

Planning Commission
CodeNEXT Recommendation Report to City Council

		Motion	Passed/ Failed	Vote Tallies			Vote by Commissioner											General or Specific	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions	
				Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON									WHITE
1	Original Motion	General Policy Guidelines 1. Establish triage points after the Council adopts the codes such as quarterly check-ins as problems are found with code language. Problems first are revisited by Planning Commission and then Council. 2. Complete rework of the Plan to Plan including transitions, centers, TODs, and Neighborhood Plans. Following the adoption of CodeNEXT, Land Use Commission revisit the Imagine Austin Centers and Corridors. 3. Process to phase out F25 with stakeholder input regarding items such as Conditional Overlays, TODs, etc. Process to be revisited by Planning Commision and then Council. 4. Prior to the Code being enacted, test and model the code in a wide-range of development scenarios with stakeholder participation, and testing of the financial impacts of the Code, including additional staffing needs, development fee increases, Density Bonus Program resources, and a quantified effect of working in two codes. Staff and consultants to prepare a Report Card of the Planning Commission mapping recommendations. After the Code has been implemented, additional testing to help inform the triage process and measure if the added density is delivering. the anticipated affordable units. 5. Entire Code needs to be reviewed by a Master Editor prior to adoption 6. Planning Commission Recommendation is the starting point for Council Review. 7. Land Use Commission's recommendation is shown to Council by each Division. Prior to the Code adoption, Staff to show Council what major elements of Title 25 are not being included in CodeNEXT. 8. Performance mechanisms be identified by PC and staff to show the success and failures of the Code, particularly as it relates to Affordable Housing, displacement, demolition, review times/ permitting, and Imagine Austin Performance Indicators. 9. Staff and Council explore methods to capture the added value of the added density along corridors to help finance transit projects along corridors.	Passed	11	0	0							absent		absent					General						N/A
2	Original Motion	Staff to continue to review items and exhibits in all chapters presented in the May 25th Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet by individual commissioners that were unacted on, and to identify ways to continue to improve Draft 3 for Council's Deliberation. Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet shall also be given to Council.	Passed	9	2	0						absent		absent					General						N/A	
3	Original Motion	Where there is conflict between amendments made by the Planning Commission, Staff works to rectify those conflicts utilizing voting data and other related motion to help prioritize the final recommended action, and present them to Council for their action.	Passed	10	0	1						absent		absent					General						N/A	
4	Original Motion	Reduce length of non 23-4 Sections by 20%. Identify a Master Editor who should identify measures in Non 23-4 chapters to reduce extreme length to assist in achieving CodeNEXT goal for code simplicity.	Passed	12	0	0					absent								General						N/A	
	Amendment to Original Motion	Reduce by 30% instead of 20%	Passed	12	0	0																				
5	Original Motion	Recommend approval of Chapter 23-1 with amendments previously approved and the following additional changes: 1. Where Chapter 23-1 conflicts with current policy related to the Neighborhood Planning Contact Team, corrections to those discrepancies are made.	Passed	9	2	0													General						N/A	
6	Original Motion	Add language to 23-1A-6010 and 2301A-6020 regarding Minimum Development Potential as shown in Steven Oliver Exhibit 1	Passed	7	5	1													Specific	23-1A-6010 & 23-1A-6020	Oliver Exhibit 1 - Minimum Development			A-1.7.1		
	Amendment to Original Motion	Add language that leaves this to the discretion of the director	Failed	4	8	1																				
	Amendment to Original Motion	Exclude Heritage Trees	Passed	10	2	1																				
7	Original Motion	Recommend approval of Chapter 23-2 with amendments previously approved	Passed	9	2	0												General						N/A		
8	Original Motion	Sections 23-2A-3030(B)(2) and 23-2A-3040(B)(2). Direct Staff to look at on-site alternatives that could be applied without triggering an engineer's letter and these should be directly proportional to the size of the expansion or construction such as the following alternative language: (2) Provide an affidavit from both owner and applicant, agreeing to preserve or improve existing drainage patterns and to provide an engineered grading plan and complete the work specified therein if it is determined by the Building Official that there has been an adverse impact to adjoining lots attributable to an as-built condition within one year from the date of the certificate of occupancy, if the construction, remodel or expansion is: (A) more than 300 square feet; and (B) Located on an unplatted tract or within a residential subdivision approved more than five years before	Passed	8	1	2						absent		absent				Specific	23-2A-3030(B)(2) 23-2A-3040(B)(2)		Sheih Exhibit 1 - Engineer's Letter			3.7		
9	Original Motion	Where an existing single-family home has been made non-conforming by the new code, that home can be renovated or rebuilt under today's standards. Staff to adjust language to not penalize existing homes that do not conform to the new zoning.	Passed	11	0	0					absent		absent					Specific	23-2G-1060-D-1					9.3	A-9.16.1	
10	Original Motion	Recommend approval of Chapter 23-3A, 3B, 3C, and 3D with amendments previously approved	Passed	8	2	1												General						N/A		

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11		Recommend approval of Chapter 23-3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns: 1. Establish as additional items of intent for the program to: a. meet the annual affordable housing goals set forth by city council; b. generally permit sites to utilize affordable bonus entitlements; and c.maximize affordable units in high-opportunity areas, whether built on-site or financed via fee-in-lieu. 2. Reinstate expedited review for SMART Housing and expand it to the Affordable Housing Bonus Program at all stages for projects that participate in the program per the original requirements of 2000. 3. Explore a Super Density Bonus for large-scale affordable projects that offer over 50% of units as affordable 4. Establish a Density Bonus pilot program with a revision and review window of 18-months with an annual re-evaluation period to ensure the program is properly calibrated, and staff and consultants to continue to hold workshops with stakeholders, including affordable housing advocates, builders, affordable housing builders, construction companies, developers, and community advocates to continue to work out the bonus program.	Passed	10	0	1						absent	absent						General			White Exhibit 1 Pages 20-25 (Edits to the SMART program) and White Exhibit 1 Pages 45-48 (SIMPLICITY & HOUSING BLUEPRINT GOALS) Kenny Exhibit 3 - Affordable Housing Bonus Program								
12	Original Motion	Upon Council's review of Section 23-3E, Council consider sending that division back to the Planning Commission for additional feedback	Passed	9	2	0					absent	absent							General										N/A	
13	Original Motion	Recommend approval of Chapter 23-4 with amendments previously approved	Passed	7	2	2													General										N/A	
14	Original Motion	Strike " that are intended to promote compatible land patterns- " and add "that address the social and environmental values described in 23-1A-1020."	-	-	-	-																								
	Substitute Motion	Reference back to the Comprehensive Plan (23-1A-1020) as recommended by staff	Passed	12	1	0													Specific	23-4A-1010									20.2	-
15	Original Motion	List NCCDs and NP as Overlay Zones in Section 23-4A-2020(H)	Failed	5	8	0													Specific	23-4A-2020(H)									20.4	-
16	Original Motion	Eliminate the Downtown Plan overlay until Small area plan can be completed with funding assistance provided by DAA.	-	-	-	-																								
		Increase the base entitlements in DC per DAA recommendation, including: - Increase driveway width maximum to 30' to allow for 3 lanes of traffic flow - Frontage Requirements: 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. - (intent) Recalibrate the Downtown Density Program to maximize the yield of affordable housing units in a way that does not impede taking up of the bonus, particularly related to small lots - FAR and height for the PID area, not including Judge's Hill, be increased to unlimited for the Density Bonus Program	Passed	12	0	1													Specific	23-4D-6080									23.205	
17	Original Motion	Change DC zone FARmax to 12:1.		7	6	0													Specific	23-4D-6080									20.5	23.225
																													23.223	
18	Original Motion	1020 Conditional Use Permit (F)(2) Late Hours Permit (a) If the Land Use Commission approves a conditional use permit for bar, nightclub, or restaurant with a late-hours permit or with outdoor 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 required to obtain approval of a conditional use permit. , unless the use is located within an enclosed shopping center. (b) The Land Use Commission may waive the 200-foot restriction if it finds that the effects of a parking area are sufficiently mitigated based on the criteria in Subsection (E).	-	-	-	-																								
	Substitute Motion	Move this section to Specific for Use for Restaurant and Bar	Passed	12	0	1													Specific	23-4B-1020(F)(2) 23-4E-6: Specific to Use									21.4	
19	Original Motion	WHITE_Exhibit_Conditional Use Permits: Please amend Draft 3 to reinstate the clear Conditional Use Permit standards and other key provisions in LDC 25-5-142 through 25-5-150.	Divided	-	-	-																								
	Divided Original Motion 1	Reinstate LDC 25-5-148 to ensure compliance with conditions imposed by Council or Commissions	Failed	4	8	1																								
	Divided Original Motion 2	Reinstate existing CUP requirement for late-hours bars and restaurants, including current code’s 200’ parking buffer in proximity to House-Scale Residential Zones.	Withdrawn	-	-	-																								
	Divided Original Motion 3	Reinstate LDC 25-5-150 to prevent revolving door for same CUP requests	Passed	7	6	0																								
	Divided Original Motion 4	Reinstate LDC 25-5-145(C)(4) to ensure Large Retail Uses do not adversely affect future redevelopment	Passed	12	1	0																								
	Divided Original Motion 5	Reinstate all current requirements in LDC 25-5-145, Evaluation of Conditional Use Site Plan (a) Draft 3 deletes the current mandate to determine compliance with specific requirements (b) Draft 3 deletes at least seven specific standards that CUPs must meet under current code (c) Draft 3 replaces specific requirements with three broad concepts and provides criteria only for consideration, not as required conditions of approval.	Tabled and Never Taken Up																											
	Divided Original Motion 6	Reinstate LDC 25-5-1																												

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21	Original Motion	Section 23-4B-2040 (C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another responsible director to approve or disapprove a development application because of non-compliance with the zoning code may be appealed to the Board of Adjustment under Article 23-2I (Appeals).	Passed	9	2	1					Absent									Specific	23-4B-2040			21.11	
22	Original Motion	Change the word "Applicant" to "Owner" in Section 23-4B-3040	Passed	12	0	1														Specific	23-4B-3040			21.14	
23	Original Motion	Change the word "standards" to "regulations" in Section 23-4B-4010(A) and (B)	Passed	13	0	0														Specific	23-4B-4010(A) and (B)			21.16	
24	Original Motion	Change the word "standards" to "regulations" in Section 23-4B-4020(B)(1)(c)(iii)	Passed	13	0	0														Specific	23-4B-4020(B)(1)(c)(iii)			21.17	
25	Original Motion	Change the word "may" to "shall" in Section 23-4B-4030(C)	Passed	13	0	0														Specific	23-4B-4030(C)			21.18	
26	Original Motion	In Section 23-4C-1010(B)(1) and (2), add "and that have a zone that requires it ", and strike "four-aeres" and replace with "eight acres." In 23-4C-1040(B)(3), replace "eight-aeres" with "twelve acres"	Passed	7	6	0														Specific	23-4C-1010(B)(1) and (2) 23-4C-1040(B)(3)			22.5	
28	Original Motion	Delete 1020(M)(2)	-	-	-	-																			
	Substitute Motion	Instead of completely deleting 1020(M)(2), move this standard to the zone districts where the Code lists parking maximums, and if the applicant wishes to exceed the parking maximum of the zoning district then the site must incorporate at least three of the items listed in Table 23-4C-1020(A).	Passed	9	4	0														Specific				22.6	
29	Original Motion	Remove Section 23-4C-1030 Common Open Space	Passed	7	6	0														Specific	23-4C-1030			22.7 22.8 22.9 22.10 22.12 22.13 22.14 22.15 22.16 22.29	
30	Original Motion	Replace language in Section 23-4C-1040(B)(3) with: An application for a site plan or subdivision is not required to provide Civic open space when the site is: i) less than two acres, ii) located within one-quarter mile of a safe pedestrian travel distance of an existing and developed dedicated parkland that is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, and iii) not located in a Park Deficient Area as determined by the Parks and Recreation Department.	Failed	1	12	0																			
	Substitute Motion	Replace language in Section 23-4C-1040(B)(3) with: An application for a site plan or subdivision is not required to provide Civic open space when the site is: i) less than four acres, ii) located within one-quarter mile of a safe pedestrian travel distance of an existing and developed dedicated parkland that is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, and	Failed	4	8	1														Specific	23-4C-1040(B)(3)			22.17	22.21
31	Original Motion	Replace language in Section 23-4C-1040(B)(4) with: An applicant shall locate each residential lot within: (a) one-quarter mile of a safe pedestrian travel distance from existing or 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 or proposed civic open space if the development is located outside of the urban core Add a definition of "safe pedestrian travel"	Passed	11	0	2																			
	Substitute Motion	Strike Section 23-4C-1040(B)(4)	Withdrawn	-	-	-														Specific	23-4C-1040(B)(4)			22.18	
32	Original Motion	Strike Section 23-4C-1040 and all of Section 23-4C-2	Failed	5	8	0														Specific	23-4C-1040 and all of 23-4C-2			22.20	
33	Original Motion	Revise the purpose statement in Section 23-4C-2010 to: 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 comprehensive plan developments creating complete communities.	Failed	3	10	0														Specific	23-4C-2010			22.26	
34	Original Motion	Strike Section 23-4C-2050(D)	Passed	7	6	0														Specific	23-4C-2050(D)			22.31	22.32
	Original Motion	Strike Section 23-4C-2050(E)	-	-	-	-																			
35	Substitute Motion	Where appropriate for the nature of the Civic Open Space, the design shall make shade an integral feature for people utilizing the civic space.	Passed	8	4	1														Specific	23-4C-2050(E)			22.33	
	Original Motion	100% reduction in parking for properties located within a TOD	Passed	9	3	0						Absent													
36	Amendment to Original Motion	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.	Passed	10	1	1														Specific				22.34	
37	Original Motion	100% reduction of parking for properties located within UNO	Passed	7	4	1						Absent								Specific	23-4D-9130			22.34	
38	Original Motion	List "Live Music Venue" as a separate use that is permitted in all the same use tables with the same permission standards as "Performance Venue/ Theater," but without the requirements for alcohol sales. Define in Definitions	Passed	13	0	0														General				23.1	
40	Original Motion	Whatever the compatibility trigger is, setbacks and setbacks both start at the triggering property's lot line (regardless of an alley)	Divided	-	-	-																			
	Divided Original Motion 1	Whatever the compatibility trigger is, setbacks start at the triggering property's lot line	Passed	13	0	0																		23.2 23.20 23.145	
	Divided Original Motion 2	Whatever the compatibility trigger is, setbacks start at the triggering property's lot line (regardless of an alley)	Passed	13	0	0														General				23.170 23.193	

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Planning Commission
CodeNEXT Recommendation Report to City Council

		Motion	Passed/ Failed	Vote Tallies			Vote by Commissioner											General or Specific	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
				Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON	WHITE	SHAW						
50	Original Motion	Increase the base heights and bonus heights for Mixed Use and Main Street zones per Kenny's Exhibit 1 - Page 3 and 4 of 29	Failed	6	7	0															Kenny Exhibit 1 - Page 3 and 4 of 29			23.24	
51	Original Motion	Require a CUP for all Bars/ Nightclubs (Level 2 only) within 200 feet of a Residential zone rather than permitting by-right. Beyond 200 feet remains permitted by-right.	Passed	8	3	2																			
	Amendment to Original Motion	Add specific language in Specific to Use section for Bars and Nightclubs Allow any non-permitted alcohol uses in Draft 3 (Level 1 or Level 2) as a CUP within the MS zones, except MS1A and MS2A	Passed	11	0	2																		23.28	23.274
52	Original Motion	Amend Section 23-4B-1030 Minor Use Permits to allow an appeal to City Council if Planning Commission does not approve by 2/3	Failed	4	9	0																		23.30	
53	Original Motion	For Residential Zones that allow an ADU Preservation Incentive, change the name to ADU "Streetscale Incentive," and change the word "preserved" to "conserved." Add the definition of the word "conserved" to the definitions section	Passed	11	2	0																		23.33	
54	Original Motion	Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones	Passed	12	1	0																	A-23.33.1	23.77 57.3	
56	Original Motion	Reduce the number of uses to single family, two family, and multi-family Create a comparable Residential zone that maintains the 5,750 minimum lot size and a minimum 50 foot lot width	Divided	-	-	-																			
	Divided Original Motion 1	Reduce the number of uses to single family, two family, and multi-family	-	-	-	-																			
		Divided Original Motion with Amendments 1 and 2	Failed	6	6	1																			
		Divided Original Motion with Amendment 1 only	Failed	4	8	1																			
	Amendment to Divided Original Motion 1	Use the "unit" instead of "family"	Passed	12	1	0																			
	Amendment to Divided Original Motion 2	Leave "ADU" as a permitted use	Passed	8	4	1																			
57	Divided Original Motion 2	Create a comparable Residential zone that maintains the 5,750 minimum lot size and a minimum 50 foot lot width	Taken up under separate action	-	-	-																		23.35	
	Original Motion	Create comparable R zones in R1 and R2 that maintain the 5750 sf minimum lot size and a minimum 50' lot width. Number of zones to be created is to be determined by staff.	Divided	-	-	-																			
	Divided Original Motion 1	Create comparable R zones in R1 and R2 that maintain the 5750 sf minimum lot size and a minimum 50' lot width. Number of zones to be created is to be determined by staff.	Passed	7	6	0																			
	Divided Original Motion 2	Direct staff to map all existing 5750 as the proposed new zone.	Failed	2	9	2																			
	Substitute Motion	Leave all R1B, R1C, and R2C zones as 5,750 sf minimum	Failed	3	8	2																		23.37	23.35
58	Original Motion	Revise the purpose statement in Section 23-4D-2010 to: This division establishes the land use and building form requirements for property zoned residential house-scale. The requirements are intended to implement the Comprehensive Plan and address the social and environmental values described in 23-1A-1020. are intended to ensure that proposed development is compatible with existing and future development on neighboring properties. Additionally, the requirements are intended to produce an environment of desirable character, consistent with the Comprehensive Plan and any applicable area plan.	Failed	6	7	0																		23.159 23.160 23.185 23.191 23.207	
59	Original Motion	Allow a three units, attached or detached, as a residential use in the R3 zones. Exact definition and alterations to Use Tables to be determined by staff.	Passed	10	3	0																		23.38	
60	Original Motion	Remove Single-Family Attached as an allowed use in the R2A, R2B, R2C, R3A, and R3B zones	Divided																					23.43	
	Divided Original Motion 1	Remove Single-Family Attached as an allowed use in the R2A, R2B, and R2C zones	Failed	6	N/A	N/A																			
	Divided Original Motion 2	Remove Single-Family Attached as an allowed use in the R3A and R3B zones	Failed	2	8	3																		23.44	23.76 23.81
61	Original Motion	Add clarifying/ symbolic language to the Use Tables regarding the allowance and permitted timeframes of STRs	Passed	12	1	0																		23.46	
62	Original Motion	Add a "Small Lot Single Family Use" as a permitted use in R2C, R2D, and R2E with the following development standards: min. lot size: 2500 sf. max lot size: 4999sf min. lot width: 36' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5', Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max"	-	-	-	-																			
	Substitute Motion	Add a "Small Lot Single-Family Use" as a permitted use in R2D and R2E with the following development standards. R2C remains the same. min. lot size: 2500 sf. max lot size: 4999sf min. lot width: 36' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5', Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max"	Passed	9	4	0																		23.47	
63	Original Motion	In all R Zones, set the required lot size for an ADU to the minimum lot size for a single-family use. Retain all affordability requirements	Passed	11	1	1																		23.64 23.66 23.80	
64	Original Motion	Add a new zone to the Residential zones which has the same development standards as R1C, but does not permit an ADU	Failed	2	11	0																		23.70	
65	Original Motion	In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables	Passed	12	0	1																		23.72	

[illegible]

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		Motion	Passed/ Failed	Vote Tallies			Vote by Commissioner											General or Specific	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
				Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON								
78		Add Parking Facility as a permitted use with a CUP in RM2 zones and greater when adjacent to a Main Street or Mixed Use zone with the following design requirements to be stated in Specific to Use: (A) Screening: All areas used for parking, storage, waste receptacles or mechanical equipment shall be screened from a triggering property. Such screening may be a fence, berm or vegetation and shall be maintained by the property owner. Fences shall not exceed six feet in height. (B) Lighting: Exterior lighting shall be hooded or shielded so that it is not visible from a triggering property. (C) Noise: The noise level of mechanical equipment shall not exceed 70 db at the property line of a triggering property. (D) Waste: Waste receptacles, including dumpsters, shall not be located within 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 10pm and 7am. (E) From a parking structure facing and located within 100 feet of a triggering property: (1) Vehicle headlights shall not be directly visible, and shall be shielded from view (2) Parked vehicles shall be screened from the view of any public right of way; and (3) All interior lighting shall be screened from the view of a triggering property. (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.																							
	Original Motion		Passed	8	5	0													General			23.139			
79		Increase impervious cover in RM1A to 60% for all other uses beyond residential, unless the primary use is parking	Passed	13	0	0													Specific	23-4D-3050		23.140			
80		In the RM1A Zone: 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	-	-	-	-																			
	Original Motion	For RM1A and RM1B the following development standards be altered: McMansion tent (as McMansion is applied in Draft 3) apply Within 30 feet from a rear triggering property, height be limited to 2 stories Eliminate landscape buffer and articulation Side setback of 10 feet, as opposed to the 5 that is currently required in Draft 3	Passed	10	0	1	Absent						Absent						Specific	23-4D-3050 23-4D-3060		23.143			
81		Staff to review setback, landscape buffer, and stepback and eliminate one from the requirements	Fails	6	7	0													General			23.150	23.151 23.152 23.153		
82		Increase the height maximums in Main Street zones as follows: MS1A, MS1B: 35' to 40' MS2A, MS2B, MS2C: 45' to 65' MS3A, MS3B: 60' to 80', 120' with AHBP Bonus Increase the height maximums in Mixed Use zones as follows: MU1A, MU1B: 32' to 40' MU1C, MU1D, MU2A: 45' to 65' MU2B, MU3A, MU3B: 60' to 80' MU4A, MU4B: 60' to 80', 120' with AHBP Bonus MU5A: 100'	Not Acted On	-	-	-																			
	Original Motion	Change the bonus heights to those listed in the Original Motion Keep the base heights as D3 for all zones except: MS1A, MS1B: 35' to 40' MU1A, MU1B: 32' to 40'	Passed	8	4	0													General		Kazi Exhibit - MU/ MS Heights	23.156 23.178			
83		Allow Senior Housing with less than 12 residents as a permitted use in all MU1 zones Allow Senior Housing with greater than 12 residents as a MUP in MU1 zones	Passed	12	0	0						Absent							Specific	23-4D-4030		White Exhibit 1 - Page 7 of 48	23.162		
84		Allow the following uses as a permitted use in all MU and MS zones except MU1A and MU1B: Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Live Music, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufactured Home, and all sizes of Daycares	Passed	10	1	1						Absent							General			White Exhibit 1 - Page 7 and 8 of 48	23.164	23.183	
85		For MS1A, MS1B, MU1A, and MU1B the following development standards be altered: Within 30 feet from a rear triggering property, height be limited to 1 stories No parking deck on top No deck or patio for alcohol or food Eliminate articulation (landscape buffer is still required) Side setback of 10 feet McMansion tent (as McMansion is applied in Draft 3) apply	Passed	12	0	1													Specific	23-4D-4060 23-4D-4070 23-4D-5060 23-4D-5070			23.174	23.199	
	Original Motion	Change all front yard setbacks from 5 feet to 0 feet in commercial zones (RM3A and up)	Passed	13	0	0																			
86		Start at RM4A, not RM3A	Passed	13	0	0													General				23.182 23.162 23.215		
87		Require a CUP for all Adult Entertainment in all zones	Passed	13	0	0													General				23.208		

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Motion		Passed/ Failed	Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHISLER	SEGER	SHIEH	THOMPSON								
88	Original Motion	Change CC40, CC60, CC80 FAR max to 5:1, and increase heights Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90. eplace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (75' overall max height); Replace CC80 with CC90 (90' overall max height) Remove all minimum setbacks for all CC zones, and clarify reference to easements. Revise CC zones to increase heights & FAR. Allow exceptions for small sites downtown such as: 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. Table G: For commercial buildings <u>greater than or equal to one-half block width:</u> <u>Except for building support spaces (including as Austin Energy vault, fire pump) ,</u> entries must be oriented to the street and located at sidewalk level. No ramps or stairs allowed within public right- of-way or front setback <u>For commercial buildings less than one-half block width:</u> <u>The primary entry must be oriented to the street and located at the sidewalk level.</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23.215 23.216 23.217 23.220 23.221 23.222 A-23.206.1 A-23.206.2 A-23.206.3			
	Divided Original Motion 1	Increase heights in the CC zone to the following heights: Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90. eplace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (75' overall max height); Replace CC80 with CC90 (90' overall max height)	Passed	7	3	1	-	-	-	-	-	Absent	-	-	-	-	-	-	-	-	23.216 23.217 A-23.206.3			
	Divided Original Motion 2	Change CC40, CC60, CC80 FAR max to 5:1 Remove all minimum setbacks for all CC zones, and clarify reference to easements. Revise CC zones to increase heights & FAR. Allow exceptions for small sites downtown such as: 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. 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.	Passed	11	1	0	-	-	-	-	-	Absent	-	-	-	-	-	-	-	-	23.21323.21523.2			
	Amendment to Divided Original Motion 2	Set setbacks to 0 feet unless stated otherwise in 23-4D-9070	Passed	11	0	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
	Substitute Motion 1	Zone Downtown Plan and Judge's Hill to F25	Failed	4	8	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23.206			
	Substitute Motion 2	Require a CUP for all Bars/ Nightclubs (Level 2 only) within 200 feet of a Residential zone rather than permitting by-right. Beyond 200 feet remains permitted by-right. Add specific language in Specific to Use section for Bars and Nightclubs	Failed	6	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23.213			
89	Original Motion	As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LL and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply	Passed	7	4	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
90	Original Motion	Add the following language to Section 23-4D-8080 <u>(E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones):</u> <u>(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;</u> <u>(2) the minimum lot size is equal to the minimum lot size required for Single-Family; and</u> <u>(3) Parking requirements are determined by the roughly equivalent requirements from this Title, as determined by the Director.</u> <u>(4) The Director of Neighborhood Housing must determine if a roughly equivalent zone has an AHBP that should apply to an F25 zoned property.</u>	Failed	6	4	2	-	-	-	-	-	Absent	-	-	-	-	-	-	-	-				
	Substitute Motion	Do not make any changes to F25 other than those changes already voted on	Failed	5	7	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23.247			
91	Original Motion	In Section 23-4D-8110(F) insert and renumber: <u>(F)(8) exceed the minimum landscaping requirements of the City Code.</u> In Section 23-4D-8110(G)(2)(c) Delete: Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by this Title. In Section 23-4D-8110(G)(2)(m) Revise: (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.	Divided	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23.250 23.251 23.252			
	Divided Original Motion 1	In Section 23-4D-8110(F) insert and renumber: <u>(F)(8) exceed the minimum landscaping requirements of the City Code.</u> In Section 23-4D-8110(G)(2)(c) Delete: Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by this Title.	Passed	12	0	0	-	-	-	-	-	Absent	-	-	-	-	-	-	-	-	23.250 23.251			
	Divided Original Motion 2	In Section 23-4D-8110(G)(2)(m) Revise: (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.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
	Substitute to Divided Original Motion 2	Direct Staff to find ways to differentiate Tier 1-T3 defining Tree superiority.	Passed	7	5	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-				

Planning Commission
CodeNEXT Recommendation Report to City Council

		Motion	Passed/ Failed	Vote Tallies			Vote by Commissioner											General or Specific	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions		
				Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHIESSLER	SEGER	SHIEH	THOMPSON									WHITE	SHAW
	Amendment to Divided Original Motion 2	Direct staff to find a way to require superior standards for Tier 1 and Tier 2 PUDs apart from standard code	Passed	7	5	0						Absent								Specific	23-4D-8110					23.250	23.252
92	Original Motion	If CodeNEXT is in conflict with the existing Neighborhood Plan, the Neighborhood Plan takes precedent	Failed	4	4	4														General						23.266	
93	Original Motion	Staff to work with the University of Texas, UT student body, and the seven neighborhoods who originally crafted UNO and the Central Austin Neighborhood Plan for opportunities for housing around UT, and consider adding height within Uno and extending the boundary of UNO	Passed	11	1	0														General						23.269	
94	Original Motion	Where appropriate, add a note detailing that other state or local laws may prohibit alcohol within certain distances, and clarify where to find those specific alcohol distances	Passed	12	0	1														General						-	-
95	Original Motion	Where applicable, amend the language to allow engaged porches to only be open on one side, instead of requiring two sides as is currently written	Passed	11	0	0														General						A-24.5.1	
96	Original Motion	Eliminate all parking minimums	Passed	9	3	0						Absent														23.49	23.49 23.50 23.52 23.53 23.54 23.55 23.56 23.57 23.58 23.59 23.60 23.61 23.127 23.148 23.149 23.165 23.190 23.192 23.234 24.9 24.11 24.12 24.13 24.14 14.15 24.16 24.18
	Amendment to Original Motion 1	Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety.	Passed	8	4	0																					
	Amendment to Original Motion 2	Incorporate Vision Zero and Transportation Safety Improvement Program into consideration	Passed	11	1	0																					
	Substitute Motion	Purse further parking reductions, but staff to bring back their research for the Planning Commission to review. Factors to review: meters in front of all commercial properties, studies for how exemptions that reduce parking are working, review the Planning Commission Residential Working Group Recommendations, flag lots, RPPs, and address the AIC	Failed	3	8	1																				24.8	
97	Original Motion	Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration.	Passed	9	2	1														General			Parking		24.23		
98	Original Motion	In Section 23-4E-4020(A)(1)(c), add the language "and other residential house scale buildings." In Section 23-4E-4040(B), revise the language as follows: B. This section applies to commercial or <u>non-house scale</u> multi-family development that is located adjacent to a public right of way. In Section 23-4E-4050(C), revise to say " <u>commercial zones</u> " In Section 23-4E-4040, Exempt CC and DC (and any other urban zones) from this section as written (and it is recommended that CC does not require any minimum setback). In Section 23-4E-4040 Table A, reduce Front Yard Landscaping to 25% In Section 23-4E-4050, remove Foundation Buffer because some areas should not have landscaping next to the slabs. Soils engineers are against this on larger buildings. In Section 23-4E-4060(D), revise language to require an island every 10 spaces instead of 8 spaces In Section 23-4E-4060(F)(2), revise language to require a 9 foot landscape island instead of the 10 foot Direct Staff to take into consideration the results of the June 5th ASLA analysis of the Code, and ASLA's recommendation to move all landscape requirements to the Environmental Criteria Manual.	Passed	8	2	1						Absent								Specific	23-4E-4		Landscape		A-24.26.1	A-24.26.1 24.27 24.28 24.29 24.30 A-24.30.1 24.31 24.32 24.33	
99	Original Motion	In all zones, require that all Townhouses and Live/Work units have at least one block face to be permitted	Failed	4	8	0						Absent								General						24.45	
100	Original Motion	Eliminate Short Term Rental as a permitted use	Failed	1	9	1														General						24.53	
101	Original Motion	Permit 6 unrelated occupants per dwelling unit, and direct staff to allow more where appropriate	-	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+								24.73	
	Substitute Motion 1	Uphold the occupancy limits of 4 in McMansion and 6 outside of McMansion as directed by Council in 2016.	Failed	4	9	0																					
	Substitute Motion 2	Throughout the City (regardless of McMansion), set occupancy at the following standards: Single Family: 6 Duplex: 3 + 3 Single Family + ADU: 6 + 2 Duplex + ADU: 3 + 3 + 2 ADU alone: 2 Direct Staff to recommend more where appropriate	Passed	10	2	1																					
102	Original Motion	Recommend approval of Chapter 23-5, 23-7, 23-8, 23-9, 23-10, 23-12, and 23-13 with amendments previously approved	Passed	9	1	1														General						N/A	
	Amendment to Original Motion	In Chapter 23-13: Definitions and Measurements, revise the definition of Microbrewery from 15,000 barrels to 5,000 barrels, and review Draft 3 for any terms that have been left undefined, using motions from Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet as guidance	Passed	8	2	0																					
103	Original Motion	Require a variance for all Flag Lots as is required in Title 25	Passed	7	4	1														Specific	23-5C-2040					A-27.8.1	
104	Original Motion	Recommend approval of Chapter 23-6 with amendments previously approved and the following additional changes: 1. Direct Staff to revisit Site Plan Lite and establish a process not to exceed 2 months that is administered by DAC with Watershed Protection review.	Passed	8	3	0							Absent		Absent					General						N/A	
105	Original Motion	Add (intent) language for the chapter in general that the goal of the transportation chapter is to take steps to reduce carbon pollution caused by vehicles as part of our commitment to the Paris Climate Accord, and we must work as a community to come up with solutions to our dependency on Single Occupancy Vehicles. Direct staff to look at vehicle miles traveled rather than level of service in terms of mitigation	Failed	5	5	1																				44.4	44.5

Planning Commission
CodeNEXT Recommendation Report to City Council

		Motion	Passed/ Failed	Vote Tallies			Vote by Commissioner											General or Specific	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
				Ayes	Noes	Abstains	ANDERSON	HART	KAZI	KENNY	MCGRAW	NUCKOLS	OLIVER	SCHIESSLER	SEGER	SHIEH	THOMPSON								
106	Original Motion	Recommend approval of Chapter 23-11 with amendments previously approved and the following additional changes: 1. Technical Criteria Manuals go through a public process that are ultimately discussed at Planning Commission and possibly Council	Passed	11	0	0							Absent		Absent					General				N/A	
107	Original Motion	Add Accessory Apartment as a permitted use in all R zones as shown in Sheih Exhibit 2 - Accessory Apartment	Passed	8	3	1					Absent									General				A-57.22.1	A-57.22.2
108	Original Motion	Revise the definition of Residential Gross Floor Area (GFA) to reduce the number of exemptions as follows: RESIDENTIAL 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-decks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas. In exchange, in all Residential Zones, allow for an increase of 0.05 FAR	Passed	8	5	0														Specific	Chapter 23-13	See White Exhibit 1 - Page 36 of 48		57.4	
	Amendment to Original Motion 1	Remove the change in FAR GFA excludes loading-decks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities <u>up to 450 sf, driveways, and enclosed loading berths and off-street maneuvering areas.</u>	Failed	5	7	1																			
109	Original Motion	Map Imagine Austin Corridors as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, and lots between 140-220 sq ft. deep zoned as MS3B. Map Imagine Austin Corridors in gentrifying areas as follows: 2) All D3 R-zoned lots immediately adjacent to the (1) above MS lots AND have part of their lot within 1/8 mile of an IA corridor are rezoned as RM1C. 3) All D3 R-zoned lots that have part of their lot within 1/4 mile of an IA corridor are rezoned as R2C. Gentrifying areas defined by Kenny Exhibit 1 - Easter Crescent Gentrification Protection Zone (Page 28 of 29).	Divided	-	-	-														General		Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29)		Mapping Item 1	
	Divided Original Motion 1	Map Imagine Austin Corridors as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, and lots between 140-220 sq ft. deep zoned as MS3B.	Passed	13	0	0																			
	Amendment to Divided Original Motion 1	Revise the Impervious Cover in MS2B to 90%, and MS3B to 95%	Passed	13	0	0																			
	Divided Original Motion 2	Map Imagine Austin Corridors in gentrifying areas as follows: 2) All D3 R-zoned lots immediately adjacent to the (1) above MS lots AND have part of their lot within 1/8 mile of an IA corridor are rezoned as RM1C. 3) All D3 R-zoned lots that have part of their lot within 1/4 mile of an IA corridor are rezoned as R2C. Gentrifying areas defined by Kenny Exhibit 1 - Easter Crescent Gentrification Protection Zone (Page 28 of 29).	Never taken up	-	-	-																			
110	Final Motion	Map Corridor Transitions per modified Kazi Corridor Transitions Directive, as voted on by Planning Commission	Passed	12	1	0														General				Mapping Item 8	
	Original Motion	Remove compatibility from CC zone	-	-	-	-														General				Mapping Item 11	20.5 23.205 23.223 23.225
111	Substitute Motion 1	Retain current compatibility in the western Judges Hill area per DAP, but with a 270 foot triggering distance	Failed	5	6	2																			
	Substitute Motion 2	Direct staff to remove the compatibility impacts to CC zoning in the Downtown area, particularly related to the two parcels zoned R2C-H near Judge's Hill and the property on the southern corner of 15th street with R zoning	Passed	10	3	0																			
112	Original Motion	Map Imagine Austin Regional Centers as UC-Unlimited, unless affected by compatibility. If affected by compatibility, zone to the highest attainable UC per the limit of the affecting compatibility	Passed	13	0	0														General				Mapping Item 12	23.200 Mapping Items 46 47 49 53
	Amendment to Original Motion 1	Direct staff to look at current projected yield of affordable units for the Regional Centers and ensure that the anticipated yield is not being diminished by the effect of the prescribed zoning	Passed	13	0	0																			
	Amendment to Original Motion 2	Establish a program for Regional Center that uses opt-in methods similar to UNO, requiring certain development features, such as streetscaping, large-site connectivity, and mobility in order to get maximum heights.	Passed	13	0	0																			
113	Original Motion	Map the areas adjacent to core transit corridors, future core transit corridors, and Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Exempt TODs from compatibility entirely	Divided	-	-	-														General				Mapping Item 57.1	23.141 23.129
	Divided Original Motion 1	Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors	Passed	9	4	0																			
	Divided Original Motion 2	Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors	Passed	8	5	0																			
	Amendment 1 to Divided Original Motion 1 AND 2	Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones	Passed	10	3	0																			
	Amendment 2 to Divided Original Motion 1 AND 2	See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.	Passed	8	2	2																			
	Divided Original Motion 3	Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff	Passed	9	4	0																			
	Amendment to Divided Original Motion 3	Direct Staff to review policy on exempting TODs from compatibility	Passed	10	3	0																			
	Substitute Motion to Divided Original Motion 3	No additional changes to F25	Failed	4	9	0																			
114	Original Motion	Approve Downtown Map with Amendments and make no further motions regarding Downtown	Passed	11	1	1													General				N/A		
115	Original Motion	Amend Imagine Austin to reclassify South Park Meadows as a Regional Center. Map South Park Meadows as UC.	Passed	13	0	0													General				N/A	12	

Planning Commission
CodeNEXT Recommendation Report to City Council

				Vote Tallies			Vote by Commissioner																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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KENNY ADU BONUS AMENDMENT

Staff should implement the following, with discretion to make changes consistent with intent:

1. Citywide Affordable ADU Bonus:

If you build an affordable ADU in zones R1-R4:

- a. ADU size is restricted by the established ADU bracketing for that zone;
- b. ADU does not count against unit count or overall FAR calculation;
- c. No configuration limits on ADU – attached or detached; and
- d. Total FAR is capped at 0.8 and total unit count is capped at 4.

2. Corridor ADU Bonus:

If you build an affordable ADU and any part of the lot is within ¼ mile of an Imagine Austin corridor in zones R1-R4:

- a. ADU size is restricted by the established ADU bracketing for that zone;
- b. ADU does not count against the unit count or overall FAR calculation;
- c. No configuration limits on ADU – attached or detached;
- d. Total FAR is capped at 0.8 and total unit count is capped at 4;
- e. Incentive: A market-rate ADU may also be added that does not count against the unit count or overall FAR calculation, but may be no larger than the affordable ADU;
- f. Incentive: The primary dwelling units receive an FAR bonus equal to the square footage of the affordable ADU;
- g. Incentive: Front setbacks are reduced to 15 ft and height limits are increased to 25 feet at the side and 38 feet overall, but the entire site may not exceed 3 stories.

3. NHCD review:

One year after the implementation of these bonuses, NHCD shall review the program and may make recommendations to Planning Commission to make changes, including to city code, to better implement the intent of the program or to deal with any unintended consequences.

4. General ADU and R-scale backyard compatibility restrictions:

In regulations specific to use for ADUs:

- a. The cap on the second story of an ADU being limited to 550 sq ft. is removed.
- b. (I think we passed this last night): Any building on a residential zone lot – whether a single-family or multi-family zone - may not exceed two stories - for up to the rear 30 feet of the lot (as measured from the lot line of the triggering residential property) when that part of the lot is within 30 feet of the rear of a residential-zoned lot.

ACCESSORY APARTMENT ORDINANCE PROPOSAL

The Accessory Apartment is established to provide for the encouragement and promotion of an environment for family life by providing for the establishment of accessory apartments in one-family detached dwellings on individual lots. The purpose is to provide flexibility for the changes in household size associated with life cycle; to offer financial security for home buyers; to offer security against problems associated with frailty in old age (caregiver, mother-in-law plan); allow age in place; create attainable affordability options; offset gentrification and displacement.

- Providing housing opportunities to young families, single parents, veterans, seniors, town employees and employees of small local businesses.
- Providing income to residents, especially those with modest incomes, to remain in their homes.
- Adding units to the Housing Inventory at little cost.
- Scattering affordable housing throughout the town.
- Contributing to the efficient use of land and structures.
- Adding a unit of housing without increasing a home's footprint, which means less environmental impact.

- Cost for an ADU can be from 150k to 200k
- Cost for accessory apartment can be as little as a kitchen remodel
- Apartment is an accessory use to the principal home and the homeowner (owner occupied)
- Apartment does not alter the form of a single family home
- Utilities are shared with the primary structure
- Internal connection maintained between the apartment and the home (doorway)
- Accessory apartment permit is required so it may be tracked since it is only available for owner occupied properties
- Maximum size of apartment is 600 sqft
- May not construct both ADU and apartment.
- FAR is counted since it is part of the primary structure

HOUSING BONUS OPPORTUNITY- because this can truly be considered as accessory to the principal structure's use by an owner, it is not a separate dwelling unit. This can pose opportunities to be creative for special affordability bonus considerations. IE: For owner occupied, in zones where ADU's allowed and when using street scale preservation, accessory apartment can still be allowed in the principal structure, however additional parking space is required on site and rent must be at or below XX%MFI.

The accessory apartment may be created

B- By an addition to the house, containing an internal connection between the accessory apartment and the principal part of the dwelling unit; provided, that the addition will not alter the one-family character of the building.

Occupancy. For purposes of a one-family dwelling with an accessory apartment.

C- The accessory apartment within the structure may be occupied by no more than two (2) related or unrelated adults, with or without minor children.

Accessory Apartment Permit. Any person constructing or causing the construction of a one-family dwelling that has an accessory apartment or any person remodeling or causing the remodeling of a one-family dwelling for an accessory apartment, or any person desiring an accessory apartment, shall obtain an accessory apartment permit from the Community

Development Department. Such permit shall be in addition to any building permits that may be necessary. Before an accessory apartment permit is issued, the applicant shall:

Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.

Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses. Floor plans must have the interior connection clearly labeled.

References:

<http://www.codepublishing.com/UT/Provo/html/Provo14/Provo144600.html>

<https://www.lincolntown.org/DocumentCenter/View/27060/Affordable-Accessory-Apartment-Program>

KENNY AFFORDABLE HOUSING CHAPTER MOTION

Recommend Approval w/ Changes to Address Commission Concerns

Move to recommend approval of Chapter 23–3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns:

1. Establish as additional items of intent for the program to
 - a. meet the annual affordable housing goals set forth by city council;
 - b. generally permit sites to utilize affordable bonus entitlements; and
 - c. maximize affordable units in high-opportunity areas, whether built on-site or financed via fee-in-lieu.
2. Require any project participating in the program to adopt a restrictive covenant forbidding discrimination solely due to prospective tenants using housing vouchers in any unit in the project, not just the affordable units.
3. Require NHCD to recommend affordable housing goals to city council and for city council to annually adopt program goals.
4. Require NHCD to issue an annual report to city council measuring progress towards the prior year's goals and recommend changes to any provisions in administrative rules AND city code to better achieve the goals in the following year.
5. Require the Planning and Zoning Department Director to perform a calibration study if the program fails to meet annual goals by 10% for two years in a row, and to recommend changes to any provisions in administrative rules AND city code to better achieve the goals in the following year.
6. Reinstate expedited planning review at all stages for projects that participate in the program.
7. Re-calibrate bonus entitlements other than height in the zoning chapter to appropriately maximize the attractiveness of the increases in zone bonus heights made by Planning Commission.
8. Requirements for equivalent unit size and bedroom count do not apply to ADU bonuses.
9. Review the attached exhibit and consult stakeholders including the Austin Housing Coalition in implementing the intent of this motion.

Zone	In Draft 3		Kazi Amendment	
	Base	Bonus	Base	Bonus
MU1A	32		52	
MU1B	32		52	
MU1C	45		65	
MU1D	45		65	
MU2A	45		65	80
MU2B	60		80	95
MU3A	60		80	95
MU3B	60		80	95
MU4A	60	75	80	95
MU4B	60	75	80	120
MU5A	80		95	No max

MS1A	35		55	
MS1B	35		55	
MS2A	45		65	
MS2B	45		65	80
MS2C	45		65	80
MS3A	60		80	95
MS3B	60	85	80	120