTER	ITLE		ESIRED PROF				NITIATE	D BY CO	OMMSSI	ONER		EX	OFFICIO	TOPIC AREA	REQ. ADD STAFF FEEDBAC		A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
					ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER	SON	WHITE SU AW		ZA				GENERAL	SPECIFIC SECTION		
34.4	Division 23-7D-3: Properties without Historic Designation			x					JSc					Historic Zoning				23-7D-3010	Review for Buildings 45 50 or More Years Old Without Historic Designation (A) This section applies to a building, structure, or site that is: (1) 45-50 or more years old; and (2) Does not have historic designation of any kind.	
34.5 34.6	Division 23-7D-4: Pending Historic Designations Division 23-7D-5: Appeal															-				
35	Article 23-7E: Maintenance Requirements																l			
35.1 <b>36</b>	Division 23-7E-1: Maintenance Requirements Article 23-7F: Enforcement and Penalties																-			
36.1	Division 23-7F-1: Demolition by Neglect and New Construction																			
Chapter 2	23-8: Signage	NON	E MINOR	MAJOR											YES/NC		YES/NO			
37.1	Article 23-8A: General Provisions Division 23-8A-1: Pollicy and Administration	С														П				
37.2	Division 23-8A-2: Sign Permit and Registration	C																		
38	Article 23-8B: Regulations Applicable to All Signs			1						r 1	1 1									
38.1	Division 23-8B-1: General Requirements	С														_				
38.2	Division 23-8B-2: On-Premise Signs Allowed Without a Permit Picture 20 0P Premit																			
38.3	Division 23-8B-2: On-Premise Signs Allowed Without a Permit						км												(C)(1)(c) should read "the total area of signs does not exceed 9 square feet" (instead of 36) (C)(1)(d) should read "the maximum height does not exceed 6 feet above grade" (instead of 8)	Do we really want signs on houses?
38.4 38.5	Division 23-8B-3: Prohibited Signs Division 23-8B-4: Non-conforming Signs															-				
38.5 39	Article 23-8B: Regulations Applicable to Sign Districts and S	ign Types	s																	
39.1	Division 23-8B-1: Regulations by Sign District and Sign Overlay	С																		
39.2	Division 23-8B-2: Regulations by Sign Type	С																		
39.3	Division 23-8B-3: Regulations for Non-Standard Signs	С																		
<b>40</b> 40.1	Article 23-8D: Enforcement and Relief Procedures Division 23-8D-1: Enforcement																			
40.2	Division 23-8D-2: Variances and Appeals	C	_													-				
	23-9: Transportation		E MINOR	MAJOR											YES/NO	_	YES/NO			
41	Article 23-9A: General Provisions		_		_										123/110	_	123/110	1		
41.1 41.2	Division 23-9A-1: Policy and Administration Division 23-9A-1: Policy and Administration		-	x	64											-		23-9A-1030	(4) Proportionality determinations required under Division 23-9A-2-	This section states that standards for import
41.2				^	GA									Rough Proportionality	No			23-34-1050	(Proportionality of Transportation Infrastructure Requirements), including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	as Rough Proportionality standards in should b Criteria Manual that the public has not seen provide input. Leaving such important stand the revised LDC process and in a criteria man not provide clear guidance and predictability
41.3	Division 23-9A-1: Policy and Administration			x	GA									Rough Proportionality	No			23-9A-1050	MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. <del>The</del> term does not include dedications or improvement to directly serve a development under generally applicable development regulations.	This definition needs modification and is imp with rough proportionality requirements. The should be deleted. This sentence is problem types of improvements would be excluded a different ways. rough prop should be allowed
41.4	Division 23-9A-1: Policy and Administration			x					JSc					Transportation Criteria	Yes			23-9A-1030 (B) (4)	Proportionality determinations required under Division 23 9A 2- (Proportionality of Transportation Infrastructure Requirements),- including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	Rough proportionality should be defined in c section states that standards for important the Rough Proportionality standards should be Criteria Manual that the public has not seen provide input. Leaving such important stand the revised LDC process and in a criteria me not provide clear guidance and predictability
41.5	Division 23-9A-1: Policy and Administration			x					JSc					Municipal Transportatior Infrastructure				23-9A-1050	MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVELMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. <del>The</del> term does not include dedications or improvements to directly serve a development under generally applicable development regulations.	This definition needs modification and is imp with rough proportionality requirements. The should be deleted. This sentence is problem types of improvements would be excluded a different ways.
41.6	Division 23-9A-2: Proportionality of Transportation									$\vdash$	++	$\top$								
41.8	Infrastructure Requirements Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements			x					JSc					Codify policies	Yes			23-9A-2		Policies regarding what is considered part o shall be included in code, not criteria manua "Municipal transportation infrastructure impr

r		
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portant transportation matters such Id be set forth in a Transportation seen or had the ability to review and andards to be determined outside of manual written in the future does illity. This should be in code.		
important as it relates to offsets The last sentence in this definition lematic because it is unclear what ad and could be interpreted in many owed for land onsite.		
in code, not criteria manuals. This in transportation matters such as be set forth in a Transportation sen or had the ability to review and andards to be determined outside of manual written in the future does ility.		
important as it relates to offsets The last sentence in this definition lematic because it is unclear what ad and could be interpreted in many		
rt of a project rough proportionality nual. This includes definition of nprovements" (23-9A-1050)		

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сна Актіс	DESIRED PROPOSED CHANGES TO D3	INITIATED BY	Y COMMSSIONER EX OFFIC	IO TOPIC AREA	STAFF FEEDBACK	АМ	IENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		ANDERSON HART KAZI KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER SHIEH HOMPSON WHITE BURKARDT MENDOZA	ECH		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
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 contexts 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	2	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	2	23-9A-2020 B	roughly proportionate share of transportation infrastructure costs	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	2	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 submital 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.			
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. PR 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. <i>→</i>	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								1			

42.2 Division	on 23-9B-1: General Provisions		IRED PROPO		ANDERSON HART	azı enny <u>i</u> z	ACGRAW IUCKOLS	E			EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER N
42.2 Division				x	ANDERSON HART	4ZI ENNY	RAW KOLS	H	Ŧ									
42.2 Division				x	ANDERSON HART	4ZI ENNY	RAW KOLS	E.		~								
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42.2 Division				x		<u> </u>	MCC	SCH OLI			EUB I	MEND TEICH			GENERAL	SPECIFIC SECTION		
								JSc					Right-of-Way Variance	Yes		23-9B-1030 (A)	If a development application requires approval by the Land Use- Commission or eity council, an applicant may request a variance under this section from a requirement to dedicate, reserve, or improve right-of- way. The purpose of the variance procedure authorized by this section is to provide for consideration of unique impacts that requirements of this chapter may have on property relative to the transportation needs generated by proposed development.	The language in this section suggests that or development application requires approval b city council is qualified to request a ROW var current LDC does not limit an applicant who in The ability to seek a ROW variance should b development applications, regardless of appli
42.3 Division	on 23-9B-1: General Provisions			x				JSc					Right-of-Way Variance	Yes		23-98-1030 (B)	(B) Application Requirements. A request for a variance under this- section must be: (1) Submitted in a manner approved by the director and include any information required by the director to evaluate the variance- request; and (2) Associated with a pending development application, unless the director determines that the amount of public right-of way that would be required for dedication is 15 percent or more of a project site's total land area.	The application requirements need clarificatio variance request application submittal require discretion to the director for approval. The ap predictable for an applicant.
42.4 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement																	
42.5 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement			x				JSc					Dedication of right of way and construction of improvements	Yes		23-98-2010 (A)	Right-of-Way Dedication. A landowner shall-dedicate all public right-of- way required to adequately serve the transportation needs of proposed- development consistent with the standards of this Title. The amount, location, and alignment of right of way to be dedicated shall conform to the Transportation Plan, an approved collector plan, or an approved- capital improvement project and may be required within, adjacent to, or- outside the boundaries of a proposed development.	Delete with the purpose of re-writing. This se be interpreted to required dedication of land t own. There is also nothing defined in the cod considered "adequate". We suggest clarificat to ensure that this requirement for right-of-we is not required outside of a site plan boundary
42.6 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement		x					JSc					roadway	Yes		23-9B-2010 (B) (1) (C)	(c) the likelihood that adjoining property will develop in a timely manner.	
42.7 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement			x				JSc					Dedication of right of way and construction of improvements	Yes		23-9B-2010 (A) (2)	Construction of all required street improvements and transportation- facilities, consistent with the applicable standards of this Title, is required within public right-of-way needed to directly serve a proposed- development.	
42.8				x				JSc					Dedication of right of way and construction of improvements			23-98-2010 (B)(2) Frontage Roads	(2) Right of Way Improvements. Construction of all required street- improvements and transportation facilities, consistent with the applicable- standards of this Title, is required within public right of way needed to directly serve a proposed development.	This section mandates improvements or ded federal, or other sole municipality managed to outside of the City's purview. The language in open-ended. This code section should be ren unnecessary mandate and additional layer up existing process is already in place. For exam adjacent to State right-of-way is currently req process for review and approval relating to n improvements.
42.9 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement		x					JSc					Determination of Right of Way Dedication and Improvements	Yes		23-9B-2020 (A)(2)(B)	(b) Approval of the rezone would substantially increase the intensity of development allowed on the property to the extent that right of way needs may be reasonably assessed without a site plan, subdivision, or other development application: increase the anticipated traffic generated on the site more than 25% what is allowed under current zoning at maximum build out. A traffic engineer should provide clarification via a signed and sealed letter of the traffic generated by the modified zoning compared with the traffic generated by the existing zoning.	
42.10 Division	on 23-9B-2: Right-Of-Way Dedication and Improvement			x				JSc					Standards for establishing right of way alignment	Yes		23-9B-2040 (B)(2)(c) (ii)	(ii) if the centerline of the street is proposed to be shifted from its present alignment, <u>such shift shall be shown in a published/approved</u> <u>transportation plan</u> , the proposed right-of-way centerline; or	
	on 23-9B-3: Right-Of-Way Reservation	С																
	23-9C: Transportation Review and Analysis on 23-9C-1: General Provisions								T		LT							
	on 23-9C-1: General Provisions			x				x					Transportation Review			23-9C-1010	Proposed new language "If a proposed development does not require transportation analysis under Section 23-9C-2020 (Transportation Impact Analysis Required) or Section 23-9C-2040 (Neighborhood Transportation Analysis Required), the applicable Director may condition approval of the application on funding system improvements or construction of some or all proposed improvements at applicant's discretion, not to exceed the value of the project street impact fee, as described in this section."	The mitigation language needs to be restate development approval and/or permit is not or funding and/or building transportation infrast mitigate traffic caused by the development. T Imagine Austin, we recommend that this lang prioritization of density in urban zones (cbd a
43.2 Division	on 23-9C-1: General Provisions								1	т					Yes		Per UTC recommendation, "Specifically remove Level of Service (LOS) as a metric and include VMT as a replacement."	
43.3 Division	on 23-9C-1: General Provisions		x					JSc					Transportation Review			23-9C-1010(A)(2)	(A) This article establishes procedures for analyzing and mitigating the impacts of new development on the transportation system by: (1) Determining the extent to which streets and other municipal transportation infrastructure are impacted by new development; and (2). Requiring new development to provide transportation infrastructure-improvements and other mitigation necessary to address the impacts of new development, and (2). Require new development to provide payment for or improvements to transportation infrastructure. Improvements and/or other mitigation to best address the impacts of new development, as is feasible given physical constraints of the. Transportation network and projects financial constraints of Rough_Proportionality.	The mitigation language needs to be restated development approval and/or permit is not co funding and/or building transportation infrast mitigate traffic caused by the development. T Imagine Austin, we recommend that this lang prioritization of density in urban zones (cbd a

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at only an applicant whose ral by the Land Use Commission or / variance. Section 25-6-86 in the vho is seeking a ROW variance. Id be allowed by all types of application type.		
cation and are too broad. The quirements give too much e application process is not		
is section is problematic as it can and that the landowner may not code that clarifies what is fication and an edit to this section of-way dedication by the landowner tidary.		
dedications related to state, led transportation networks which is ge in this section is too general and removed as it creates an er upon the landowner where an example, every project that is r required to go through TxDOT to necessary dedication and		
tated in such a way that a ot contingent upon development rastructure improvements to nt. To accomplish the goals of language is modified to allow for a bd and corridors).		
tated in such a way that a ot contingent upon development rastructure improvements to nt. To accomplish the goals of language is modified to allow for a bd and corridors).		

CHAPTER ARTICLE	DIVISION	SIRED PROP HANGES TO			I	NITIATE	D BY C	OMMS	SIONE	ĒR		EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER N
				ANDERSON	KAZI	kenny Mcgraw	NUCKOLS	SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT	MENDOZA TEICH			G	ENERAL SPECIFIC SECTION		
43.4	Division 23-9C-1: General Provisions		x					JSc						Purpose and Applicability	Yes	L	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 development in urban environments – langua development on congested streets that increa Language shall be crafted such that infill development
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 <del>1,000</del> <u>2,000</u> vehicle trips per day <del>or 100- peak hour trips;</del>	RECA: The lowered TIA threshold of 1,000 tri requirement to downtown discourages densit our corridors. To encourage Imagine Austin o critical mass for transit, as well as expedite in threshold for TIA requirements should be ree
43.6	Division 23-9C-1: General Provisions	x						JSc						Trip Calculation	Yes		23-9C-1020 (b)	(B) To determine a street's existing trip count, the director shall rely on most recent data or establish a current trip count based on generally- accepted guidelines regulations within this code or the Transportation. <u>Criteria Manual and utilizing the federally accepted measures for calculating vehicle trips.</u>	
43.7	Division 23-9C-1: General Provisions		x	Π				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															L			
43.9	Division 23-9C-2: Comprehensive Transportation Review							JSC									23-9C-2010 Purpose and Applicability (B)	(B) Compliance with this division is required if a proposed development- is anticipated to generate impacts of at least 1,000 vehicle trips per day or 100 peak hour trips, after deducting any trip reductions approved by the director under Section 23 9D 2030 (Transportation Demand- Management)A Comprehensive Transportation Plan is required when both a 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 additio modification, consider including a threshold b that aligns with method of study and determin (such as peak hour analysis) to provide more
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- eity council, for a zoning application other than a planned unit- development.	
43.12								JSc									23-9C-2020 Transportation Impact Analysis (C)(1)(b)	<ul> <li>(C) Timing of Submittal.</li> <li>(1) Initial TIA. If a proposed development meets the trip threshold established in Section23-9D-2010 (Purpose and Applicability), an initial transportation impact analysis:</li> <li>(a) must be submitted with an application for a site plan or subdivision. or planned unit development zoning district; and</li> <li>(b) may be submitted at the applicant's discretion, or as required by theeity council, for a zoning application other than a planned unit-development.</li> </ul>	The conflicting timing concepts between (C)( removed. TIA submittal requirements should Current draft language suggests that City Co when it is not initially required, which could ac 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 mea code can be adopted
43.14	Division 23-9C-2: Comprehensive Transportation Review		x					JSc						Transportation			23-9C-2030(C)	(C) Timing of Submittal. (1) 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- malysis 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 appear to be inefficient by requiring multiple e concurrently. The timing of TDM submittal co TDM plan should be submitted in lieu of a TIA needs to be clarified. To be more clear and p timing of a TDM submittal becomes part of a the predevelopment summary identifies any a 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 OC 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 eost 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 OC 4 (Development- Conditions and Mitigation) and may be subject to conditions under- Section 23 OC 1030 (Waiver of Transportation Review).	CONTD

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on is not always an option for new nguage needs to allow for infill ncreases transit ridership over time. development is not restricted.		
00 trips/day and application of said ensity in the urban core and along stin density goals and create a ite increased housing supply, the reevaluated.		
		Dtwn Comm: 2010 exempt TIAs and allow TDMs in CC & DC zones
Idition to the suggested old based on alternate methodology rmination of impact at intersections more certainty and predictability.		
(C)(1)(a) and (C)(1)(b) should be ould be clear and predictable. / Council can ask for a TIA even IId add 6-9 months to the		
measures before this section of		
a and timelines are unclear and iple studies to be reviewed al could be simplified. Whether a a TIA and/or concurrent with a TIA nd predictable, we suggest that the of a predevelopment meeting and any and all studies required for the		

CHAPTER	DIVISION	DESIRED PROPOSED CHANGES TO D3		INITI	ATED B	Y COMM:	SSION	IER		EX	OFFICIO	TOPIC AREA	REQ. ADD' STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
			ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER Shifh	THOMPSON	WHITE SHAW	BURKARDT	MENDOZA TEICH			G	SENERAL SPECIFIC SECTION		
43.16	Division 23-9C-2: Comprehensive Transportation Review	x				JSc						Transportatio	n		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 ar appear to be inefficient by requiring multiple concurrently. The timing of TDM submittal c TDM plan should be submitted in lieu of a T needs to be clarified. To be more clear and timing of a TDM submittal becomes part of the predevelopment summary identifies any applicant.
43.17	Division 23-9C-3: Neighborhood Transportation Impact Analysis																
43.18	Division 23-9C-3: Neighborhood Transportation Impact Analysis	X				JSc						Transportatio	n Yes		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 i predictable process, multi-modal transportat and defined in code. The code should includ approved "modes" and specific goals of mor implementing code policies regarding redire
43.19	Division 23-9C-3: Neighborhood Transportation Impact Analysis	x				JSc						Transportatio	n		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	
<b>44</b> 44.1	Article 23-9D: Development Conditions and Mitigation Division 23-9D-1: Action on Development Application								T								
44.2	Division 23-9D-1: Action on Development Application	x				JSc											
44.3	Division 23-9D-1: Action on Development Application	x				JSc						Nonzoning			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						Nonzoning			23-9D-1030 (B)(1)	(1) Delaying or phasing development until construction of municipal transportation infrastructure required to accommodate vehicle trips- generated by the development or other transportation improvements- necessary to directly serve the development; or	
44.5	Division 23-9D-1: Action on Development Application	x				JSc						Nonzoning		T	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						Transportatio	n		23-9D-1030 (C)	Update section (C) to read as follows: "To the extend authorized under division 23-9D-2 (transportation INfrastructure IMprovements), and within limits of a projects approved Rough Proportionality Determination per section 23-9-XX, the director may condition development approval on the construction, dedication or funding of municipal transportation infrastructure improvements that would benefit the transportation system immediately adjacent to the development and assist in mitigating the effects of newly generated traffic from the development."	Need to clarify that application cannot be co over/above RP value.
44.7	Division 23-9D-2: Transportation Infrastructure Improvements																
44.8	Division 23-9D-2: Transportation Infrastructure Improvements	x				JSc						Transportatio	n	T	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 Tran with requirement for TDM per 23-0C-2030(A
44.9	Division 23-9D-2: Transportation Infrastructure Improvements	x				JSc						Transportatio	n		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 sho incentivized (similar to 2010(B) language)
44.10	Division 23-9D-2: Transportation Infrastructure Improvements	x				JSc						Transportatio	n		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 fur responsible for managing funds and improv them accountable.
44.11	Division 23-9D-2: Transportation Infrastructure Improvements	x				JSc						Transportatio	n		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 housing projects regardless of whether they proposal as they serve to benefit all affordat
<b>45</b> 45.1	Article 23-9E: Right-Of-Way Construction Division 23-9E-1: General Provisions						1										
45.1	Division 23-9E-1: General Provisions Division 23-9E-2: Construction License	C	┠┼┤			$\left  \right $		+	+	$\square$	+						
45.2	Division 23-9E-2: Constitution Eldense Division 23-9E-3: Right-Of-Way Permit	C	┠┼┤			$\left  \right $		++	+	$\mathbb{H}$	+						
45.4	Division 23-9E-4: General Design and Maintenance	C	+++			$\left  \right $		+	+	$\mathbb{H}$	+			-			
45.5	Requirements Division 23-9E-5: Drivways and Alleys	С	┠┼┤	$\left  \right $	$\vdash$	$\left  \right $	-	++	+	$\vdash$	+			+		-	
45.6	Division 23-9E-6 Sidewalks, Urban Trails, Street Trees																
45.7	Division 23-9E-6						Ι		Ι						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 communi need a healthy tree canopy.
40	Article 23-9F: Street Design																

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	YES/NEUTRAL /NO	STAFF RESPONSE
s and timelines are unclear and		
iple studies to be reviewed al could be simplified. Whether a a TIA and/or concurrent with a TIA and predictable, we suggest that the of a predevelopment meeting and any and all studies required for the		
on is unclear. In order to create a ortation concepts should be clear Jude a list of allowable and mode split for purpose of directing traffic to other modes.		
	-	
conditioned based on request		
ranspo Plan here creates conflict 0(A)(2)		
should not be required and rather 9)		
funds if not used; The City is rovements so this is a way to keep		
I be applied to all affordable hey follow the City SMART housing dable renters		
nunities." Complete communities		

CHAPTER	DIVISION		SIRED PROPOSED CHANGES TO D3			INITI	IATED B	Y COMMS	SSIONE	R	E		TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
				NDERSON	<b>HART</b>	(AZI (ENNY	ACGRAW AUCKOLS	JLIVER CHISSLER	EEGER HIEH	'HOMPSON WHITE	HAW	AENDOZA EICH			GENERA	L SPECIFIC SECTION		
46.1	Division 23-9F-1: General Provisions				Ť	Ĩ	Ĺ	ĽЦ		ГĹ								
46.2 46.3	Division 23-9F-2: Access to Major Streets Division 23-9F-3: Street Layout	-							_	$\left  \right $						-	-	
<b>47</b> 47.1	Article 23-9G: Road Utility Districts Division 23-9G-1: Transportation Demand Management				11				Ť					н П				
47.2	Division 23-9G-2: Construction of Facilities	C														-		
Chapter 2	3-10: Infrastructure	2	E MINOR MAJO	DR										YES/NO	YES/NC	)	-	
<b>48</b> 48.1	Article 23-10A: Austin Water Service Division 23-10A-1: General Provisions	-			Т									1				
48.2	Division 23-10A-2: Extension of Service, General Provisions																	
48.3	Division 23-10A-3: Extension of Service, Cost Participation																	
48.4	Division 23-10A-3: Extension of Service, Cost Participation		x					JSc					Nonzoning			23-10A-3040 (D)		In many cases the City may deny cost partici and will still require the developer to build ou increase the pipe size to serve adjacent prop By limiting it only to servicing the proposed p development on that site it will limit potential
48.5	Division 23-10A-4: Tap Permits																	
48.6	Division 23-10A-4: Tap Permits		x					JSc					Nonzoning			23-10A-4080 Refund of Tap Permit Fee (B)	Strike "before the expiration date of the permit" because it should allow a request for a refund to be made at any time	
<b>49</b> 49.1	Article 23-10B: Water Districts Division 23-10B-1: General Provisions	<u> </u>			ТТ		ГТ		Т	П		ТТ		1				
A-49.1.1	Division 23-10C-1: General Provisions		x					JSc					Nonzoning			23-10C-1030 (C)	Funds may be disbursed as reasonably necessary to carry out the purposes; provided that a fee shall be expended within a reasonable period of time, not to exceed 10 years, from the date the fee is deposited into the account. In the event that a fee is not expended within 10 years of a deposit, it may be reimbursed to the payee.	This clarifies that a fee not used in 10 years i payee. This should encourage the city to be i funds and performing the capital improveme
49.2	Division 23-10B-2: Procedure for Creation	С																
49.3	Division 23-10B-3: Conditions and Restrictions on Consent to Creation of District	С																
49.4	Division 23-10B-4: Out-of-District Service	С																
49.5	Division 23-10B-5: Amendment to a Consent Document or an Agreement with a Water District	С																
49.6	Division 23-10B-6: District Bond Issuance Article 23-10C: Water and Wastewater Capital Recovery Fees	С																
50.1	Division 23-10C-1: General Provisions									Ш								
50.2 50.3	Division 23-10C-2: Fee Established Division 23-10C-2: Fee Established		x					JSc					Nonzoning			23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a-site plan- or-building plan review; or	This ensures that the impact fee being paid i is performing the impact.
50.4	Division 23-10C-3: Determination of Service Units	С							_									
50.5	Division 23-10C-4: Exemptions	C																
50.6		С																
51 51.1	Article 23-10D: Reclaimed Water Division 23-10D-1: Reclaimed Water	С		Т	ТТ					П		ТТ		1	II			
52	Article 23-10E: Drainage Division 23-10E-1: General Provisions									<u> </u>								
52.1 52.2	Division 23-10E-1: General Provisions		x					JSc					Nonzoning			23-10E-1050 Obstruction of Waterways Prohibited	Unless authorized by a development application approved in compliance with Title 23, a person may not place, or cause to be placed, an obstruction in a waterway or drainage easement used for overland conveyance if the obstruction would cause impact to the conveyance of the waterway or drainage easement.	Clarifies that an easement may be obstructe does not cause impact to the conveyance.
52.3	Division 23-10E-1:		x					JSc					Nonzoning			23-10E-1060 Duty to Maintain Ubnobstructed Waterways	A waterway or other drainage infrastructure located within a City. drainage easement of any type shall be maintained by the City of Austin. The person in control of real property traversed by a waterway or drainage easement is prohibited from obstructing the waterway or drainage easement is accordance with 23-10E-1050 and shall be responsible for alerting appropriate City Officials of any obstructions within the waterway or drainage easement promptly upon discovery. Removal of naturally occurring obstructions is the responsibility of the City of Austin. Removal of unauthorized, manmade obstructions within the waterway is the responsibility of the party responsible for placing the obstructions, must keep the waterway free from an obstruction that is- not authorized by a development application approved under Title 23.	This clarification eliminates the instances wh required to remove the obstruction in a City of an obstruction (tree or tree branch, etc.) end
A-52.3.1	Division 23-10E-3: 23-10E-3010 Criteria For Approval of Development Applications	x									TS		Drainagecritie rs for new and redeveloped		yes	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 peal match the peak flow rate discharge for under prescribed on the Drainage Criteria Manual.
	3020 - Certificate of Engineer Required for Certain Alterations and Improvements		x								ΤS		Certificate of Engineer Required for Certain			3020 -	DELETE: (8)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

ER NOTES		
	YES/NEUTRAL /NO	
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rticipation due to lack of funding d out the new infrastructure or properties at the applicant's cost. ad property and proposed tital abuse of overreach by AWU.		
ars may be refunded to the original be diligent about expending the ments.		
aid is directly related to the unit that		
icted, provided that the obstruction		
where a property owner would be ity owned easement as a result of anding up there due to conveyance.		
beak flow rate of discharge to developed conditions as ial.		The addendum clarifies that this applies to site plans and subdivisions.
vent State P.E. Rules.		

CHAPTER ARTICLE	DIVISION		IRED PROPOS IANGES TO D			INIT	ATED BY	сомм	SSIONEF	ł	EX	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
					ANDERSON HART	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION		
52.5	Division 23-10E-2: Drainage Studies; Erosion Hazard Analyis; Floodplain Delineation																	
52.6	Division 23-10C-2: Fee Established		x					JSc					Nonzoning			23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a site plan- or-building plan review; or	This ensures that the impact fee being paid is is performing the impact.
52.7 52.8	Division 23-10E-3: Standards for Approval 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:	Provide alternative options. Potential options
													Nonzoning				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.	
52.9	Division 23-10E-3: Standards for Approval			x				JSc					Nonzoning			23-10E-3020 Regional Stormwater management Program (C) [NEW]	(C) The director may approve additional reductions to participation in the Regional Stormwater Management Program if: (1) The applicant. contributes towards the cost of drainage studies for the watershed (2). The applicant constructs off-site improvements in lieu of payment.	This amendment incentivizes the developer to studies or construct off-site improvements the
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 match the peak flow rate discharge for undev 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
52.12	Division 23-10E-5: Responsibilities of Applicant or Owner																	
52.13	Division 23-10E-5: Responsibilities of Applicant or Owner			x				JSc					RSMP and Downstream Conveyance			23-10E-5020 Dedication of Easemetns and Rights- of-Way	(B) An easement or right of way required by Subsection 23 10-5020 (A) must be of sufficient width to provide continuous access for the operation, maintenance, or repair of a drainage facility, as prescribed in the Drainage Criteria Manual.(C) The applicant must dedicate any additional easement or right of way that is necessary to allow continuous access for the operation, maintenance, or rehabilitation of a drainage facility.(B) The applicant must be 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 a intentions of both.
Chapter 23	3-11: Technical Codes (TBD) Article 23-11A: Introduction	NONE	MINOR M	MAJOR										YES/NO	YES/NO			
<b>54</b> 54.1	Article 23-11B: Technical Codes Division 23-11B-1: Building Code											11	11			1		
54.2	Division 23-11B-2: Food Establishments																	
54.3	Division 23-11B-3: Reserved																	
54.4	Division 23-11B-4: Electrical Code Division 23-11B-5: Mechanical Code	_		_														
54.5 54.6	Division 23-11B-6: Plumbing Code			-						_								
54.7	Division 23-11B-7: Fire Code																	
54.8	Division 23-11B-8: Solar Energy Code																	
54.9	Division 23-11B-9: Property Maintenance Code			_														
54.10 54.11	Division 23-11B-10: Reserved Division 23-11B-11: Residential Code		-		$\vdash$	$\vdash$	+			+	$\vdash$	++						
54.12	Division 23-11B-12: Energy Code		$\vdash$		$\vdash$	$\vdash$				+	$\vdash$	++						
55 Olyman (am 01	Article 23-11C: Administration of Technical Codes	NONE										• •	_	VECTO	VEC /NR			-
Chapter 23	3-12: Airport Hazard and Compatible Land U Article 23-12A: General Provisions	SNONE	WINOR N	MAJOR										YES/NO	YES/NO			
56.1	Division 23-12A-1: Height Limits and Airport Hazards	С																
56.2	Division 23-12A-2: Compatible Land Uses	С																
56.3	Division 23-12A-3: Nonconforming Uses, Structures, and Objects; Marking and Lighting	С																
56.4	Division 23-12A-4: Permits	С										$\uparrow \uparrow$						
	3-13: Definitions and Measurements	NONE	MINOR N	MAJOR										YES/NO	YES/NO			
<b>57</b> 57.1	Article 23-13A: Definitions and Measurements Division 23-13A-1: Terms and Measurements									1		1 1						
1.10																		

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a poid in dispath, salated to the cost of the		
paid is directly related to the unit that		
options listed here	-	
Nonor to porticipate in decisions		
eloper to participate in drainage ents that benefit the whole watershed.		
nt peak flow rate of discharge to r undeveloped conditions as		
anual.		
unvent State P.E. Rules.		
th the amendment which clarifies the		

CHAPTER	AKTICLE DIVISION	ESIRED PRO			IN	NITIATE	D BY CO	ommssi	IONER		EX	OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
	_			ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER	SHIEH	THOMPSON WHITE	SHAW BURKARDT	MENDOZA TEICH			GEN	ERAL SPECIFIC SECTIO	N	
57.2	Division 23-13A-1: Attached	x								тw			DEFINITIONS			13a-1 pg 3	ATTACHED-When used with reference to two or more <del>buildings</del> units, means having one or more common walls or being joined by a roof; eovered porch or covered passageway measured 20' in depth from the front lot line to rear.	
57.3	Division 23-13A-1: Conserve	x								τw			DEFINITIONS				Conserve: to maintain the height, footprint and roof line of an existing building for the first 25' as measured from the building line toward the rear lot line	
57.4	Division 23-13A-1: Gross (GFA)		x							тw			DEFINITIONS			13A-1 pg.11	GROSS (GFA) The total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The term excludes loading docks, 1st floor porches, stoops, basements, attices, stories below grade plane, parking facilities, driveways, and enclosed loading berths and off-street manuvering areas	The intention with this change is to reduce the toreduce the cost of projects by making it ea easier to review. It would also reduce the nu- of FAR limits by homeowners who turn exer space. This change would go hand in har allowable FAR in all residential zones.
57.5	Division 23-13A-1: Small Area Plan									тw				x			Small Area Plan (MISSING). Please add.	Small Area Plan (MISSING). Please add. S planning tool and are referenced in Draft 3, y
57.6	Division 23-13A-1: Stepback									тw				x			Stepback (MISSING). <u>Please add.</u>	Stepback (MISSING). Please add. The term throughout 23-4D, but is not defined. The cu but that is not the same thing.
57.7	Division 23-13A-1: Urban Core									τw							Urban Core (MISSING). <u>Please add.</u>	Urban Core (MISSING). Please add. 'Urbar 3 to describe geographical areas where cert so this needs a clear definition, ideally with li currently defines it only in the context of Parl
57.8	Division 23-13A-1: Valid Petitions									тw				x			please add a definition for Valid Petitions, including applicability, procedures, etc., similar to what the draft provides for Vested Rights Petitions in 23-K-2	In the interest of fairness, please add a defir including applicability, procedures, etc., sim Vested Rights Petitions in 23-K-2
57.9									JS h				Attached			23-13A-1030	When used with reference to two or more buildings ADD - When used with reference to duplex or single family dwellings with dual same street frontage, means being joined by a roof of 20' minimum measured perpendicular to the street frontage.	this will be tweak by workging group
57.10	Division 23-13A-1: Terms and Measurements		x					JSc					Definitions			23-13A-1030	Delete Deficient Park Area Map definition and replace with " <u>Proximity</u> to Park Area Map": "A map depicting areas that the Parks Director has by rule determined lack sufficient parkland based on the criteria in 23-3B- <u>1 and 23-3B-2</u> "	Delete Deficient Park Area Map definition ar Park Area Map"
57.11	Division 23-13A-1: Terms and Measurements	x						JSc					Definitions			23-13A-1030	HEIGHT, ACCESSORY STRUCTURE. Height, for the purpose of establishing required setbacks, shall be defined for every point within the footprint area of an accessory structure, including a tree house, as the vertical distance between <u>finished grade</u> and the highest part of the structure directly above. Height in all cases shall include, but is not limited to, any slab, platform, pad, mound or similar elevated base above pre-existing grade.	Provides much needed clarity - height requine a subject for debate.
57.12	Division 23-13A-1: Terms and Measurements	x						JSc					Definitions			23-13A-1030	UNIFIED DEVELOPMENT AGREEMENT. An agreement approved at the discretion of the responsible director in order to treat two or more legal lots or tracts, as a single site for the purpose of applying specified regulations of the Land Development Code, including sites zoned for residential use.	UDA's are currently not allowed on residenti aggregation that is often required to achieve Allows more flexible site planning for tree pr
57.13	Preservation					КМ				TW							Preservation is defined as the act or process of applying measures neces- sary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, elec- trical, and plumbing systems and other code-required work to make prop- erties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment. The Standards for Preservation require retention of the greatest amount of historic fabric along with the building's historic form.	Per secretary of Interior - proposed by HLC
57.14	Division 23-13A-1: Terms and Measurements									Τ			DEFINITIONS				Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.]	Per HLC recommendation, from Dept of Inte
A-57.14.1		x									TS		Large Site Definition	YES		Division 23-4C-1	Add definition to 23-13 Definitions and Measurements	Large sites is a new term and needs to be o
57.15						км							Definitions			23-13A-1030	REWRITE PER EXISTING MCMANSION CODE	This should say NATURAL grade NOT FINI
A-57.15.1	neighborhood plans									т W			definitions				Add a definition	
57.16	Division 23-13A-2: Land Uses																	

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ER NOTES	_	1
	YES/NEUTRAL /NO	STAFF RESPONSE
te the amount of exemptions t easier to calculate the FAR and number of unintentional violations xempted space into habitable hand with an .05 increase to the		
d. Small area plans are a major city 3, yet not defined here.		
erm 'stepback' is used in e current draft does define setback,		
ban Core' is used throughout Draft certain zoning requirements apply th live link to map. The draft Parkland Dedication		
efinition for Valid Petitions, similar to what the draft provides for		
n and replace with "Proximity to		
quirements interpretations shouldn't		
ential sites. UDAs facilitate eve unit yields per AIA Charrettes. a preservation, etc.		
HLC		HLC: 1030 Define Preservation
Interior.		HLC: 1030 Define Preservation
be defined in 23-2M-1030 Terms.		
INISHED GRADE		

ARTICLE ARTICLE ARTICLE ARTICLE ARTICLE ARTICLE ARTICLE CHANGES LO					INITIATED BY CON					IMSSIONER			EX O	FFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER
					ANDERSON	HART KAZI	KENNY MCGRAW	NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON	WHITE SHAW	BURKARDT	MENDOZA TEICH			GENERA	L SPECIFIC SECTION		
57.17	Division 23-13A-2: Land Uses		x		GA	FK			JSc						Definitions			23-13A-2030(C)	Cooperative Housing: A housing use operated by a cooperative (under Section 251.002 of Texas Business Organizations Code), or a nonprofit or other entity in which residents are entitled equal voting rights, and equal ownership shares if the cooperative sells shares.	Amend Language
57.18	Division 23-13A-2: Land Uses		x			FK									Definitions			23-13A-2030-A	ACCESSORY DWELLING UNIT 1. RESIDENTIAL. A subordinate dwelling unit added to, created within, or detached from a primary residential structure that provides basic. requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the primary structure. A tiny home, Manufactured Home or Recreational Vehicle that does not have a motor may be used as a residential accessory dwelling unit. 2. COMMERCIAL. A subordinate dwelling unit added to, created within, or detached from a primary commercial structure that provides basic requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the primary structure.	
57.19												τw				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 this area will be redefined
57.20	High Opportunity Area											тw							Please add definition of <b>Multi-Unit.</b>	Please add definition of <b>Multi-Unit</b> . While Dureferences to Multi-Family, it replaces this te
57.21	Multi-Unit											тw				x			Affordable Housing (INCOMPLETE). <u>Please replace or augment</u> current definition with: "See Article 23-3E: Affordable Housing."	23-4D. Please provide a definition for both te
57.22	Affordable Housing											тw			definitions	x		specific definition	remove work/live definition	this is redundant with the definition for live w simplyfies anything and I think it'll end up bei
A-57.22.1	live/work & work/live		×							151					accessory apartment					REINSTATE accessory apartment "USE" AL 23-4D-2030 LAND USE TABLE - ADD USE 23-4D-6050 ACCESSORY USES - ADD DEFINITI 23-13A-2030 LAND USES - ADD DEFINITI 25-2-901 - ACCESSORY APARTMENTS. A na accessory apartment is a separate dwi within the principal structure of a single-fami occupied by at least one person who is 60 yr disabled. B. If space within a principal structure is con apartment, the accessory apartment may no 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 build remodeling of an accessory apartment unles building official an affidavit verifying that one the accessory apartment is 60 years of age i
A-57.22.2										ISI	n				accessory apartment					Accessory Apartment Allowed Use - Reincoo Internal to an existing home - adaptive reuse Internal to main house, http://www.plgrove.org/documents/faq-acce Should firewall separation be required betwe main dwelling? No. This is required for a duplex, but not nor apartments. It is a substantial cost that woul existing situations that might cause difficultie apartment Is considered a part of the same I normally the main dwelling unit is required to proposed definition as refined over the years Attached: A subordinate dwelling, which has sanitation facilities, within or attached to a single family residential buildin Detached: Within a detached accessory stru Family dwelling. https://extension2.missouri.edu/gg14 Mention costs to do an accessory apartment
A-57.22.3	Designated Review Group											TW			missing defs	x			Please add definition and details	Clearly define <b>Designated Review Group. I</b> "Designated Review Group," which it invest fails to provide any definition, including how selected and by whom, qualifications for mer whether the group is subject to the Open Mee provide clear standards for this group
A-57.22.4	micro units, modular, mobile	homes													missing defs	x			Please add definitions	let's discuss why these aren't included as de code?
57.23	micro units, modular, mobile		x									тw			missing defs	x			Please add definitions	let's discuss why these aren't included as def code?

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ER NOTES		
	YES/NEUTRAL /NO	
		STAFF RESPONSE
milies and should be allowed.		
o be added to mandate how often		
e Draft 3 still contains a few is term with Multi-Unit throughout th terms.		
e work. I don't see how this being subjective which is which.		
" ALLOWED IN ALL R ZONES ISE D SECTION		
IITION S. dwelling unit that is contained		
amily residence, and that is 0 years of age or older or physically		
converted to an accessory y not include:		
uilding permit for construction or nless the applicant delivers to the one of the proposed occupants of ge or older or physically disabled.		
ncorporated and allowed use. Buse		
ccessory-apartments.pdf etween the AA and the		
normally required for Accessory vould need to be required for most ulties for compliance. An accessory ne home and structure, and ad to have access to it.		
ears is:		
has its own eating, sleeping, and		
Ilding; or structure associated with a single		
nent - very VERY affordable vs adu.		
<b>p.</b> Draft 3 repeatedly references a vests with significant authority, but		
ow review group members will be membership, terms of service, and Meetings Act. Please revise to		
s definitions or uses in our new		
s definitions or uses in our new		