Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Vote Tallies: Noes	Vote Tallies: Abstains	Vote by Commissioner: ROBINSON	HARRIS	ALEX	SCHISSLER	SCHOLTES	SCHOLZ	SHANAFELT	THOMPSON	WHITE	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
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 resolved 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. Begin process phase out F25 with stakeholder input regarding items such as Conditional Overlays, TODs, etc. Process to be revisited by Planning Commission 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 Austin's Land Use Code on housing affordability. Staff to report back to Council and 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. Staff to provide Council with a report on the Land Use Code's impacts on housing, including affordable, particularly as it relates to Affordable Housing, displacement, demolition, revoke times/ permitting, and Imagine Austin Performance Indicators. 8. 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						yes-cond		yes-cond			General to Code				Policy	**PAZ**: 1. Staff anticipates that amendments will be needed after adoption. 2. No. 3. No. 4. Staff anticipates testing after the code is adopted (before it is effective). 5. Neutral. 6. Neutral. 7. Neutral. 8. Neutral, but it will take many years of on-the-ground changes to make this evaluation. 9. Neutral.	N/A	
2 Original Motion	Staff to continue to review items and exhibits in all Chapters presented in the May 25th Planning Commission Backup, and to make recommendations to Planning Commission that were enacted on, and to identify area for 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						yes-cond		yes-cond			General to Code				Policy	**PAZ**: Staff will respond to actions/motions taken by PC, but not unacted-upon motions. Staff will forward the PC deliberation spreadsheet to Council. **PWD**: Concur with PAZ	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						yes-cond		yes-cond			General to Code				Policy	**PAZ**: No. Staff will respond to individual motions, but reconciling contradictory PC motions (that conflict with each other) is outside staff's purview. **PWD**: Concur with PAZ	N/A	
4 Original Motion	Recommend all Divisions that do not have comments presented in the May 22nd Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet	Passed	12	0	1											General to Code				Policy	**PAZ**: Neutral		
5 Amendment to Original Motion	Reduce length of non 23-4 Sections by 20%. Identify a Master Editor who should identify measures in Non 23-4 Articles to reduce extreme length to assist in achieving CodeNEXT goal for code simplicity. Reduce by 20% instead of 20%.	Passed Passed	12 13	0 0	0 0						yes-cond yes-cond					General to Code				Policy	**PAZ**: No. However, staff will look for ways to improve and simplify text between Council readings. **DSB**: City Arborist, Oppose. Urban forest content has already been reduced and streamlined. **Watershed**: Oppose. Staff has already worked to reorganize and streamline the watershed regulations by consolidating divisions. **ATD**: Concur with PAZ **PWD**: Concur with PAZ	N/A	
6 Original Motion	Recommend approval of Chapter 23-1 with amendments previously approved and the following additional changes: 1. Where Article 23-1 conflicts with current policy related to the Neighborhood Planning Contact Team, committees to those discrepancies are made.	Passed	9	2	0											General to Chapter	23-1			Policy	**PAZ**: Neutral	N/A	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Noes	Abstentions	Vote by Commissioner: GUERRERA	GARZA	ALIA	MUNIR	SCHISSLER	ROJAS	SCHOLLER	SHANKS	THOMPSON	HOOD	SEEGER	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
Original Motion	Add language to 23-1A-6010 and 23D1A-6020 regarding Minimum Development Potential as shown in Steven Oliver Exhibit 1	Passed	7	0	1																	**PAZ**: No. Amendments can be made, as needed, when conflicts are identified. **DSD**: This is a high level policy decision concerning the hierarchy of code requirements where the city's codes have conflicting provisions and impacts. This adds a layer of review, and is potentially more complicated and less predictable than the variance processes in Draft 3. DSD is supportive of the concept of a hierarchy of code to address regulatory conflicts that arise during the review process, however, additional policy direction is needed to determine regulatory priorities. Strongly oppose. For decades, the citizens of Austin have valued environmental protection, including watershed protection, flood control, and tree preservation. This is affirmed in numerous development regulations as well as in the Imagine Austin Comprehensive Plan. Under current Code, where projects cannot comply with development regulations (e.g., protection of creek buffers, preservation of groundwater recharge features) the Land Use Commission provides a transparent, publicly accessible process to vary Code requirements. In contrast, the Proposed Amendment Related to Minimum Development Potential would amend Subsection D (Environmental Regulations) of the Land Development Code to allow a guaranteed minimum impervious cover or building coverage anywhere within a site without the requirement for a Land Use Commission variance, adjustment, waiver, exception, or alternate compliance decision. The Amendment would rescind environmental protections and substitute arbitrary and capricious conditions unique to individual sites and deny the opportunity for public input. **Watershed**: Strongly oppose. As currently worded, the amendment undermines multiple existing regulations related to the environment, water quality, and drainage, including: • Non-degradation element of the Save Our Springs (SOS) ordinance • Stormwater management for water quality and flood risk reduction • Critical environmental features buffers • Waterway setbacks for creeks and lakes • Setbacks for critical environmental features such as caves, wetlands, and springs • Tree and urban forest protections (excluding heritage trees) • Requirements for preserving floodplain health • Steep slope protections • Limitations on the depth of cut and fill • Protection of floodplain and riparian areas • Provision of landscape elements and vegetated setbacks Many sites across the city are significantly constrained by natural features such as floodplains and critical environmental features. The amendment would allow for development to encroach on environmental setbacks and reduce the footprint of stormwater control measures in order to accommodate the entitled density. Impervious cover and building coverage are calculated on the overall gross area of a property, as a result, the existing variance process allows for adjustments to water quality and drainage regulations.		
7 Amendment to Original Motion	Add language that leaves this to the discretion of the director	Failed	4	8	1																			
8 Amendment to Original Motion	Exclude Heritage Trees	Passed	10	2	1												Specific to Article	23-1A-6010 & 23-1A-6020		Oliver Exhibit 1 - Minimum Development	Additional Development Standards		A-1.7.1	
Original Motion	Recommend approval of Chapter 23-2 with amendments previously approved	Passed	9	2	0												Specific to Chapter	23-2			Policy	**PAZ**: Neutral	N/A	
9 Original Motion	Sections 23-2A-3030(B)(1) and 23-2A-3040(B)(1) 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: (1) Provide an affidavit from both owner and applicant, agreeing to preserve or improve existing drainage patterns and not increase the volume of stormwater runoff on adjacent lots, unless 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												Specific to Section	23-2A-3030(B)(1); 23-2A-3040(B)(1)		Shaft Exhibit 1 - Engineer's Letter	Additional Development Standards	Opposed	3.7	
10 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	30												Specific to Section	23-2G-1060 D-1			Policy	Support with the condition that the motion is limited to the zoning chapter. Water quality and drainage standards added for 1-6 units by 23-1A-3 should still apply.	9.5	4.9.16.1
11 Original Motion	Recommend approval of Article 23-3A, 3B, 3C, and 3D with amendments previously approved	Passed	8	2	1												General to Chapter	23-3			Policy	**PAZ**: Neutral	N/A	

	Motion	Passed/ Failed	Vote Tallies: Ayes	Vote Tallies: Nays	Vote Tallies: Abstentions	Vote by Commissioner: ROBINSON	HUFF	ALVA	MAY	SCHUSTER	ACOSTA	SCHOLLER	JENKS	THOMPSON	GUY	SHAW	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
12	Original Motion	Passed	10	0	1					Absent	Absent						General to Article	23-3E		(White Exhibit 3 Pages 20-23 (Edits to the IMAHP programs) and White Exhibit 3 Pages 45-48 (Amendments to & HOUSING - BLUEPRINT GOALS) Kenny Exhibit 3 - Affordable Housing Bonus Program	Affordable Housing	Staff response pending		
13	Original Motion	Passed	8	2						Absent	Absent						General to Article	23-3E		None	Affordable Housing	**PAZ**: No. Process for adopting code should be consistent.	N/A	
14	Original Motion	Passed	7	2	1												General to Article	23-4			Policy	**PAZ**: Neutral	N/A	
15	Original Motion Substitute Motion	Failed Passed	5 12	6 1	0 0												Specific to Section	23-4A-1010			Language Revisions	**PAZ**: Concur	20.2	
16	Original Motion	Failed	5	6	0												Specific	23-4A-2020(F)			Policy		20.4	
17	Original Motion Substitute Motion	- Passed	- 12	- 0	- 1												Specific to Section	23-4D-6080			Additional Development Standards	**NWCD**: Do not support increased base FAR. Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or decreased numbers of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs. ***Austin Energy***: If intent is reduce frontage requirement because a certain amount will be taken up by necessary infrastructure, staff agrees. ***ATD***: Driveway widths and standards are within the TCM and should not be within Code (see previous ATD comments on various drafts). "Support spaced" requirements are dictated by various utility agencies, many of which are independent of the City and operate under authorities granted at the State level. these requirements can change periodically and should not be specifically called out within Code (should be within the UCM). ***PWD***: Driveway standards are in the Transportation Criteria Manual. Need to ensure that any changes to standards in the Code do not conflict with standards required by national, state & local standards and must go through the proper channels in order to be changed. The stairs/ramps are not allowed in required setbacks so the "Allow" should be "Allow in required setbacks" for clarity.	20.20 20.20.2(L)	
18	Original Motion		7	6	0												Specific to Section	23-4D-6080			FAR / Height	**PAZ**: Neutral. Does not carry forward existing 2:1 FAR for VMU. Additional FAR by-right may impact the AHBP. **NWCD**: Do not support increased base FAR. Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or decreased numbers of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.	23.2(J)	
19	Original Motion Substitute Motion	- Passed	- 12	- 0	- 1												Specific to Section	23-4B-1020(F)(2) 23-4E-5, Specific to Use			Allowed Uses/ Specific to Use	**PAZ**: Concur **DSB**: Concur	21.4	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/Failed	Vote Tallies: Ayes	Noes	Abstain	Vote by Commissioner: GUERRERA	GUIDRY	KLOS	MCCANN	NOCHES	ROSENBLUM	STEM	THOMPSON	WOOD	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
Original Motion	MINITE_Exhibit_Conditional Use Permits: Please amend Draft 3 to reinstate the clear Conditional Use Permit standards and other key provisions in LDC 25-1-143 through 25-1-150.	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															**PAZ**: No. This requirement can already be found in 23-4B-1040 (G)		
20 Divided Original Motion 4	Reinstate LDC 25-5-145(E)(4) to ensure Large Retail Uses do not adversely affect future redevelopment	Passed	12	1	0															**PAZ**: No. Large/big box retail is not permitted or is a CUP in MU, MS, RC, and RD zones. Large/big box retail in TON, IL & IH must comply with additional building design standards (23-4B-8).		
Divided Original Motion 5	Reinstate all current requirements in LDC 25-5-145, Evaluation of Conditional Use Site Plan (1) Staff shall review and evaluate applications for compliance with specific requirements (a) Draft 3 deletes at least one requirement in contexts in which all 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 25-5-149(C) to ensure advisory board input on CUPs in Waterfront Overlay	Passed	8	5	0													White Exhibit - Conditional Use Permits (Pages 33-39)				
Divided Original Motion 6 **RECONSIDERED**	Leave the Language as is	Passed	13	0	0										Specific to Section	23-4B-1030			Policy	**PAZ**: Concur	23.5	
21 Original Motion	Section 23-4B-1030 (1) Notice of Application. The director shall provide notice of an application for a minor use permit under Section 23-2C-3010 (Notice of Application) and allow parties to submit comments on the application for a period of at least 10 **30** days.	Failed	3	10	0										Specific	23-4B-1030			Policy		21.6	
22 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	8	2	1					Abstain					Specific to Section	23-4B-2040			Language Revisions	**PAZ**: Code currently reads "(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 may be appealed to the Board of Adjustment under Article 23-2I (Appeals). **DSD**: Need to ensure appeal is aligned with Texas Local Govt Code regarding operations and duties of BOA.	21.11	
23 Original Motion	Change the word "Applicant" to "Owner" in Section 23-4B-3040	Passed	12	0	1										Specific to Section	23-4B-3040			Language Revisions	**PAZ**: Concur	21.14	
24 Original Motion	Change the word "standards" to "regulations" in Section 23-4B-4010(A) and (B).	Passed	13	0	0										Specific to Section	23-4B-4010(A) and (B)			Language Revisions	**PAZ**: Concur	21.16	
25 Original Motion	Change the word "standards" to "regulations" in Section 23-4B-4020(B)(1)(c)(ii).	Passed	13	0	0										Specific to Section	23-4B-4020(B)(1)(c)(ii)			Language Revisions	**PAZ**: Concur	21.17	
26 Original Motion	Change the word "may" to "shall" in Section 23-4B-4030(C)	Passed	13	0	0										Specific to Section	23-4B-4030(C)			Language Revisions	**PAZ**: Concur	21.18	
27 Original Motion	In Section 23-4C-1010, create (B)(1) and (2) instead of (C) and (D), add "and that have a zone that requires 8" and strike "four acres" and replace with "eight acres." In 23-4C-1040(B)(3), replace "eight acres" with "twelve acres"	Passed	7	6	0										Specific to Section	23-4C-1010(B)(1) and (2) 23-4C-1040(B)(3)			Language Revisions	**PAZ**: No. Will reduce opportunities for civic open space. **PARD**: Oppose, the combination of this and #29 mean that no open space is required on projects 8 acres and greater. **Watershed**: Oppose. Will reduce the enhanced natural function provided by larger, contiguous pervious areas. The Green Infrastructure Working Group supported the creation of contiguous areas of pervious cover that also enhance connectivity between sites and serve as desirable public and private open spaces.	22.0	
28 Original Motion	Delete Section 23-4C-1020(M)(2)																			**PAZ**: No. Simpler and easier to understand as-is.		
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-3050(A).	Passed	9	4	0										Specific to Section	23-4C-1020(M)(2) 23-4D			Parking	**ATD**: ATD does not support providing 2x the minimum parking requirements and would rather suggest promoting on-site TDM programs to encourage non-single occupancy vehicle trips. Staff recommends deleting the section.	22.6	
29 Original Motion	Remove Section 23-4C-1030 Common Open Space, eliminating the Common Open Space requirement	Passed	7	6	0										General to Code	23-4C-1030			Open Space	**PAZ**: Would that include New Urbanist common open space requirements? Or should have common open space replaced with personal open space. **DSD**: For those projects that have no other open space requirement, common open space has provided a benefit not otherwise found since it was expanded in an 2013 amendments to Subchapter E (Design Standards). Concur with PAZ. **PARD**: The combinatination of this item and #27 mean that no common-open space is required on projects less than 8 acres in size. **Watershed**: Oppose. Will reduce the enhanced natural function provided by larger, contiguous pervious areas. The Green Infrastructure Working Group supported the creation of contiguous areas of pervious cover that also enhance connectivity between sites and serve as desirable public and private open spaces.	20.11	22.7 22.8 22.9 22.10 22.11 22.13 22.14 22.15 22.16 22.22

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Vote Tallies: Nays	Vote Tallies: Abstentions	Vote by Commissioner: Anderson	Vote by Commissioner: Cathy	Vote by Commissioner: Chu	Vote by Commissioner: Gerhardt	Vote by Commissioner: Hatch	Vote by Commissioner: Kazi	Vote by Commissioner: Kenney	Vote by Commissioner: Rivera	Vote by Commissioner: Roark	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
30 Original Motion	Replace language in Section 23-4C-1040B(3) with: "Open Space in a new 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 neighborhood park or trail is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, or iii) not located in a Park Deficient Area as determined by the Parks and Recreation Department.	Failed	1	12	0	N	N	N	Y	N	Y	N	Y	N								
Substitute Motion	Replace language in Section 23-4C-1040B(3) with: "Open Space in a new 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 neighborhood park or trail is at least one acre, measured from the boundary of the site to the nearest public entrance of the park."	Failed	4	8	1	Y	Y	Y	N	Y	N	Y	N	Y	Specific	23-4C-1040B(3)			Open Space		22.17	22.21
31 Original Motion	Replace language in Section 23-4C-1040B(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 (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 (c) "safe pedestrian travel" or "safe pedestrian travel".	Passed	11	0	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Specific to Section	23-4C-1040B(4)			Open Space	**PAZ**: No. Redundant with existing civic open space access requirements.	22.18	
32 Original Motion	Strike Section 23-4C-1040 and all of Section 23-4C-2	Failed	5	8	2	N	Y	N	N	Y	N	N	Y	N	Specific	23-4C-1040 and all of 23-4C-2			Open Space		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	5	10	2	N	Y	N	N	Y	N	N	Y	N	Specific	23-4C-2010			Open Space		22.26	
34 Original Motion	Strike Section 23-4C-2050(D)	Passed	7	4	2	Y	Y	Y	Y	N	Y	Y	N	Y	Specific to Section	23-4C-2050(D)			Open Space	Staff response pending	22.31	22.32
35 Original Motion	Strike Section 23-4C-2050(E)														Specific to Section	23-4C-2050(E)			Open Space	**Watershed**: Oppose. The integration of shade into open space, especially through tree plantings, helps reduce urban heat island impacts and integrates nature into the city.	22.33	
Substitute Motion	Replace "or" with "and"	Passed	9	4	1	Y	Y	Y	Y	N	Y	Y	Y	N								
36 Original Motion	100% reduction in parking for properties located within a TOD	Passed	8	0	4	Y	Y	Y	Y	Absent	Y	Y	Y	Y								
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 requires off-street parking in accordance with the requirements of Appendix A. In addition, 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 this section; (ii) the minimum number of accessible spaces is calculated by taking 2% of the parking; (iii) 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	Y	Y	Y	Y	Y	Y	Y	Y	Y	General to Code				Parking		22.34	
37 Original Motion	100% reduction of parking for properties located within UNO	Passed	7	4	1	Y	Y	Y	Y	Absent	Y	Y	Y	Y	Specific to Section	23-4D-9130			Parking	**PAZ**: Concur	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	1	Y	Y	Y	Y	Y	Y	Y	Y	Y	Specific to Article	23-4D			Allowed Uses/ Specific to Use	**PAZ**: No. This would allow live music venues to function as a bar and would be permitted in districts where Performance Venue/Theater is allowed (more permissive than a bar).	23.1	
39 Original Motion	Whatever the compatibility trigger is, stepbacks and setbacks both start at the triggering property's lot line (regardless of an alley)	Divided													Specific to Article	23-4D			Compatibility/ Transition Zones	**PAZ**: Concur	23.2 23.20 23.145 23.153	
Divided Original Motion 1	Whatever the compatibility trigger is, stepbacks start at the triggering property's lot line	Passed	13	0	1	Y	Y	Y	Y	Y	Y	Y	Y	Y								
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	1	Y	Y	Y	Y	Y	Y	Y	Y	Y								

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/Failed	Vote Tallies: Ayes	Noes	Abstentions	Vote by Commissioner: THOMPSON	HARRIS	GUERT	ALOT	SCHUSHE	NOVICKI	SCHOLLER	SHANKS	JENKS	THOMPSON	HOOD	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
40	Original Motion See Show Exhibit 1- Part 1 (Pages 7 & 9) for replacement compatibility standards	Not Acted On																		Show Exhibit 1 - Part 1 (Page 7 and 9)				
	Substitute Motion 1 After the Working Group Proposal shown on Page 3 of Show Exhibit 1 - Part 1 with the following changes: Between 25-50 feet from the triggering lot line: 32 foot height limit At 150 feet from the triggering lot line: 65 foot height limit Full height at 300 feet	Divided																						
	Divided Substitute Motion 2 Compatibility is triggered by distance, not adjacency	Failed	4	0	3																			
	Divided Substitute Motion 3 Compatibility will be triggered solely by distances determined from the triggering lot line. Use and any other trigger from Title 25 will no longer apply.	Failed	3	6	3																			
	Divided Substitute Motion 4 Instead of a compatibility stepback, the Compatibility Height Setbacks exemptions shall be modified as follows: (a) Building height stepbacks are required where a portion of a building is located: (1) across an alley less, than 20 feet in width, from a property zoned Residential House-Scale; (3) across a right-of-way less than 60 80 feet in width (2) across a street less than 60 feet in width; and (3) adjacent to a property zoned Residential House- Scale.	Failed	6	0	5				Divided															
	Divided Substitute Motion 5 Between 25-50 feet from the triggering lot line: 32 foot height limit At 150 feet from the triggering lot line: 65 foot height limit Full height at 300 feet	Failed	3	6	4																			
	Substitute Motion 2 Insert 6' wall. From the front of a single-family home, you cannot see anything taller in the background. the Mcillennion tent sets the angle for all compatibility (approximately a 45 degree angle from a 6 foot high point on the back of the property line, but the motion is silent only).	Failed	3	7																	Compatibility/ Transition Zones			
	Substitute Motion 3 Chair Oliver's Exhibit 2 - Compatibility	Failed	3 N/A		N/A															Oliver Exhibit 2 - Compatibility				
	Substitute Motion 4 Keep CD Compatibility Standards with those changes already voted on.	Failed	4	7	1																			
	Substitute Motion 5 Original Motion + Substitute Motion 1) After the Working Group Proposal shown on Page 3 of Show Exhibit 1 - Part 1 with the following changes: Between 25-50 feet from the triggering lot line: 32 foot height limit At 150 feet from the triggering lot line: 65 foot height limit Full height at 300 feet	Not Acted On																						
	Substitute Motion 6 Density Bonus is not subject to compatibility after 50 feet from the triggering lot line	Failed	4	0	4																			
	Amendment 2 to Substitute Motion 5 Density Bonus is not subject to compatibility after 100 feet from the triggering lot line	Failed	4	0	1																			
	Amendment 3 to Substitute Motion 5 Between 25-50 feet from the triggering lot line: 35 foot height limit 50-100 feet: 45 foot height limit 100-150 feet: 65 foot height limit 150-225 feet: 75 foot height limit 225-300 feet: 90 foot height limit Full height at 300 feet Affordable bonuses are exempt at 100 feet	Passed	8	3	2												Specific to Article	23-4D				PAZ: Pending review by Fraga to determine impact on housing numbers		
41	Original Motion Change Cooperative Housing to Permitted in zones RA-C, RM1A-B, Change Cooperative Housing to Permitted in MH, MU1A, MU2B, MU3, MLA	Motion Divided																						
	Divided Original Motion 1 Change Cooperative Housing to Permitted in MH, MU1A, MU2B, MU3, MLA	Passed	13	0	4																			
	Divided Original Motion 2 Change Cooperative Housing to Permitted in R1, R2A-B, R2D-F, R3C, R3D and MH. Change Cooperative Housing to Permitted in zones RA-C, RM1A-B	Passed	7	5	4																			
	Divided Motion 2- A Change Cooperative Housing to Permitted in R3B-C, RMC,RMA-C, RM1A-B	Passed																						
	Divided Motion 2- B Change Cooperative Housing to Permitted in R1 and R2B-E	Tabled - Never Acted On Tabled - Never Acted On																						
	Substitute Motion Adopt staff recommendation for Co-Housing	Passed															Specific to Article	23-4D			Allowed Uses/ Specific to Use	Staff recommends the proposed Co-Housing land use.	23.3	23.8
42	Original Motion Change Commercial Daycares to MLP in RZB and above, and to CUP below RZB. Change Commercial Daycares to CUP in all zones.																							
	Substitute Motion Daycares with 7-20 children require a MLP in all R zones. Daycares with 7-20 children permitted in all RM zones; Commercial Daycares require a CUP in R zones; Commercial Daycares in RM zones stay the same as (3)	Passed	7	6	3												Specific to Article	23-4D			Allowed Uses/ Specific to Use	PAZ: Concur	23.4	
43	Original Motion Update each district to max height of "35 feet from top of slab to top of roof" and "slab height is limited to a maximum of 5' above finished grade and a maximum of 12' above highest finished grade." Staff will continue to work to clarify and correct the height with the intent stated	Passed	13	0	3												Specific to Article	23-4D			FAR/ Height	DSD: Do not concur - This further complicates how height is to be measured. With no cut and fill limits in the Urban waterfront, this will create issues that staff will constantly need to figure out coupled with the lot to lot drainage issues.	23.60 23.62 23.72	
44	Original Motion Delete Frontyard Impervious Cover Regulation in all R Zones	Passed	13	0	3												Specific to Article	23-4D-2			Impervious Cover/	Neutral	23.84 23.92 23.10 23.40	
45	Original Motion Allow pools and fountains in required yards without new setback or restrictions as currently allowed.	Passed	13	0	3												Specific to Article	23-4D		White Exhibit 1 - Page 45 of 48	Setbacks	DSD: Concur. Minimum fence height will need to be revised to 4'-0" to align with pool barrier crichs of the technical code.	23.11	
46	Original Motion Remove articulation from all R zones	Passed	13	0	3												Specific to Article	23-4D-2			Articulation/ Frame Frontage	Staff response pendnig	23.12 23.109	
47	Original Motion Add a maximum FAR of 0.3 or 1800 sf to all R zones. Add a maximum FAR of 0.3 or 1150 sf for single-family attached (the intent is to reduce the available FAR to single-family by 25%).	Passed	12	1	3																	PAZ: No. Unnecessarily complicated.		
	Amendment to Original Motion Intent is to reduce by 0.1 FAR under future motions	Passed	12	1	3												Specific to Article	23-4D-2			FAR/ Height	DSD: Do not concur- overly complicated. Propose to modify the exceptions. See proposed language emailed to Greg Guernsey and team post CM Alter meeting with Chris Alen.	23.16	23.36

	Motion	Passed/ Failed	Vote Tallies: Ayes	Noes	Abstained	Vote by Commissioner: BANDERA	CART	CLAY	GUERRA	KCOCHRAN	KCOSTES	SCHUELER	SHEA	THOMPSON	WEISS	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
48	In 23-4E-6170(C), change the following: "A duplex must comply with the requirements in this subsection. (1) The two units must be attached or no greater than 12 feet apart; 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: Two dwelling units on a single lot that are either attached or separated by no more than 12 feet A residential building containing two attached dwelling units on a single lot."	Passed	7	0	1											Specific to Section	23-4E-6170(C) 23-13A-2			Terms and Definitions	**PAZ:** No. Would prefer units to remain attached as defined by "attached in D3. **DSD:** No. Keep the units attached. If they are allowed to be detached, it modifies the water with ADU provisions (review).	23.21	
49	Remove the base heights and bonus heights for Mixed Use and Main Street zones per Kenny's Exhibit 1 Page 28 of 35	Failed	5	4	2											General to Article	23-4D-		Kenny Exhibit 1 - Page 28 of 35	FAR/ Height		23.24	
50	Require a CUP for all Bars/ Nightclubs (Level 2 only) within 200 feet of a Residential zone rather than allowing by-right. Bars/ Nightclubs are prohibited in Level 1 zones. Add zoning by-right, Bars/ Nightclubs to the use table for Barton Springs/Riverside Add Bars/ Nightclubs as a conditional use in Downtown 1 (Level 1 or Level 2) as a CUP within the MS zones.	Passed	8	3	2											Specific to Article	23-4D-			Allowed Uses/ Specific to Use	**PAZ/ DSD:** Concur.	23.26	23.27A
51	Move Bars/Nightclubs permitted uses in Draft 3 (Level 1 or Level 2) as a CUP within the MS zones. Remove NBZA and MSA	Passed	11	0	2											Specific to Section	23-4B-1030			Policy	**PAZ:** No. This would create a new precedent of having two separate appeal routes and a two-step appeal process.	23.30	
52	Amend Section 23-4B-1030 Minor Use Permits to allow an appeal to City Council if Planning Commission denies the permit.	Failed	4	9	1											Specific to Article	23-4D-			Terms/ Definitions	**PAZ:** Concur.	23.33	23.71
53	For Residential Zones that allow an ADU Preservation Incentive, change the name to ADU "Streetscape Incentive," and change the word "preserved" to "conserved." Add the definition of the word "conserved" to mean the exterior of the building. **Conserve:** to maintain the height, footprint and roof line of an existing building for the first 20' as measured from the building line toward the rear lot line.	Passed	11	2	2											Specific to Article	23-4D-			Policy	**PAZ:** Neutral - only makes sense for R zones that have FAR limit	A-23.33.	137.3
54	Apply the Street Side Incentive Bonus to Residential Incentives to all Residential zones.	Passed	12	1	2											Specific to Article	23-4D-			Policy	**PAZ:** Neutral - only makes sense for R zones that have FAR limit		
	Original Motion	Divided																					
	Divided Original Motion with Amendment 1 and 2	Failed	4	8	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	2																		
	Amendment to Divided Original Motion 2 Leave "ADU" as a permitted use	Passed	8	4	1														White Exhibit 1 - Page 30 of 46, Items A and B	Allowed Uses/ Specific to Use			
	Create a comparable Residential zone that maintains the 5,750 minimum lot size and a minimum 50 foot lot width	Failed or only separate action														Specific to Article	23-4D-						
	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																					
	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 lot into proposed new zone.	Failed	3	8	2														White Exhibit 1 - Page 35 of 46, Item B	Lot Size/ Density			
	Substitute Motion Leave all R1B, R2A, and R2D zones as 5,750 sf minimum	Failed	3	9	1											Specific to Article	23-4D-					23.37	23.35
56	Revise the purpose statement in Section 23-4D-2010 to This division establishes the land use and building form requirements for property zoned residential. Residential zones are intended to preserve neighborhood character and ensure that the social and environmental values described in 25-1A-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											Specific to Section	23-4D-2010			Language Revisions		23.180 23.190 23.185 23.191 23.187	23.207
57	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											Specific to Section	Table 23-4D-2050(A) Table 23-4D-2150(A) Table 23-4D-2160(A) Table 23-4D-2170(A) Table 23-4D-2180(A)			Allowed Uses/ Specific to Use	**PAZ:** Disagree; a use cannot be exclusively CUP	23.43	
	Original Motion	Divided															23-4D-2150						
	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												23-4D-2110 23-4D-2120						
	Divided Original Motion 2 Remove Single-Family Attached as an allowed use in the R2A and R2B zones	Failed	3	8	3											Specific to Section	23-4D-2130 23-4D-2140			Allowed Uses/ Specific to Use		23.76 23.81	
59	Add clarifying/ symbols language to the Use Tables regarding the allowance and permitted timeframes of STRs	Passed	12	1	2											Specific to Article	23-4D-			Language Revisions	**PAZ:** STR use is already shown in the use tables. Specifics on timeframes is not appropriate in the use tables (it can already be found in specific to use)	23.46	
60	Add a "Small Lot Single Family Use" as a permitted use in R2C, R2D, and R2E with the following development standards: Building Type: 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: Front 10', Side St. 10', Side 3.5', Rear 10'; Garage: Front 20', Rear 10'. Building Form (1) Building Articulation New Construction: add "Building Articulation is not required for Small Lot uses." Impervious Cover: add "(D) Small Lot Impervious Cover 65% max, 55% building cover max"																						
	Original 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 10', 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 "(D) Small Lot Impervious Cover 65% max, 55% building cover max"	Passed	9	4	0											Specific to Article	23-4D-2130 23-4D-2140			Allowed Use/ Specific to Use	**PAZ:** No. This is virtually identical to R2D and R2E already in D3. **DSD:** This is currently allowed in the R2D and R2E zones. Adding this language would be redundant. **Watershed:** Agree with PAZ/DSD.	23.47	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Noes	Abstain	Vote by Commissioner: ROBBINS	HARP	ALIKI	ROSE	KOCH-RIVAS	NOVICKI	SCHOLLER	JENKS	THOMPSON	SHAW	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
61	In all R Zones, set the required lot size for an ADU to the minimum lot size for a single-family use. Retain all other zoning regulations.	Passed	11	1	4											Specific to Article	23-4D			Lot Size/ Intensity	**PAZ:** No. There are some zones where an ADU is allowed at a smaller min lot size than a single-family (eg when combined with single-family attached). **DSD:** It seems the intent of this recommendation is to allow for a larger ADU size and not necessarily create different ADU sizes based on lot area. Current entitlements, LDC 25-2-835 (E), for a lot greater than 15,000 don't limit the size of the ADU since this will be governed by building coverage. **NHCD:** NHCD recommends a two-in-two, rather than on-site ADUs. NHCD staff, based on its experience with the Austin Housing Trust Fund and Rental Housing Bonus Program, the Department's positions is that property owners opting into the program through ADU development pay a fee-in-lieu into the Housing Trust Fund, rather than income-restrict the ADU on their sites. We take this position for many reasons, including the higher per-unit cost associated with monitoring and enforcing income restrictions on small units. Additionally, the City Council has expressed interest in creating a waitlist for affordable housing units that may include priorities for people with housing barriers (including criminal history, evictions, and poor credit) and people experiencing homelessness. A waitlist approach for ADUs may cause potential bonus program applicants to decide not to utilize the program at all. Other cities are grappling with how to enforce affordability in ADUs as well – Portland, OR decided not to require ADUs to be affordable after difficulties with their proposal were identified.	23.64 23.66 23.80
62	Add a footnote to the Residential zones which has the same development standards as RDG, but does not permit an ADU.	Failed	2	11	4											Specific to Article	23-4D			New Zone		23.70	
63	In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference Section 23-4D-9000 (ADUs).	Passed	12	0	1											Specific to Article	23-4D			Parking	**PAZ:** Concur	23.72	
64	Add a "Small Lot Single-Family Use" as a permitted use in R2 zones, R4 zones, R6/A, and R6/B to allow small houses on small lots without requiring them to be attached min. lot size: 2500 sf max lot size: 4999 min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1920 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, 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	Failed	3	7	2																		
	Substitute Motion 1	Passed	7	0	3											Specific to Article	23-4D			New Zone	**PAZ:** No. This is virtually identical to RZD and RZE already in D3. **DSD:** This is currently allowed in the RZD and RZE zones. Creating a zone with a single allowed use is not a best practice. It conflicts with the goal to simplify the code.	23.76	23.114
	Substitute Motion 2	Passed	7	0	3											Specific to Article	23-4D			New Zone	**Watershed:** Agree with PAZ/DSD.	23.76	23.114
65	Add amend the below definitions and place in correct location of the Code: Attached: When used with reference to two or more buildings units, means having one or more common walls or being joined by a roof, covered porch or covered passageway measured 20 feet in length or greater, or by an enclosed space. Detached: Fully separated from any other building, or joined to another building by structural members not constituting an enclosed or covered space Staff to analyze intent of above language and recommend a definition that encompasses the intent of a clear definitive difference	Passed	8	4	3				Passed	Passed											**PAZ:** Neutral re: change of building to unit. No re: 20' measurement and definition of detached (both are unnecessary). **DSD:** No. Units needs to be defined. 20' is arbitrary and adds to impervious cover. The detached definition cannot allow attachment. This just adds to the complexity. FYI: the specialists in Mayor & City Council had covered porch requirements. Staff is in agreement.	23.80	
	Amendment to Original Motion 1	Passed	9	2	1																		
	Original Motion 2	Withdrawn														Specific to Section	25-13A-1030		White Item 1 - Page 41 of 48	Terms/ Definitions	**PAZ:** Concur. Adding language regarding setbacks for these uses would create conflicts with the definitions of these uses.	23.80	
66	Strike the 25 feet in depth language																				**DSD:** Do not concur. Adding language regarding setbacks for these uses would create conflicts with the definitions of these uses.		
	Original Motion	Passed	11	0	1											Specific to Article	23-4D			Setbacks	**PAZ:** Concur with DSD.	23.87	
67	Add a bonus of "+100sf for each three bedroom unit within 500' of public school" for Single-Family and Duplex uses in R2-R4 zones where McMansion applies	Passed	8	1	3				Passed	Passed											**DSD:** Do not concur. Proposal is overly complicated and will extend review times.		
	Amendment to Original Motion	Failed	3	6	3																		
	Original Motion	Failed	3	6	3											Specific to Article	23-4D			FAR/ Height	**PAZ:** Concur with DSD.	23.88	
68	Add a bonus of +0.1 FAR for every unit above Single Family Use in all R3 zones	Failed	3	9	2					Passed													
	Amendment to Original Motion 1	Failed	3	10	2												23-4D-2100 23-4D-2160						
	Amendment to Original Motion 2	Failed	4	8	2											Specific to Section	23-4D-2170 23-4D-2180			FAR/ Height		23.90	23.117
69	Add a bonus of +0.1 FAR for every unit above Single Family Use in all R4 zones																						
	Substitute Motion	Passed	7	5	3					Passed						Specific	23-4D-2150/23-4D-2200			FAR/ Height	**PAZ:** Neutral - will require all depts to re-evaluate R4. **NPO:** NPO generally	23.101	23.102/ 23.120
70	Add a bonus of +0.1 FAR for every unit above Single Family Use in all R5 zones																						
	Original Motion	Passed	13	0	3											Specific to Article	23-4D			FAR/ Height	**PAZ/ DSD:** Concur	23.112	
71	Amend the height of all accessory structures to 15 feet instead of 12 feet, as applicable	Passed	13	0	3																		

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/Failed	Votes Tallies: Ayes	Noes	Abstained	Votes by Commissioner: ANDREWS	CART	CLAY	DEVINE	KOLODZIEJ	SCHOLLER	SHIRLEY	THOMPSON	WEISS	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
71	Original Motion: Change all RE minimum lot widths from 60 feet to 85 feet	Failed	8	2	1										Specific to Section	23-4D-2100 23-4D-2200			Lot Size/ Intensity		23.121	
72	Original Motion: Increase the base standard units of Cottage Court in the R4 zones from 9 to 6 units	Passed	11	0	1										Specific to Section	Table 23-4D-2160(A) Table 23-4D-2200(A)			Lot Size/ Intensity	Opposed	23.122	
73	Original Motion: For R6/A and R6/B, change the minimum lot size to 2,750 sf and the minimum width to 30 feet	Failed	3	10	1										Specific to Section	Table 23-4D-2210(A) 23-4D-3080			Lot Size/ Intensity		23.123	
74	Substitute Motion: Create a new zone (DNT-U) which has the same uses as R3U, but with a permitted density of 14 units per acre minimum 1 space per for the site R2C height limits, building form (mansarded) 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. No multi-unit buildings. Original Motion: Amendment to Original Motion 1: Staff to review proposed zone to ensure it does not have a negative impact on Density Bonus program	Passed	12	1	3										Specific to Article	23-4D			New Zone	**PAZ:** Neutral - staff would like to evaluate further **NHCD:** conflict with FAR text in section 47	23.124	
75	Original Motion: Amendment to Original Motion 2: New zone shall not be used within transition zones	Failed	6	6	1										Specific to Article	23-4D			New Zone		23.124	
	Original Motion: Eliminate Dwelling Unit per Acre requirements in all multi-unit zones																			**PAZ:** Neutral; need to understand effect on affordable housing bonus program **NHCD:** Oppose increased base entitlements. Generally, for bonus programs where the base entitlements are increased, it increases the value of the entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.		
	Substitute Motion: Increase units per acre by 20% in all multi-unit zones for base and bonus units and always round the numbers up	Passed	8	5	3										Specific to Article	23-4D			Lot Size/ Intensity		23.125	23.126
76	Original Motion: 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) Lighting: Exterior lighting shall be hooded or shielded so that it is not visible 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) Glare: 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. Trash pick-up shall be prohibited between 10pm and 7am for trash waste receptacle. Collection of such receptacles shall be prohibited between 10pm and 7am. (E) Front a parking structure facing and located within 100 feet of a triggering property: (1) Ground floor shall be lined with uses other than parking for a minimum of 30 feet; (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.	Passed	8	5	3										Specific to Article	23-4D			Allowed Uses/ Specific to Use	**PAZ:** Concur, currently a CUP in RM2B and RM4.	23.138	
77	Original Motion: Increase impervious cover in RM/A to 60% for all other uses beyond residential, unless the primary use is Corner	Passed	13	0	3										Specific to Section	Table 23-4D-3050(F)			Impervious Cover	**NPZ:** WVC generally opposes increases in impervious cover limits without analysis of the potential impact. Would need to study the potential impacts on floodplains, erosion potential, etc., based on the mapping extent.	23.140	
78	Original Motion: In the R2A 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. Change 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 the compatibility standard so it does trigger compatibility - ie R4A & R4B with MF allowed should not trigger compatibility for other MF																						
	Substitute Motion: For R6/A and R6/B the following development standards be altered: McMansion lent (as McMansion is applied in Draft 3) apply Within 30 feet from a rear triggering property, height be limited to 2 stories Remove compatibility setbacks Side setback of 10 feet, as opposed to the 5 that is currently required in Draft 3	Passed	10	1	4	Absent	Absent				Absent				Specific to Section	23-4D-3050 23-4D-3080			Additional Development Standards	Concur.	23.143	23.151 23.152 23.153
79	Original Motion: Staff to review setback, landscape buffer, and stepback and eliminate one from the requirements	Fails	6	7	3										Specific to Article	23-4D			Compatibility/ Transition Zone		23.150	
80	Original Motion: Increase the height maximums in Main Street zones as follows: MS1A, MS1B: 35' to 40' MS2A, MS2B, MS2C: 40' to 50' MS3A, MS3B: 50' to 80', 120' with AHBP Bonus Increase the height maximums in Mixed Use zones as follows: MU1A, MU1B: 35' to 40' MU1C, MU1D, MU2A: 40' to 50' MU2B, MU3A, MU3B: 50' to 80' MU4A, MU4B: 80' to 90', 120' with AHBP Bonus MU4C: 120'	Not Acted On																		**PAZ:** Defer to NHCD; need to understand effect on Affordable Housing Bonus Program **NHCD:** Oppose increased base entitlements. Need clarification on whether this motion included any increases in BASE heights, or if all height increases are achieved only through the affordable housing bonus program. Generally, for bonus programs where the base entitlements are increased, it increases the value of the entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.		
	Amendment to Original Motion: Change the bonus heights to those listed in the Original Motion Keep the base heights as 50 for all zones except: MS1A, MS1B: 35' to 40'																	Kazi Exhibit - 6/4/18	Affordable Housing		23.156	
	Original Motion: MU1A, MU1B: 35' to 40'	Passed	8	4	3										Specific to Article	23-4D					23.178	
81	Original Motion: 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	3					Absent					Specific to Section	Table 23-4D-4030(A)		White Exhibit 1 - Page 7 of 68	Allowed Uses/ Specific to Use	**PAZ:** Concur	23.142	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tally: Ayes	Noes	Abstain	Vote by Commissioner: ANDREWS	CARY	CLAY	ACOSTA	ALVARADO	ACOSTA	SCHOLLER	JENKS	THOMPSON	WHITE	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
82	Allow the following uses as a permitted use in all MU and MR zones except MU1A and MU1B: Residential Care Facilities, Semi-Ambulatory Housing, Work/Live, Library, Museum, or Public Art Allow Cultural Use, Civic Use, Commercial Services, Cultivation, Food Production, Venue/Theater, Live Music, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufactured Home, and all sizes of Daycares									Divided						Specific to Section	Table 23-4D-4030(A) Table 23-4D-4030(B) Table 23-4D0903(A)(A)		White Exhibit 1 - Page 7 and 8 of 48	Allowed Uses/ Specific to Use	**PAZ:** Concur	23.164	23.183
83	Within 50 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) Add a 6' fence on top																23-4D-4080 23-4D-4070 23-4D-4080			Additional Development Standards	**PAZ:** Neutral		
Original Motion	McMansion text (as McMansion is applied in Draft 3) apply	Passed	12	0	1											Specific to Article	23-4D-5070				**SMS:** Concur with requiring landscape buffer	23.174	23.186
Original Motion	Change all front yard setbacks from 5 feet to 0 feet in commercial zones (RMXA and up)	Passed	13	0	0																		
84	Amendment to																			Setbacks			23.182 23.192
Original Motion	Start at RMXA, not RMSA	Passed	13	0	0											Specific to Article	23-4D				Opposed	23.177	23.215
85	Allow a CUP for all Adult Entertainment in all applicable zones	Passed	13	0	0											Specific to Article	23-4D			Allowed Uses/ Specific to Use	**PAZ:** Disagree, a use cannot be exclusively CUP	23.208	
Divided Original Motion 1	Change CC-80 and CC-120 FAR max to 5:1, and increase heights Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90; replace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (70' 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 <12 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 D. For commercial buildings greater than or equal to one-half block width: Except for building support spaces (including an Austin Energy vault, fire pump), entries must be oriented to the street and located at sidewalk level. No ramps or stairs allowed within public rights -of-way or front setback The commercial buildings less than one-half block width: The primary entry must be oriented to the street and located at the sidewalk level. Amendment to Divided Original Motion 1: Change the CC zone to the following heights: Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90; replace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (70' overall max height); replace CC80 with CC90 (90' overall max height)	Passed	7	3	1						Divided										**PAZ:** This would conflict with the Downtown Austin Plan and may have an effect on the Affordable Housing Bonus Program (defer to NHCD) **NHCD:** Oppose increased base entitlements. Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.	23.215 23.216 23.217 23.220 23.221 23.222 4-23.206.1 4-23.206.2 4-23.206.3	23.216 23.217 4-23.206.3
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 <12 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 D. For commercial buildings greater than or equal to one-half block width: Except for building support spaces (including an Austin Energy vault, fire pump), entries must be oriented to the street and located at sidewalk level. No ramps or stairs allowed within public rights -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						Divided												23.213/23.215/23.2	
Amendment to Divided Original Motion 2	Set setbacks to 0 feet unless stated otherwise in 23-4D-8070	Passed	11	0	1																		
Substitute Motion 1	Drop Development Plan and adopt "Option 2"	Failed	4	8	1															Additional Development Standards			23.200
Substitute Motion 2	Keep the entitlements allowed in the CC zones, but ensure units received through the bonus are not	Failed	6	5	1											Specific to Article	23-4D-6060				Opposed	23.213	
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 a Density Bonus Program with consideration of the bonuses Alter the ADU and B-scale compatibility restrictions Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA 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	2											General to Code			Kenny Exhibit 2 - ADU Bonus Amendments	Affordable Housing	**PAZ:** Neutral. Defer to NHCD. **SMS:** Neutral with exception of school distance provision- increases complexity of review and will increase review times. **NHCD:** NHCD recommends a fee-in-lieu, rather than on-site ADUs. NHCD: Based on the ADU Feasibility Study, the ADU Bonus Program, and the Density Bonus Program, the Department's positions is that property owners opting into the program through ADU development pay a fee-in-lieu into the Housing Trust Fund, rather than income-restrict the ADU on their sites. We believe this position for many reasons, including the higher per-unit cost associated with monitoring and enforcing income restrictions on ADUs. Also, we believe that City Council has expressed interest in creating a waitlist for affordable housing units that may include priorities for people with housing barriers (including criminal history, evictions, and others). We believe that creating a separate waitlist approach for ADUs may cause potential bonus program applicants to decide not to utilize the program at all. Other cities are grappling with how to implement ADUs in their SF zones. Portland, OR recently reduced their ADUs to be affordable after difficulties with their program as identified in staff reports/evaluations and reporting on Affordable Housing Bonus Program (see Draft 3 23.SE.1020 and response to item 12).	23.213	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/Failed	Vote Tallies: Ayes	Vote Tallies: Nays	Vote Tallies: Abstentions	Vote by Commissioner: GUERRERA	GUIDRY	ALOR	GOMEZ	HOUSTON	NICOLETTI	SCHOLLER	SHIVER	THOMPSON	YOUNG	ANDRE	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
88	Add the following language to Section 23-4D-8080 (E) Regardless of the requirements of the former Article 25 (including NCCOs and FZO zones) (1) Single-family, duplex, and townhouse uses are permitted on a residential lot that meets the standards of R2 or greater, including but not limited to, placement, height, impervious cover, FAR, and setbacks; (2) Lot area per unit lot size is equal to the minimum lot size required for Single-Family; 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 FZO zoned property. Original Motion	Failed	6	4	2						Absent						Specific to Section	23-4D-8080			Allowed Uses: Specific to Use		23.247	
	Substitute Motion	Failed																						
	Original Motion	Divided																					23.250 23.251 23.252	
89	Divided Original Motion 1	Passed	12	0	3						Absent											**NPO:** Support. The landscaping requirement reflects current code for Tier 1. The green stormwater option is no longer necessary since CodeNEXT is proposing making GSI a standard requirement. **DSD:** Concur with WPO response.		23.250 23.251	
	Divided Original Motion 2																							
	Amendment to Divided Original Motion 2	Passed	7	0	8						Absent						Specific to Section	23-4D-8110			Landscaping	Support for trees on private property.	23.250	23.252
90	Original Motion	Failed	4	4	8												General to Code				Policy		23.266	
91	Original Motion	Passed	11	1	8												Specific to Section	23-4D-9130			Policy	**PAZ:** Natural. This is outside of the scope of CodeNEXT	23.266	
92	Original Motion	Passed	12	0	8												Specific to Article	23-4D			Language Revisions	**PAZ:** Natural **DSD:** Concur	-	-
93	Original Motion	Passed	11	0	9			Absent			Absent						Specific to Article	23-4D			Language Revisions	**DSD:** Concur, but this should not limit an engaged porch to only be open on one side	4.24.5.1	
	Original Motion	Passed	9	0	9						Absent													
94	Amendment to Original Motion 1	Passed	8	4	9																		23.40 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 23.191 23.192 23.234 24.5 24.11 24.12 24.13 24.14 24.15 24.16	
	Amendment to Original Motion 2	Passed	11	0	9																			
	Substitute Motion	Failed	3	8	1												General to Code				Parking	Staff: response pending PAZ: Natural. Out of scope of CodeNEXT	24.6	24.18
95	Original Motion	Passed	10	2													General to Code				Parking	ATD: ATD suggests reviewing ASD parking requirements to include school-specific TDM policies for staff, parents, and students to include Vision Zero goals and to enhance pedestrian and bicycle infrastructure to/from school sites during the site plan phase.	24.23	

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Vote Tallies: Nays	Vote Tallies: Abstentions	Vote by Commissioner: GUERRERA	GUIDRY	ACOSTA	ALIAT	GUTIERREZ	NOTARIO	SCHOELLER	SHANAHAN	THOMPSON	WOOD	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
96	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 non-house scale multi-family development, mixed use, and any other non-residential development adjacent to a public right-of way. 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, Reduce the Front Yard Landscape Buffer requirement to 25%. In Section 23-4E-4050, remove Foundation Buffer because some areas should not have landscaping next to the stoks. Soils engineers are against this on larger buildings. In Section 23-4E-4050(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 5 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	0	1						Passed					Specific to Section	23-4E-4020(A)1)(c) 23-4E-4040(B) 23-4E-4050(C) 23-4E-4040 23-4E-4060(F)(2)(b)(iii) 23-4E-4050 23-4E-4060(D) 23-4E-4060(F)(2)			Landscaping	**DSD:** In Section 23-4E-4020(A)1)(c): Support In Section 23-4E-4040(B): Oppose In Section 23-4E-4050(C): Oppose. Foundation buffer is appropriate for non-house scale RM. Suggest revising to say "commercial and non-house scale multi-family." In Section 23-4E-4040: Oppose. Site without sufficient area for Front Yard Landscape in CC and DC zones ispotentially going to use Functional Green, keeping applicability general allows building design to dictate landscape requirement. In Section 23- 4E-4040 Table A: Oppose. Recommend waiting for testing of landscape code by ASLA. In Section 23-4E-4060: Oppose In Section 23-4E-4060(D): Oppose In Section 23-4E-4060(F)(2): Oppose. Larger islands are necessary to support healthy growth of trees, which are key for size and shade-giving potential. 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: Noted. **Watershed:** Oppose reductions in the amount of required landscaping. The Green Infrastructure Working Group recommended providing as much nature as possible at a variety of scales. In addition, they recommended ensuring that the green space on adjacent properties in the same property line work together to form a cohesive and functional green space	4-24 26.1	4-24 26.1 24-27 24-28 24-29 24-30 4-24 26.1 24-31 24-32 24-33
97	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											Specific to Section	23-4D			Allowed Uses/ Specific to Use		24-40	
98	Original Motion: Eliminate Short Term Rental as a permitted use	Failed	1	9	1											Specific to Section	23-4D			Allowed Uses/ Specific to Use		24-50	
99	Original Motion: Permit 4 unrelated occupants per dwelling unit, and direct staff to allow more where appropriate	Failed	1	9	1																		
	Substitute Motion 1: Uphold the occupancy limits of 4 in Multifamiron and 6 outside of McMansion as directed by Council in 2016.	Failed	4	6	2																		
	Substitute Motion 2: Throughout the City (regardless of McMansion), set occupancy at the following standards: Chapter 1 = 1 Chapter 2 = 2 Single Family + ADU: 6 + 2 Duplex: 3 + 3 = 6 ADU alone: 2 Cottage court leave as is, with direction to staff to recommend to council additional occupancy limits where deemed appropriate	Passed	10	2	1											Specific to Article	23-4D			Terms and Definitions	**PAZ:** Neutral; proposal changes 2016 Council occupancy policy, however this proposal simplifies administration and enforcement of occupancy limits. Adding flexibility to occupancy limits would support the Strategic Housing Blueprint. **NHCD:** Adding flexibility to occupancy limits would support the Strategic Housing Blueprint.	24-70	
100	Original Motion: Recommend approval of Chapters 23-0, 23-7, 23-8, 23-9, 23-10, 23-12, and 23-13 with amendments previously approved	Passed	9	1	1															Policy			
	Amendment to Original Motion: In Article 23-13, Definitions and Measurements, revise the definition of Microbrewery from 15,000 barrels to 5,000 barrels, and revise Draft 3 for any terms that have been left undefined, using motions from Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet as guidance	Passed	8	0	3											Specific to Article Specific to Section	Article 23-0 Article 23-7 Article 23-8 Article 23-9 Article 23-10 Article 23-12 Article 23-13 23-13A-1230			Terms and Definitions	**PAZ:** Neutral. However, by redefining microbreweries, which zones microwineries and breweries are permitted in should be reviewed.	N/A	
101	Original Motion: Require a variance for all Flag Lots as is required in Title 25	Passed	7	4	1											Specific to Section	23-5C-2040			Policy	Opposed	A-27 8.1	
102	Original Motion: Recommend approval of Chapter 23-6 with amendments previously approved and the following additional changes: 1. Direct Staff to revisit Site Plan Life and establish a process not to exceed 2 months that is administered by DAC with Watershed Protection review.	Passed	8	0	3						Passed		Passed			Specific to Article	23-6			Policy	Neutral	N/A	
103	Original Motion: Add (intent) language for the Article in general that the goal of the transportation Article is to take steps to reduce carbon pollution caused by vehicles as part of our commitment to the Paris Climate Accord, and that we 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	0	0	1															Policy		44.4	44.3
104	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							Passed		Passed		Specific to Article	23-11			Policy	**PAZ:** Not recommended for criteria manuals. Existing rules process allows public process for stakeholders of criteria manuals. **Watershed:** Need clarification of intent. 23-11 is the Technical Code (e.g., Building Code) and not the same as the Technical Criteria Manuals (e.g., Environmental Criteria Manual). The code establishes an administrative process for the adoption of rules and technical criteria. **Austin Energy:** Are technical criteria merely to be "discussed" at PC and Council or debated? Technical criteria should be based on sound engineering rather than political judgements **PWD:** There is an established Rules Posting Process to update Criteria Manuals. All notices are posted on the City's website. Recommend approval of Chapter 23-11 with amendments previously approved and technical-criteria-manuals. - Please contact the Rules Posting Manager to see if there are distribution lists for rules posting notices that individuals or groups can be added to.	N/A	
105	Original Motion: Add Accessory Apartment as a permitted use in all R zones as shown in Shah Exhibit 2 - Accessory Apartment	Passed	8	3	1						Passed					Specific to Article	23-4D			Allowed Uses/ Specific to Use	**DSD:** Do not concur- adds additional review complexity and potential conflicts with building code. Will increase review times.	A-27 22.1	A-57 22.2

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/ Failed	Vote Tallies: Ayes	Noes	Abstentions	Vote by Commissioner: GUERRERA	GORSLINE	CHERRY	ALOR	MCKINNEY	ROJAS	ROSENBLUM	SCHISSLER	SHANKS	THOMPSON	WOOD	SEARS	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Broad Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
106 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 docks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities, driveways, and enclosed loading berths and all street-maneuvering areas. In exchange, all Residential Zones allow for an increase of 0.05 FAR.	Passed	8	0	0													General to Code				Terms and Definitions	**PAZ:** Do not concur. FAR needs to be consistent and coordinated with other proposals **DSD:** FAR needs to be consistent and coordinated with other proposals **NHCD:** Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units.	37.4	
Amendment to Original Motion 1	GFA excludes loading docks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities up to 450 sf, driveways, and enclosed loading berths and off-street maneuvering areas.	Failed	5	2	1													Specific to Section	Article 23-13A-1030		See White Exhibit 1 - Page 36 of 46				
107 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. 2) All CS-1 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 CS-1 zoned lots immediately adjacent to the (1) above MS lots AND have part of their lot within 1/4 mile of an IA corridor are rezoned as RDC. Gentrifying areas defined by Kenny Exhibit 1 - Easter Crescent Gentrification Protection Zone (Page 28 of 35)	Divided																							
Amendment to 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																		**PAZ:** Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. **Watershed:** WPD generally opposes increases in impervious cover limits in the Austin Watershed Regulation Area. Staff will need to study the potential impacts on floodplains, erosion potential, etc., based on the mapping exercise.		
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 CS-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 CS-R zoned lots immediately adjacent to the (1) above MS lots AND have part of their lot within 1/4 mile of an IA corridor are rezoned as RDC. Gentrifying areas defined by Kenny Exhibit 1 - Easter Crescent Gentrification Protection Zone (Page 28 of 35)	Never taken up																General to Code Specific to Section	Table 23-4D-5080(H) Table 23-4D-5120(H)		Kenny Exhibit 1 - Easter Crescent Gentrification Protection Zone (Page 28 of 35)	Mapping	**NHCD:** Combined with the compatibility motion shown in item 40, staff questions whether this recommendation would prevent the full bonus being achieved on these sites (also see motion above regarding increasing bonus heights in Item 80 and direction on permitting sites to utilize bonus entitlements in Item 12 section 16).	Mapping Item 1	
108 Final Motion	Map Corridor Transitions per modified Kast Corridor Transitions Directive, as voted on by Planning Commission	Passed	13	1	0													General to Code			Kast Corridor Transitions Directive - Original and Modified versions of Planning Commission	Compatibility/ Transition Zones	**PAZ:** Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. **WPD:** WPD is neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts.	Mapping Item 8	
Substitute Motion 1	Remove compatibility from CC zone	Failed	3	10	2																				
Substitute Motion 2	Retain current compatibility in the western Judges Hill area per DAP, but with a 270 foot triggering distance Direct staff to remove the compatibility impacts to CC zoning in the Downtown area, particularly related to the two properties zoned RDC-H near Judge's Hill and the property on the southern corner of 15th street with W Inning. This includes P125.	Passed	10	3	0													Specific to Article	23-4D			Compatibility/ Transition Zones	**PAZ:** Neutral. The CC parcels that are affected by compatibility are under the Historic Landmark overlay. Impact of motion negligible.	Mapping Item 11	20.5 23.205 23.233 23.222
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																		**PAZ:** Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. **WPD:** WPD is neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts.		
110 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																		**NHCD:** Oppose unless an Affordable Housing Bonus option is added to the zone. The UC-Unlimited zone is currently designed without an affordable housing bonus lever. Staff believes this change would result in a loss of affordable housing units that could be generated by a bonus program. Would like to pursue rezoning regional centers to a UC zone that has a bonus (UC80, UC120, or UC180), staff would like to model projected yields under the UC zones to see what is the most appropriate zoning designation and provide a recommendation on which zones to utilize. Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced.	Mapping Item 12	23.200 Mapping Items 46 47 49 233
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													General to Code				Mapping			

Planning Commission
CodeNEXT Draft 3 Recommendation Report to City Council

	Motion	Passed/Failed	Vote Tallies: Ayes	Noes	Abstentions	Vote by Commissioner: GUERRERA	HARRIS	ALEX	MCCANDLISH	KLOCKE	SCHOELLER	SHANES	THOMPSON	SHEAR	General to Code, General to Chapter, Specific to Article, or Specific to Section	Section Number	Annotated PC Motion Page No.	Related Exhibit	Street Topic	Staff Response	Original Planning Commission Motion	Related Planning Commission Motions
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																				
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	2															**PAZ**: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. **WPD**: Neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts.		
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	2															**PAZ**: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. **WPD**: Neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts.		
111 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	2																	
Amendment 2 to Divided Original Motion 1 AND 2	See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) Map the area bounded by Airport, Manor, Springdale and Cesar Chavez to be mapped as a new zone of RM1C that features the base zoning of RDC with a 15 foot front setback, and the bonus entitlements of RMGX. This would be the default zone for behind corridors in the related map.	Passed	8	2	2															**PAZ**: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested.		
Divided Original Motion 3	Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff	Passed	9	4	2															**NHCD**: Staff support updating TOD Regulating Plans		
Amendment to Divided Original Motion 3	Direct Staff to review policy on exempting TODs from compatibility	Passed	10	3	2																	
Substitute Motion to Divided Original Motion 1	No additional changes to F2S	Failed	4	9	2										General to Code				Mapping		Mapping Item 22, 1	23.141 23.129
112 Original Motion	Approve Downtown Map with Amendments and make no further motions regarding Downtown	Passed	11	1	1										General to Code	Map			Mapping	**PAZ**: Without understanding the impacts these amendments have on the AHSP staff remains neutral.	N/A	
113 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 to Code	Map			Mapping	**PAZ**: NA beyond scope of CodeNEXT and requires separate process to amend Imagine Austin **NHCD**: Oppose unless an Affordable Housing Bonus option is added to the zone. The Southpark Meadows area is currently proposed to be zoned MU3A-A. Staff believe this change could result in a loss of affordable housing bonus capacity, especially if zoned UC-Unlimited, which is not proposed to have an affordable housing bonus lever. If Council would like to pursue rezoning regional centers to a UC zone that has a bonus (UC60, UC75, or UC85), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize. Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced. **PAZ**: Staff support transitioning F2S zones to CodeNEXT zones where appropriate. Also, some have RUD, so compliance that will need further review beyond this initial PC mapping amendment process. In reality, this motion mostly effects the Highland Neighborport Regional Center. Lastly, staff will need to fully compare CodeNEXT landscaping and transportation standards compare to UNO's streetscape standards. **WPD**: WPD is neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts. **NHCD**: Oppose unless an Affordable Housing Bonus option is added to the zone. The UC-Unlimited zone is currently designed without an affordable housing bonus lever. Staff believe this change would result in a loss of affordable housing bonus capacity, especially if zoned UC-Unlimited. If Council like to pursue rezoning regional centers to a UC zone that has a bonus (UC60, UC75, or UC85), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize. Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced.	N/A	12
114 Original Motion	Approve Regional Centers with Amendments Direct Staff to review ANSI properties with most appropriate, non-triggering zoning instead of the existing P zoning	Passed	13	0	0										General to Code	Map			Mapping			
115 Original Motion	Direct Staff to review NBZ properties with most appropriate, non-triggering zoning instead of the existing P zoning	Failed	0	0	13										General to Code	Map			Mapping		N/A	
116 Original Motion	Staff to establish a 3-year sunset process for F2S, including community participation - particularly those areas that have already completed a small area planning process. New zones or subzones may need to be created to accommodate the sunset process. For areas scheduled to undergo a Small Area Plan, F2S will get phased out as part of that review if it has not already been phased out	Passed	13	0	0										General to Code	Map			Policy	**PAZ**: Pending **NHCD**: Staff support transitioning F2S zones to CodeNEXT zones where appropriate.	N/A	