INSTRUCTIONS

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

LEGEND
Consent
Passed Motion
Defeated Motion
Duplicate Motion of Acted-On Item or Failed on Second or Withdrawn
Staff identified duplicate motions
Motion Tabled
See Table Addendum for more information

			Α				В					С	D		E	F	G		Н
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	<u> </u>	CF	HANGES T	LO D3		INITIA	LED BA CO	JMIMISSI	ONER	EX OFF	FICIO	TOPIC AREA	TEEDBACK		AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					NOS		N S	E	Sol	ZA AZ								YES/NEUTRAL /NO	
					불	- <u>*</u>	KE GR	SE SE	필일류	A RKA	ਤ							/140	
OFNERAL		NONE	MAINOR	R MAJOR	A H	호 필 :	질길	SE	동본호	꽃 물 물	핕			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
GENERAL	All Non 23-4	NONE	WIINOR	MAJOR			so						YES/NO	X		REDUCE LENGTH OF NON 23-4 SECTIONS BY 20%. CodeNEXT text is			
	Divisions			^												overly verbose, consistently difficult to understand. Master Editor			
												FORMAT				should identify measures in Non 23-4 chapters to reduce extreme			
																length to assist in achieving CodeNEXT goal for code simplicity.			
	3-1: Introduction	NONE	MINOR	MAJOR									YES/NO	YES/NO					
1.1	Article 23-1A General Provisions Division 23-1A-1 Title, Purpose, and Scope					+	+												_
1.3	Division 23-1A-2 Authority	С	х			+		JSc							23-1A-2030	(A) Effect of Land Development Code. The standards and procedures	This clarifies that the technical criteria manuals supercede the statements of city	Neutral	
																applicable to development of property within the City limits and	officials or employees.		
																within the City's extraterritorial jurisdiction are stated in the land Development Code (LDC) or technical criteria manuals as adopted			
											Ш	Admin &				per the provisions of the LDC, which shall control in the event of a			
											Ш	Procedures				conflict with a representation made by a City official or employee,			
											Ш					either orally or in writing, <u>or via a policy manual</u> , summarizing, paraphrasing, or otherwise interpreting the t <u>hat summarizes,</u>			
											Ш					paraphrases, or otherwise interprets the standards and procedures			
											Ш					applicable to development.			
1.4	Division 23-1A-3 Classification of Application and Decisions										Ш								-
2.6	Division 23-1A-4 Classification of Application and Decisions							JSc							23-1A-3020	Move 23-1A-3020(C)(2)(c) to 23-1A-3020(B)(2)(e) and revise 23-	Section 23-2A-2010(A)(2) (c)has subdivisions as quasi-juducial approval, conflicts		
												Admin &			(C)Administative	1A3020(C)(1) (b) The authority to make administrative decisions is	with 32-1A-3020(C) as administrative decision		
												Procedures			Decisions (1)(b)	delegated to City departments and to boards and commissions, as provided in Article 23-1B (Responsibility for Administration). A public-			
																hearing is required for an administrative decision by a board or			
1.5	Division 23-1A-4 Consistency with Comprehensive Plan	-														commission.			_
1.7	Division 23-1A-5 Rules of Interpretation	С	Х		+++	+	++-	ISc		+	+++				23-1A-5020 (b) (1)	Wherever possible, the Director shall have the authority to interpret	Conflicts should be avoided whenever possible inside the LDC. This new	Neutral	
		С	^					,,,,			Ш	Admin &			23 17 3020 (8) (1)	this Title in a manner that gives effect to all provisions and wherever	language gives the director the authority to interpret the LDC to avoid any		
											Ш	Procedures				possible, shall avoid interpretations that render a provision of this	potential conflicts wherever possible.		
											Ш					Title in conflict with one or more other provisions.			
A-1.7.1	Division 23-1A-6 Minimum Development Potential			х			so								23-1A-6010 & 23-1A-	See SO Exhibit 1 - Proposed Amendment to Minimum Development	This amendment would assist in mitigating the compounding impact of layer	No	DSD: It appears the recently introduced SO Exhibit 1 would
															6020	Potential	upon layer of many new staff initiated regulations that have good intentions but once applied in unison to an individual parcel become problemmatic to typical		establish an across-the-board entitlement of at least 90% of the allowable impervious cover and FAR. The City Arborist
																	development conditions.		understands the amendment's intent and regularly works to
																			protect trees while also recognizing the applicant's desire to realize the development potential of a property. However, the
																			proposed amendment could jeopardize our ability to administer
																			our community's tree preservation regulations. There are existing
																			provisions in code that allow Protected and Heritage Trees to be removed if they prevent reasonable use or access. These
																			provisions have served our community well by protecting our
																			urban forest while striking a balance with development. The proposed amendment could undue this balance if 90% of the
																			allowable is by right as this would effectively preclude the
																			reasonable use or access determination and the commission variance process for some Heritage Trees.
2	Article 23-1B Responsibility for Administration																		
2.1	Division 23-18-1 City Council	С																	-
2.2	Division 23-1B-2 Boards and Commissions	С																	-
2.3	Division 23-1B-3 Administration	<u> </u>				\top													

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4PTER	ION				REQ. ADD'L STAFF						
3	DIVIS	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX C	FICIO TOPIC AREA		AN	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			INDERSON AZI AZI AZI AZI AZI AZI AZI ACGRAW HUKR CHISSLER EEGER HIEH HOMPSON VHITE HAW	EICH		GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
2.4	Division 23-1B-4 Neighborhood Planning					GENERAL	SECURIC SECTION				-
2.5	Division 23-1B-4 Neighborhood Planning		KM	Contact Teams			23-1B-4010	Neighbrohood Contact Teams may submit plan amendments.	This should not be removed.		
2.7	Division 23-18-4 Neighborhood Planning		ЈТ	Neighborhood Plans		Yes		When PC first sees a new Neighborhood plan, or small area plan, etc., it is on the dias (or perhaps at SAP) where we are expected to give an up or down vote. There is no method for additional nighborhood feedback other than public hearing. The process should go to PC much sooner so we can provide early feedback.			
Chapter 2 A.3.0.1	23-2: Administration and Procedures GENERAL Administration & Procedures	NONE MINOR MAJOR	TW		YES/NO	YES/NO X					
				Admin							
3.1	Article 23-2A Purpose and Applicability Division 23-2A-1 Purpose and Applicability Division 23-2A-2 Development Process										-
3.2	Division 23-2A-2					No	23-2A-2010 (2) Quasi-	(2) Quasi-judicial approvals:	A business requiring a Conditional use Permit (CUP) and a rezoning should be	No	CUPs are quasi-judicial approvals
	Development Process	x	л	Admin & Procedures	No		Judicial approvals	(a) Zoning variances and special exceptions; (b) Environmental variances; (c) Subdivisions and subdivision variances; and (d) Conditional use permits.	allowed to submit concurrently. Allowing for concurrent submittals would provide a more transparent process and more certainty to the applicant and interested parties. In addition, there is a concern that this section, along with 23-2A-2020, gives the Director discretionary authority over concurrent applications. Language in existing code (25-1-61) is preferable for this provision which would allow for applications to be submitted and reviewed concurrently.		col sale quas junicia approvas
3.4	Division 23-2A-3 Residential Development Regulations										-
3.5	23-2A-3030 One to Two-Unit Residential Division 23-2A-3 23-2A-3040 Three to Six Unit Residential	x	TS TS	One-Two Unit Residential	NO		23-2A-3030 One to Two- Unit Residential	A)2) Residential development that is subject to this section must comply with the regulations of this Title specified under this section.	Clearer language	No	Agree that we need to clarify which chapters not currently listed still apply to 1-6 units (e.g., transportation, utilities). However, different language is needed than what the substitute language proposed.
3.7			JSh Dish					Amendment: Replace language. (2) An engineer's certification that any changes to existing drainage patterns will not negatively impact adjacent property if the construction, remodel, or expansion: a. Is more than 300 square feet; and b. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted WITH (2) Provide acceptable drainage improvements on site to preserve OR IMPROVE existing drainage patterns if the construction, remodel or expansion: A. Is more than 750 square feet; and B. in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.	too costly, and spending money on things that do not may not make much difference	No	WPD staff thinks that a threshold of 750 square feet to trigger consideration of drainage impacts is too high. Also, the problems being addressed are lot-to-lot drainage impacts rather than local flooding of storm sewer systems. Staff's recommended solution minimizes the need for staff review and inspection in order to reduce permitting time and costs. Generally, staff is open to exploring other available avenues of ensuring that building permits do not cause negative drainage impacts to adjacent properties.
3.8								C. Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted 1. Acceptable drainage improvements include, 1. An engineer's certification that any changes to existing drainage patterns will not adversely impact adjacent properties 2. swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve OR IMPROVE existing drainage patterns as calculated by: i. grading plan ii. per Table X-X-XX (gallons per sf of impervious cover and grade changes+12") iii. a fee in lieu is available at the director's discretion if a water mitigation project has been identified in the area to be implemented within 12 months			WPD staff thinks that a threshold of 750 square feet to trigger consideration of drainage impacts is too high. Also, the problems being addressed are lot-to-lot drainage impacts rather than local flooding of storm sewer systems. Staff's recommended solution minimizes the need for staff review and inspection in order to reduce permitting time and costs. Generally, staff is open to exploring other available avenues of ensuring that building permits do not cause negative drainage impacts to adjacent properties.

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CHAPTER	VISION	DESIRED PROPO										REQ. ADD'L STAFF FEEDBACK						
3.9 Divi	vision 23-2A-3030 Residential House-Scale Zones & 3040 (B)	CHANGES TO	х	ANDERSON HART KAZI	KENNY MCGRAW OTHER	NUCKOLS AND	SEEGER	THOMPSON X WHITE SHAW	BURKARDT STANDEN STAND		dential and ordability	NO	GENERAL	SPECIFIC SECTION 23-2A-3030 & 3040 (B)	Is more than 300 square feet; and Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted. (2) Install acceptable drainage improvements, such as swales,	Furthermore, "Negative Impact" is vague & subjective. The term does not allow for pre-existing deficient conditions on adjacent properties. Drainage calculations are necessary for engineer review and are known to be inaccurate on small tracts.	YES/NEUTRAL /NO	STAFF RESPONSE Staff have been told by area professionals that this certification process might cost between \$500 and \$5,000 per project. Dallas, Texas, cites a typical cost of \$1,600 for sealed engineering drainage plans for compliance with a similar requirement and the staff proposal does not require a drainage plan, simply a certification of no negative impact. The standard for the certification is that any changes to existing drainage patterns will not negatively impact adjacent property. This is different from the "no additional adverse impact" standard for site plan and subdivision projects, which considers any increase in flows as an adverse impact. This is intended to be a qualitative rather than quantitative analysis in most cases. The engineer's certification is not intended to require drainage calculations (although they might be warranted under certain circumstances), but rather to examine the project in the context of existing topography to ensure that any changes from existing drainage patterns do not negatively impact adjacent properties. Generally, Staff is open to exploring other available avenues of ensuring that residential building permits do not cause negative drainage impacts to adjacent properties.
3.10	letter of no impact		х							mi	water itigation	x		23-2A-3030 & 3040 (B)		Comment: This section incurs high cost along with liability and enforcement concerns for both engineer and homeowner. V3 language shifts liability from the owner of the property to the engineer. "Negative Impact" is vague & subjective. It does not allow for pre-existing deficient conditions on adjacent properties. Drainage calculations are necessary for engineer review and are known to be inaccurate on small tracts. The cost is estimated at \$3000 in site work plus \$5000 for the letter. Est \$8000 per house for over \$100+ permits last year fitting the requirements = over \$40 million additional cost.	No	Staff have been told by area professionals that this certification process might cost between \$500 and \$5,000 per project. Dallas, Texas, cites a typical cost of \$1,600 for sealed engineering drainage plans for compliance with a similar requirement and the staff proposal does not require a drainage plan, simply a certification of no negative impact. The standard for the certification is that any changes to existing drainage patterns will not negatively impact adjacent property. This is different from the "no additional adverse impact" standard for site plan and subdivision projects, which considers any increase in flows as an adverse impact. This is intended to be a qualitative rather than quantitative analysis in most cases. The engineer's certification is not intended to require drainage calculations (although they might be warranted under certain circumstances), but rather to examine the project in the context of existing topography to ensure that any changes from existing drainage patterns do not negatively impact adjacent properties. Generally, Staff is open to exploring other available avenues of ensuring that residential building permits do not cause negative drainage impacts to adjacent properties.
	cicle 23-2B Application Review and Fees Division 23-2B-1 Application Requirements																	-
4.3	Division 23-28-1 Application Requirements		х			JSc					dmin & ocedures				Add new (A)(4) that states (4): An application that has been submitted and not rejected as incomplete in 45 days shall be automatically approved under this section.	This would create certainty that applications that meet all requirements of completeness will be accepted	No	This is very similar language to today's code. This draft language says that an application is deemed complete after 10 days if rejection comments aren't provided. The PC addition of #4 would move that to 45 days, which would not be helpful to the applicant.
4.4	Division 23-28-1 Application Requirements	х				JSc					dmin & ocedures			23-28-1010 (b)		This clarifies that directors are empowered to adopt application requirements and deadlines only through an administrative rule process, and not via policy memo. The administrative rule process provides due process for all residents and stakeholders.	Neutral	Developing application packages and forms and incorporating content into an application should not be in the rules process. Establishing the minimum information required for a complete application might be an appropriate use of rules (or ordinances); however, the actual design of forms should not be held to the rules review process since the form or application should only be a reflection of requirements already established. The use of policy memos allows staff to make quick administrative decisions when required.
4.5	Division 23-28-1 Application Requirements		х			JSc					dmin & ocedures			23-2B-1030 Application Completeness (A)(4)(New)	Add (4): An application that has been submitted and not rejected as incomplete in 45 days shall be automatically approved under this section.	This would create certainty that applications that meet all requirements of completeness will be accepted		
	Division 23-28-1 Application Requirements		х			JSc					dmin & ocedures			23-2B-1040 Update and Expiration (D)(New)	Add new (D) "(D) If an applicant has submitted an application and subsequent updates but is unable to resolve outstanding comments after the third submittal, the City Manager shall require a meeting of all reviewers and the applicant to take place within 2 weeks following the third set of comments such that conflicting issues can be resolved in a timely manner"		Yes	
	Division 23-28-1 Application Requirements	х				JSc					dmin & ocedures			23-2B- 1050(B)(1)(d)(New)	Add (d): (d) the application is being delayed due to review by the legal department.	This section lists different reasons that a delay shoudin't lead to an application expiring. A common delay that isn't on this list is legal review. Because legal review is outside the control of the applicant, it makes sense to not having an application expire when the city legal department is reviewing it.		
4.8	Division 23-28-1 Application Requirements		х			JSc					dmin & ocedures			23-2B-1060	Remove entire section (23-2B-1060) If an application expires, all- other unapproved applications for that development, which are- listed below the expired application under Section 23-2A-2010 (Order of Process), also expire.	There's no reason to have all other items expire when one does - effectively resetting something back to zero. Other applications may still be going through a normal due process.		

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					1	INDERSON	ENNY	ACGRAW JUCKOLS	CHISSLER	SHIEH	WHITE HAW URKARDT	AEN DOZA EICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
4.10		Review Procedures Fees and Fiscal Surety			х		<u> </u>		JSc JSc	8 1	N N N	<u> </u>	Admin & Procedures			23-28-2010 (A)	(A) The responsible director shall-establish standards for complete staff review and comment within 21 days of the initial submission of pending applications, and within seven days for an updated application, including deadlines for issuing comments on pending applications for purposes of determining when an application expires under Division 23-28-1 (Application Requirements)	This would add certainty to the development review process and ensure staff is meeting timely deadlines. The director should not be responsible for setting his/her own deadlines.	No	Review turnaround times are impacted by application volume and available resources. While turnaround times need to be established by a process that is vetted with stakeholders, these administrative issues were removed from Title 25 and moved into the criteria manuals to be adopted via the rules process. Adopting review times by rules preserves the stakeholder engagement component and provides staff with the flexibility to make adjustments based on the previously identified factors without having to initiate a code amendment.
4.13		Fees and Fiscal Surety		х					JSc			+	Admin & Procedures	Н		23-2b-2030(C)	Add (3) the improvements for which the fiscal surety esd posted are not constructed within ten years	This is current policy for improvements such as transportaton improvements.		
4.12		Review Procedures			х				JSc				Admin & Procedures			23-28-2050	"Add (E) All development assessments shall have an expiration dated 2 years after issuance of development assessment by City of Austin. (F) Determinations or Code interpretations made at the time of a Development Assessment shall be upheld through the application review process for all project development applications so long as the initial application for development is submitted prior to expiration of the development assessment."	Uncertainty drives complexity and project cost, and having an upfront development assessment will significantly improve outcomes.	Neutral	WPD has no comment unless all discretionary decisions are required to be binding for a development assessment. WPD does not support binding interepretations or determinations for drainage and water quality requirements due to changing site conditions and the lack of detailed engineering/environmental analysis. This proposed change also has significant implications under the state Ch. 245 vested rights statute and should be carefully vetted by the Law Department.
5 5.1	Article 23-2C Notice Division 23-2C-1	General Provisions	С																	-
5.2		Notice Requirements								ш										-
5.3		3 General Notice Procedures 4 Notice of Public Hearings	С				+			-										-
5.5		Notice of Applications and Administrative	С							++										-
5.6		Decisions Notice of Applications and Administrative Decisions		х							TS		Notice of Application	NO		23-2C-5010 (D)	(D) Action on Application. Unless otherwise provided by this Title, the responsible director may not approve an application for which notice is required under this section sooner than 14 30 days after the date that notice is provided.	Change to 30 days. 14 days is not enough time after notice issued for impacted parties to receive notice and respond. [This is process required by MUPs]	No	Staff is supportive of retaining the 14 days
6.1	Article 23-2D Public I Division 23-2D-1	Hearings Conduct of Public Hearings																		-
6.2		Conduct of Public Hearings		х			K	(M			TS		Public Hearing Order	NO		23-2D-1010	Add: (A)(6) With approval of the chair, the order of presentation of those supporting and opposing the application or proposal may be modified to accommodate those present.	23-2D-1020: Suggest alternating between those opposed and supporting instead of allowing all supporting presentations to go first.		
6.3	Division 23-2D-2 Article 23-2E Legislat	2 Timing and Location of Public Hearing	С																	-
7.1	Division 23-2E-1	1 Text Amendments	С																	
7.2		Plan and Map Amendments																		
7.3	Division 23-2E-2	2030 -Neighborhood Plan Amendment			x						TS	I	Neighborhood Plan Amendments	NO		2030 -Neighborhood Plan Amendment	ADD: (L) CONVERSION OF NEIGHBORHOOD PLANS FUTURE LAND USE MAPS (FLUMs) No Neighborhood Plan Amendments will be amended until such time as the Land Use Department Director has converted Chapter 25 zones to new Chapter 23 zones within the land use classifications identified in the Neighborhood Plan FLUM.	Where there are conflicts with approved neighborhood plan and new zoning requirements, which takes precedent when and individual or entity requests an amendment?		
7.4		2030 -Neighborhood Plan Amendment Plan and Map Amendments		x					JSc				Admin & Procedures			23-2E-2030 (K)	"() (B) Applicability (1) Individual Property. A neighborhood plan amendment regarding an individual property may be initiated by: (a) The owner of the subject property; (b) The council; (c) The Planning Commission; or (d) The responsible director.; or (e) The neighborhood plan contact team for the planning area- in-which the property is located () (D) Meetings, Hearings, and Notice () (S) Responsibility for Cost of Notice (a) Individual Property (i) For a neighborhood plan amendment regarding an individual property, the applicant is responsible for the cost of notice, unless the applicant is a neighborhood plan contact team if the applicant is the owner of the subject property. (ii) if the applicant is a neighborhood plan contact team, the City is responsible for the cost of notice. "	In this minor amendment to neighborhood plans, neighborhood contact teams should not be allowed to initiate the down zoning of specific parcels.		
													Admin & Procedures			.,	map designating the area of the City for which a neighborhood plan- amendment must be submitted in February and the area for which- an application must be submitted in July.	submitted at any time, and not just one time per year. This once per year regulation creates an unnecessary burden on amending neighborhood plans.		

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HAPTER	IS ON	DESIRED PROPOSED							REQ. ADD'L STAFF						
5	NO E	CHANGES TO D3		INITIATED BY	COMMSSIC	ONER	EX OFFIC	IO TOPIC AREA	FEEDBACK	AM	IENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			z		_	z								YES/NEUTRAL	
			DERSO	INY GRAW	VER IISSLEI GER	EH OMPS(NW RARD NDOZ	5						/NO	
7.6	Division 23-2E-2 2030 -Neighborhood Plan Amendment	x	A A	N W KE	등 호 등	품 보 품	동물물			GENERAL	SPECIFIC SECTION 2030 -Neighborhood	(H) Director's Recommendation. The responsible director may	(H) Does applicant have to demonstrate that all conditions are met? If		STAFF RESPONSE
								Neighborhood Plan Amendments	NO		Plan Amendment (H)	recommend approval of the neighborhood plan amendment only if the applicant meets all of the following requirements: demonstrates	so,wording should state that.		
7.7	2030 (E) Pre-application Meeting			км								Application to amend a Neighborhood Plan or for a zoning change where a FLUM was not created but a neighborhood plan was	Some NP's do not have FLUMS and therefore are not currently entitled to a Pre- application meeting for a zoning change. The meeting is important especially		
8	Article 23-2F Quasi-Judicial and Administrative Relief											adopted.	when changing zoning to a more intense zone.		
8.1	Division 23-2F-1 Variances and Special Exceptions Division 23-2F-1 Variances and Special Exceptions	x			ISC						23-2F-1040(C)	(C) An administrative modification granted under Section 23-2F-2040	This proposed language clarifies that a public hearing and public notification is		
0.2	Situation 20 21 2 districted und Special Enceptions				330			Public Hearing and Notification	No	ĺ	25-21-1040(C)	does not need a public hearing or public notification.	not needed for administrative variances since administrative variances are determined by the land use official, not the board of adjustments.		
8.3	Division 23-2F-2 Administrative Relief Procedures										22.25.2040 (D) (4) (-) (b)	The allowed and first in a health at a world 200 feet	Condense la constant de la constant	Newton	WOD become the state of the sta
8.4	2040			KM				Administrative Modifications			23-2F-2040 (B) (1) (a) (b)	The allowed modification should not exceed 2% for coverage, setback or height.	Condones large errors. Designers should build in room for minor construction errors.	Neutral	WPD has no comment unless the percentages are also reduced for the protection of natural features and heritage trees. WPD does not support this change as it increases pressure for applicants to seek variances for environmental setbacks by reducing design flexibility.
8.8	Division 23-2F-2 Administrative Relief Procedures	x				π		Nonconformity	No		23-2F-2030 Exempt Residental Uses and Structures	(A) Purpose. (1) This section authorizes the building official to issue a certificate of occupancy for certain noncompliant residential structures established before the effective date of this Title. (2) The purpose of this section is to avoid the unnecessary loss of residential housing opportunities available to Austin residents and reduce the costs to homeowners associated with remedying longstanding code violations which do not threaten public health and safety. (3) This section further seeks to minimize the costs to the City associated with enforcing residential code violations that predate the advent and implementation of electronic property records and	This section is a major shift from the current Land Development Code Amnesty Certificate of Occupancy (CO) provisions that will potentially have major impact. By restricting and limiting the exemptions for CO to only residential uses, many people will be unable to get certificates of occupancy for older commercial structures and thus will be unable to get financing to continue with the project (which requires a CO through the Amnesty program currently in place). The effect is that commercial properties will have to come into compliance with current code to get a CO, to do upgrades, tenant improvements, etc. This will be time consuming and expensive. Further, this could cause defaults under many financing documents.		
8.9	Division 23-2F-2 Administrative Relief Procedures							Nonconformity	No		23-2F-2030 Exempt Residental Uses and Structures	(D) Status of Affected Properties. If the building official approves a- certificate of occupancy under this section:(1) The structure becomes a nonconforming structure under Article 23-2G (Monconformity), if the structure does not comply with applicable site development regulations on the date it receives the certificate of occupancy; and (2) The use becomes a nonconforming use under Article 23-2G (Nonconformity) if it is unpermitted in the applicable base zone on the date the structure in which the use or occupancy is located receives the certificate of occupancy.	This section needs to be rewritten. Under current Code, the general restrictions applicable to nonconforming uses and structures are limited to cases of noncompliance with zoning regulations. However, issues of nonconformity frequently arise in other contexts as well, such as where a structure does not meet current watershed or drainage regulations but did meet the regulations applicable at the time it was constructed. This section relates back to Article 23-G and this is another issue. By extending the concept of nonconformity to other site development regulations of the Land Development Code, besides just zoning district regulations, Article 23-2G clarifies staff's authority to limit modifications that increase the degree of nonconformity with other kinds of City regulations.	Neutral	Defer to Law.
8.10		X		TN		J1				2	23-2F-2040(c)(2)	In Table 23-4F-2040(A), delete "Decrease in minimum open space adjacent to bus rapid transit (BRT) stations."	Imagine Austin calls for complete communities. Complete communities need open space near BRT stops, so don't allow it to be eliminated.		
8.11	Division 23-2F-3 Limited Adjustments														
8.5	Division 23-2F-2 2050 - Alternative Equivalent Compliance	x					TS	Alternative Equivalent Compliance	NO		2050 - Alternative Equivalent Compliance (C)	(C) Modification Thresholds (1) If the director finds that a request for an alternative equivalent compliance meets the criteria in Subsection (D), the numeric standard for the design feature listed in Table (A) (Types of Alternative Equivalent Compliance Allowed) may be modified by: (a)Up to 10 percent, for any design purpose; (b)Up to 20 percent, if necessary to protect an existing natural site feature; or	Protection of natural site features and heritage trees is required. This will result in abuse.		WPD does not support this change as it increases pressure for applicants to seek variances for environmental setbacks by reducing design flexibility.
8.6	2050 - Alternative Equivalent Compliance	x					TS	Alternative Equivalent Compliance	NO	7	2050 - Alternative Equivalent Compliance; Table 23-2F-2040(A)	Remove from Table: Decrease in the minimum distance between a building and installed utilities, Modification of internal circulation routes, Decrease in minimum drive-through circulation lane width, Modification of building design standards, Modification of building articulation requirements, Modification of building entrance requirements, Modification of entryway spacing and location, Increase of the portion of open space above ground level that may be counted towards compliance, Decrease in minimum open space adjacent to bus rapid transit (BRT) stations	Too broad. Remove all items that are not specific enough to know affect of 10% reduction or that should be decided in consult with other departments.		
8.7	Division 23-2F-2 Administrative Relief Procedures	х			JSc			Alternative Equivalent Compliance	No		23-2F-2050(A)(2)	(2) Alternative equivalent compliance may only be used for development located in Mixed Use, Main Street, Regional Center, or-Commercial and Industrial Zones any Zone as authorized in this section, and may not be used to vary or modify zone regulations, such as height, setbacks, impervious cover, building coverage, or floor area ratio.	This proposed language allows alternative equivalent compliance in any zone. The City should support alternative equivalent compliance where apportipriate as it encourages creative and original design and accommodates developments where particular site conditions or the nature of a proposed use prevent strict compliance with the code and therefore should be allowed in all zones		
	Article 23-2G Nonconformity Division 23-2G-1 General Provisions														
8.10 8.11 8.5 8.6	Division 23-2F-2 2050 - Alternative Equivalent Compliance 2050 - Alternative Equivalent Compliance	x x		TN	JSc	JT	TS	Equivalent Compliance Alternative Equivalent Compliance			2050 - Alternative Equivalent Compliance (C) 2050 - Alternative Equivalent Compliance; Table 23-2F-2040(A)	adjacent to bus rapid transit (BRT) stations." (C) Modification Thresholds (1) If the director finds that a request for an alternative equivalent compliance meets the criteria in Subsection (D), the numeric standard for the design feature listed in Table (A) (Types of Alternative Equivalent Compliance Allowed) may be modified by: (a)Up to 10 percent, for any design purpose; (b)Up to 20 percent, if necessary to protect an existing natural site-feature; or (c)Any amount. If necessary to protect an existing natural site-feature; or (c)Any amount. If necessary to necessary a heritage tree. Remove from Table: Decrease in the minimum distance between a building and installed utilities, Modification of internal circulation routes, Decrease in minimum drive-through circulation lane width, Modification of building articulation requirements, Modification of building articulation requirements, Modification of building articulation requirements, Modification of building netrance requirements, Modification of entryway spacing and location, Increase of the portion of open space above ground level that may be counted towards compliance, Decrease in minimum open space adjacent to bus rapid transit (BRT) stations (2) Alternative equivalent compliance may only be used for development located in Mixed-Use, Main-Street, Regional-Center, or-	open space near BRT stops, so don't allow it to be eliminated. Protection of natural site features and heritage trees is required. This will result in abuse. Too broad. Remove all items that are not specific enough to know affect of 10% reduction or that should be decided in consult with other departments. This proposed language allows alternative equivalent compliance in any zone. The City should support alternative equivalent compliance where apportipriate as		applicants to seek variances for environmental sett

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9.4	Division 23-2G-1	x	A	<u>∓ 3 ≅ 8</u>	ZO	<u> </u>	<u> </u>	15 BB	Rezoner Residenti Non- Conformi structure	ial Yes	es - Brent oyd is orking on it	in this division	ECIFIC SECTION	TK from staff	This amendment ensures that any current single-family residential property owner who is rezoned under CodeNEXT does not have a reduction in available entitlements. They maintain their non-conforming (allowed, though not in compliance) and are not subject to the loss of their status through the usual mechanisms (vacancy, etc.). They are also able to maintain and even expand their structures as long as it meets F25 compatibility for their pre-CodeNEXT zoning. They do lose their status if they make an alteration either to the new, conforming use, or to a different non-conforming use.		STAFF RESPONSE
9.6	Division 23-2G-1 General Provisions					JSc						Applica	-1010 Purpose, ability, and w Authority	(B) Applicability. This article applies to: (1) A use, structure, or lot within the zoning jurisdiction that is- nonconforming to land use or site development regulations under- Chapter 23-4 (Zoning) or a separately adopted zoning ordinance; and (2) A structure or lot within the planning jurisdiction that is- nonconforming to other applicable regulations of this Title.	This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.		
9.11	Division 23-2G-1 General Provisions	x					JΤ		Nonconform	mity	Yes	Applica Review	-1010 Purpose, ability, and w Authority		This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.		
9.14	1010- Purpose, Applicability and Review Authority		Ш					TS	Non- conformi	ty	NO	1010 (A	A) (2)	Delete	Too onerous		
9.7	Division 23-2G-1					JSc				Ye:	25	23-2G-1 Noncon	onforming Status	(B) Nonconforming Structures (1) A building, structure, or developed area, including a parking or loading area, that does not comply with site development regulations applicable under this Title, or a separately adopted zoning ordinance, is a nonconforming structure if it existed lawfully, in conformance or legal nonconformance with applicable site development regulations, at the time it was constructed. (2) A building, structure, or developed area that is not anonconforming structure is in violation of this Title if it does not comply with applicable site development regulations.	This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.		
9.12	Division 23-2G-1 General Provisions	X					JT		Nonconform	mity	Yes	23-2G-1 Noncon	-1020 onforming Status		This section needs to be reviewed and rewritten. This states that any nonconforming uses under the extended definition of "nonconforming" must be in effect reviewed by the Planning Director and will ultimately go to BOA.		
9.5	Division 23-2G-1 General Provisions	x		FK					Nonconford	mity	Yes	23-2G-1		Add section: (6) Conversion to Cooperative Housing. A nonconforming use operating within a multifamily building may be replaced by Cooperative Housing and allowed to expand or extend beyond the floor area that is occupied on the date it became a nonconforming use if: a) Cooperative Housing is allowed or conditional use within the zoning district. b) The responsible director determines that the new use meets the definition of Cooperative Housing in 23-13A-2030.	Coops work and must be allowed wherever possible		
9.10	Division 23-2G-1 General Provisions	X				JSc			Continuatio Nonconfori		No	(4)		(3) Conversion to Other Nonconforming Use Prohibited. A nonconforming use may not be established or replaced by another-nonconforming use, except as provided in Subsection (B)(4). (4) Conversion of Nonconforming Uses in Residential-Buildings. A nonconforming use operating within a single or multi-family any building may be replaced by another nonconforming use if: (a) The responsible director determines that the requested use is of comparable or lesser intensity to the original nonconforming use; and (b) The original use was not abandoned under Section 23-2G-1060 (Termination of Nonconforming Use).	This proposed language deletes Section 23-2G-1050(B)(3) and clarifies that nonconforming uses in any building can be replaced with another comparable or lesser intensity use. The city should allow a lesser non-conforming use be allowed anywhere, as it reduces intensity of the existing use while preserving the existing building.	No	Not necessary- nonconforming can already change to a permitted used in the zone
9.2	Division 23-2G-1 General Provisions	X				JSc			Continuatic Nonconfori		No			(6) Conversion to Cooperative Housing. A nonconforming use operating within a multifamily building may be replaced by Cooperative Housing and allowed to expand or extend beyond the floor area that is occupied on the date it became a nonconforming use if: a) Cooperative Housing is allowed or conditional use within the zoning district. b) The responsible director determines that the new use meets the definition of Cooperative Housing in 23-13A-2030.	This proposed language allows a nonconforming use to be converted into a cooperative housing. The City should support cooperative housing wherever possible and avoid burdening the development and expansion of cooperatives.		
9.3	Division 23-2G-1 General Provisions	x					ITV		Uses	x		23-2G-1	-1060-D-1	23-2G-1060-D-1-a except a single family home which is subject to the requirements of 23-2G-1080-D	single family homes on more intense zoning appear all over our poorer neighborhoods as a legacy of previous spot zoning. I don't think we should continue to punish them by not alllowing them to repair their home if there's damage. This same type of protection is afforded to non-conforming structures under 23-2G-1080-D		

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				ANDERSON	KAZI KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER	SEEGER SHIEH THOMPSON	WHITE	BURKARDT MENDOZA TEICH			GENERAI				YES/NEUTRAL /NO	STAFF RESPONSE
9.8	Division 23-2G-1	×				JSc							23-2G-1060 Termination of Nonconforming Use	(D) Termination by Destruction (1) A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 59 90 percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official.	A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 50 percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official. If it costs more than this (even if you don't do all of the repairs) you lose the use. Current Land Development Code Sec. 25-2-944 allows 90%. This change in Draft 3.0 is problematic for financing		
9.13	Division 23-2G-1 General Provisions		х				TL	r		Continuation of Nonconformity	Yes		23-2G-1060	approved by the summing structure.	This section needs to be reviewed and rewritten. A damaged structure used for a nonconforming use may be repaired and the nonconforming use continued only if the building official determines that the cost of repair does not exceed 50 percent of the value of the structure immediately before the damage, as determined by a licensed appraiser in a manner approved by the building official. If it costs more than this (even if you don't do all of the repairs) you lose the use. Current Land Development Code allows 90%. This change in Draft 3.0 is problematic for financing and for insurance purposes.		
9.15	Division 23-2G-2 Specific Types of Nonconformity Division 23-2G-2 Specific Types of Nonconformity	x			FK	JSc				Nonconforming Lots	No		23-2G-2020(C)(2) and (3)	(2) If a nonconforming lot is used with one or more contiguous lots for a single use or unified development, the standards of this Title apply to the aggregation of lots as if the aggregation were a single lot. (3) A nonconforming lot that is aggregated with other property to form a site may not be disaggregated to form a site that is smaller than the minimum lot area required by this Title.	This proposed language deletes two section to clarify that all lots that are legally platted and meet the definition in the prior Section 23-2G-2020(C)(1), which has a minimum lot size of 2,500 sq.ft., a frontage of 25 ft. should be allowed to be developed. The City should honor existing legally platted lots and allow them to be deveoped. Currently one house can sit on two or three legally platted lots which locks up the land from being used as it was platted for.		-
A-9.16.1	Division 23-2G-2 General				СК ?			тw							Brent Lloyd's language with EXHIBIT simplicity & housing blueprint goals Is this Kenny's amendment as well?		
10.1	Article 23-2H Construction Management and Certificates Division 23-2H-1 General Provisions	С															
10.2	Division 23-2H-1 General Provisions	х				JSc				Timeline	No		23-2H-1020(B)	No later than seven THREE days	This is standard construction note that three days notice is adequate.		
10.3	Division 23-2H-2 Subdivision Construction	С															
10.4	Division 23-2H-3 Site Construction and Inspection	С															
10.5	Division 23-2H-4 Certificates of Compliance and Occupancy																
11.1	Article 23-2I Appeals Division 23-2I-1 General Provisions																
11.2	Division 23-21-2 Initiation and Processing of Appeals																
11.3	Division 23-21-3 Notification and Conducte of Public Hearing	С															
11.4	Division 23-21-4 Action on Appeal Article 23-2J Enforcement																
12.1	Division 23-2J-1 General Provisions																
12.2	Division 23-2J-2 Suspension and Revocation	С															
12.3	Division 23-2J-3 Enforcement Orders	С															
12.4	Division 23-2J-4 Appeal Procedures Article 23-2K Vested Rights																
13.1	Division 23-2K-1 Petition and Review Procedures	С															
13.2	VALID PETITION RIGHTS		х					TW		PROCESS	х	Х		add a section outlining the valid petition process	valid petitions should be allowed for both MUP & CUP including a specific section on this would help empower people to participate in the democratic process, it shouldn't be a secret and having it right here in the code is transparent and effective		
13.3	Division 23-2K-2 Vested Rights Determinations	С						Ш									
13.5	Division 23-2K-3 Expiration	С															
14.1	Article 23-2L Miscellaneous Provisions Division 23-2L-1 Interlocal Development Agreements	С															
14.2	Division 23-2L-2 General Development Agreement	c															
14.3	Division 23-2L-3 Closed Municipal Landfills																
	23-3: General Planning Requirements	NONE MINOR									YES/NO	YES/NO					
15.1	Article 23-3A Purpose and Applicability Division 23-3A-1 Purpose and Applicability	С															-
16	Article 23-3B Parkland Dedication																
16.1	Division 23-38-1 Parkland Dedication Division 23-38-1 General Provisions	х				JSc				Purpose and Applicability	No		23-3B-1010(A)(1)	(1) The City of Austin has determined that recreational areas in the form of public parks and open spaces within 1/4 mile walk of each resident are necessary for the well-being of the City's residents, and a network of greenways and trails promote a compact and connected	This proposed language provides clarity to the purpose section of the parkland dedication section of the code. The original language in Draft 3 is too broad and should be clarified.		Staff proposes the following to better track Imagain Austin language: (1) The city of Austin has determined that recreational areas in the form of public parks and open spaces <u>publicly</u> accessible parks and <u>green spaces</u> are necessary for the well-being of the City Englisher, (2) (1), Establisher, of pire method for
				<u> </u>				1						lcity			of the City's residents. (3) (b) Establishes a fair method for

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16.5	Division 23-38-2 Dedication	CHANGES TO D3	ANDERSON HART KAZI KENNY MCGRAW G	BACKER NUCKOLS	WHITE SHAW BURKARDT MENDOZA	O TOPIC AREA		GENERAL SPECIFIC SECTION	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO STAFF RESPONSE PARD agrees and is already sharing impervious cover by stating the agreed upon park IC on plats and site plans. PARD recommends changing the word parcel to site plan to make the concept clearer. PARD recommends also adding language so that future amenities
16.6	Division 23-38-2 Dedication	x	GA			Parkland Dedication	No	23-38-2010	Remove references to 15% and change to 10%. Add new (6) The 10 percent parkland dedication shall be calculated as a net site area.	Imagine Austin calls for "Increase dense, compact family-friendly housing in the urban core". In many instances, sites within the urban core will be required to dedicate at or near the 15 percent cap which severely limits the density in the urban core and along the major corridors.	built on dedicated land are not subject to the same site plan. (4) Future recreation development on parkland dedicated in the site plan does not alter the non-dedicated area of the site plan. PARD does not agree with this substantive change due to the prior negotiations that created 23-3B in 2016. The insertion of a 15 percent cap was made at the very end of the negotiation as a compromise for an agreed upon "Parkland Dedication Urban
16.7				JSc				23-38-2010 Dedication of Parkland (A) Dedication Required (1)[NEW]	(A) Dedication Required. An applicant for subdivision or site plan approval must provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this article or by payment of a fee in-lieu of dedication under Section 23-38-3010 (Fee In-Lieu of Parkland Dedication). (1) An applicant may request a binding determination from PARD regarding whether total land dedication for all types of open space, including but not limited to parkland, common open space, civic open space, private open space, payment of fee in-lieu in land or a combination of fee and land will be required. (a)A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units bas not changed by more than 10% from the number of units originally provided by the applicant and relied upon by PARD to make the determination. A binding determination expires if no subdivision, site plan or building permit application is submitted within one-year from the date the determination was issued. (b)The combined total area between open space and parkland, shall.	Applicants must be able to predict during their due diligence period what may be required for parkland dedication. Our recommendation in (A)(1) and (A)(1)(a) is taken directly from the existing Parkland Dedication Operating Procedures (PDOP). Leaving such important procedures to be defined and determined outside of the revised LDC process and in the PDOP does not provide clear guidance and predictability. In addition, limiting the maximum required dedication would allow for density to continue and support the principles in imagine Austin for compact development.	Core." The parkland dedication calculation for land is based on a See also 16.9 and 16.18. PARD does not support the (b) addition, but does support the concept of explaining and naming the Early Determination process in Code. PARD believes this concept is already in current code in 23-38-3010 (c) Review Procedure. But supports changing the (c)'s title from: Review Procedure. to Early Determination. PARD supports clarifying existing practice that a determination is valid through approval of a subdivision or site plan application by changing 23-38-2010 (c) to: A determination issued under this Subsection is valid for a period of one year from the date of issuance any subdivision or site plan filed within one-year of the determination, provided that the number of units used to make the determination does not ibncrease by more than 10 percent. PARD does not agree with the proposed (b)
16.8	Division 23-38-2 Dedication	x	GA	JSc		Site Plan Dedication	No	23-3B-2010 (C)(3)	not exceed 15% of site. (3) Parkland dedication that complies with this section shall be included in the gross site area for the parcel dedicating land. Zoning entitlements including but not limited to impervious cover and FAR shall be calculated on the gross site area prior to the parkland	This proposed language codifies existing policy that is already outlined in the parkland procedures.	PARD agrees. See 16.5
16.9	Division 23-3B-2 Dedication	x		150		Dedication of Parkland	No	23-3B-2010 (I) and (J)	(I) As authorized by the Parkland Dedication Ordinance, City Code § 25-1-605, an applicant may request a binding determination from PARD regarding whether total land dedication; payment of a fee inlieu in land or a combination of fee and land will be required. (I) A binding determination issued under this section shall apply to any development application submitted within 1-year from the date the determination is issued, provided that the number of units has not changed by more than 10% from the number of units originally provided by the applicant and relied upon by PARD to make the determination. A binding determination expires if no subdivision, site plan, or building permit application is submitted within one-year from the date the determination was issued.	This proposed language codifies the early determination process that is currently in the Parkland Dedication Operating Procedures and clarifies that the early determination includes all types of open space. This proposed language provides regulatory certainty while also ensuring parkland is dedicated throughout Austin.	See also 16.7 and 16.18. PARD does not support the (b) addition, but does support the concept of explaining and naming the Early Determination process in Code. PARD believes this concept is already in current code in 23-38-3010 (C) Review Procedure. But supports changing the (C)'s title from: Review Procedure. to Early Determination. PARD supports clarifying existing practice that a determination is valid through approval of a subdivision or site plan application by changing 23-38-2010 (C) to: A determination issued under this Subsection is valid for a period of one year from the date of issuance any subdivision or site plan filed within one-year of the determination, provided that the number of units used to make the determination does not ibncrease by more than 10 percent.
16.10	Division 23-3B-2 Dedication	x		JSc		Dedication of Parkland	No	23-38-2010 (H)	(H) 15 Percent Urban Core Cap. The amount of parkland <u>, civic open</u>	This proposed language applies the 15 percent parkland dedication cap to the entire city, not just the urban core. The City's current requirement to dedicate more than 15% has a major impact on acheiving the goals established in the City's Housing Blueprint. This proposed language does not change the Parks Director's ability to go to the land use commission to exceed that cap if conditions warrant. The Cap is a "soft cap" because the land use commission can raise or lower it on appeal of the applicant or director. In addition, the cap will now apply to the new requirements for civic open space and common open space introduced in CodeNEXT.	PARD does not agree with this substantive change due to the prior negotiations that created this section in 2016. The insertion of a 15 percent cap was made at the very end of the negotiation as a compromise for an agreed upon "Parkland Dedication Urban Core." The parkland dedication calculation for land acreage is based on a current level of service of local Austin parks of 9.4 acres per 1,000 persons. If only 15% of that amount is dedicated in every case across the City we will be effectively lowering the calculation for development to a service level of 1.4 acres per 1,000 persons. That is very crowded parkland and the Austin level of service and
16.11	Division 23-38-2 Dedication	х		JSc		Dedication of Parkland	No	23-3B-2010 (J)	(1) An applicant seeking a Subdivision or Site Plan for a site that is ten acres or less and fronts an Imagine Austin Corridor shall not be required to dedicate parkland onsite and instead shall be required to payment in lieu of dedication. (2) An applicant seeking a Subdivision or Site Plan for a site that is more than ten acres and fronts an Imagine Austin Corridor shall not be required to dedicate parkland fronting the corridor.	This proposed language clarifies when parkland may be required to be dedicated for sites that front an Imagine Austin Corridor. The proposed language provides the park director the ability to request for the dedication by approval of the land use commission. Imagine Austin calls for transit-supportive corridors, which in turn require population and job densities along our corridors. Parkland requirements that limit unit yield should not limit or prevent housing along our corridors.	PARD does not agree with this substantive change due to the prior negotiations that created this section in 2016. Parks make high density more liveable. Properties on the corridor are often the only re-development in the area and present the only opportunity in a Deficient Area for parkland. Residents along major corridors should have parks within ½-mile of residents to meet Comprehensive Plan goals of locating units within walking distance of parks (1/4-mile in the urban core and ½-mile outside the urban core). (Imagine Austin, Page 196) PARD tracks this metric every five years.

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			LIDER. LIDER.						
16.12						GENERAL SPECIFIC SECTION	(3) The director may request that the Land Use Commission approve		STAFF RESPONSE PARD does not agree with this substantive change due to the prior
							onsite dedication for a site that fronts an Imagine Austin Corridor, up		negotiations that created this section in 2016. Parks make high density more liveable. Properties on the corridor are often the
							to the amount required under Subsection (E), if doing so is necessary to address a critical shortage of parkland for an area identified in the		only re-development in the area and present the only opportunity
							Deficient Parkland Area Map or provide connectivity with existing or		in a Deficient Area for parkland. Residents along major corridors should have parks within ¼-mile of residents to meet
							planned parks or recreational amenities.		Comprehensive Plan goals of locating units within walking distance of parks (1/4-mile in the urban core and ½-mile outside the urban
							(a) Before the Land Use Commission considers a request under this subsection for approval, the director shall present the request to the		core). (Imagine Austin, Page 196) PARD tracks this metric every
							Parks Board for a recommendation.		five years.
							(b) In considering a request from the director under this subsection,		
							the Land Use Commission may:		
							(i) Deny the director's request; or		
							(ii) Approve the director's request for the full amount requested or a portion of the amount the Land Use Commission finds to be		
							necessary based on the criteria in code and the parkland dedication		
16.15	Division 23-3B-2	x				23-3B-2010	operating procedures. Remove references to 15% and change to 10%. Add new (6) The 10	Imagine Austin calls for "Increase dense, compact family-friendly housing in the	PARD does not agree with this substantive change due to the prior
10.13	5.1.3.6.1.2.3.5.2			Parkland	No	23-35-2010	percent parkland dedication shall be calculated as a net site area	urban core". In many instances, sites within the urban core will be required to	negotiations that created this section in 2016. The insertion of a 15
				Dedication				dedicate at or near the 15 percent cap which severely limits the density in the urban core and along the major corridors.	percent cap was made at the very end of the negotiation as a compromise for an agreed upon "Parkland Dedication Urban
16.16	Division 23-3B-2	x	GA GA			23-3B-2010	An applicant seeking a Subdivision or Site Plan for a site that fronts	Dedication of Parkland - specify that onsite parkland dedication is not required on an Imagine Austin Corridor. Imagine Austin calls for transit-supportive	PARD does not agree with this substantive change due to the prior
				Parkland	No		an Imagine Austin Corridor shall not be required to dedicate parkland on site.	corridors, which in turn require population and job densities along our corridors.	negotiations that created this section in 2016. Parks make high density more liveable. Properties on the corridor are often the
				Dedication				Parkland requirements that limit unit yield, while important in other parts of Austin city, should stymie housing along our corridors	only re-development in the area and present the only opportunity in a Deficient Area for parkland. Residents along major corridors
16.18	Division 23-3B-2 Dedication	- X			No	23-3B-2010 Dedication	(A) Dedication Required. An applicant for subdivision or site plan	Applicants must be able to predict during their due diligence period what may	should have parks within ¼-mile of residents to meet See also 16.7 and 16.9. PARD does not support the (b) addition,
10.10						of Parkland (A)	approval must provide for the parkland needs of the residents by the	be required for parkland dedication. Additions in (A)(1) and (A)(1)(a) are taken	but does support the concept of explaining and naming the Early
						Dedication Required (1)[NEW]	dedication of suitable land for park and recreational purposes under this article or by payment of a fee in-lieu of dedication under Section	directly from the existing Parkland Dedication Operating Procedures (PDOP). Leaving such important procedures to be defined and determined outside of the	Determination process in Code. PARD believes this concept is already in current code in 23-3B-3010 (C) Review Procedure. But
						, , ,	23-3B-3010 (Fee In-Lieu of Parkland Dedication).	revised LDC process and in the PDOP does not provide clear guidance and predictability. In addition, limiting the maximum required dedication would	supports changing the (C)'s title from: Review Procedure. to Early Determination. PARD supports clarifying existing practice that a
							(1) An applicant may request a binding determination from PARD	allow for density to continue and support the principles in Imagine Austin for compact development.	determination is valid through approval of a subdivision or site
							regarding whether total land dedication for all types of open space,	compact development.	plan application by changing 23-3B-2010 (C) to: A determination issued under this Subsection is valid for a period of one year from
							including but not limited to parkland, common open space, civic open space, private open space, payment of fee in-lieu in land or a		the date of issuance any subdivision or site plan filed within one- year of the determination, provided that the number of units used
				Process			combination of fee and land will be required. (a)A binding determination issued under this section shall apply to		to make the determination does not ibncrease by more than 10
							any development application submitted within 1-year from the date		percent.
							the determination is issued, provided that the number of units has not changed by more than 10% from the number of units originally		PARD does not agree with the proposed (b).
							provided by the applicant and relied upon by PARD to make the		
							determination. A binding determination expires if no subdivision, site plan or building permit application is submitted within one-year from		
							the date the determination was issued.		
16.3	Division 23-3B-1 General Provisions	x	l lsc			23-3B-1020(C)(1)	(b)The combined total area between open space and parkland, shall (1) A Deficient Park Area Map Proximity to Park Area Map illustrating		No PARD does not agree with this substantive change due to the prior
				David.		=3 33 1013(C)(1)	shortages in parkland that shows only required connections to		negotiations that created this section in 2016. The map in the code is a Deficiency Map, not a Proximity Map, That term Proximity
				Review Authority	No		greenways and trails and areas of the City that are more than a one quarter (1/4) mile walk of an existing park or a school playground or		does not match the concept. The City has deficient and non-
							other applicible open space that is at least one acre and is accessible		deficient areas. Further, school playgrounds are not permanent and are not open to te public unless the City has established an
16.4	Division 23-3B-1 General Provisions	x	JSc JSc			23-3B-1020(D)	(D) Before the director may adopt or amend a rule under this Article,	This proposed language adds a requirement that any new rule or change to an existing rule must be reviewed by the Parks Board and Planning Commission for	No PARD does not agree with this substantive change due to the prior
							the director shall present the rule to the Parks Board and Planning Commission for consideration and recommendation to City Council	consideration and recommendation to the City Council. The proposed language	negotiations that created this section in 2016. The Parkland Dedication Operating Procedures (PDOP) is part of the Building
				Review Authority	No		and the City Council will approve, modify, or disapprove the	also requires the City Council to approve, modify, or disaprove any proposed rule or rule change. This proposed requirement is almost the exact language used for	Criteria Manual amended by the City's rules processes that require public notice, staff review by all departments, public comment
							proposed rule.	rules related to Solid Wate Services in Section 15-6-3 of our City Code.	submittal and response and, finally, adoption. This process is the same for all technical Criteria Manuals in the City.
46.42	Digition 22.2B. 2 Dedication		<u> </u>			20 22 222 (=)	(c) The distribution of the control	This was all the second to the	
16.13	Division 23-38-2 Dedication	×				23-3B-2020 (E)	(E) The director shall approve the inclusion of additional features that satisfy other regulatory requirements, such as Water Quality	This proposed language would allow other regulatory requirements that impact the development of a full site's area to be included in parkland dedicated to the	No PARD disagrees with this language. Water quality/detention features must be built as an amenity to count as parkland. To
				Standards for			features, drainage features, detention features, trails, or other features if they do not disrupt the primary purpose of the dedication.	city so long as they do not disrupt the primary purpose of the dedication.	require the director to approve ("shall") does not ensure that the credited acreage will be built as an amenity. The PDOP 14.3.8
				Dedication of	No		reatures if they do not disrupt the primary purpose of the dedication.		already covers this concept. PARD and Watershed Departments
				Parkland					are writing a section of the Environmental Criteria Manual to assist with this option for parkland dedication credit.
16.14	Division 23-3B-2 Dedication	x	JSc JSc			23-3B-2020 (F)	(F) Gazebos, pavilions, and other open air structures are permitted.	This proposed language clarifyies that gazebos, pavilions, or other open air	No PARD disagrees with this language, the code does not prevent
				Standards for Dedication of	No			structures are allowed in parkland that is dedicated.	such structures in dedicated parkland. Many dedications include gazebos and pavilions. We cannot single out these two types of
				Parkland					amenities when there are a myriad of acceptable amenities.

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		ANDERSON	HART	KENNY	NUCKOLS	SCHISSLER SEEGER	SHIEH	WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
A-16.14.1 Division 23-38-2 Dedication	x							TW			х	х		??	It's unclear whether 23-38-2030 intends for up to 100% of on-site dedication of privately-owned, publicly-accessible parkland to satisfy the requirements, or if privately-owned, publicly-accessible parkland outside of the development can satisfy requirements in the same way public parks would. This section has not changed, and its still recommended that the director update the Deficient Park Area Map to include this new wave of privately-owned, publicly-accessible parks.		The Parkland Dedication Operating Procedures allows for off-site dedication within 1/4-mile of the development. In practice this would apply to private parkland with an easement as well. PARD could propose rule changes to make this more apparent.
16.17 Division 23-38-2 2010- Dedication of Parkland	x							TS		Dedication of Parkland	NO		2010 (G)	(G) PUD Parkland Requirements. Development within a Planned Unit Development (PUD) Zone may, if required by the ordinance adopting the PUD, be subject to additional parkland requirements and may be entitled to count dedicated parkland towards meeting open space requirements under Section 23-4D-8130 (Planned Unit Development Zone). Therefore, the 15% cap limit provisions in 23-38-2010 (H) do not annly to PUID zones	(H) Add that 15% cap does not apply to PUD's. The rules are already administered this way.		This is in the Parkland Dedication Operating Procedures, OK to add but some non-residential PUDs do not owe parkland so at the end of Shaw's proposal add: for <u>Parkland superiority determinations.</u>
16.19 Division 23-38-2 2020 - Standard for Dedication of Parkland-	x							TS		Park Standards	NO		2020 - Standard for Dedication of Parkland-	ADD: E) Dedicated Parkland shall meet site condition requirements within the Parkland Dedication Operating Procedures	(A)(3) Does PARD's operating procedures have requirements for min. of 50% meet active play and <10% slope requirements? If not, these need to be added to dedication reaquirements. (C) 50% is to large amount of 100 yr. floodplain to count as parkland as these areas are not accessible for public use many times during the year.	Yes	PARD is OK with this change. To answer the question: Yes, both of these requirements are in the PDOP. The 50% active play requirement ensures that enough useable land is dedicated even if part of it is floodplain.
16.20 Division 23-38-3 Fees 16.24 Division 23-38-3 Fees	x					JSc				Fee In-Lieu of Parkland Dedication	No		23-3B-3010(A)	(A) Fee In-Lieu Authorized. The director may require or allow a subdivision or site plan applicant to deposit with the City a fee in-lieu of parkland dedication under Section 23-38-2010 (Dedication of Parkland) if: (1) The director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B); and (2) The following additional requirements are met: (a) Less than six acres is required to be dedicated under Section 23-38-2010 (Dedication of Parkland); or	This proposed language allows a fee in lieu to be used any time the normal standards are met, without regard to total size of the subdivision or site plan. This allows more flexibility for both PARD and the applicant.		PARD does not agree with this substantive change. Currently, a project over 376 units generates a requirement for 6 acres and greater of parkland. The 15% cap limits the amount of parkland to only 15% of the site, which, in the urban core, generally creates about a half-acre to one-acre park. Due to the cost in the urban core being more than 51 million an acre, PARD believes that it will be difficult as the City grows to purchase the land needed to serve all these residents and meet imagine Austin goals for health and green infrastructure without this requirement.
														(b) The land available for dedication does not comply with the standards for dedication under Section 23-3B-2020 (Standards for			
16.22 3010 - Fee in Lieu of Dedication	x							TS		Fee in Lieu of Dedication	NO		3010 (A)(2)	ADD: (c) the director determines that land is available in the service areas being considered so as to assure that City will able to utilize the fees per 23-38-3030.	PARD commented that they have difficulty finding land for parks especially in urban core. In general, all fee-in-lieu of options for developers should be predicated on the City's ability to utilize the fees. If it is more difficult for the city to provide the benefits than the developer.		This could be used by applicants to negate 2 (a)?
16.21 3010 - Fee in Lieu of Dedication	x							TS		Fee in Lieu of Dedication	NO		3010 (A)(2)(a)	(a) Less than 6 1 acre is required to be dedicated under Section 23-38 2010 (Dedication of Parkland); or	Gacres is a very large threshhold amount of Parkland to be able to be considered for exemption from dedication requirements with fee-in-lieu. This will ensure that even small parcels of dedicated park are made available to serve needs if increased number of residents and developer has option to pay remainder as fee-in-lieu.		The 6-acre threshold has been in the parkland dedication ordinance since 1985. It was chosen because it is the average size of a neighborhood park. It has ensured that projects that owe large acreages are required to give some land. Currently, it is triggered on a SF project of about 250 or more units and on a MF project of 375 units or more.
16.25 Division 23-38-3 Fees	x					JSc				Fee In-Lieu of Parkland Dedication			23-3B-3010 (C) Fee-in- Lieu of Parkland Dedication	(C) Site Plan Dedication. (1) For dedication made at site plan the area to be dedicated must be shown on the site plan as "Parkland Dedicated to the City of Austin" and in a deed to the City. The applicant shall dedicate the parkland required by this article to the City by deed before the site plan is released, except that dedication may be deferred until issuance of a certificate of occupancy if construction of amenities is authorized under Section 23-38-3010 (Fee In-Lieu of Parkland Dedication) or Section 23-38-3020 (Parkland Development Fee). (2) In negotiating a deed under this section, the director may require that a reasonable portion of the total impervious cover permitted on the site be allocated to the dedicated parkland to allow for construction of parkland amenities without unduly impacting development of the proposed site plan. (3) Parkland dedication that complies with this section shall be included in the gross site area for the parcel dedicating land. Zoning, entitlements including but not limited to impervious cover and FAR.	The language as written does not provide clarity on how gross site areas may be calculated. A major concern is that if the area is calculated after the parkland dedication, the result is that the developable parcel will have less entitlements, including FAR and Impervious Cover. This recommendation would calculate the gross site area before the dedication and allow for better density on sites, including ones along major corridors		This is referring to 23-38-2010 (C), not 3010. PARD agrees with the concept. See 16.5.
16.26 Division 23-38-3 Fees	x					JSc							23-3B-3010(E)(1)	(1) Construction of Amenities. The director shall allow an applicant to construct recreational amenities on public or private parkland, if applicable, in-lieu of paying the dedication fee required by this section. In order to utilize this option, the applicant must: (a) Post fiscal surety in an amount equal to the development fee; and (b) If a dedication of land is required, construct recreational amenities prior to the dedication in a manner consistent with the parkland dedication operating procedures; and (c) Document the required amenities concurrent with subsection or site plan approval, in a manner consistent with the parkland dedication operating procedures.	This proposed language allows fee-in-lieu to be used on the construction of on- site recreational facilities. This will incentivize the construction of on-site facilities and lower the City's burden on exisitng parks.		PARD does not agree with this change due to fees in lieu of land needing to be spent to purchase land if it is available. The development fee may be used to construct items on existing parkland in lieu of payment 23-38-3020 (C).

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16.27	Division 23-38-3 Fees	x	JSc JSc	Fee In Par Dedi	and No	23-3B-3010(F) and (H)	(F) A Fee in lieu for parkland dedication shall be allowed by right on corridors and within 1/2 mile walk of high frequency transit stops. (FH) Appeal. If the director rejects a request to pay a fee in-lieu of dedication under Subsection (B), the applicant may appeal the director's decision to the Land Use Commission consistent with the procedures in Article 23-21 (Appeals). Before the Land Use Commission considers the appeal, the director shall present the case to the Parks Board for a recommendation, but failure by the Parks Board to act shall not prohibit the Land Use Commission from considering the appeal.		PARD does not agree with this substantive change due to the prior negotiations that created this section in 2016. Residents along major corridors should have parks within X-mile of residents to meet Comprehensive Plan goals of locating units within walking distance of parks (1/4-mile in the urban core and ½-mile outside the urban core). (Imagine Austin, Page 196) PARD tracks this metric every five years. Also, parkland should be located in conjunction with BRT stops to attract more riders and provide a pleasant and safe area around stops.
16.28	Division 23-38-3 Fees	x	JSc			23-3B-3010(G)			Yes Agree, but see comment in 16.7 to put in 23-38-3010 (C). This is clarification of existing practice.
16.23	3030 - Fee Payment and Expenditure	x		Fee P. a Expe		3030 (C)	C) The City shall expend a fee collected under this article within five years from the date the fees are appropriated for expenditure by the director. This period is extended by five years if, at the end of the initial five-year period: 1) less than 50 percent of the residential units within a subdivision or site plan have been constructed, or 2) City demonstrates hardship in availability of land to purchase for	PARD should have a way to request extension for use of funds when there are ssues with land availability etc.	According to (D) (1), the fees refundable within five years are only for unbuilt units that are not providing a park impact.
17.1	Article 23-3C Urban Forest Protection and Replenishment Division 23-3C-1 General Provisions								-
17.2	Division 23-3C-1 General Provisions	х	JSC	Re Auti	No.	23-3C-1020 (C)	(C) The city arborist shall adopt administrative rules, in accordance with the administrative rules process, to implement this article and, in consultation with the Public Works Director, additional rules to implement Division 23-9F-5 (Sidewalks, Urban Trails, and Street Trees). Rules adopted under this article shall include:	This proposed language clarifies that the rules must be adopted by the administrative rules process. Rules adopted by this department should follow administrative rules procedures	Neutral Staff has no objections
17.3	Division 23-3C-1 General Provisions	x	JSc JSc	T Desig	No.	23-3C-1030 (B)	Heritage Tree Species. To qualify as a heritage tree, a tree must meet the size requirements listed in Subsection (A) and qualify as one of the following species-or as an additional heritage tree-species listed in the Environmental Criteria Manual: (1) Texas Ash; (2) Bald Cypress; (3) American Elm; (4) Cedar Elm; (5) Texas Madrone; (6) Bigtooth Maple; (7) All oaks; (8) Pecan; (9) Arizona Walnut; and (10) Eastern Black Walnut.	This proposed language clarifies that only tree species listed in code can qualify as a heritage tree. The list of Heritage Tree Species should be approved by City Council and listed in code; the list should not be subject to administrative change by a criteria manual.	Yes Staff concurs wit the change
17.4			TN			23-3C-1030	Ensure that PC recommends what is in the Addenda re: Young Public Trees 2-7.9' and Keystone Trees 8-18.9.	Imagine Austin calls for "complete communities." Complete communities need a healthy tree canopy.	Yes Staff concurs with the draft in the addendum
17.5			JSc JT			23-3C-1040 (A) Tree Requirements for Site Plan (2)	(A) Tree Requirements for Site Plans. An application for site plan approval must: (1) Include a grading and tree protection plan, as prescribed by the Environmental Criteria Manual and other applicable rules; and (2) Demonstrate that the design will preserve the existing natural character of the landscape, including the retention or mitigation of trees eight inches or larger in diameter to the extent feasible.	Removing conflict. Requiring a plan to preserve existing trees 8 inches or above exceeds code requirements. Trees less than 19 inches have an option for mitigation.	warrants further discussion
17.6	Division 23-3C-1 General Provisions	x	JSc JSc		sition view No lures	23-3C-1040 (B)	(B) Restrictions on Removal of Keystone Trees. If development under a proposed site plan will remove a keystone tree, the city arborist may require mitigation, including the planting of replacement trees. The city arborist may not release the site planwithhold the building permit or certificate of occupancy until the applicant satisfies the condition or posts fiscal surety to ensure performance of the condition.	This proposed language still provides the city arborist the authority to ensure that an applicant satisfies code but simply moves his ability to withould a site plan to the ability to withhold the building permit or certificate of occupancy. The requirement of mitigation prior to SDP approval is cart before the horse and unachievable; Request to post fiscal surety for tree mitigation is a large cost and seems unnecessary as staff can ensure the trees are planted prior to acceptance of a building/CO.	warrants further discussion
17.7	Division 23-3C-1 General Provisions	х	JSc JSc	Appl and F Proce		23-3C-1040 (C)	(B) Restrictions on Removal of Protected Trees. For an application for preliminary plan, final plat, building permit or site plan approval that proposed the removal of a protected tree, the city arborist must teview the application and make a recommendation before the application is administratively approved or presented to the Land-Use Commission or city Council.	Protected tree trmoval should not need Land Use Commissionor city Council approval.	Yes There is an appeal process that provides the applicant due process to appeal the staff decision. That appeal terminates at PC/ZAP. Staff concurs with omitting council as that is not a permitting pathway.
17.8	Division 23-3C-1 General Provisions	X	JSc JSc	Reviev Art	I NO	23-3C-1050 (B)	(B) Mitigation Requirements. If a regulated tree is permitted for removal, the city arborist shall require reasonable mitigation, consistent with the applicable requirements of this article and the Environment Criteria Manual. Compliance with required mitigation measures, which may include planting replace trees, must occur before the Development Services Director may approve the application issue a certificate of occupancy:	This proposed language still provides the city arborist the authority to ensure that an applicant satisfies code but simply moves his ability to withould approval of an application to withhold the certificate of occupancy. The requirement of mitigation prior to SDP approval is cart before the horse and unachievable; Request to post fiscal surety for tree mitigation is a large cost and seems undercessary as staff can ensure the trees are planted prior to acceptance of a building/CO.	No Fiscal is not psted for mitigation when mitigation is shown on development plans

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17.0	Division 22 20 1	Canada Danisiana		AND	KAZ KAZ	MCC REN	SEE SCH	불분	SHA				GENERAL		WANTE CONTRACTOR OF THE CONTRA	Adult Abia a Abasin a sangli si a and allow for bosons	No	STAFF RESPONSE
17.9	Division 23-3C-1	General Provisions	*	ш			JSc			ш				23-3C-1060	"(A) The city arborist may request that a city department waive or modify a policy, rule, or design standard, other than a regulation of	Make this authority more explicit, and allow for bonuses.	No	Staff does not concur with the 30 day limit to resolution. Applicant should identify these issues during the due diligence and 30,60,90
				ш						ш					this Title, if the waiver provides an opportunity for a tree to be preserved. The city department shall make best efforts to preserve			plan developmet process and seek staff input via predevelopment consultations
				ш						ш					the tree, and any conflicts between the city arborist and the city department shall be resolved by the City Manager within 30 days of			
				ш							Review by City Arborist	No			the initial request for waiver. enforcement will result in removal of a			
				ш						ш					regulated tree under Section 23-3C-1030 (Tree Designations).			
				ш						ш					(B) At the city arborist's request, a responsible director may waive or modify the applicable policy, rule, or design standard, other than a			
				ш						ш					regulation of this Title, if the director determines that a waiver or modification will not pose a threat to public safety.			
17.10							JSc								(C) The city arborist shall have the administrative authority to grant the following additional entitlements that exceed zoning criteria or		Neutral	
				ш						ш					waive specific regulations to encourage the preservation of a			
				ш						ш					protected or heritage tree. These entitlements are:			
				ш						ш					(1) Additional FAR; (2) Articulation requirements;			
				ш						ш					(3) Parking siting requirements;			
				ш						ш					(4) Minimum parking requirements; (5) Additional height; and			
				ш						ш					(6) Smaller front, side, and rear setbacks (while maintaining fire code fire rating requirements); and			
				ш						ш					(7) other non-zoning regulations.			
				ш						ш					(D) The city arborist shall develop using the administrativerulemaking process described 23-2C-1020 to implement procedures for granting			
															these entitlements."			
17.11	Division 23-3C-2	Young Public, Keystone, and Protected Trees																PARD is concerned that 23-3C-2010 (C) will be onerous for park development. PARD should receive same exemptions as other
A-17.11.1	Division 23-3C-2	Young Public, Keystone, and Protected Trees	x	-	+		JSc			+ 1				23-3c-2020 (B)	"(B) Single Family.Residential Scale (1) No permit is required to	Keystone trees should not require a permit for residential scale development.		departments.
															remove or impact a keystone tree located on one or two unit residential scale (1 -10 unit) development (2) Keystone strees may be used to fulfill mitigation	Addendum text only exempts one or two family uses from keystone tree permit requirement, which essentially protects them like 19"+ trees. Residential		
											Residential Uses	No			requirements for one or two unit <u>single family residential scale development</u> if Protected Trees and Heritage trees are approved for removal or impact, or to	scale housing that does not require a full site plan (1-10 units) should not be subject to commercial site plan requirements governing removal of keystone		
															satisfy planting requirements. The city arborist shall review keystone trees proposed for full mitigationn or planting requirements during review of the	trees. The intent of residential heavy permits was to reduce the site plan requirements and expenses like this.		
17.12	Division 23-3C-3	Heritage Trees		₩	+		+			+ +				_	building permit to ensure the keystone treees are identified prior to construction.			1-
17.13	Division 23-3C-3							JT						23-3C-3030 Land Use	(B) A variance request under this section is subject to the application	Due to many of the new requirements under Chapter 23-4 to push parking	No	Staff does not concur with the metrics used to determine
				ш						ш				Commission Variance	requirements in Section 23-2F-1030 (Application Requirements) and the public notice and hearing requirements in Section 23-2F-1040	towards the back of the property, impervious cover limitations, new setbacks, landscape buffers, etc. It is now more likely that some sites will be		ureasonableness.
				ш						ш					(Public Hearing and Notification). (B) : If a property is unreasonably encumbered by the location and/or quantity of heritage trees, the	undevelopable due to the prevalence of heritage trees. Adding (B) and renumbering this section would allow the land use commission to take into		
				ш						ш					Land Use Commission shall consider a variance under this section to allow appropriate development of the property in accordance with	consideration whether or not the development of a site is being unreasonably encumbered by the heritage trees on the site.		
				ш						ш					Chapter 23-4.			
															Definition: unreasonably encumbered-50% or more of the site is			
18 18.1	Article 23-3D Water C	Quality General Provisions	С												undavalanahla ar mara than 10% of the notantial unit viold is last			
18.2		Exceptions and Variances																-
18.3	Division 23-3D-2	Exceptions and Variances	х				JSc							23-3D-2030(B)	(B) Requirements for Redevelopment Exception. This article does not apply to redevelopment of property under this section if the	This propose language removes language that is not germane to redevelopment exceptions and should be removed. Redevelopment exceptions allow	Neutral	The requirement for Council approval if the project meets certain non-water quality-related criteria stems from stakeholder
															redevelopment:	impervious cover to be reduced in the watershed, so non-water quality requirements should be removed		discussions for the Redevelopment Exception adopted in 2000 and the Barton Springs Zone Redevelopment Exception adopted in
									$ \ \ $						(1) Does not increase the existing amount of impervious cover;			2007. Watershed staff defer to PAZ, ATD, and DSD staff for potential modifications to the non-water quality related criteria.
									$ \ \ $		Redevelopmen t Exception in				(2) Provides water quality controls that comply with Section 23-3D-			Note: Changes to the BSZ Redevelopment Exception will need approval from a supermajority of Council.
											Urban and Suburban	No			6030 (Water Quality Control and Green Stormwater Infrastructure Standards) for the redeveloped area or an equivalent area on the			
											Watersheds				site;			
															(3) Does not generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on			
															the property;			
18.4					++	+++	JSc	+	+++					1	(53) Does not increase non-compliance, if any, with Section 23-3D-		Neutral	The requirement for Council approval if the project meets certain
															4040 (Critical Water Quality Zone Development), Section 23-3D-4050 (Critical Water Quality Zone Street, Driveway, and Trail Crossings),			non-water quality-related criteria stems from stakeholder discussions for the Redevelopment Exception adopted in 2000 and
															Section 23-3D-5030 (Critical Environmental Features), or Section 23-3D-5040 (Wetland Protection); and			the Barton Springs Zone Redevelopment Exception adopted in 2007. Watershed staff defer to PAZ, ATD, and DSD staff for
									$ \ \ $									potential modifications to the non-water quality related criteria. Note: Changes to the BSZ Redevelopment Exception will need
															(64) Does not place redevelopment within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage			approval from a supermajority of Council.
															Criteria Manual.			

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A DIV	CHANGES TO D3	INITIATED BY COMMSSIONER	EX OFFICIO TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		ANDERSON HART KAZI KAZI MCGRAW MCGRAW NUCKOLS OLIVER SCHISSLER SEEGER SHEH THOMPSON WHHE	BURKARDT MENDOZA TEICH		GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
18.5 Division 23-3D-2 Exceptions and Variances	x	JSc JSc	Redevelopmen t Exception in the Barton Springs Zone	No	23-3D-2040 (D) (1)	(D) Council Approval. (1) Applicability. Council approval of redevelopment under this section is required if the redevelopment: (a) Includes more than 25 dwelling units; (b) Is located outside the City's zoning jurisdiction; (c) Is proposed on property with an existing industrial or civic use; (d) Is inconsistent with a neighborhood plan; or (e) Will generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property.	Extensive water quality rules are appropriate in this zone, but there's no need to take the items to a vote at Council for non-water quality items. Requiring this to go to Council adds additional costs to the overall development	r c t 2	The requirement for Council approval if the project meets certain non-water quality-related criteria stems from stakeholder discussions for the Redevelopment Exception adopted in 2000 and the Barton Springs Zone Redevelopment Exception adopted in 2007. Watershed staff defer to PAZ, ATD, and DSD staff for potential modifications to the non-water quality related criteria. Note: Changes to the BSZ Redevelopment Exception will need approval from a supermajority of Council.
18.6 Division 23-3D-2		JSc JSc			23-3D-2050 ©	(C) Requirements for Redevelopment Exception. The requirements of this article do not apply to the redevelopment of property under this section if the redevelopment meets all of the following conditions: (4) The water quality controls for the redeveloped areas or an equivalent area on the site must provide a level of water quality treatment that is equal to or greater than that which was previously provided. At a minimum, the site must provide water quality controls sedimentation/filtration ponds for the areas of increased impervious cover or an equivalent area on the site.	Clarifies the area on a site subject to this regulation and establishes a minimum type of acceptable water quality controls.	r	WPD does not support this change. Redevelopment projects are required to comply with the water quality requirements of 23-30-6030, including all applicable requirements for green stormwater infrastructure.
18.7		JSc JSc			23-3D-2070 ©	(e) Necessary to allow reasonable development of the property according to the level of development allowed under 23-4.	This amendment requires Watershed to consider the reasonable amount of	i	WPD does not support this change. Zoning entitlements, including impervious cover, may not be attainable due to unique site characteristics such as waterways and steep slopes. If water quality requirements prevent the reasonable use of the property, the project can apply for a Land Use Commission variance.
18.8 Division 23-30-2 Exceptions and Variances	x	JSc -	Water Quality Control Measures	No	23-3D-2090 (NEW)	"23-3D-2090 Residential Construction of three to ten units on one acre or less with Increased Water Quality Control Measures (A) An applicant seeking to construct three to ten units on one acre or less may increase, up to 65%, the amount of impervious cover on the site above the impervious cover amounts in the base zone listed in 23-4, provided that the applicant comply with all of Article 23-3D (Water Quality), 23-10E (Drainage), and Division 23-2A-3 (Residential Development Regulations)."	This is necessary to allow missing middle to fit on a property, in some cases, but forces the developer to opt in to water quality and drainage rules that apply to commercial property	s t t	This proposal should be located in 23-2A-3 (Residential Development Regulations). In addition, since the early 1980s, water quality and drainage infrastructure in residential subdivisions has been sized assuming 45% impervious cover across the subdivisions. Earlier subdivisions often have inadequate drainage infrastructure. Allowing additional impervious cover is likely to create drainage problems in modern subdivisions and exacerbate problems in older subdivisions. Watershed Protection Department staff would recommend additional water quality and drainage requirements on individual lots if impervious cover limits were increased beyond 45%. This would result in substantial design and construction costs as well as additional permit review time and cost.
18.9 Division 23-3D-3 Impervious Cover		JSc -			23-3C-3030 Land Use Commission Variance	(B) A variance request under this section is subject to the application requirements in Section 23 2F 1030 (Application Requirements) and the public notice and hearing requirements in Section 23 2F 1040 (Public Hearing and Notification). (B): If a property is unreasonably encumbered by the location and/or quantity of heritage trees, the Land Use Commission shall consider a variance under this section to allow appropriate development of the property in accordance with Chapter 23-4. Definition: unreasonably encumbered-50% or more of the site is undevelopable or more than 10% of the potential unit yield is lost.	Due to many of the new requirements under Chapter 23-4 to push parking towards the back of the property, impervious cover limitations, new setbacks, landscape buffers, etc. It is now more likely that some sites will be undevelopable due to the prevalence of heritage trees. Adding (B) and renumbering this section would allow the land use commission to take into consideration whether or not the development of a site is being unreasonably encumbered by the heritage trees on the site.	Neutral i	Defer to DSD. Listed under wrong article.
18.11 Division 23-3D-3 Impervious Cover 18.14 Division 23-3D-3 Impervious Cover	x	JSC JT	Impervious Cover Calculations	No	23-3D-3040(C)	(C) Impervious cover calculations exclude: (1) Sidewalks in a public right of way or public easement; (2) Multi use trails open to the public and located on public land or in a public easement; (3) Water quality controls, excluding subsurface water quality-controls; (4) Detention basins, excluding subsurface detention basins; (5) Ground level rainwater harvesting cisterns, excluding subsurface-cisterns; (6) Drainage swales and conveyances; (7) The water surface area of ground level pools, fountains, and ponds; (8) Areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians and are not constructed with compacted base; (9) Porous pavement designed under the Environmental Criteria Manual, imitsed to only pedestrian walkusys and multi-use trails, and located outside the Edwards Aquifer recharge zone; (10) Fire lanes designed as prescribed in the Environmental Criteria Manual, that consist of interlocking pavers, and are restricted from		 S F N	This recommendation represents a change from existing policy. The at-grade footprint of subsurface ponds would generate surface runoff because they are typically located underneath parking lots or buildings. Significant revisions were made to the water quality and drainage regulations during the Watershed Protection Ordinance process in 2013. WPD is not proposing additional changes as part of CodeNEXT.

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3	DIVIS	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFICIO	TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
18.12	Division 23-3D-3 Impervious Cover	х	ANDERSON HART KAZI KAZI KENNY MCGRAW NUCKOLS OLIVER SECER SECER SECER SHEH SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH	Impervious Cover Limits for Suburban Watersheds	No	GENERAL SPECIFIC SECTION 23-3D-3070(B)(2)(d)	(d) Impervious cover for a commercial, <u>mixed use,</u> civic, or industrial use may not exceed:	Mixed use should be permitted the same IC as commercial.	1	STAFF RESPONSE This recommendation represents a change from existing policy. Significant revisions were made to the water quality and drainage regulations during the Watershed Protection Ordinance process in 2013. The intent was to encourage the actual provision of a mixture of commercial and residential and not solely multifamily. WPD is not proposing additional changes as part of CodeNEXT.
18.13	Division 23-3D-3 Impervious Cover	x	JSC JSC	Impervious Cover Limits for Suburban Watersheds	No	23-3D-3070(B)(2)(e)	(e) Impervious cover for mixed use may not exceed: (i) The limits in Subsection (B)(1)(c) for the portion of the ground-floor that is multi-family residential; (ii) The limits in Subsection (B)(1)(d) for the portion of the ground-floor that is commercial, civic, or industrial; and- (iii) Impervious cover for the entire site is based on the ratios-determined on the ground floor.	With the proposed language for 23-3D-3070(B)(2)(d) this section is no longer necessary.	1	This recommendation represents a change from existing policy. Significant revisions were made to the water quality and drainage regulations during the Watershed Protection Ordinance process in 2013. The intent was to encourage the actual provision of a mixture of commercial and residential and not solely multifamily. WPD is not proposing additional changes as part of CodeNEXT.
18.15 18.16	Division 23-30-4 Waterway and Floodplain Protection Division 23-30-4 Waterway and Floodplain Protection	x	JSC	Critical Water Quality Zones Established	No	23-3D-4020(B)(6)	(6) Zone boundaries may be reduced based on hydrology analysis or floodplain model as approved by the director.	The proposed language would allows the director to use hydrology analalysis to reduce water quality boundaries on a case by case basis.	i	The Critical Water Quality Zone for Suburban watersheds does not incorporate the floodplain. However, the applicant may demonstrate a change in the drainage area threshold as part of an engineering analysis.
18.17	Division 23-3D-4 Waterway and Floodplain Protection	х	JSC	Critical Water Quality Zone Development	No	23-3D-4040(E)(4)	(E) A utility line, including a storm drain, is prohibited in the critical water quality zone, except as provided in Subsection (E) or for a necessary crossing. A necessary utility crossing may cross into or through a critical water quality zone only if: (1) The utility line follows the most direct path into or across the critical water quality zone to minimize disturbance; (2) The depth of the utility line and location of associated access shafts are not located within an erosion hazard zone, unless protective works are provided as prescribed in the Drainage Criteria Manual; and	The amendment clarifies that the department/person requiring the alignment of a utility parallel to and within a critical water quality zone is responsible for the payment.	1	This recommedation represents a change from existing policy. Significant revisions were made to the water quality and drainage regulations during the Watershed Protection Ordinance process in 2013. WPD is not proposing additional changes as part of CodeNEXT.
18.18	Division 23-3D-4		JSC			23-3D-4070	(A)All <u>natural</u> floodplain modification within a critical water quality zone is prohibited except as allowed under Section 23-3D-4040 (Critical Water Quality Zone Development). (B) All <u>natural</u> floodplain modification outside a critical water quality zone is allowed only if the modification proposed:(C) All <u>natural</u> floodplain modifications must:	Clarifies that floodplain must be naturally occurring.		This recommendation represents a change from existing policy. Significant revisions were made to the water quality and drainage regulations during the Watershed Protection Ordinance process in 2013. Also, in a city as old as Austin, it may be difficult to define "naturally occurring" and floodplains confer significant environmental and flood mitigation benefits regardless of whether they are "natural" or not. WPD is not proposing additional changes as part of CodeNEXT.
18.19 18.20	Division 23-3D-5 Protection for Special Features Division 23-3D-5 Protection for Special Features		II.			23-3D-5010(A)	(A) An applicant must shall file an applicant state of the state of th	Clarifies that a environmental resource inventory only applies to developments	No	- The intent of the ERI is to locate sensitive features that are
18.21	Division 23-3D-6 Water Quality Control and Green	x		Environmental Resource Inventory	No	25-30-3010(A)	(A) An applicant must shall file an environmental resource inventory with the director for proposed development located on a tract that may cause disturbance to: (1) Within the Edwards Aquifer recharge or contributing zone; (2) Within the Drinking Water Protection Zone; (3) Containing a water quality transition zone; (4) Containing a critical water quality zone; (5) Containing a floodplain; or (65) With a gradient of more than 15 percent. For applications with a tract containing a gradient of more than 15 percent the environmental resource inventory shall be required for the portion of the site within 150 linear feet from the slope over 15 percent.	where any of these features may be disturbed, as it would be a severe cost to the applicant to do this for every site. In addition, the clarification for (6) allows for flexibility when working with larger sites which may have varying types of typography.		common to these areas. Without the ERI, it would be impossible to determine whether these features may be disturbed by the development.
	Infrastructure Standards					22.2D c010/p\/2\	Delete "8 000" and substitute "5 000 "	Nationwide hest practices for exemptions from undertaking water quality.	Vos	5 000 square feet was the staff recommendation in the 2012
18.22						23-3D-6010(B)(3)	Delete "8,000" and substitute "5,000."	Nationwide, best practices for exemptions from undertaking water quality control measures is 5,000 sf, not 8,000 sf. Imagine Austin calls for "complete communities." Complete communities need water quality controls.	1	5,000 Square feet was the staff recommendation in the 2013 Watershed Protection Ordinance. However, Council adjusted the threshold to 8,000 Square feet on the dais. Staff would support changing the threshold back to 5,000 square feet.

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		CHA	INGES TO DS	IDERSON	ZI NNV	CGRAW	HISSLER EGER	OMPSON	IRKARDT	ICH ICH	TOPICARLA				JUDSTITUTE DANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	
18.23	Division 23-3D-6 Water Quality Control and Green Infrastructure Standards		x	A	74	M M	15c	<u>15.</u>	2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2	<u>#</u>	Optional Payment Instead of Structural Controls in Suburban Watersheds	No	GENERAL	SPECIFIC SECTION 23-3D-6050 (B)	(B) Instead of providing the water quality controls required by Section 23-3D-6010 (Applicability of Water Quality Control Standards), in a Suburban watershed an applicant may request approval to deposit with the City a nonrefundable cash payment. The director shall review the request and approve or disapprove the request based on the standards in the Environmental Criteria Manual. To be eligible to request the optional payment, the development must: (1) Be located within the zoning jurisdiction; (2) Be (a) a residential subdivision less than two acres in size (b) a commercial property with less than an acre of the site that is requesting optional payment; or (c) a vertical commercial, residential, or mixed-use development with structured parking below the primary building, up to three acres in size.; and			STAFF RESPONSE CodeNEXT extended the option for water quality payment-in-lieu to small, infill subdivisions in Suburban watersheds that are less than 2 acres in size and do not trigger a preliminary plan. Allowing payment-in-lieu for small site plans in watersheds outside of the urban core would likely result in water quality degradation given the prevalence of small sites and the greater availability of undeveloped land. Sites outside of the urban core will have more pervious area available since watershed regulations limit impervious cover. These sites should be able to integrate green stormwater infrastructure solutions into their landscape and open space to reduce costs and overall footprint.
18.24							JSc								(3) Demonstrate exemption from the preliminary plan standard as determined by Section 23-5B-2010 (Preliminary Plan Requirement).			-
18.25	Division 23-3D-6 Water Quality Control and Green Infrastructure Standards		x				JSc			E	Dedicated Fund	No		23-3D-6080(C)	(C) The Watershed Director shall <u>use the administrative rules process</u> to propose rules that administer the fund, <u>calculate the fee</u> , <u>collect the fee and</u> allocate the fund for appropriate projects, and report annually to the Council regarding the status of the fund and the monitoring and maintenance program described in this section. <u>The proposed rules should be presented the Environmental Commission for a recommendation to Council. The Council shall approve the proposed rules, reject them, or approve them with modifications.</u>		No	Criteria are not approved by Council. The status of the fund is reported to the Environmental Commission and the City Council through the annual budget.
18.26	23-D-6010 - Applicability of Water Control Standards		x						TS		Water Quality Controls	NO		6010(B)(3)	(B)(3)If the total of new and redeveloped impervious cover exceeds 5,000 8,000 square feet.	Per Environmental Commission.	Yes	5,000 square feet was the staff recommendation in the 2013 Watershed Protection Ordinance. However, Council adjusted the threshold to 8,000 square feet on the dais. Staff would support changing the threshold back to 5,000 square feet.
18.27	Division 23-3D-7 Erosion and Sedimentation Control	С																-
18.28	Division 23-3D-8 Additional Standards in All Watersheds Division 23-3D-9 Save Our Springs Initiative		х			+++	PS			+H								-
19	Article 23-3E Affordable Housing	С																
19.2	Division 23-3E-1 Design Standards		х					TW			AHDB			23-3E-1030 (G)	The affordable units should have the same finishes features and appliances as the market rate units.	do not allow designated affordable units to encourage the affordable units to be equal to the market rate units in both finishes and sf. This discourages discrimination and allows for the affordable units to be throughout the project and for availability even if units are under repair or renovation.		-
19.3	Division 23-3E-1 Small scale density bonus for R1 zones		х					TW			AHDB		х			add R1 zone bonus to include an additional ADU if it's 50% MFI		
19.4	Division 23-3E-1 Small scale density bonus for R2 zones Division 23-3E-1 AHBP for MS2 Zones		x			+++		TW			AHDB AHDB		x		allow MS2b to take part in AHBP if along IA corridor	add R2 zone bonus to include an additional ADU if it's 50% MFI		
19.6	Division 23-3E-1 Land trust programs		x					TW			AHDB		x			these should be defined and added to the arsenal so that we can use them as part of the affordability programs. Ordoes this live somewhere else? NHCD is supportive of land trusts but unsure of how to put thiem into the code since the code doesn't discuss ownership models.		
19.7					CI	K								23-3E-1010(B) and add new 23-3E-1025	(4) Meet the annual affordable housing goals set forth by the City Council. (5) Encourage denser development via the AHBP program by providing a quantifiable incentive to a project measurable by an increase in project yield on cost. Add NEW section – suggest between Applicability (23-3E-1020) and General Provisions (23-3E-1030) 23-3E-1025: Affordable Housing Goals & Performance Requirements Goals A goal for a minimum affordable housing units developed using the Citywide Affordable Housing Bonus program shall be set by City Council on an annual basis. The goals shall be proposed by Neighborhood Housing and Community Development based on the Strategic Housing Plan and other available or procured data that establishes demand for affordable housing the City of Austin. Individual housing goals shall be established for each area within the AHDB program, including Downtown subdistricts. Goals shall include a total number of units in each area, including a headdown of units by two favoreship and units count (NEW) (1) in all zones, a site that participates in the citywide	This is a super-affordable bonus. It essentially gives free height if 100% of the		
10.0			х							,	Super Affordable Housing Bonus.	Yes			affordable housing program and has at least 50% of the dwelling units as income-restricted, FAR, parking requirements, and dwelling units per acre are waived for that zone. In addition, the height limit will be twice the height entitled in the base zone.	additional height goes to affordable housing units, up to twice the base entitled height of any zone that allows residential.		
19.8			x		C	K					Right of Return	Yes		23-3E-1030	Establish a priority for city-administered affordable housing units for people who have been displaced due to rising rents or property	imitrics people's pian"		

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19.10		ANDERSON HART KAZI KAZI RENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEEGER SHIEH THOMPSON WHITE SHAW BURKARDT MARINCZA	TEICH		GENERAL SPECIFIC SECTION 23-3E-1010(B) and add	Measurement	This requires an annual assessment of the affordable bonus program with	YES/NEUTRAL /NO STAFF RESPONSE
	x		Calibration	Yes	new 23-3E-1025	Neighborhood Housing and Community Development shall keep records of the number of affordable units permitted and developed via the AHDB program as required to annually measure the goals as established in 23-3E-1025. An annual report shall be prepared to document each areas progress towards annual goals. The annual report shall include, but is not limited to, the following: i. Number of total affordable housing units permitted, by unit type and number of bedrooms ii. Number of affordable housing units built, by unit type and number of bedrooms. iii. Value of Fee in Lieu collected in lieu of commercial bonus area iv. Value of Fee in Lieu collected in lieu of on-site affordable housing units, and equivalent unit count v. Average size of affordable housing units permitted, separated by bedroom count. vi. A summary of feedback from all applicants to the AHDB program. viii. An assessment of the income levels in this Title and whether they could be adjusted to better acheive the goals of the Strategic Housing Plan.	established goals.	
19.11		СК				viii. If any goal shortcomings are noticed, the report shall assess the reasoning behind the failure to achieve the goals. An annual calibration of all area AHDB programs shall be done to ensure the AHBP encourages use of the program by providing an increase in project yield on cost. The calibration shall include a review of the number of units required (by %), bedroom counts, or any other requirements associated with the use of the bonus. The AHBP shall be modified when: i. In any year that the annual report shows that the annual goal is not met by more than 10%, the AHBP shall be adjusted to lower the requirement for utilizing the bonus, either by reducing the number, size or bedroom count of units, or by reducing the fee-in-lieu. A calibration study shall be done to confirm the adjustments made to the AHBP result in an increase in yield on cost to the project. ii. In any year the annual report shows that based on current market data, including but not limited to rent rates, construction costs, land and tax values, interest rates, or operating expenses, the AHBP no longer results in an increase in yield on cost to a project, the AHBP	established goals.	
19.12	x	x	Skip the line for affordable projects		new division	Mandate that all city departments involved in site plan review, permit review, or other development services immediately priortize projects participating in the affordable housing program over all projects that do not have an affordable program participation.	Re-instates skip-the-line for affordable housing program projects.	
19.14	x	x	Fee-in-lieu	Yes	23-3E-1050 (c)(2)	append at the end of the section "except that an applicant may pay the fee in lieu on partial units with the proportional fee in lieu per unit, with a minimum fee-in-lieu of 20% of the per-unit fee in lieu.	This allows payment of partial fee in lieu for the citywide affordable bonus program.	
19.15 Division 23-3E-1 Citywide Affordable Housing Bonus Program	X	AH	Affordability	No	No 23-3E-1010	"(A) The purpose of this division is to establish general requirements and procedures for the submittal and review of an application for the Citywide Affordable Housing Bonus Program (AHBP), which is a voluntary, incentive-based density bonus program that provides enhanced development potential for projects that increase the supply of moderate to lower-cost housing consistent with the requirements of this division. (B) The intent of the AHBP is to financially incentivize new development to include affordable homes or pay fees-in-lieu for affordable homes to: (1) Implement the goals and policies of the Austin Comprehensive Plan and the Austin Strategic Housing Blueprint; (2) Increase housing supply, diversity, and affordability while preserving and enhancing the unique character of the City's neighborhoods; (3) Actively desegregate Austin's neighborhoods and dismantle		Neutral Needs slight revision

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19.16	Division 23-3E-1 Citywide Affordable Housing Bonus Program	x	AN	HAH	KEN MC	UUO SCH	SH THC	HWN	BUD ME	Affordability	No	GENERAL No	SPECIFIC SECTION 23-3E-1020 (A)	(A) Applicability (1) The AHBP applies citywide, except in the following zones: (a) Downtown Zones. A density bonus request in the Downtown Core (DC) Zone and Commercial Center (CC) Zone must meet the requirements of Division 23-3E-2 (Downtown Density Bonus Program). (b) University Neighborhood Overlay Zone. A density bonus request in the University Neighborhood Overlay (UNO) Zone must meet the requirements of Section 23-4D-9130 (University Neighborhood Overlay Zone). (c) Planned Unit Development (PUD) Zone. A density bonus request in the Planned Unit Development (PUD) Zone must meet the	A substantial number of lots are zoned F25. We need to allow F25 participation in our AHBP.		STAFF RESPONSE
19.17	Division 23-3E-1			АН										(d) Former Title 25. A density bonus request in the Former 25 (F25) Zone, established in Section 23-4D-8100 (Former 25-Zone), shall be subject to the requirements and density bonus incentives, if any, as available under Former Title 25. (2) Requirements for participation in the AHBP are determined based on the zone in which the development is proposed, as provided under Article 23-4D (Specific to Zones). For Former Title 25 (F25) Zone, the Director shall determine which zone in 25-4D most appropriately matches the zoning of former Title 25, and designate by rule which AHBP zone requirements match the F25 zoning.		No	AHBP Not calibrated to F25 zones
19.18	floating units						1	rw					23-3E-1030(E)		add language to ensure that the affordable unit occupancy rate is at least similar to the market rate occupancy of that building. And the owner should alert the city to it's vacancy		
19.19	Division 23-3E-1 Citywide Affordable Housing Bonus Program	x		АН						Affordability	No	No	23-3E-1080 (E)	(E) The Director shall provide a process for a potential applicant to seek out and receive an early determination for AHBP compliance. Such a determination shall be made by the Director within thirty days of the submission of a complete determination request. If the approved application matches the information submitted in the early determination request, then the determination shall be binding for	An early determination decreases the risk that an applicant may face and lowers the cost of providing affordable homes.	No	
19.20	Division 23-3E-2 Downtown Density Bonus Program Division 23-3E-2 Downtown Density Bonus Program	х	T			JSc				Application Review	Yes	Yes	23-3E-2030 (B)(6)	NHCD Director should not be able to adjust without a proper, third- party calibration study. Applying some sort of index does not accurately reflect market conditions.	23-3E-1070 gives NHCD Director authority to recommend FIL or % units to City Council annually. 23-3E-2030 (B) (6) states that downtown fees may vary by use and district (ok). Claims nine districts, but unclear what those are.	No	-
19.25	Division 23-3E-2 Downtown Density Bonus Program	x				JSc				Downtown Density Bonus Gatekeeper Requirements	No		23-3E-2040 (A)(2)	(2) The Design Commission shall evaluate and make- recommendations regarding whether the development is in- substantial compliance with the City's Urban Design Guidelines and- the director shall consider comments and recommendations of the	The Design Commission oversight for compliance with the Urban Design Guidelines was always intended to be an interim solution until design standards were codified, as they will be in CodeNEXT.	No	
19.26	Division 23-3E-2 Downtown Density Bonus Program	x				JSc				Downtown Density Bonus Gatekeeper Requirements	NO		23-4E-2040 (B)	(B) Appeal. (1) An applicant may appeal to the city council the director's determination that the gatekeeper requirements have not been met. (2) An applicant must appeal the determination within 30 days from the date of the director's denial (3) An appeal is subject to the procedures set forth in Section 23-2D-1 Conduct of Public Hearings and 23-2D-2 Timing and Location of Public Hearings.	Current code allows applicant to appeal to the City Council if director determines that the gatekeeper requirements have not been met. This proposed language replicate ability to appeal in the current LDC 25-2-586 (J) (1 - 3)	Neutral	
19.23	Division 23-3E-2 Downtown Density Bonus Program	х	GA	A						Downtown	No		23-3E-2060(B)	If the applicant chooses to achieve 100 percent of the density bonus by providing community benefits described in Subsection (C) through (strike E and insert) (F), the director may approve the density bonus administratively.	With Amendment this would match current LDC. Does not appear to require "designated review group" for downtown, but does not indicate how projects receive approval for using codified community benefits other than 100% affordable housing. This seems to be an oversight since downtown projects can currently earn density via a menu of options, as long as at least 50% of the bonus area is earned through providing housing on site or paying a fee in lieu. The only instance that should require PC/Council approval is outlined in section G, in which a project's developer proposes to provide a unique set of community benefits not outlined in code.		if the policy is to encourage housing, the procedural incentive to providing housing should remain. Approval of a bonus by right for other benefit (i.e. daycare) doesn't align with housing goals
19.27	Division 23-3E-2 Downtown Density Bonus Program	х	GA	ААН		JSc				Community Benefits	No		23-3E-2060 (B)	described in Subsection (C) through (strike E and insert) (F), the director may approve the density bonus administratively.	This proposed language replaces the phrase "(C) through (E)" with "C through F." The density bonus program provides alternatives for community benefits including affordable housing, green roofs, music/cultural spaces, provision of day care, etc. This allows administrative approval for any of the community benefits listed in this section to not discourage some kinds of benefits over others. By allowing administrative approval, the need to go to Council and Planning Commission to approve something allowed by code is eliminated, simplfying the process.		if the policy is to encourage housing, the procedural incentive to providing housing should remain. Approval of a bonus by right for other benefit (i.e. daycare) doesn't align with housing goals
19.21	Division 23-3E-2	×					1	rw		AHDB	х		23-3E-2060-E-1-c	A unit is affordable for purchse if the maximum sales price for the unit does not exceed three times the annual income for a household at 120 percent of the MFIThe maximum sales price can be up to 3.5 times the annual income for a household at 120 80 MFI if a household member has completed a City- approved homebuyeer counseling of education class.	I think we can do better. 3.5x 120MFI for a one bedroom is \$239,400; 3.5x 80MFI is \$159,600 for a one bedroom; this is comparable to a teacher's salary		

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19.22	Division 23-3E-2 Downtown Density Bonus Program		x				TW			AHDB	х		23-3E-2060-E-2-c	A unit is affordable for rent if the maximum monthly rent for the unit does not exceed 30% of the average gross monthly income for a household at 80 60 percent of the MFI.	I think the price of units downtown should be able to handle a little more affordability	Yes	
19.29	Division 23-3E-2 Downtown Density Bonus Program		x	АН		JSc				ainey Street Subdistrict Bonus	No		23-3E-2070 (B) (1)	area ratio of up to 8:1 if at least five percent of the square footage of	The proposed language amends this section to keep current standards. To achieve density above 40 up to 8:1 FAR, support continuing the on-site affordable housing requirement. Support reverting to the on-site requirements in place before 2014, 5% of the number of bonus units (as opposed to 5% of the bonus square footage) be designated affordable to 80% Median Family Income.	No	keep bedroom mix as part of policy to encourage larger 'family units'
19.30	Division 23-3E-2 Downtown Density Bonus Program Division 23-3E-3 Tenant Notification and Relocation		х			JSc				ainey Street Subdistrict Bonus	No		23-3E-2070 (B) (6)		Requiring a percentage of bonus area units to be affordable, AND requiring the affordable unit mix to match the unit mix of the building, make downtown residential with on-site affordable housing infeasible. Except for those that were already entitled and therefore exempt, only one new residential projects has been proposed on Rainey Street after this requirement was imposed in 2014, and they declined to build any 3-bedroom units in order to make this new provision feasible.		if the policy is to encourage housing, the procedural incentive to providing housing should remain. Approval of a bonus by right for other benefit (i.e. daycare) doesn't align with housing goals
19.33	Division 23-3E-4 S.M.A.R.T. Housing	С															-
19.35	Division 23-3E-4 S.M.A.R.T. Housing		х	GA						SMART	No		23-3E-4010 - 4090		SMART housing needs to be strong. These adjustments come from Mark Rogers at GNDC and Nicole Joslin spent a lot of time going over them with me. They are better than what we have today.		
19.36	Division 23-3E-4 S.M.A.R.T. Housing			GA					ı	SMART	No						
19.37	Division 23-3E-4 S.M.A.R.T. Housing			GA						SMART	No						-
19.38	Division 23-3E-4 S.M.A.R.T. Housing			GA						SMART	No						

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				ERSON	_ \	KOLS	SCHISSLER	MPSON	W KARDT	H H							YES/NEUTRAL /NO	
19.39	Division 23-3E-4	S.M.A.R.T. Housing		GA AA	KAZ	MON	S S	불	SHA	MEIC TEIC			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
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A-19.44.1	Division 23-3E-4	S.M.A.R.T. Housing	x					Ī	N I		SMART		Х		please see Exhibits TW SMART HOUSING and TW SIMPLICITY HOUSING BLUEPRINT GOALS	There are a number of general and specific changes outlined in the exhibit		
19.45 19.46		Additional Affordable Housing Incentives 23-3E-5010 Additional Affordable Housing	^					+	TS	\dashv				5010 (A)	(A) An applicant who provides income restricted affordable units, as-	This does not have any specifics as to the limits that parking can be adjusted.	No	-
		Incentives								$\ \ $	AH Incentives	NO			verified by the Housing Director, may request a parking adjustment- from the Planning Director before the site plan is approved under-	Delete section.		
			х												Article 23-4D (Specific to Zones).			

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19.47	Division 23-3E-5 23-3E-5010 Additional Affordable Housing Incentives Division 23-3E-6 Affordability Impact Statements	С	x	ANDERSON	KAZI KENNY MCGRAW	INCERAW NUCKOLS OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON WHITE	3 SHAW BURKARDT MENDOZA		centives	NO	GENERAL	. SPECIFIC SECTION 5010(B)(3)(a), (b), (c)	(a) If at least 10 percent, but less than 20 percent, of the dwelling units are equal to or less than 80% MFI reasonably-priced, the maximum cost is reduced by the percentage of affordable units; (b) If at least 20 percent, but less than 50 percent, of the dwelling units are equal to or less than 80% MFI reasonably-priced, the maximum cost is reduced by 50 percent; and (c) If at least 50 percent of the dwelling units are equal to or less than 80% MFI reasonably priced, no mitigation may be convired.	B)3) grants benefits for providing reasonably priced units. What does this mean? I propose following but should be discussed	YES/NEUTRAL /NO Neutral	STAFF RESPONSE
19.49	23-3F Art, Music, and Culture			GA				TW						23-3F	please see Exhibit WHITE_EXHIBIT-ART, MUSIC CULTURE Proposed	This is the Live Music Capital of the World and we are not doing nearly enough		
											usic, and lture	No			Future CodeNEXT Article 23-3F: Art, Music, and Culture Both the Imagine Austin Comprehensive Plan and the Code Prescription on Household Affordability reference the need for regulations to sustain and strengthen the music and arts industries and communities. To this end, the CAG recommends developing a future code section that would provide city-wide regulations to promote arts, music, and culture with the goals of: protecting existing assets and promote new ones in areas deficient of art, music, and cultural assets, and supporting housing and jobs for musicians and artists, and sustaining these important elements of Austin's economy. Proposed Code Additions: 1. Add arts, music culture to the Purpose Statement of General	for our artists! We should also consider a density bonus for music venues.		
				ш											Planning Standards. The current draft of the new Land Development Code for Austin, dubbed CodeNEXT contains the following purpose			
19.50		H	х	₩											statement in Chapter 23-3: General Planning Standards for All [1]. The red underlined clause below would add reference to 2 to be. This Chapter provides standards and regulations for the following			
19.50															This Chapter provides standards and regulations for the following purposes: to provide parkland; to provide for the protection and replenishment of urban forest resources; to provide for the protection of water quality and protection from flooding; to encourage the creation and preservation of affordable housing; and to sustain the local arts, music, and culture communities and industries. These aspects are all essential to the development of a healthy, sustainable and desirable city environment. The interests of the community and the goals of the Comprehensive Plan and Zoning Code are further ensured through the application of this Chapter. 23-34-1020 Applicability This Chapter applies to all development within the City of Austin and the ETJ. 2. Working with appropriate city boards and stakeholders, develop a new code section to be numbered 23-3F. Provisions for consideration, several of which are already supported by City of Austin Economic Development Department and the City's Arts Commission and Music Commission, are outlined below. 23-3F-1010 Purpose and Intent (A) The purpose of this division is establish general requirements and procedures to sustain the local arts, music, and culture communities and industries and to guarantee that arts, music, and cultural lad uses are distributed across the city in an appropriate manner within neighborhoods, along activity corridors, and within neighborhood, town, and regional centers.			
2332															23-3F-1020 Artist Live/Work and Live/Work/Sell (A) Allow artists to sell finished goods from their live/work home studios. Specify in which districts a live/work artist may "sell", including performance art. This is an important distinction as multidisciplinary spaces are becoming increasingly common — where both object-based art and experience-based art are being created (i.e. "work") and offered to the public within a single building envelope. 23-3F-1030 Density Bonus Provisions for Art and Music (A) In designated town/regional centers and activity corridors allow density bonus rules to trade greater building entitlements for including art galleries, studio space, live theater, dance performance space, live music venues, or other forms of performance art on the first floor or for preserving an existing an iconic venue on the tract (e.g., Broken Spoke). 23-3F-1040 Art Districts (A) Describe the basis for designating arts districts (similar to that provided for historic districts) in neighborhood plans, neighborhood centers, town centers, and regional centers, and target one or more arts districts per Council District. 23-3F-1050 Theater and Art Venue Scale (A) In establishing capacity rating for theater or arts venue consider			

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19.52										ш						23-3F-1060 Art, Music, and Culture Nomenclature and Definitions			
										- 1						(A) Add explicit definitions that clearly distinguish types of arts/music spaces for flexible and hybrid uses in city ordinances and other			
										- 1						regulation (i.e. distinguish terms "gallery", "theater", "studio", "live			
										- 1						music venue," etc.). (B) Live Music Venue Use			
										- 1						An establishment where live music programming is the principal function of the business and/or the business is a live music			
										- 1						destination, and where the venue clearly establishes the ability of an			
										- 1						artist to receive payment for work by percentage of sales, guarantee or other mutually beneficial formal agreement.			
										- 1						A live music venue is a destination for live music consumers, and its music programming is the primary driver of its business as indicated			
										- 1						by the presence of at least five (5) of the following:			
																defined performance and audience space; mixing desk, PA system, and lighting rig;			
																back line (e.g., sound amplification or video equipment for performers on or behind the stage);			
																at least two of: sound engineer, booker, promoter, stage manager, security personnel;			
																applies cover charge to some music performance through ticketing			
										- 1						or front door entrance fee; • marketing of specific acts through show listings in printed and			
19.53							++-		++							electronic publications; 23-3F-1070 Codify of Agent of Change Principle.		-	
										- 1									
										- 1						Imagine Austin and Code Prescriptions Support New Code Section Justification for the proposed new code section comes from the			
										- 1						Imagine Austin Comprehensive Plan and more recent work done in developing the CodeNEXT draft. Priority Program 5 (among 8 Priority			
										- 1						Programs) in the 2012 Imagine Austin Comprehensive Plan is "Grow and invest in			
										- 1						Austin's creative economy." A short term (1-3 years) work program			
										- 1						item is: "Explore and reimagine existing City development tools, such as incentives, regulations, and financing options, with a focus on			
										- 1						creative industries' facility needs. Expand access to affordable and functional studio, exhibition, performance space, museums, libraries,			
										- 1						music venues, and office space."			
										- 1						The proposed new section is also supported by the following policies			
										- 1						and priority actions in the Imagine Austin Comprehensive Plan: • Develop regulations to mitigate the sound from live music venues			
																through a collaborative process that includes the City of Austin, musicians, venue operators, property owners, and residents.			
																Create incentives and programs to preserve iconic and established			
																music venues and performance spaces throughout Austin and its extraterritorial jurisdiction (ETJ).			
																Expand access to affordable and functional studio, exhibition, performance, and office space for arts organizations, artists, and			
19.54																Explore existing City policies, processes, and regulations regarding the arts to determine what changes can be made to coordinate these			
																with other goals, such as historic preservation, affordable housing,			
																and high-density development. • Incorporate the arts and cultural preservation themes and			
																elements into small area plans, such as neighborhood and corridor plans.			
																Create incentives, and programs to promote the inclusion of public			
																art into new development. • Encourage artists and other creative individuals by promoting the creation of live/work spaces and			
																creative industry hubs, districts, and clusters as retail, community, or neighborhood anchors and activity generators to attract and support			
																other economic and community enterprises. • Establish incentives and regulations to promote the creation of			
																artists' live/work space in residential areas that allow for limited			
																gallery space.Further, the Code Prescription on Household Affordability written in 2016 in response to the CodeNEXT			
																consultant's Code Diagnosis, specifically addressed affordability impacts to small businesses and the cultural arts in the following			
																three prescriptions:			
																 Allow for compatible retail and commercial uses by right including arts, culture and creative uses such as rehearsal, gallery, studio, 			
																performance or exhibit spaces and offices in areas where form-based			

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5	TITLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFICIO TOPIC AREA		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
			ANDERSON HART KAZI KEAZI KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEGER SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH	GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
19.55					Revise the density bonus program in targeted areas such as cultural districts by adding the preservation or creation of an existing creative venue or business as a Community Benefit. Density bonus fee-in-lieu requirements will be evaluated for 501(c)(3)s to promote emerging small non-profits. The existing density bonus provisions will be evaluated to determine if they can incorporate preservation or development of a music or creative venue that will be used for rehearsal, gallery, studio, performance, or exhibit spaces and offices. The opportunity to expand live/work units will be found in all formbased code districts in order to promote the opportunity for the small businesses, including artists to be able to work where they live. The allowance of live/work units will be both within the uses regulated by the different form-based code districts but also in the regulation of building types to ensure the proper form to allow for live-work units.		
19.56					If I see https://codenext.civicomment.org/chapter-23-3-general- The New Flex Industrial zoning may cover this In 23-3F and in 23-2M In Division 23-4D-7: Commercial and Industrial Zones Accessory Use as a Theater or Art Gallery (as would be in 25-2-865, for example A) This section applies to the following uses and zoning districts: 1) LIGHT MANUFACTURING use with IP, MI, LI, CS, MU zoning district 2) LIMITED WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district 3) GENERAL WAREHOUSE AND DISTRIBUTION use with IP, MI, LI, CS, MU zoning district 4) ART WORKSHOP use with IP, MI, LI, CS, MU zoning district B) The use of the space as ART GALLERY and THEATER: 1. is a permitted accessory use 2. shall not exceed 33 percent or 5,000 square feet of the total floor area of the principal developed use, whichever is less C) During the Permitting Process the Council on appeal or Planning Commission may increase the square footage allowed under		
19.57		NONE MINOR MAJOR		YES/NO	D) On-site parking is required according to Schedule A of Appendix A (TABLES OF OFF-STREET PARKING AND LOADING REQUIREMENTS). PART 2. City Code Chapter 25-6, Appendix A (TABLES OF OFF-STREET PARKING AND LOADING REQUIREMENTS) is amended to amend Schedule A to read: SCHEDULE A The minimum off-street parking requirement for a use is the sum of the parking requirements for the activities on the site, in accordance with the following table: Activity Requirement Accessory Use as a Theater or Art Gallery < 2.500 sq. ft 1 space for each 275 sq. ft. > 10,000 sq. ft 1 space for each 100 sq. ft. > 10,000 sq. ft 1 space for each 50 sq. ft. Office or administrative activity 1 space for each 500 sq. ft. Outdoor sales, services, or display 1 space for each 500 sq. ft. Indoor storage, warehousing, equipment servicing, or Manufacturing 1 space for each 1,000 sq. ft. Outdoor storage, equipment servicing, or manufacturing 1 space for each 2,000 sq. ft. Commercial off-street parking requires one bike parking space for every 10 motor vehicle parking spaces.		
Chapter 23-4: Zoning Code	Article 23-4A Introduction			YES/NO			
20.1	Division 23-4A-1 Purpose Division 23-4A-1 Purpose	х	JSc JSc	23-4A-1010	This chapter protects and promotes the public health, safety, and general welfare of the public; and implements the Comprehensive Plan. This chapter establishes the land use and building form requirements that are intended to promote compatible land patterns that address the social and environmental values described in 23-1A-	Implies a hierarchy of code that was not established in Imagine Austin Plan.	No Can bring forward language from 23-1A-1020
20.3	Division 23-4A-2 Establishment of Zones Overlay Zones	N	KM	23-4A-2020(H)	Insert Neighborhood Plan Combining Districts and Neighborhood	NP and NCCD are tools that need to be here to support existing districts and	No Staff is not recommending carrying forward NCCDs because new
					Cobnservation Combining Districts	allow for new districts.	zones are improving current standards

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			ANDI	KAZI KENN MCG	SCHIS	SHE	SHAV BURK			GENERAL SPECIFIC SECTION				STAFF RESPONSE
20.5	Division 23-4A-2 Establishment of Zones	x				JT		Overlays	No	23-4A-2020(H)	Eliminate the Downtown Plan overlay until Small area plan can be completed with funding assistance provided by DAA.		No	Staff does not support this without Council directive
20.6	Division 23-4A-3 Zoning Map					Ш				2000 (14)				-
20.7	Division 23-4A-3 2020						15	Residential	NO	2020 A)1)	Residential house-scale (R) zone category includes single-family detached homes, single-family-attached, duplexes, small multiplexes,	Add other house types.	Yes	
		x						Housing Types			cottages, row houses, townhouses, and accessory dwelling units (garage apartments or granny flats).			
20.8	Division 23-4A-4 How to Use the Zoning Code	С												-
21 21.1	Article 23-4B Zoning Administration and Procedures Division 23-4B-1 Land Use Approvals													-
21.3	Division 23-4B-1 1020 - Conditional Use Permit	x					TS	Conditional Use Permit	NO	1020 Conditional Use Permit (F)(1)	Delete (F)(1)	F)1) Land Use Commission may impose conditions such as limits on FAR, setbacks etc. This seems to purpetuate zoning classes with additional conditions like we have now.	No	Intent of text is correct
21.4	Division 23-4B-1 1020 - Conditional Use Permit						TS			1020 Conditional Use Permit (F)(2)	(2) Late Hours Permit (a) If the Land Use Commission approves a conditional use permit for	Reword to require all bars, nightclubs and restaurants w/ alcohol that have late night hours and/or outdoor seeting that are close to neighborhoods to obtain a	Yes	Language already included in 23-4E-6310 Restaurant; staff would support adding specfic to use language for Bars/Nighclub
										Fernit (F)(2)	a bar, nightclub, or restaurant with a late-hours permit or with out-	CUP. F) 2) Late Hours Permit - This minimum distance should be included in the Division 23-4E-6: Specific to Use section for Bars/NightClubs and		support adding specific to due to inguige for early right add
								Conditional	NO		door seating , the having a parking area associated with the use must- be a minimum of less than 200 feet from a Residential House-Scale	Restaurants.		
								Use Permit	NO		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			
		x									based on the criteria in Subsection (E).			
21.5	Conditional Use Permits	х				т	w	CUPs		23-4B-1020	please see Exhibit TW Conditional Use Permits	There are a number of general and specific changes outlined in the exhibit		
21.6	Division 23-4B-1 1030 - Minor Use Permit						TS			1030 - Minor Use Permit (C)(1)	C) Administrative Review Process (1) Notice of Application. The director shall provide notice of an	C) (1)Admin Review- requires a 14 day public comment period. 30 days is needed.	No	Staff believes timeline is appropriate
								Minor Use Permit	NO		application for a minor use permit under Section 23-2C-5010 (Notice of Application) and allow parties to submit comments on the			
24.7		х									application for a period of at least 14 30 days.			
21.7	Division 23-48-1 1030 - Minor Use Permit Division 23-48-1 1030 - Minor Use Permit						TS			1030 - Minor Use	Delete (E)	E) Allows Director to impose conditions same as Conditional Use Permit. Land	No	- Staff supports this disgression
								Minor Use Permit	NO	Permit (E)		Use Commission may impose conditions such as limits on FAR, setbacks etc. This seems to purpetuate zoning classes with additional conditions like we have now.		
21.9	Division 23-4B-2 Code Interpretations and Use Determinations	х												-
21.10	Division 23-4B-2 Code Interpretations and Use Determinations				JSc	JT				23-4B-2030 Use	(A) Purposes and Applicability. This section establishes procedures	This section needs to be explained and possibly rewritten or deleted. We seek		
										Determinations	for obtaining a determination by the director regarding:(1) The appropriate classification of an existing or proposed land use or-	clarification and understanding of why we need this section included for classified zoning uses and when this determination would come into play. The		
											activity under Article 23-4D (Specific to Zones); or (2) Whether an	existing LDC section is for use determinations not particularly defined or classified within the zoning code. Further, Article 23-2G states that a property		
											existing use or structure is non-conforming under Article 23-2G- (Nonconformity).	that is legally nonconforming is appealable to the BOA. The property owner is required to prove a lot of information that they may not have in order to avail		
												itself to the legally nonconforming provisions of CodeNEXT 3.0. This will be costly and in a lot of instances, just not possible, as the information may not be		
												available.		
21.11					JSc					23-4B-2040 Administrative Appeal	(A) Project Interpretations. A project code interpretation or use determination issued under this division for a particular development	Section 23-48-2040 Administrative Appeal states that a decision by the Development Services Director or another responsible director to approve or		
											application may be appealed to the Board of Adjustment under Article 23-2I (Appeals). If the code interpretation or use	disapprove a development application may be appealed to the BOA under Article 23-2I (Appeals). This is broader than just site development standards		
											determination is not appealed, or is upheld by the Board on appeal, a	under the Zoning Code. This Section should be limited. A development permit that is issued should only be appealable because of non-compliance with the		
											subsequent decision by the director to approve or disapprove a development application associated with the interpretation or	zoning code and the provision of the code not correctly interpreted was the zoning code (not building, fire, electric, etc.).		
											determination may not be appealed under this section. (B) Non-project Interpretations. A non-project code interpretation or			
											use determination issued under this division may be appealed to the Board of Adjustment under Article 23-2I (Appeals).			
											(C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another			
											responsible director to approve or disapprove a development			
21.12	Division 22 49 2 Zoning May Parisardian and America										application because of non-compliance with the zoning code may be appealed to the Board of Adjustment under Article 23-21 (Appeals).			
21.12	Division 23-4B-3 Zoning Map Designations and Amendments 3100 - Requirement for Approval from 3/4 of						TS			3100 - Requirement for	(2)The assignment of a Planned Unit Development zoning	(A)(2) is the recent Council decision to require disapproval by 3/4 of the Land	Neutral	
22.23	Council -							Requirement		Approval from 3/4 of	designation to previously unzoned property if the Land Use	Use Commission to trigger requirement for approval by 3/4 of Council for PUDs on unzoned property which is a higher bar than PUDs on zoned properties. This	. icatial	
								for Approval	NO	Council (A) (2)	Commission recommends denial of the application; or	was a rule created by Council during the Grove at Shoal Creek PUD hearings and		
								from 3/4 of Council -				needs to be reconsidered. There is no justification for PUD's related to unzoned properties to be handled any differently than zoned properties. Suggest that		
21.14	Division 22.49.3 Zening Man Designation and Association	х			10					22.40.2042.(2)	(4) A	this section be deleted so that requirements for all PUDs are equal.	Nout	
21.14	Division 23-4B-3 Zoning Map Designations and Amendments	x			JSc					23-4B-3040 (D)	(1) A zoning map amendment regarding a Historic District Overlay Zone may be initiated		Neutral	
											by: (a) The Historic Landmark Commission;			
											(b) A petition of the applicants owners of at least 51 percent of the land, measured by land area, in the proposed zone or at least 51			
											percent of the applicants owners of individual properties in the			
											proposed zone; or			

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									z									VEC /NEUTDAL	
				II SO	2	IY RAW	COLS	SLER	4PSO	- N	DOZA							YES/NEUTRAL /NO	
				ANDE	HART	KENN	NUCK	SCHIS	SHE THON	SHAV	MEN			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
21.15	Division 23-4B-4 Criteria for Variances and Special Exemption	ns																	-
21.16	Division 23-4B-4 Criteria for Variances and Special Exemption	ns						JSc	JT						23-4B-4010 Purpose and Applicability (A)	(A) This division establishes review criteria for zoning variances and special exceptions considered by the Board of Adjustment, consistent	The current Land Development Code uses the term "regulations" as it relates to the zoning district. Regulations are laws and are codified. The use of	Neutral	
															and (B)	with the standards regulations of this Title and Chapter 211	"standards" is problematic because these are not codified law. Standards provide for guidelines, with which compliance is not mandatory. The current		
																(Municipal Zoning Authority) of the Texas Local Government Code. (B) An application for a variance or special exception authorized	language suggests that the BOA would look outside of the zoning code regarding		
																under this division is subject to the application, notification, and other standards regulations established under Division 23-2F-1	development regulations, which is not consistent with the current Code or State law.		
																(Variances and Special Exceptions).			
21.17								JSc	JT				11		23-4B-4020(B)(1)(c)(iii)	(B) General Findings	The current Land Development Code, Section 25-2-474(A)(3), uses the term		
																(1) The Board of Adjustment may grant a variance from a site development standard adopted under this chapter if the Board	"regulations" as it relates to the zoning district. The sentence in (iii) of Draft 3.0 is problematic because it uses the word "standards" and these are not codified		
																determines that:	law. The use of the phrase "impair the purposes of the standards of the zone" in this section could possibly result in a subjective determination by the BOA to not		
																(a) The requirement does not allow for a reasonable use of property; (b) The hardship for which the variance is requested is unique to the	grant a variance. The use of standards is not consistent with the current Code or State law regarding development regulations.		
																property and is not generally characteristic of the area in which the property is located; and	State law regarding development regulations.		
																(c) Development in compliance with the variance does not:			
																(i) Alter the character of the area adjacent to the property; (ii) Impair the use of adjacent property that is developed in			
																compliance with the City requirements; or			
																(iii) Impair the purposes of the standards <u>regulations</u> of the zone in which the property is located.			
21.18								JSc	JT						23-4B-4030 (C) Special Exceptions Required	(C) Required Findings. The Board of Adjustment may shall approve a special exception in compliance with this section if the Board finds	The word "shall" is currently used in the Land Development Code, Section 25-2-476 pertaining to special exceptions and this is a change to "may" in Draft 3.0.		
															Findings	that:	The wording of "may" in Draft 3.0 infers that the BOA determines that the special exception meets the findings set forth in this section and has discretion		
																	to grant a special exception or not and this is not consistent with the currently		
																	accepted general practice. Using the word "shall" in this instance is consistent with a quasi-judicial decision that is only appealable to a court. If the wording		
																	changes to "may" as it is in this current draft 3.0, and it is discretionary for BOA to grant a special exception, then there is virtually no way to appeal the decision		
22	Article 23-4C General to all Development																to a court		
22.1	Division 23-4C-1 Large Site Requirements Division 23-4C-1		x		++			\perp		44	+								-
22.3																	whats article 23-9H connectivity? Cant find		Addendum removes this reference
	Division 23-4C-1 1010 - Applicability								JSh	TS					1010 Applicability (C)	(C) A site that is <u>more than</u> one acre -but less than four shall comply	whats article 23-9H connectivity? Cant find ADDENDA Common Open Space - A site that is two or more acres shall		Addendum removes this reference. PARD does not have an opinion on 1 acre vs 2 acre theshold. It
	Division 23-4C-1 1010 - Applicability			ı					JSh	TS					1010 Applicability (C)	with Section 23-4C-1030 (Common Open Space).(B) A site that is one			
	Division 23-4C-1 1010 - Applicability								JSh	TS		Common Ope	1 VES		1010 Applicability (C)		ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that		PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for
	Division 23-4C-1 1010 - Applicability		^						JSh	TS		Common Ope Space	YES		1010 Applicability (C)	with Section 23-4C-1030 (Common Open Space).(B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This		PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for
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	Division 23-4C-1 Division 23-4C-1 Large Site Requirements	x	х					JSc	JSN .	TS		Space Parkland ar	YES			with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
	Division 23-4C-1	x	х					JSC		TS		Space Parkland ar	YES		23-4C-1010 1020 - Internal	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table 1-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. Minor update - not every zone requires open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements	x	х					JSC	ish .	TS		Parkland ar Open Spac	YES		23-4C-1010	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements	x	х					JSC		TS		Parkland an Open Spac	YES		23-4C-1010 1020 - Internal	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements	x	х					JSC		TS TS		Parkland ar Open Spac	YES		23-4C-1010 1020 - Internal	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)."	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4C-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table 1-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements Division 23-4C-1 1020 - Internal Circulation	x	х					JSC		TS TS		Parkland ar Open Spac	YES		23-4C-1010 1020 - Internal Circulation (M)(2)	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)." Delete 1020(M)(2) ADD AND RENUMBER (A) General (1) An applicant for a site plan or subdivision must designate common open space that complies with	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it more costly for developers to provide parking they need.	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements Division 23-4C-1 1020 - Internal Circulation	x	х					JSC		TS TS		Parkland ar Open Spac	NO		23-4C-1010 1020 - Internal Circulation (M)(2)	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)." Delete 1020(M)(2) ADD AND RENUMBER (A) General (1) An applicant for a site plan or subdivision must designate common open space that complies with the requirements 23-4C-1030.	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it more costly for developers to provide parking they need.	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements Division 23-4C-1 1020 - Internal Circulation	x	х					JSC		TS TS		Parkland an Open Spac Reduced Parking	NO NO		23-4C-1010 1020 - Internal Circulation (M)(2)	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)." Delete 1020(M)(2) ADD AND RENUMBER (A) General (1) An applicant for a site plan or subdivision must designate common open space that complies with the requirements 23-4C-1030, (2) An exemption described in this Section does not exempt the	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it more costly for developers to provide parking they need.	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability
22.5	Division 23-4C-1 Division 23-4C-1 Large Site Requirements Division 23-4C-1 1020 - Internal Circulation	x	х					JSC		TS TS		Parkland ar Open Spac	NO NO		23-4C-1010 1020 - Internal Circulation (M)(2)	with Section 23-4C-1030 (Common Open Space). (B) A site that is one or more acres shall comply with Section 23-4C-1030 (Common Open Space). (B) Open Space. (1) Common. Sites two acres or larger and that have a zone that requires it must comply with the Common Open Space requirements of Section 23-4C-1050 (Common Open Space); and (2) Civic. Sites four acres or larger and that have a zone that requires it must comply with Civic Open Space requirements of Section 23-4C-1060 (Civic Open Space)." Delete 1020(M)(2) ADD AND RENUMBER (A) General (1) An applicant for a site plan or subdivision must designate common open space that complies with the requirements 23-4C-1030.	ADDENDA Common Open Space - A site that is two or more acres shall comply with Section 23-4c-1030 (Common Open Space). Draft 3 reduced the threshhold for compliance from 2 acres to 1 acre based on PARD recommendations. PARD also recommended rewording in ADDENDA so that common open space required for all development greater than an acre. PARD did not recommend changing threshold back to 2 acres in latest addenda. This section conflicts with Article 23-4D: Specific to Zones/Table I-Open Space as several zones do not require Common Open Space. PARD contact - Marilyn Lamenesdorf. REFERENCE FOR DISCUSSION; OPEN SPACE 1. CIVIC. Open space that is available for use by the public, and includes, but is not limited to, a plaza, square, park, playground, greenbelt, or similar area. 2. COMMON. A privately-owned outdoor or unenclosed area intended for use by the residents, employees, or visitors to a development. 3. PERSONAL. A privately-owned outdoor or unenclosed area intended for use solely by the individual. Commonly associated with open space required for residents of a multi-family dwelling unit. Minor update - not every zone requires open space Requires additional connetivity measures when exceeding over 125 % of parking required. Planning Staff have said that they are only establishing minimum parking requirements, but developers are allowed to provide parking at levels that is established by market. If this is the approach, we should not make it more costly for developers to provide parking they need.	Yes	PARD does not have an opinion on 1 acre vs 2 acre theshold. It does not review common open space. Current code for Subchapter E is a 2-acre threshold. Commentary agree with clarification of applicability

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СНАРТЕ	ITLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFICI	O TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
		CHANGESTOPS	ANDERSON HART KAZI KENNY MCGRAW NUCKOLS OUVER SCHISSLER SEEGER SHEH THOMPSON WHITE SHAW BURKARDT TEICH	TOTICALLA		GENERAL SPECIFIC SECTION	JOBSTITUTE ENGLAGE	CommissionEn NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
22.8	Division 23-4C-1 1030 - Common Open Space	x	TS	Common Open Space	NO	1030 - Common Open Space (B)	(B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities) and the remaining requirements of 24-4C-1030. A site partially complies with this section, if Credit for Common Open Space can be given with approval by Parks Dirctory on no greater than an acre for acre basis, if (1) The site provides civic open space that complies with Division 23-4C-2 (Civic Open Space) excluding fee-in-lieu; or (2) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication) excluding fee-in-lieu.	The term partially complies is subjective. This allows actual dedicated parkland and civic space to count toward the common space requirements as approved by PARD Director (This may also require Planning Director approval)		suggested language but staff agrees that "partially complies" to be further defined
22.9	Division 23-4C-1 1030 - Common Open Space	х	TS	Common Open Space	NO	1030 - Common Open Space (C)(5)	(5) A site that is located outside inside within the Downtown Core (DC) zones and is more than one acre, must provide at least 150 square feet, plus an additional 100 square feet for, each acre of open space. The amount of open space required may not to exceed 1,000 square feet.	Apply this requirement for lower amounts of common open space to DC zones.		grees that this language needs further clarification though agree with amendment
22.10	Division 23-4C-1 1030 - Common Open Space	x	TS	Common Open Space	NO	1030 - Common Open Space (C)	ADD: 1030(C)(6) A site that is located outside within the Downtown Core (DC) zones and is more than one acre, must provide at least 5% of the gross site area as common nopen space.	This will align with the 5% of gross site area in Article 23-4D: Specific to Zones/Table J-Open Space and requires all development greater than an acre to provide common open space in all zones 5% of gross site area.	No Staff ag paragra	grees with the current text and does not support adding this aph
21.2	Division 23-4C-1 1030 - Common Open Space	х	АН	Common Open Spac	No	No 23-4C-1010	(D) Civic open space that complies with this division may be used to- satisfy Section 23-4C-1030 (Common Open Space) if the civic open- space is publicly accessible.	Strike this section as it conflicts with the requirements of section 23-4C-1010 as common open space and civic open space are triggered by size of the site and not required at the same time.	See add	dendum
22.11	Division 23-4C-1 Large Site Requirements	х	JSC	Parkland and Open Space		23-4C-1030 Common Open Space	Remove section	Common open space is a requirement to provide an amenity. For the market to deliver moderate income housing, sometimes amenities will need to be cut. Amenities onsite shouldn't be a requirement of the zoning code.		oes not have policy requirement to remove common open requirements
22.12	Division 23-4C-1 Large Site Requirements	x	JSc JSc	Parkland and Open Space		23-4C-1030 (B)	B) Amenity Required. A site that is one acre or more shall provide common open space that complies with the requirements established in Table 23-4C-1030(A) Open Space and Amenities). A site partially complies with this section, if (1) The site provides civicopen space that complies with Division 23-4C-2 (Civic Open Space); or (2) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication). (1) The land dedicated in a recreation easement to the City for parkland dedication complies with Article 23-3B (Parkland Dedication), or (2) The land is privately owned and maintained as a park complies with Article 23-3B (Parkland Dedication).	As written, there is no incentive to encourage on-site amenities which may be privately maintained. This recommendation encourages private amenity space which lowers the overall burden placed on public facilities and allows for partial credit towards the open space requirement.		open space types apply toward parkland dedication if they en to the public and meet design standards for their section r 23-3B
22.13	Division 23-4C-1 Large Site Requirements	X	JSc	Parkland and Open Space		23-4C-1030 (B)	B) Amenity Required. A site that is one acre or more, <u>and is not on an Imagine Austin Corridor or within an Imagine Austin Center</u> , shall provide	Onerous requirements along Imagine Austin corridors and centers will decrease the developable area, impacting rents, affordability and transit-supportive density. This amendment would exempt these areas from requirements of this section.		on open space types described in table 23-4C-1030(A) are tible in urban environments
22.14	Division 23-4C-1 Large Site Requirements	x	JSc	Parkland and Open Space		23-4C-1030 (C) (5)	(5) A site that is located outside of the Downtown Core (DC) zones- and is more than one acre, must provide at least 150 square feet, plus an additional 100 square feet for, each acre of open space. The amount of open space required may not to exceed 1,000 square feet.	This is an additional ask of land triggered by land already being dedicated for open space and is excessive.	Pending text ne	eds clarification
22.15	Division 23-4C-1 Large Site Requirements	x	JSC	Parkland and Open Space		Delete 23-4C-1030 (E) (4) & (5)	(E) Design Criteria. An area used for common open space shall comply the requirements of this subsection:(1) Unless the land includes sensitive natural resources, a common open space area must be readily accessible and usable.(2) A common open space area must be compact and contiguous unless the common open space is used as a continuation of an adjacent or adjoining trail, connection to a transit station, or specific or unique topographic features that require a different configuration.(3) The surface of the common open space must be suitable for outdoor activities, such as lawn or asphalt for designated recreation areas. (4) Not more than 30 percent of the required common open space may be located on a roof, balcony, or other area above ground level, except as otherwise provided in this section. Required common open space cannot include areas occupied by mechanical equipment or structures not associated with designated recreation areas. (5) Up to 50 percent of the required common open space may be located on a roof, balcony, or other area above ground level, if a minimum of 50 percent of the common open space is caused.	Sites need to maintain flexibility on where the open space is provided. Removing these sections would allow for it to be on a balcony, roof, or other above ground area.	Neutral	
22.16	Division 23-4C-1 Large Site Requirements	х	JSc	Parkland and Open Space		23-4C-1030 ADD (I)	(i) 100% of the square feet of on-site parkland or on-site Civic Open Space shall be credited toward the requirement for Common Open Space	Common Open Space shouldn't be required in addition to Civic Open Space and Parkland. Our understanding is that this is the staff intent.	Neutral Need to	o revisit "partially complies" language in 23-4C-1030
22.17	1040 Civic Open Space	×	TS	Civic Open Space	NO	1040 Civic Open Space (B) (3)	(3) An application for a site plan or subdivision is not required to provide Civic open space when the site is ji. Jess than two acres, ii) located within one-quarter mile of a safe pedestrian travel distance of an existing and developed dedicated parkland that is at least one acre, measured from the boundary of the site to the nearest public entrance of the park, and iii) not located in a Park Deficient Area as determined by the Parks and Recreation Department.	There is very litle development at the scale of 8 acres. Therefore, this large threshold is too large and will not allow for the code to meet the intent of this section which is to increase the amount of parks and open space from non-residential development. To align with 4)a) should be worded "and each residential lot is within 1/4 mile" Need to change "park" to "dedicated parkland." How to measure distance of 1/4 mile? The basis for 1/4 mile must defined in terms of connectivity and be safe and walkable. Refer to section Division 23-4E-6: Specific to Use/6240- Multi-Family. This needs to take into consideration park deficient areas. If there is not a safe route to the Civic Space, then the excemption should not be allowed.	instead not agr map un permar open sp	PARD supports the existing 4-acre threshold for civic space, d of the two acres proposed. PARD supports ii). PARD does ree with iii). Civic space is not part of the park deficiency nless it is dedicated as parkland, and is, therefore NOT nent open space. Civic space provides a design criteria for paces on a property. If it is not not parkland, it may go away the site is redeveloped.

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CHAPTER	ISION	DESIRED PROPO	OSED								REQ. ADD'L STAFF						
AR	10	CHANGES TO	D3	Н	INITIATE	D BY COMMS	SIONER	EX (OFFICIO	TOPIC AREA	FEEDBACK	, and the second	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			- 1	NOS	>	S H	NOS	ΣĐ	ΑZ							YES/NEUTRAL /NO	
			- 1	INDER	TENNY	UCKO	HIEH	VHITE HAW	MENDO			GENERAL	SPECIFIC SECTION			/NO	STAFF RESPONSE
22.18	Division 23-4C-1 1040 Civic Open Space			Q I	<u> </u>	208	SIF	TS E	2 F			GENERAL	1040 Civic Open Space (B) (4) (a) and (b)	(4) An applicant shall locate each residential lot within: (a) one- quarter mile of a safe pedestrian travel distance from existing.	Again, the 1/4 mile must be defined as the distance of a safe and walkable route. Remove "existing" as this for new civic space.	No	no definition for safe pedestrian travel distance or means of measurement
											NO		(5) (4) (a) and (5)	proposed civic open space if the development is located within the urban core; and (b) a half mile of a safe pedestrian travel distance			
			x											from existing proposed civic open space if the development is located outside of the urban core			
22.19	Division 23-4C-1 1040 Civic Open Space	х						TS			NO		1040 Civic Open Space (B) (5)		missing unit	Yes	erratta
22.20	Division 23-4C-1 Large Site Requirements		х			JSc							23-4C-1040	<u>Strike 23-4C-1040 AND all of 23-4C-2</u>	Civic Open Space is a new requirement that heavily overlaps with parkland dedication. For proof, just look at the kinds of civic open space mentioned in the		Civic space is a design standard that requires a publicly accessible location and well-designed open space. It does not require a public
										Parkland and Open Space					next division: It includes things called parks! Requiring an entirely new on-site parkland dedication requirement when Austin already has one of the strongest		easement unless the land is counted for 23-3B.
22.24															parkland ordinances in the state is totally uncessary.		
22.21	Division 23-4C-1 Large Site Requirements	X				JSc				Parkland and			23-4C-1040 (A)	(A) General (1) An applicant for a site plan or subdivision that results in one or more parcels greater than 4 acres, must designate civic	This would not require civic open space on parcels less than 4 acres and would allow for better use of density on smaller parcels.	NO	the purpose is to work with projects at 4 acres or larger
										Open Space				open space that complies with the requirements of Division 23-4C-2 (Civic Open Space).			
22.22	Division 23-4C-1 Large Site Requirements	х				JSc							23-4C-1040 (B)	(B) Civic Open Space Amounts and Locations(1) Land dedicated to the City to meet the applicable parkland dedication requirements in	This clarifies that civic open space does count towards parkland dedication requirements and redefines the net development acreage as the portion of land	Yes/No	Staff agrees that "may" needs review and will need to coordinate with legal.
														Article 23-3B (Parkland Dedication)-may-shall contribute to satisfying the requirements of this section. (2) Except as provided in Subsection	where the development actually occurs.		Staff does not agree with added language and change of net development acreage
										Parkland and Open Space				(B)(3), an applicant for a site plan or subdivision shall designate at least 10 percent of the net development acreage as civic open space.			
														The net development acreage does not includes: street rights-of- way, pubic sidewalks, required landscaping areas, parkland			
														dedication, land located between the property line and a building setback, water quality features, and detention areas not located			
22.23	Division 23-4C-1 Large Site Requirements	х				JSc							23-4C-1040 (B) (2)	(2) Except as provided in Subsection (B)(3), an applicant for a site plan or subdivision shall designate at least 5 40 percent of the net	This section provides how much of the land that civic open space will take away from providing the primary purpose of the site.	No	staff agrees with 10%
										Parkland and				development acreage as civic open space. The net development	norm proteins are printed y purpose of the site.		
										Open Space				acreage does include street rights-of-way, water-quality and detention features not located in a building, sidewalks, and other features located in a building, sidewalks, and other features located in cities to detect the development of streets.			
22.24	Division 23-4C-2 Civic Open Space					JSc								features located inside the development acreage.			-
22.25	Division 23-4C-2 Civic Open Space		х			JSc							STRIKE 23-4C-2	STRIKE DIVISION	Civic Open Space is a new requirement that heavily overlaps with parkland dedication. For proof, just look at the kinds of civic open space mentioned in this		Civic space is a design standard that requires a publicly accessible location and well-designed open space. It does not require a public
										Parking					division: It includes things called parks! Requiring an entirely new on-site parkland dedication requirement when Austin already has one of the strongest		easement unless the land is counted for 23-3B.
							Ш								parkland ordinances in the state is totally uncessary.		
22.26	Division 23-4C-2 2010- Purpose							TS					2010- Purpose	Purpose - This division sets the requirements for a wide range of civic open space types that are appropriate for the City. Civic Open Space	Lamensdorf stated that intent of Civic Spaces is to provide the additional open		PARD has no issue with the revised Purpose for Civic Space. It is intended to be a site design guideline for quality open space and will posite with payable of designation design if the land doubles for
										Purpose	NO			aligns with Imagine Austin Priority "Use green infrastructure to protect environmentally sensitive areas and integrate nature into the	space needs for commercial development.		will assist with parkland dedication design if the land doubles for parkland dedication.
			x											city" and will ensure adequate open spaces are incorporated into mixed use developments creating complete communities.			
22.27	Division 23-4C-2							TS		Civic space relationship to			2020 - Applicability and Conflict (B)	this division , Article 23-4D (Specific to Zones) and Division 23-4C-1	The tables for Open Space in the 23-4D sections are incorrect and recommend that the civic space section is deleted from each zone table. This along with	No	reference to civic open space in zoning is helpful, not sure how it is incorrect
										parks and common space	YES PARD			(Large Site Requirements).	2020 (C) will allow residential and mixed use developments to satisfy the residential unit requirements for parkland through 23-3B and provide additional		
22.28	2020 - Applicability and Conflict Division 23-4C-2		х					TS		on space				(C) parkland dedicated per 23-3B can be used to satisfy the	civic space for commercial development through this section. The language was not specific enough.	No	staff supports current language
										Civic space relationship to	YES PARD		Conflict (C)	requirements of this division on no more than an acre for acre basis as approved by the Parks and Recreation Department.			PARD recommends the following clarification: <u>Civic open space</u>
	2020 Applieshility and Conflict									parks and common space	. 25 / / /// /						that complies with this division and is dedicated to the City via a deed or an easement may be used to satisfy Section 23-3B.
22.29	2020 - Applicability and Conflict Division 23-4C-2 Civic Open Space		х			JSc							23-4C-2020 Applicability		Strike this section as it conflicts with the requirements of section 23-4C-1010 as common open space and civic open space are triggered by size of the site and		(Parkland Dedication) Other open space types apply toward parkland dedication if they are open to the public and meet design standards for their section
		v					JT			Process		No	and Conflict (D)	satisfy Section 23-4C-1030 (Common Open Space) if the civic open space is publicly accessible.	not required at the same time.		are open to the public and meet design standards for their section and for 23-3B
22.30	Division 23-4C-2 2050 - Civic Open Space Standards	1						TS				140	2050 - Civic Open Space Standards	ADD (F) Parks and Recreation Department shall approve final civic open space type provided based on park and open space needs in	Civic Open Space should comply with PARD Oeprating Procecures and final park typology should have PARD approval.	No	PARD has discretion over parkland dedication
			х								NO		Standards	the area and Civic Open Space shall comply with Parks and Recreation Department Operating Procedures.			PARD will only review other open space types if they are being used for parkland dedication. Otherwise DSD will review. This is current practice.
22.31	Division 23-4C-2 Civic Open Space		х			JSc	JT						23-4C-2050 (D) Parking Requirements	(D) Parking. The director shall require a specific number of parking spaces for a civic open space that is more than five acres			PARD does not require parking spaces for Pocket and Neighborhood parks. PARD and DSD have a parking agreement
																	related to Recreation Uses. Therefore, this reference could be deleted to default to the Recreation use parking requirements in
										Parking							the 23-4D tables. However, Residential House Scale and Residential Multi-Unit tables 23-4D-2040 (A) and 23-4D-3040 (A)
																	need to be changed to <u>Recreation: As determined by the Planning</u> <u>Director. Entertainment: 1 per 100 sf.</u>
		Х															

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٥	NI DIN TELEFORM	CHANGES TO D3		INITIATED	BY COM	MSSIONER	EX	OFFICIO	TOPIC AREA	FEEDBACK	, ,	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			l s				NO	5 5							YES/NEUTRAL	
			IDERS	NNY CGRA	IVER HISSLE	E GER	HITE	ENDO							/NO	
22.32	Division 23-4C-2 2050 - Civic Open Space Standards		A H	Z Z Z	<u> </u>	 	F ≥ 5 E	물물			GENERAL	SPECIFIC SECTION 2050 - Civic Open Space	(D) Parking. The minimum parking requirements shall comply with	This excludes parking from all of the Civic Open Space Types. It is unlikely that		STAFF RESPONSE See above comment for 22.31
												Standards (D)	23-4D-8040.	any of the parks will be greater than 5 acres given that this would require a 50 acre development to yield this amount of open space (10% required). The		
										NO				parking should only be exempted when there is other public parking included in the development. 23-4D-8040 is the parking section for parks and specified		
		x												that the Director will determine parking levels.		
22.33	Division 23-4C-2 Civic Open Space	x				J	т		Shade		No	23-4C-2050 E	Delete (No required shade)	Shade for football fields? Community Gardens?		Shade is preferred and could be awnings, shade structures and/or trees.
22.34	Division 23-4C-3 Parking Reduction Matrix (NEW)	х	GA										Include reductions in car parking for items including but not limited to:	If we are ever going to have a viable transit system then we must allow for developments that look to utilize such modes of transit. We have tools such as	No	Staff recommends keeping off street parking adjustments per 23- 4E-3060
													Meeting TDM requirements: 15% exceeding TDM requirements by 50%: 20%	parking management districts and residential parking permits to address parking in areas where we look to do so.		
													providing indoor bike storage for half of jobs/residents: 5%			
													providing bike maintenance facilities for residential uses: 2% contributing 1/2 cost to a bike share dock (if their coverage area): 3%			
													providing bus passes for residents in a 20 yr agreement: 20% X% affordable housing: (X)%.			
													being within a 1/4 mile of a corridor: 15% 1/4 mile of a corridor with a rapid bus; 20%			
									Parking	No			1/2 mile of a train station or planned train station: 10% 1/4 mile of a TOD: 25%,			
									Reduction				1 mile from downtown: 5% fronting a corridor: 20%			
													fronting a corridor with a rapid bus: 30% 1/4 mile of a train station or planned train station: 100%			
													in a parking management district: 15%			
													Adjacent to a parking benefit district: 15% Adjacemt to resident permit parking 20%			
													bar, cocktail, or other alcohol permit use: 30% showers for bikers or pedestrians: 15%			
													near under capacity public parking garage: 15%, electric bike charging for 5% of bike parking: 20%			
23	Article 23-4D Specific to Zones												within the UNO or south central waterfront overlays, within			
23.1	General	х		х					Live Music	Vac	Yes	All zone allowed use tables	Insert "Live Music Venue" as a use with the same NP/CUP/MUP/P categories as a Performance Venue/Theater, with the same	Previously Live Music Venue was lumped in with performance venue, which limits alcohol sales to below 50%, which is not consistent with the business	Yes	Staff can support the inclusion of Live Music Venue use
									Venue Use	Yes			breakdowns for indoor and outdoor, and square footage, in all zones.	model of most music venues. This is the use activation for a definition submitted by Comm. Anderson.		
23.2	General	х		x					Compatibility	Yes	Yes	All zone allowed use tables	In all zones, all instances of properties across alleys must state that the trigger line is based on the Zone of the property across the alley.	Right now D3 reads that compatibility stepbacks may start on the property line of the impacted property, not the triggering property. This reverses that clearly.	Yes	language needs to be added that calrifiles this point
									Companionity	1.63						
23.9	All Zones except RC	x				PS			Compatibility			Restore existing Compatibily Standards		CodeNEXT eliminated protections given to neighborhoods from encroachments of nearby businesses. Restore existing compatibility standards citywide.	No	staff supports the new compatability standard as they are integrated into zoning for D3
23.20	Division 23-4D-4 Mixed Use Zones		GΔ								Yes	General	In all the Compatability Setback sections, add "width of alley should		Yes	See response on line 23.2
25.20									Compatibility	No	163	General	be subtracted from the compatibility setback"		163	See responde on line 25.2
23.211	6060-6080; CC, UC, DC	х					TS		Compatibility	NO		Table 23-4D-XXXX(B)-	tbd	Review setback requirements related to compatibility with Residential House	N/A	comment
A-23.211.1		x			N .				compatibility	NO		Building Placement	See Compatibility Exhibits 1-3: "Within 45' of the property line of any	Scale If there is a "third rail" of Austin zoning politics that is dangerous for anyone	No	Staff recommends maintaining D3 recommendations on
													zone or use of R4C or lower, a use higher than R4C shall establish a vegetative buffer complying with the Environmental Criteria Manual.	(especially elected Council members) to touch, it's probably compatibility. PC needs to have the courage to address compatibility, as well as all other aspects		compatability
													Within 25' and 50' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 25', notwithstanding	of CodeNext, head on. The bottom line is this: Imagine Austin said our city will both increase density and preserve neighborhood character. Those who argue		
													any other provision of this code.	against either extreme now are just re-litigating IA, which just wastes PC's time. Neither density advocates nor neighborhood character advocates won all they		
													Within 50' and 150' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 45', notwithstanding	wanted when IA was adopted. So both sides need to stop trying to take a second bit at the apple and re-litigate IA. Density advocates? Y'all lost because IA says to		
													any other provision of this code. Within 150' and 225' of the property line of any zone or use of R4C or	preserve neighborhood character. Neighborhood character advocates? Y'all lost because IA says to add density. The only option that makes sense is for		
													lower, the height of buildings is restricted to 45', notwithstanding any other provision of this code. However, building heights may	CodeNext to balance between the two. This proposal does exactly that. It's time for everyone to stop demanding ideological purity and reach a pragmatic		
													reach up to 65' based on the affordable housing density bonus program.	compromise instead.		
													Within 225' and 360' of the property line of any zone or use of R4C or lower, the height of buildings is restricted to 65', notwithstanding			
													any other provision of this code. However, building heights may			
23.133	Division 23-4D All zones with compatibility setbacks			СК							No	All zones with	reach up to 85' based on the affordable housing density honus Two version of compatibility: 1) Based on a 35 foot single family	This bases compatibility on the view of a 5-foot-tall person standing in the	No	
									a.d			compatibility	home built next door to a 50-foot-wide lot; (35' height at 25' distance; 50' height at 50' distance; 65' height at 75' distance; and 80'	middle of their backyard, that would be no more restrictive than their view if a 35' tall single family home was built next door. The compatibility for affordable business research is circular, but with ACL tall home built next door.		
									Adjust compatibility	No			height at 100' distance; 2) for compatibility imposed on a project utilizing an affordable bonus, the compatibility is based on a 45 foot	housing projects is similar, but with a 45' tall home built next door.		
													single family home built next door to a 50-foot-wide lot (45' height at 25' distance; 65' height at 50' distance; 85' height at 75' distance;			
		х					$\perp \perp \perp$					1	4051 best 4001 distance)			

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CHAPTER RTICLE IVISION ITLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONE	R EX OFFICIO TO	REQ. ADD STAFF FEEDBAC		SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
4 O F	CHANGES 10 D3	ANDERSON HART KAZI KENNY MCGRAW MCGRAW SCHISSLER SCHISSLER SEEGER SHIEH	THOMPSON WHITE SHAW BURKARDT MENDOZA HEICH	PICAREA	GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.3 Division 23-4D All Subsections	X	AH FK		ffordable No Housing	Yes 23-4D	Change Cooperative Housing to P in R1, R2B-E, R3B-C, R4C, RR and MH; Change Cooperative Housing to P in zones R4A-C, RM1A-B; Change Cooperative Housing to P in MH, MS1A, MU3B, MU4	Cooperative Housing would still have to apply with applicable zoning regulations it's a model that everyone should support.	u t	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; staff agrees that it can be allowed in MU3B and MU4
23.4 Division 23-4D Use Tables 23-4D-2030(A, B, C)	х	FK	D	ay Cares No	23-4D	Change Day Cares <20 to P in all R zones. Change commercial daycares to MUP in R2B and above, and to CUP below.	Need daycares close to families being served and increase affordability of daycare by removing obstacles	a	<20 fine with MUP in in R zones - MUP and CUP in D3 due to amount of COs currently restricting day cares; keep Commercial as CUP in residential zone
23.5 Division 23-4D-1 Purpose 23.6	x	GA		Coops No	23-4D-1-8	Allow cooperatives by MUP in R1, R2B, R2C, R2D, R2E, R3B, R3C, RR; Allow cooperatives by right in zones R4A, R4B, R4C, RM1A, RM1B, MH, MS1A, MU3B, and MU4		u t	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; Staff agrees that it can be allowed in MU3B and MU4
23.14 Division 23-4D-2 23-4D-2030 Use Tables	x	FK		oops and Daycare	x	Make coops MUP in R2B and up. And make Daycares 7-20 MUP in all R zones		No/Yes	Related to Co-Ops: See response on line 23.6 Staff supports daycares 7-20 having an MUP in residential zoning
23.7 All Zones	х	PS		ohol Sales on-site nsumption			Require a CUP for bars, night clubs, brew pubs and distilleries within 1,000' of residential properties.		Add specific to use language for Bars/Nightclubs with same anguage as Restaurants when referring to distance and CUPs
23.8		JSh		height	ALL R ZONES	roof" and limit slab height above finished grade"slab height is limited to a maximum of 5' above finished grade and a maximum of 12" above highest finished grade"	Building Height is defined as height from top of slab to top of roof. Slab Height is defined as height from ???? grade to top of slab. Maximum building height is 35' from top of slab to top of roof. In McMansion Zones: Maximum building height is 22' at 5' from the side lot line. Max Building Height hicreases by 1' for every 1' past 5' from the side lot line. So 23' at 6' from the side lot line and so on, up to the 35' max height limit. Max Slab Height: 5' above finished grade at any point. Max Slab Height can be no more than 12" above the highest finished grade, Pier and beam foundations are not subject to this limit. Max Slab Height does not apply to portion(s) of building footprint over 10% or greater sloppe of natural grade The same Height Encroachments/Exemptions apply to this as apply to current McMansion tent. Multiple pages: 4D-2 pg. 60 23-4D-2070 through 23-4D-2210: R1-R4 Maximum Height Limit Amendment: Amend maximum height limit.		Okay with 35' overall due to consistency but disagree with other suggestions
23.10		FK	TW F1	' Imp Cov	ALL R ZONES	delete frontyard impervious regulation		C C	ourpose is to prevent full front yard pavement - if removed from D3, it will be removing a NP subset from some mcmansion areas, can maybe apply to only mcmansion zones WPD is neutral in regards to the location of IC on a site, as long as t does not exceed its allowed IC.
23.11		JSh	pool	s fountains	ALL R ZONES	Encroachment table for Pools and Fountains • Side street match interior side • Front match rear			Make pool encroahments same as fountains in all Residential nouse scale zones
23.12		JSh	ar	ticulation	ALL R ZONES	25-4D-XX Articulation All R zones Recommend articulation requirements removed due to affordability. If motion does not pass, then modify as below Articulation is required for interior lot side walls on additions or new construction that have taller than 15' plate and located within 9' of the side lot line Administrative variance to dimensions allowed to meet unique lot configurations to accommodate trees, slopes, or adjacency issues.			n draft 3 where mcmansion already applies
23.13 Division 23-4D-2 Residential House-Scale Zones		<u> </u>						[†]	HLC: ADU up to 1375sf when retaining house
23.16 Division 23-4D-2 23-4D 2151 23.17 Division 23-4D-2	X	FK JSh		mall Lot		Add small lot in R3 and R4 of 2,000SF	front parking areas are too limited and forms will create nonconforming to many neighborhood types, add front imp. And more problems, alley only access parking is limiting for multi unit, landscaping "may" be required ???? SEE RESIDENTIAL WORKGROUP COMMENTS!! (ARTICULATION, HEIGHT, USE, FORMS, LOT SIZES, ETC) dont want to duplicate		staff supports the current proposal commentary
23.18 Division 23-4D-2 Residential House-Scale Zones	х	СК		cMansion rdinance No update	No The "Lot Size and Intensity" table in all R zones		This updates the McMansion ordinance and extends it to all R zones, limiting the FAR on all single family use to 0.3 FAR. The unlimited or 0.4 FAR for other uses remains.	No t	this is change in current policy

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ON ON					REQ. ADD'L					
CHA ARTIC	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSION	NER EX OFFICIO	TOPIC AREA	STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			NO. FO S						YES/NEUTRAL	
		T T I I I I I I I I I I I I I I I I I I	ITE IN						/NO	
		HAR KEN MCC MUC OLIN	SHA SHA MEN THO			GENERAL SPECIFIC SECTION				STAFF RESPONSE
23.21		СК				No 23-4D-2, 23-4E-6170, Specific to Use - Duplex;	Throughout 23-4D-2, remove references in text and rows in tables referring to Single-Family Attached.			not recommend combining sf attached with duplex or ging language
						and 23-13A-2, Land				
						Uses - Duplex	In 23-4E-6170(C), change the following: "A duplex must comply with the requirements in this subsection.			
				R-Zones: Remove SF-			(1) The two units must be attached <u>or no greater than 12 feet apart;</u>			
				Attached and	Yes		and (2) At least one of the two units must have a front entry that faces			
				allow detached Duplexes			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			
	x						single lot that are either attached or separated by no more than 12 feet A residential building containing two attached dwelling units on			
23.22		СК				No 23-4D-2 (the "Lot Size	Add a row to the bottom of the table: "Residential Citywide	This is a new, income-restricted, affordable ADU bonus for all R1-3 zones.		pelieves in truth in numbers, to do this in R2 then name R2
						and Intensity" table in all R1-R3 Zones); 23-3E-	Affordable Accessory Dewlling Unit Incentive: When participating in Affordable Housing Bonus Program, in addition to base entitlements,	Add an affordable bonus that grants the following entitlements when adding a	into R	13
				Residential		1040 (Affordable	an additional, income-restricted Accessory Dwelling Unit may be	single, income-restricted ADU: ADU does not count towards FAR or unit limit, square footage of income-restricted ADU is also added to FAR limit for non-		
				Citywide	Yes	Housing Bonus Calculation)	built and the size does not count toward FAR limit and the principal use's FAR limit is increased by the size of the income-restricted	income restricted unit total on a 1-for-1 basis. Affordability income levels are		
				Affordable ADU Bonus			Accessory Dwelling Unit."	same as other zone affordable unit bonuses, but affordability periods are 20 years for ownership, 10 years for rental.		
							Remove the following line from the table in RR, LA, R1A, R1B, and			
							R1C: "Accessory Dewlling Unit allowed only when participating in			
23.23	X	СК				Yes 23-4D-2 (the "Lot Size	Affordable Housing Bonus Program" For all R4 zones: Table (A) AHBP Bonus Units increased from +4 to +6	This makes the bonus pencil out.	No other	site requirements affect building size and parking
				R4 bonus adjustment	Yes	and Intensity" table in all R4 zones.)	and AHBP Bonus FAR increased from .8 FAR to 2 FAR		capab	oilities too much to make this situation pencil out
23.24	х	CK				Yes Applicable zones	Adopt the bonus entitlements recommended by the affordable	More bonus entitlements got us from 6,000 affordable units to 13,500.		
				Increase affordable	No	Applicable zones	bonus working group. (See attached table.)	0-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1		
				bonus entitlements	NO					
23.25 Division 23-4D-2	X	СК	 			No The "Lot Size and	Add an affordable bonus that grants the following entitlements when	This is a new, income-restricted, affordable ADU bonus for all R zones.	Neutral using t	this will lessen th viability of the preservation incentive
				Residential		Intensity" table in all R zones	adding a single, income-restricted ADU: ADU does not count towards FAR or unit limit, square footage of income-restricted ADU is also			
				Citywide	No	zones	added to FAR limit for non-income restricted unit total on a 1-for-1			
				Affordable ADU Bonus			basis. Affordability income levels are same as other zone affordable unit bonuses, but affordability periods are 20 years for ownership, 10			
	x						years for rental. The ADU may be external or internal.			
23.26 Division 23-4D-2		СК				No The "Lot Size and Intensity" table in all R	Add an affordable bonus that grants the following entitlements when adding a single, income-restricted ADU: ADU does not count towards	This is a new, income-restricted, affordable DOUBLE ADU bonus for all R zones.	No See re	esponse in line 23.22
				Corridor		zones	FAR or unit limit, square footage of income-restricted ADU is also			
				Transition Accessory	No		added to FAR limit for non-income restricted unit total on a 2-for-1			
				Dwelling Unit			bonus basis. A second ADU is also added that does not count against the FAR or unit limits. Affordability income levels are same as other			
				Incentive			zone affordable unit bonuses, but affordability periods are 20 years			
23.27	х		TS			x	for ownership, 10 years for rental. The ADU may be external or	Within Specific to Zones 23-4 parking requirements, remove all references to	?	
				<2500 SF Uses	NO	, and the second		parking required that allow for use in zone to exclude off-street parking if <2500		
23.20	x			w/o Parking				Sr.		
23.28			TS	Bars and	NO	x Table 23-4D-XXXX Allowed Uses	Table 23-4D-XXXX allowed Uses - Restaurants and Bars - Bars and Nightclubs Level 2 within 200' of Residential House-Scale Zone - CUP	For all zones that allow Bars and Nightclubs- Level 2, add requirement for a CUP.	yes See re	esponse on line 23.7
	x			Restaurants	.,,		[Where currently P or MUP]			
23.30 Division 23-4D-2 Residential House-Scale Zones		PS				23-4B-1030 Minor Use	Remove Section 23-4B-1030	Minor Use Permits (MUP) give staff too much discretion over granting uses that are not minor. This process denies citizens the opportunity of a public hearing.	no	
				Minor Use		Permits General.		Remove the MUP process and apply 23-4B-1020 CUP process. Revisit the MUP		
				Permits				permit and associated uses after CodeNext approved.		
23.31	х	pç				Zones R1B-R2C, R3B-		Restore 5,750 sq. ft. lots and 50' width	No 5000'	brings 7000 lots into conformity
	x			Lot Size		R3D				
A-23.31.1		PS				23-4E-6200 Home	23-4E-6200(D) & 23-4E-6200 (F) add "excluding R1A-R3D residential	The addition of 3 employees and limited retail sales is a burden in residential neighborhoods especially parking and traffic congestion. The Live/Work zone		essed in Addendum. No on-site sales, and employees are of to one. Max of 4 trips
				Uses		Occupations		allows up to 2 employees by-right and up to 3 with an CUP. Interesting that a	iiiiitet	- La
								CUP is required for 3 employees in a Live/Work zonewhile only an MUP in R zones (residential).		
23.33 Division 23-4D-2	X		TW			X Lot Size & Intensity	Street Scale Incentive: Accessory Dwelling Unit does not count	The intention was to preserve the street scale. The word preservation is not		as asked for a definition of "preservation";
						Table; R1C, R2A, R2C,	toward FAR limit when existing house (at least 10 years old) is	defined in D3. The HLC has recommended against this incentive because the word preserve conjurs up the National Register's Standards. I don't think the	Staff s	support using a different term than "preservation"
						R2E,R3A,R3B,R3C,R3D,R 4A,R4B,R4C,		intention was to subject homewoners to these standards and additional		
Preservation Incentive				ADU	Х			expenses, I think it was to preserve the street scale and to reduce the # of demolitions. These changes eliminate the word confusion and go hand in hand		
								with a definition of conserve that promotes the conservation of the existing		
	x							homes street presence. This also further clarifies where you can use the additional FAR that you're granted.		
A-23.33.1 Preservation Incentive			TW	ADU		X All R zone	extend Preservation Incentive to all R zones	we heard a lot of positive feedback regarding this incentive	Neutral Staff d	does not object to conservation instead of preservation
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					ANDERSON	KAZI KENNY	MCGRAW	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.35	Division 23-4D-2	Residential House-Scale Zones					KM								23-40-2 simplify uses maintain; minimum lot sizes in some zones	Remove single-family attached, duplex and ADU Maintain current lot sizes (minimum 5,750) and minimum width (50') in R1B, R1C, R2A, R2C, R3C, R4A (6,000 - 60' width)	Remove these uses in favor of only referencing dwelling units without respect to their attachment or not per zoning - only per Buildign code. FAR is permitted for any dwelling unit on the lot with the only limitation being 550 SF on the second floor of the rear 1/3 of the lot. per current ADU code. Smaller lot sizes may be incorporated into zones intended to be used in greenfield areas and as implementation for use via the Small Area Planning Process with full public participation. These include R2B, R2D, R2E, R3C, R3D This amendment provides balance required to achieve the Austin Bargain to allow neighborhoods to maintain existing current zoning while creating new zones for greenfield, areas where the new regulations match current development and for sites identified in a Small Area Planning process.		See response on line 23.31
23.36	23-40-2	Residential House Scale Zones					KM								23-4D FAR	Maintain .4:1 FAR for most zones while these R3D, R4B and R4C may be up to .6:1. Eliminate the default FAR provisions (2,300 for 5,000 SF lots)	Dfault FAR skews the market to remove modest homes on small lots.	No	2300 is currently institued for nonconforming lots through variance process, so changing the size from 2300 to 2000 will make more houses noncomforming; brings 7000 lots into conformance with same entitlements they would have today
23.37	Division 23-4D-2	Lot size minimum		х						W		Lot Sizes		X	Lot Size & Intensity Table; R1B-R2C	replace 5000 with 5750	This reduction inadvertently allows an additional 39,469 lots (lots in this zoning category between 11.5k-10k) to be subdivided leading to increased demolitions and reducing the amount of existing affordable units	No	Staff supports reducing nonconforming lots with 5000 square foot lot; the 39,469number is erroneous and the correct number is closer to 14,700
23.38	Division 23-4D-2	Residential House-Scale Zones		×	GA AH	4			TL			Residential	no	no	23-40-2010	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.	The goals of the Title should guide the goals of this Division. The purpose of zoning should be to implement the adopted Imagine Austin Comprehensive Plan.	Neutral	if one purpose statement is changed, then others may need to be changed also
23.39	Division 23-4D-2	Residential House-Scale Zones	x		AF	4						residential			23-4D-20XX	Table 23-4D-20XX (F) Impervious Cover (2) Frontyard Impervious Cover – Paragraph (2)(e) Amendment: This requirement should be deleted for parking on paved areas only. (e) A motor vehicle may only be parked or stored on driveway or paved parking space.	Comment: The current city requirements are adequate with gravel being an acceptable parking space material.	No	Gravel has issues with clogging storm drains, acts as impervious cover, and by removing E parking would be allowed on grass WPD is neutral.
23.40	Division 23-4D-2	Residential House-Scale Zones	x		AH	4						Residential			23-4D-20XX	Table 23-4D-20XX (H) Impervious Cover (2) Front yard Impervious Cover Amendment: Delete Frontyard Impervious Cover in every zone.	Removing this section does not alter the total impervious cover limit on the site. Targets low income / high occupancy tenants, where more vehicles are common. It adds \$1000 cost for preparation of site plan and survey. It can't accommodate site conditions like trees, triggering routine variances. 40% IC limit does not allow more than a single car driveway on a 50' lot.		See response on line 23.1
23.41	Division 23-4D-2	Residential House-Scale Zones		х					JT			Residential Uses	No	Yes		Remove the following uses and replace with "residence": ADU, Duplex, Single-Family, Single-Family Attached	Agree with Residential Working Group	No	Staff supports maintaining use separation as listed in D3
23.42	Division 23-4D-2	Use		v					T	w		Uses	х		23-4D-2030	replace duplex, single family attached, secondary, ADU; with two family, mulitfamily	reduce the number of uses to reduce the confusion perpetuated by this code. Rely on the definition of dwelling unit to support the zones.	No	see response on line 23.41
23.43	23-4D-2	Residential House-Scale Zones		х	x							Residential	No	no	Table 23-4D-2030 C			Yes	R3 staff is open to allowing triplexes, however they would not be allowed to have ADUs; and R4 already allows triplexes through multifamily regulations
23.44		2030- Allowed Land Uses and Permit Requirements		x						TS		Single Family Attached	NO		Table 23-4D-2030(C) Allowed Uses in Residential House-Scale Zones	CHANGE: Single-Family Attached status from "P" to "-"in R2A, R2B, R2C, R3A, R3B.	Change permit status of Single-Family Attached in Specific Zones to not allowed.	No	Staff does not aggree with reducing SF attached permissions in D3 as it will be reducing entitlements currently allowed today
23.45	Division 23-4D-2	Parking Standards							T	w		Parking			Table 23-4D-2040-A-1	Home Occupations 1 if clients come to the site, otherwise none required		No	Home Occupation specific to use limits trips to 4, also addendum prohibits retail sales
23.46	Division 23-4D-2	STR-2	x						T	w		uses	х		all use tables	why are we including this as a permitted use If we're in the process of fading these out over the next 5 years??			STR type 2 is still a permitted use for 5 more years that the code will be implemented
23.47		Residential House-Scale Zones 2030- Allowed Land Uses and Permit		X		FK				TS		residential			23-40-2 & 23-40-3: R2C Zone	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other Allowed Uses" to table of uses. min. lot size: 2500sf. max lot size: 4999sf min. lot width: 36' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500sf Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5', Rear 10'. Table 4D-2120(C) Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Table 4D-21020(G) Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max	36' min width for R2C prevents flag lot resubs of 50' lots. Reduced Building Size from 2300 to 1500sf. Zero side yard setback when adjacent to other small lot uses eliminates need for SF-Attached. The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city. Co-op Housing - R3A now allowed with CUP, R4A and R4B changed from P to		R2D and R2E are the small lot zones, a new use seems redundant Without increased drainage review, WPD does not support an increase in impervious cover to 65% for residential house-scale zones that are currently limited to 45%. An increase in impervious cover for residential house-scale zones will potentially exacerbate flooding as well as impact our fully-developed floodplain models (i.e., require remapping of floodplains citywide).
23.40	JIVISIUII 23-4U-2	2030- Allowed Land Uses and Permit Requirements	х							13		2030- Allowed Land Uses and Permit Requirements	NO				CO-op Housing - RSA now allowed with CUP, RAA and RAB changed from P to MUP. ADDENDA -now not allowed in R2 where previously was CUP.	N/A	Comment

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23.49	Division 23-4D-	-2 2030- Allowed Land Uses and Permit			4 ¥ §		[]	SE	동목홍	동물	≥ ⊭	2030- Allowed		GENERAL	SPECIFIC SECTION		Group Home Removed.	N/A	STAFF RESPONSE comment
		Requirements										Land Uses and Permit Requirements	NO						
23.50	Division 23-4D-	-2 2030- Allowed Land Uses and Permit Requirements								TS		2030- Allowed Land Uses and Permit	NO				Addenda - allowed cottage court in R4C and removed Townhouses from R4A and R4B.	N/A	comment
23.51	Division 23-4D-	.2 2040- Parking Requirements (Residentail House Scale)	X							TS		Requirements 2040- Parking Requirements (Residentail House Scale)	NO		2040 (B) Maximum Number of Parking Spaces	Delete section 2040 (B)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though minimums are established and that developers are allowed to put in as many parking spots as they want.	Yes	Staff agrees with only deleting this language in the Residential House Scale zones; and staff supports changing language in Residntial Multi-Unit zones to only apply to non-residential zones
23.52	Division 23-4D-	2 2040- Parking Requirements (Residentail House Scale)		x						TS		2040- Parking Requirements (Residentail House Scale)	NO		2040 (2)(a) and (b)		Definition for Building Façade is different than the one in 23-13. Parking Structure definition in this section is not found in 23-13.	Yes	Staff agrees with only deleting this language in the Residential House Scale zones; and staff supports changing language in Residntial Multi-Unit zones to only apply to non-residential zones
23.53	Division 23-4D-	2 2040- Parking Requirements (Residentail House Scale)								TS			NO		Table 23-4D-2040(A) (1) Residential Accessory Dwelling Unit - Residential	CHANGE: Accessory Dwelling Unit - Residential <u>(Existing or new construction with existing dwelling unit)</u> None Required ADD: Accessory Dwelling Unit - Residential (new construction and no existing dwelling unit) - 1 per unit.	Table 23-4D-2040(A) - ADU's do not require parking. ADUs allow 3 unrelated adults and it is incomprehensible that none of these adults would require parking. This should changed to conform to 23-4E-3020 which requires parking for ADUs unless there is an existing unit.	No	staff supports not requiring parking for ADUs as incentive and furthering affordability capability
23.54	Division 23-4D-	2 2040- Parking Requirements (Residentail House Scale)		x						TS			NO		Table 23-4D-2040(A) (1) Residential	ADD: RR, LA, R1, R2, and any Residential House-Scale Zone adjacent to Public School - 2 per unit	Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking. Furthermore, the occupancy limits for residential dwelling units can be from 4-6 unrelated adults. Condider variance if sidewalks in neighborhood. Request from Public schools to maintain parking adjacent to schools.	No	staff does not support requiring more parking near schools
23.55	Division 23-4D-	2 2040- Parking Requirements (Residentail House Scale)		х						TS			NO		Table 23-4D-2040(A) (1) Residential	ADD: All other Residential House-Scale Zones - 1 per unit	Reduce parking in zones that are intended for areas that are accessible to mixed use and main street zones by walking or biking. Maintain parking levels in other resiential zones to prevent off-street parking and maintain safe streets for walking and biking.	N/A	see above
23.56	Division 23-4D-	2 2040- Parking Requirements (Residentail House Scale)		х						TS		Residential use parking	NO		Table 23-4D-2040(A)	Bed and Breakfast - 1 plus 0.8 1-per bedroom Cooperative Housing - 1 plus 1 per every 4 2 bedrooms Group Residential - 1 plus 1 per every 3 2 bedrooms	ADDENDA: Adds Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels for residential neighborhoods	No	staff supports the parking recommendations in D3 addendum
23.57	Division 23-4D-	-2 2100 - 2140; R2A-R2E		х						TS			NO		Table 23-4D-2040(A)	Change Co-operatives and Group Residential to 1 + 1 per every 2 bedrooms	Addenda reduces parking for Group Homes, B&B's, and Co-op Housing. Need to restore to reasonable levels.	No	staff supports the parking recommendations in D3 addendum
23.58	Division 23-4D-	2 Residential House-Scale Zones					ı	JSc							23-4D-2040(C)(3)(a) Parking requirements for R1-R3	Delete 23-4D-2040(C)(3)(a) & Delete similiar text in every zone	Will make thousands of existing homes nonconforming. Limitations on parking locations remove flexibility to accommodate site conditions, such as trees. Rule would require additional IC to get spaces deeper into lot. Pushing parking back into structure leaves less area for units, restricting unit yield. Trades parking for additional units.	No	Incoporated into CodeNEXT from neighborhood plan tool. Suggest changing applicability rather than removing completely.
23.59									JS h			parking			23-4D-2040	Parking requirements 3. B and C is described again in each zone. (at least in R3's This is confusing. Pick a spot, otherwise its inconsistent) OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle 3. B and C is described again in each zone. (at least in R3's This is confusing. Pick a spot, otherwise its inconsistent)		No	Parking structure regulations are different than Frontyard IC limits. Staff does not recommend changing parking.
23.60									JS h			parking				OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle OFFSTREET HOUSE SCALE TABLE: ADU - should require 1 if more than 1 bedroom HOME OCCUPATION - should require 1 space for commercial vehicle		No	staff supports the parking recommendations in D3 addendum
23.127		2 Residential House-Scale Zones		х					JT			Parking	No	Yes	23-4D-2040	Do not require parking in Residential Zones		No	
23.61	Division 23-4D-	2 Residential House-Scale Zones	X					ısc				Parking			23-4D-2040 R1-R3 Zones: Table 23-4D-21x) (F) Impervious Cover (2) Frontyard Impervious Cover - paragraph (2)(e)		Grave! is an accepted parking space material in code. While counted as IC, it is more pervious than concrete and less expensive. Not a problem under current code.	No	See response on line 23.39
23.62	Division 23-4D-	.2		x		СК						Lot Size Brackets for ADUs in RR	No	No	Table 23-4D-2050(A),	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.	No	Lot size must be one acre in Rural Residential. Smaller lots are not allowed.
23.63	Division 23-4D-	-2 Residential House-Scale Zones	х		F	К						Rural Residential			23-4D-2050	Strike Accessory Dwelling Unit allowed only when participating in- Affordable Housing Bonus Program.	Allowing ADUs in RR by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in RR with an affordability requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.64	Division 23-4D-	-2		х		СК						Lot Size Brackets for ADUs in LA	No	No	Table 23-4D-2060(A), "Lot Size and Intensity"	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.	No	Lot size must be one acre in Rural Residential. Smaller lots are not allowed.

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		ANDERSON HART KAZI KAZI KRENNY MCGRAW NUCKOLS OLIVER SCHISSLER	SEEGER SHIEH THOMPSON WHITE SHAW BURKARDT			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.65 Division 23-4D-2 Residential House-Scale Zones	x	FK		Lake Austin		23-4D-2060	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in LA by right meets the objectives of the Planning Commission - it's unlikely that ADUs will be built in LA with an affordability requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.66 Division 23-4D-2	x	СК		Lot Size Brackets for ADUs in R1 zones	No	No Table 23-4D-2070(A), 23- 4D-2080(A), and 23-4D- 2090(A), "Lot Size and Intensity" in R1A, R1B, and R1C, respectively.	Strike the entire row of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	There is no reason to not have the standard three ADU size brackets in all zones that allow ADUs.		ADU not allowed on lots smaller than 15,000 sf, therefore the largest ADU is allowed.
23.67 Division 23-4D-2 Residential House-Scale Zones	х	FK		R1A		23-4D-2070	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in R1A by right meets the objectives of the Planning Commission- it's unlikely that ADUs will be built in R1A with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.	No	NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.68 Division 23-40-2 Residential House-Scale Zones	x	AH		residential		23-4D-2070 through 23- 4D-2210: R1-R4 Maximum Height Limit	Update each district to max height of "35' from top of slab to top of roof" and limit slab height above finished grade <u>"slab height is limited to a maximum of 6' above finished grade and a maximum of 12" above highest finished grade</u> "	32' to top of roof is too low to accommodate three stories along with roof pitch, etc. 35' max to top of roof is very similar to current code limit of 32' max to average roofline. 35' is limit in non-McMansion zones in v3. Common standard reduces cost and time for regulatory compliance, allows more flexibility for site conditions, and allows enough slab exposure for adequate drainage - identified as a concern by staff under current McMansion tent.	Yes/No	Ok with 35' due to difference in height measurement. Do not support other provisions.
23.69 Division 23-4D-2 Residential House-Scale Zones	х	FK		R1B		23-4D-2080	Strike Accessory Dwelling Unit allowed only when participating in Affordable Housing Bonus Program.	Allowing ADUs in R1B by right meets the objectives of the Planning Commission- it's unlikely that ADUs will be built in R1B with an affordability requirement. R1 already proposes allowing ADUs for very large lots that are 15,000 sqft. This just strikes the bonus requirement.		NHCD supports accepting in-lieu fee as opposed to on-site affordability.
23.70 Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	х		TS		NO	2050- 2090; RR, LA,R1A, R1B. R1C	ADD R1D which is the same as R1C but without and ADU	Keeps at least on zone for single family residence. Currently all R1 zones allow 2 units.	No	staff supports current proposal and R1 only allows an ADU on lots over 15,000 square feet and it must be affordable
23.71 Division 23-4D-2	х		TS		NO	2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX(A)	Width (min.) = 50', Area (min.) = 5750'	R1B and R1C reduced lot with 45' and lot size 5000 SF needs to revert back to 50' and 5750'. These lots are outside of urban core and should be larger.	No	see response in line 23.31
23.72 Division 23-4D-2	х		TS		NO	2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D-	Remove "Other Allowed Uses"	What is the purpse of the new use called "other allowed uses." It is not defined and not explained what it will be used for.	No	"Other allowed uses" includes all uses allowed in the zone for previously listed in the parking table.
23.73 Division 23-40-2 2050- 2090; RR, LA,R1A, R1B, R1C	х		TS	Front Yard Impervious Cover	YES	XXXX(A) 2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (F) or (G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	No	see response on line 23.1
23.74 Division 23-4D-2 2050- 2090; RR, LA,R1A, R1B, R1C	х		TS	Common and Civic Open Space	YES	2050- 2090; RR, LA,R1A, R1B, R1C Table 23-4D- XXXX (G) or (H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.		Reference in zoning is helpful. See addendum change for applicability.
23.75 Division 23-40-2 Residential House-Scale Zones	x	AH FK		residential		23-4D-2100, 2120, 2140 Table (D) Height	Building Height is defined as height from top of slab to top of roof. Slab Height is defined as height from finished grade to top of slab. Maximum building height is 35' from top of slab to top of roof. In McMansion Zones: Maximum building height is 22' at 5' from the side lot line. Max Building Height increases by 1' for every 1' past 5' from the side lot line. So 23' at 6' from the side lot line and so on, up to the 35' max height limit. Max Slab Height: 5' above finished grade at any point. Max Slab Height can be no more than 12" above the highest finished grade, Pier and beam foundations are not subject to this limit. Max Slab Height does not apply to portion(s) of building footprint over 10% or greater slope of natural grade The same Height Encroachments/Exemptions apply to this as apply to current McMansion tent.	Three stories, which are allowed under current SF-3 code, are essential to achieving R3 and R4 unit yields while accommodating impervious cover and off street parking.		Ok with 35' due to difference in height measurement. Do not support other provisions.
23.76 Division 23-40-2 2100 - 2140; R2A-R2E	x		TS		NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)		R2 Zones have already been reduced from 7000 s.f. to 5,750 s.f. and now with draft 3 to 5,000 s.f. with an option to subdivide every lot to 2,500 s.f. This will dramatically change the number of units allowed an negatively alter most single family neighborhoods. This version has included small lots with attached housing. The purpose and overview for for R2A, R2B and R2C (previously in Draft 2 matched current single family SF2/SF3) does not mention small lots just duplexes and single family with ADU, but in lot size and intensity permits small lots and attached single family. If allowed, the small lot and attached single family should be relagated to the R2D and R2E which are specifically for small lot. With large enough lot size, single family attached subdivisions would allow 4 units where there is one; a dramatic increase in density for most neighborhoods, encouraging tear downs and increasing on street parking which will make our neighborhoods unsafe. Single family attached do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions.		see response on line 23.31
23.77 Division 23-40-2 Residential House-Scale Zones	Х	GA FK		residential		Table 23-4D-2100 to 2210(A)	Amendment: Apply Preservation Incentive to every R zone. Preservation Incentive: Accessory Dwelling Unit size does not count toward FAR limit when existing house (at least 10 years old) is preserved.	Not counting ADU toward FAR if on a lot with an existing home that is older than 10 years is a good incentive. Preservation Incentive should apply in every R-type zone.	No	Not all R Zones have an FAR limit.

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23.78	Division 23-4D-2 Residential House-Scale Zones	X	A	부 residential		GENERAL SPECIFIC SECTION 23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A and RM1B Zones	Table (A) Add "Small Lot Single Family Use" and "Small Lot Other Allowed Uses" to table of uses. min. lot size: 2500sf. max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500sf Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear 10'. Table 4D-2120(C) Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Table 4D-21020(G) Impervious Cover add "(2) Small Lot Impervious Cover 65% max. 55% building cover max	Zero side setback when adjacent to other Small Lots eliminates need for SF-Attached. The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city.	No see response on lii	STAFF RESPONSE ne 23.47
23.79	Division 23-4D-2 Residential House-Scale Zones	x	FK	residential		23-4D-2 & 23-4D-3: All R3 & R4 Zones, RM1A	Table (A) Delete SF-Attached Use	Small Lot Use replaces SF-Attached Use.	No see response on li	ne 23.44
23.80	Division 23-4D-2	, v	СК	Lot Size Brackets for ADUs in R2A and R2B	No	and RM1B Zones No Tables 23-4D-2100(A) and 23-4D-2110(A)	Strike the entire rows of the table starting with "Accessory Dwelling Unit" and replace with the three rows that begin "Accessory Dwelling Unit" in Table 23-4D-2120(A) (R2C Zone)	R2A should have the same standard three ADU size brackets in R2A, which is missing the 3500-5000 sq ft. bracket.	No Appropriate rows	listed in table.
23.81	Division 23-4D-2 2100 - 2140; R2A-R2E	x	TS	Changes to R2A, R2B, and R2C Table A	NO	2100 Table 23-4D- 2100(A), 2110 Table 23- 4D-2110(A), 2120 Table 23-4D-2120(A)	1) RESTORE Single Family and Duplex - min. width from 45' to 50' , min. Area from 5000' to 5750' 2) DELETE : Single-Attached, Other Allowed Uses	R2 Zones have already been reduced from 7000 s.f. to 5,750 s.f. and now with Draft 3 to 5,000 s.f. with an option to subdivide every lot to 2,500 s.f. This will dramatically change the number of units, from one to four, allowed and negatively alter most single family neighborhoods. 2500' small lot and attached single family should be relagated to the R2D and R2E which are specifically for this purpose. This will encourage tear downs and increase on-street parking which will make our neighborhoods unsafe. Single family attached do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions.	No se response on lin	23.31
23.82	Division 23-4D-2 2100 - 2140; R2A-R2E	х	TS	Single Family Attached Side Setback	YES	X 2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)	Add design criteria in 23-4E-6	Single family attached should not be in R2 zones. There are also no design criteria for this house form which will lead to abuse.	No see response on lii	ne 23.44
23.83	Division 23-4D-2 2100 - 2140; R2A-R2E	х	TS	Single Family Attached Design	NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(A)		if Single-Family Attached remains as option for R2, ADUs should not be allowed on these smaller subdivided lots.	No ADUs only allowed	on 5000' lot
23.84	Division 23-4D-2 2100 - 2140; R2A-R2E	х	TS	Front Yard Impervious Cover	NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(G)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	No see response on lii	ne 23.1
23.85	Division 23-4D-2 2100 - 2140; R2A-R2E	х	TS	Common and Civic Open Space	NO	2100 - 2140; R2A-R2E Table 23-4D-XXXX(H)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No see response on lii	ne 23.74
23.86	Division 23-4D-2 2150-2180; R3A-R3D	х	TS	R3A and R3B Uses	NO	2150 Table 23-4D- 2150A), 2160Table 23- 4D-2160(A),	DELETE: Single-Attached and Other Allowed Uses	Keep single-family attached with R3 used adjacent to corridors. What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.	no	
23.87	Division 23-4D-2 2150-2180; R3A-R3D	х	тѕ	Side St. Setbacks	NO	2150-2180; R3A-R3D Table 23-4D -XXXX (B)		Single family attached and do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.		ote on side setbacks for uses with zero lot lines mily attached and townhomes.
23.88	Division 23-4D-2 Residential House-Scale Zones	х	GA	residential	no	no 23-4D-2150 to 2200 Table(A)	For R2-R4 "McMansion" Zones add Note "FAR includes Covered Porches or Balconies above ground level"	Loophole in D3 FAR allows two stories of porches under a finished attic per Chris Allen's drawing. Count 2nd floor porches toward FAR, as they are in current code, to limit attic space, as it is in current code.	No Changed to simplif	y McMansion regulations and administration.
23.89	Division 23-4D-2 Residential House-Scale Zones	х	GA	residential	no	no 23-4D-2150 to 2200 Table (A)	For R2-R4 "McMansion" Zones add Note for Single Family and Duplex Uses "+150sf for each three bedroom unit within 500' of public school."	Incentivizes family friendly housing around AISD schools.	No suggest remapping	; instead of altering zones
23.90	Division 23-4D-2 Residential House-Scale Zones	X	GA FK	residential		23-4D-2150, 2160, 2170: All R3 Zones	Table (A) Lot Size and Intensity - add footnote +.1 FAR for every unit above Single Family Use	Despite the three-unit capacity, yields will not improve due to FAR limit which is the same as one or two units. Keeping the same FAR for 1 units as for 2 or 3 units does not incentivize building more units. The same .4 FAR for 1, 2 or 3 units is a direct disincentive to build more units versus larger single homes. Current code exemplifies this - 70% demos still 1-1 ratio, not 1-2 despite it being allowed by code. FAR should be increased to encourage more units on the lot. If you have the same FAR for more units, it increases the cost to produce those units (more per unit for taps, etc.) versus single family of same size, while raising cost per unit. A small step up would encourage more Missing Middle housing creation.	align these uses w	t for a duplex or single family with an ADU would ith the .6 FAR allowed for cottage court. Would seservation incentive.
23.91	Division 23-4D-2 Residential House-Scale Zones	×	GA	residential	no	no 23-4D-2150 to 2200 Table (A, B, C, D, E)	For R2-R4 Zones: within 500' of public school, use RM2B entitlements if 50% of the units are "family-friendly" (1000+ sf and 3+ BR)	Incentivizes family friendly housing around AISD schools. AISD continues to predict student enrollment decreases we need family frienly housing near schools.	No suggest remapping	s instead of altering zones
23.92	Division 23-4D-2 2150-2180; R3A-R3D	х	Т	Front Yard Impervious Cover	NO	2150-2180; R3A-R3D Table 23-4D-XXXX(F) or (H)	DELETE: (2) Front Yard Impervious Cover	Not clear on reason for this.	No see response on lii	ne 23.1
23.93	Division 23-4D-2 2150-2180; R3A-R3D	х	TS	Common and Civic Open Space	NO	2150-2180; R3A-R3D Table 23-4D-XXXX(G) or (I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No see response on lii	ne 23.74
23.94	23-4D-2150 R3A		KM				Minimum Lot Size should be 7,000 w/ width of 60'	Likely existing duplex lots.	no see response on lii	ne 23.31
23.95	Division 23-4D-2 2150-2180; R3A-R3D	х	TS	R3B Lot Size	NO	2160Table 23-4D- 2160(A),	RESTORE Single Family and Duplex - min. width from 45' to 50' , min. Area from 5000' to 5750'	Smaller R3 lots used adjacent to corridors.	no see response on lii	ne 23.31

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23.96	Division 23-4D-	2 2150-2180; R3A-R3D		х		<u> </u>	2 2 0	SSS		TS	2	R3C and R3D	NO	GENERAL	2170 Table 23-4D- 2170A), 2180Table 23- 4D-2180(A),	DELETE: Other Allowed Uses	What is the purpose of the new use called "other allowed uses." It is not defined and not explained what it will be used for.		STATE RESIGNAL
23.97	Division 23-4D-	2 2190 - 2210 R4A- R4D	×		П					TS	П	Townhouses	NO		2190 - 2210 R4A- R4D; Table 23-4D -XXXX (A)		ADDENDA: Removed Townhouses. Keep the same as shown in Draft 3.	N/A	comment
23.98	Division 23-4D-	2 2190 - 2210 R4A- R4D	х							TS		Side St. Setbacks	NO		2190 - 2210 R4A- R4D; Table 23-4D -XXXX (B)		Single family attached and townhouses do not comply with the side setback requirements and 23-4E-7070 does not provide for exemptions. Add exception to 23-4E-7070.	Yes	Need to add side setback exception.
23.99	Division 23-4D-	2 2150-2180; R3A-R3D		х						TS			NO		2190 - 2210 R4A- R4D; Table 23-4D-XXXX(H)	Remove reference to Common Open Space and Civic Open Space as these are already covered in section specific sections	Common and Civic Open Space requirements conflict between special section and Table H	No	see response in line 23.74
23.100								JS	h			IC				R4 Zones - 55% impervious cover allowed with Watershed Review (this is to allow parking requirements to work, building cover is still 40% so the increase in IC doesn't get abused for more BC)		Pending	To complement goals for Functional Green and beneficial use of stormwater, WPD recommends keeping the impervious cover limit at 95%
23.101	Division 23-4D-	2 Residential House-Scale Zones		х		FK						residential			23-4D-2190, 2200, 2210 All R4 Zones	Table (A) Lot Size and Intensity - add footnote " +.1 FAR for every unit above Single Family Use	If you have the same FAR for more units, it increases the cost to produce those units (taps, etc.) versus single family of same size, while raising cost per unit. It is a direct disincentive to build more units. Current code exemplifies this - 70% demos with the continued 1-1 ratio, not 1-2.4 small step up would encourage more Missing Middle housing creation, other regulations keep it from being any more massive than current McMansion limits.		FAR bonues included in zone.
23.102	Division 23-4D-	2 Residential House-Scale Zones	X		АН			JSc				Parking			23-4D-2150 through 2210 (G) (3): Parking Driveway	Edit Parking Table (G) (3) in all R3 & R4 zones to read: 10' max <u>12'</u> max for single unit driveway 20' max for shared driveway	Allow 12' max curb cuts (current code) for driveways serving a single unit and up to 20' max curb cut for shared driveways that are not fire lanes. Multiple curb cuts are allowed on any street frontage of a lot. A 10' curb cut is too narrow to accommodate multiple vehicles to park; Shared driveways should provide two car access where site conditions allow. 12' is the current code minimum requirement.	Neutral	
23.103	Division 23-4D-	2 Residential House-Scale Zones	X		АН			JSc				Parking			23-4D-2150 through 2210 (G) (3): Parking Driveway	Delete Parking Table (G)(3) Parking Driveway "When lot has adjacent- alley with a right of way width of 20' or greater, parking must be- accessed only from the alley."	There is already an incentive to park from an alley - better use of IC, better access for ADU parking, etc. so requirement is not necessary. Would require homeowners to pave the alley per staff, with major negative impact on feasibility. 3 or 4 units can't all park from alley (possibly 6+ spaces on 50' lot). Corner lots with three sides Right Of Way are still required to only park off of the alley in v3.	No	Add exception for existing curb cuts to be continued to be used. Need to coordinate with public works on allwy improvements.
23.104	Division 23-4D-	2 Residential House-Scale Zones	x		АН						Ш	residential			23-4D-2150 through 2210(G)	Amendment: Required parking space(s) must not be located in front of the front facade of the building, forcing parking to rear of lot	Delete language because it effectively requires two tandem spaces and the resulting impervious cover to comply - the required space behind the setback, and the space on the driveway leading up to it. While not "required", it is a	Neutral	If parking setback reduced, recommend adding frontyard IC to R4 Zones.
23.107	Division 23-4D-	2 Residential House-Scale Zones	x		АН							residential			23-4D-2170, 23-4D- 2180, 23-4D-2190, 23- 4D-2200, 23-4D-2210 (G) Parking (2) Setback	Table 23-40-2170 (G) Parking (1) Parking Requirements (2) Setback – Front 30', Side St. 20', Side 2', Rear 5' (3) Parking Driveway	Parking setbacks do not allow enough flexibility for site conditions, such as trees and drainage, particularly when combined with other parking regulations, limiting unit yield and increasing cost. They have the same effect as "required parking behind the front facade", in that two tandem spaces are required to meet the minimum one required space. Adds unnecessary IC to multi-unit sites, where IC is already tight. Required parking cannot be within the setback, but additional parking can.	Neutral	If parking setback reduced, recommend adding frontyard IC to R4 Zones. Consider exceptions for trees.
23.108	Division 23-4D-	2 Residential House-Scale Zones		x	AH							residential			23-4D-2100, 2120, 2140 Table (C) Building Form	(C) Building Form (2) Facade(s) All Stories: Add "Articulation, Net Area 40 sf", Change Articulation length (min.) to 8' and Articulation depth (min.) to 2'. Add note "Articulation not required for a net building area of less than 2000sf"	Articulation adds expense, causes drainage problems (U-shape captures water) and can't accommodate trees and site conditions. It should be deleted entirely, but if it must stay for R2, the 4x10 dimension is too prescriptive. Net area allows for more flexibility for trees and drainage, etc.	No	See above
23.109	Division 23-4D-	2 Residential House-Scale Zones		x	АН							residential			23-4D-2150 to 2200 Table(C) Building Form	For R3-R4 "McMansion" Zones Table 24-4D (C) has Building Form (1) Building Articulation New Construction "Articulation is required when adjacent to (list R2A, R2C, R2E ie McMansion zones) for adjacent side walls on additions or new construction"	Articulation requirement inherently causes drainage problems due to "U" shape. McMansion rules were intended for 1-2 unit uses. Articulation on interior lots makes it more difficult to accommodate environmental considerations (e.g. trees and drainage). Trees would require routine variances for R3-R4. It is a very prescriptive design standard that has no impact on the public domain. Will preserve neighborhood character in R2 zones, while allowing for additional units to be built in R3 and R4 zones.		"U" shape does not cause drainage problems. (WPD) Neutral. WPD does not know of any drainage problems caused by articulation. More generally, WPD supports flexibility for site configuration to account for site-specific drainage and environmental considerations and to limit the fragmentation of pervious areas.
23.110	Division 23-4D-	2 Residential House-Scale Zones		x	АН							residential			23-4D-2100(G) to 2210(G)	Impervious cover R2 to R4: Delete Footnote. The maximum- impervious cover may not be attainable due to unique site characteristics, such as trees, waterways, and steep slopes. Where- necessary, the project must reduce the impervious cover to comply- with other requirements of this Title.	The Impervious Cover footnote is not in the current code and only serves to reduce flexibility to account for trees, waterways, and steep slopes. Authorizes further reductions in buildable area on site without justification, possibly removing ability to apply for a variance.	No	The footnote does not inherently reduce impervious cover. WPD does not support the elimination of this text. This is only a clarification of current regulations and the proposed text enhances transparency for projects that need to accommodate natural features.
23.111	Division 23-4D-	2 Residential House-Scale Zones		x	АН	\prod					П	residential			Table 23-4D-2100 to 2210(A)	Amendment: Apply Preservation Incentive to every R zone. Preservation Incentive: Accessory Dwelling Unit size does not count toward FAR limit when existing house (at least 10 years old) is	Not counting ADU toward FAR if on a lot with an existing home that is older than 10 years is a good incentive. Preservation Incentive should apply in every R-type zone.	No	Not all R Zones have an FAR limit.
23.112		Z Residential House-Scale Zones		х	АН							residential			23-4D-2100 to 2210 Accessory Structure Height	Amendment: Amend the accessory structure height to 15'.	Comment: Accessory structure max height is too low at 12' to top of roof. Accessory structures in rear, like garages, are encouraged in v3, yet this seems to be an arbitrary limit inconsistently applied. R2C has no Accessory Structure Height Maximum, only a conflicting footnote allowing 15' accessory structures, for example. "The rear setback is five feet for an accessory structure with a maximum height of fifteen feet." At 12' max height, a 20' wide two car garage roof pitch would be less than the minimum slope for shingles. This requires a lower plate and different roofline than main house. There is no clear benefit or purpose of regulation.	Yes	
23.113	Division 23-4D-	2 Residential House-Scale Zones		х	АН							residential			23-4D-2100: R2A Zones	Amendment: Delete section.	RZA zone should be deleted entirely because it provides no appreciable increase in unit yield, and there is no equivalent under current code.	No	R2A zone matches existing conditions of duplexes on corners within neighborhoods, allows for consistent mapping, and encourages infill through ADUs within neighborhoods.

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		ANDERSON HART KAZI KEAZI KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEGER SHIEH THOMPSON WHITE SHAW BURKARDT		GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
23.114 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential	& R4 Zones, RM1A and RM1B Zones	min. lot size: 2500sf. max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1850sf Table 4D-2120(B) Building Placement add Small Lot Setbacks: Front 15'. Side 5t. 10', Side 3.5', Rear 10'. Table 4D-2120(C) Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Table 4D-21020(G) Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max	The proposed minimum lot size of 2500 sf for small lots is still larger than minimum of 2000 sf in Dallas and would dramatically improve affordability outcomes through the city. Reducing minimum lot size extends the current code's by right SF-3 Urban and Cottage Lots. Historically, large minimum lot sizes are a product of Jim Crow laws and should be reduced or wholly eliminated. Small lots allow fee simple ownership instead of requiring a condo regime, which is better for owners and for the city.	No Staff supports proposed R2D ,R2E, R4 small lot zones.
23.115 Division 23-4D-2 Residential House-Scale Zones		АН	residential	23-4D-2140: R2E Zones	R2E Zones	R2E is not needed when combined with R2C. R2E Zone should be deleted in its entirety due to the amendment above regarding Small Lot Uses. R2D, however, must remain to allow new small lot subdivisions.	No See above
23.116 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential		(A) Purpose Residential 3A (R3A) zone is intended for areas that are accessible to mixed use and main street zones by walking or biking within a half mile.	The R3A zone is a residential zone that provides detached housing and duplexes with accessory dwelling units on lots that are wider than those in R3B and R3C. Accessible range needs to further defined in a measurable amount. R3A zone is meant for areas with access to mixed-use and main street zones within walking or biking distance, which is generally accepted to be half a mile. There is no equivalent zoning for R2A 60' lot widths which requires more land for fewer units. R3A is duplicative and thus should be deleted.	No R3A matches lot size pattern of existing neighborhoods and can be mapped through future small area plans.
23.117 Division 23-4D-2 Residential House-Scale Zones	x	AH	residential	23-4D-2150, 2160, 2170 All R3 Zones	Table (A) Lot Size and Intensity - add footnote <u>+.1 FAR for every unit above Single Family Use</u>	Despite the three-unit capacity, yields will not improve due to FAR limit which is the same as one or two units. Keeping the same FAR for 1 units as for 2 or 3 units does not incentivize building more units. The same .4 FAR for 1, 2 or 3 units is a direct disincentive to build more units versus larger single homes. Current code exemplifies this - 70% demos still 1-1 ratio, not 1-2 despite it being allowed by code. FAR should be increased to encourage more units on the lot. If you have the same FAR for more units, it increases the cost to produce those units (more per unit for taps, etc.) versus single family of same size, while raising cost per unit. A small step up would encourage more Missing Middle housing	Neutral See above
23.118 Division 23-4D-2 Residential House-Scale Zones	l x	AH	residential	23-4D-2150, 2160, 2170, 2190, 2200, 2210: Side Street Encroachment	_ Table 23-4D-2xxx (E) Encroachments Encroachment Type Porch, Stoop, Uncovered Steps Side Street (max.)	An 8' side street encroachment for a porch, stoop, or uncovered steps on corner lots in all zones should be allowed within all zones. It provides the same benefit as required porches in front, more pedestrian friendly, and better articulation along the street.	Neutral
23.119 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential	23-4D-2150, 2160, 2170 2190, 2200, 2210: Grade Limit Encroachment	Table 23-4D-2xxx (E) Encroachments Porch, Stood or Uncovered steps	In all R-type zones, 3' height above grade limit on an encroachment for porch, stoop or uncovered steps cannot accommodate sloping lots, so the requirement should be deleted.	Yes Footnote unclear. 3' limit should only apply to uncovered steps. Reccommended languauge: Uncovered Steps may not exceed 3' above ground.
23.120 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential	23-4D-2190, 2200, 2210	Table (A) Lot Size and Intensity - add footnote "+.1 FAR for every unit above Single Family Use	if you have the same FAR for more units, it increases the cost to produce those units (taps, etc.) versus single family of same size, while raising cost per unit. It is a direct disincentive to build more units. Current code exemplifies this - 70% demos with the continued 1-1 ratio, not 1-2. A small step up would encourage more Missing Middle housing creation, other regulations keep it from being any more massive than current McMansion limits.	No Bonus available in R4.
23.121 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential	23-4D-2190, 2200, 2210 Building Envelope for R4A and R4B	Table 23-4D-2190(C) Building Form (1) Overall Building Envelope Width (max.) <u>80</u> ′ 60 ′	Change maximum building width to 80' under all R4 zones for consistency and simplicity. Building width is only difference between R4A&B and R4C. Limiting building width limits unit yield. 60' building width maximum is too narrow for wider lots.	No R4C allows townhomes and therefore wider building.
23.122 Division 23-4D-2 Residential House-Scale Zones	x	АН	residential	23-4D-2210: R4C Zone	R4C: Table (C) (2) Building Articulation and (C) (3) Facade(s), Table (b) (1) Primary and Accessory Building, Table (E) (2) Height Encroachment, Table (F)(1) Private Frontage Type	There is not an R4 Zone that does not have McMansion limitations, limiting capacity for newly platted R4 lots. The only difference between Draft 3 R4C and R4A is 15' setback and 80' building width. As proposed here, R4A has 25' front setback with McMansion, R4B has 15' front setback with McMansion, and R4C has 15' front setback with McMansion, and R4C has 15' front setback with out McMansion. R4C should not have front porch requirement as it is not intended to be compatible with McMansion neighborhoods.	No R4 Zones are designed to be compatible with R2 and R3 in the urban core.
23.123 Division 23-4D-2 Residential House-Scale Zones	х	АН	residential	R4 Cottage Courts	Cottage Court: Minimum 50' lot width Base Standard <u>4</u> 3 units. i. Minimum 100' lot width Base Standard <u>8</u> 6 units	Adjusting the minimum lot width and Base Standards units encourages small scale homes over multiplex buildings. These changes allow cottage courts under R4 to have 4 units for 50' minimum width and 8 units for 100' minimum width lots, as is the intent of the zone is to increase unit yield above three per lot. This encourages small scale homes to be built over multiplex buildings.	Neutral Unlikely to fit 4 or 8 units of the smallest lots sizes respectivley.
23.124 Division 23-4D-2 Residential House-Scale Zones	x	AH	residential	23-4D-2210: R4C Articulation Diagram	Building Articulation Table	Comment: There is a typo within the Articulation Diagram, so there needs to be an update to match wording.	Yes
23.126 Division 23-4D-2 Residential House-Scale Zones	х	AH	residential	23-4D-3	Table 23-4D-3xxx Lot Size and Intensity Lot: Principal dwelling units per-acre	There needs to be a deletion of dwelling units per acre for all multi-unit zones. It is a duplicative regulation, given that the scale is already regulated.	? If refering to RM1A, table corrected in addendum.
23.128 Division 23-4D-3 Residential Mult-Unit Zones							UTC: Exempt from Compatibiliy Standards w/in 1/4 mile of transit/IA corridors

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			ANDERSON HART KAZI	KENNY MCGRAW	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT MENDOZA	EICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.129		x		x				New, flexible zon	RM1	Yes	No	23-4D-3ххх	Add three new zones: RM1C has base RM1A entitlements, but has a bonus equal to RM1B bonus with a 45' overall height and no eve/parapet height. RM1D has base RM1A entitlements, but has a bonus equal to the RM2B bonus entitlements with 60' of overall height and no eve/parapet height. RM1E has base RM1A entitlements, but has a bonus equal to the	These new zones give flexibility for mapping with entitlements allowing a remapping of R-scale zones with no increase in base height/setback entitlements but high affordable bonus entitlements.		RM1A intended to be small scale multifamily or townhouse development.
23.130	Division 23-4D-3 Residential Mult-Unit Zones			KM								23-4D-3	Minimum lot sizes for RM1A and RM1B should be 5,750 with 50' width	To allow conversion of existing MF districts in neighborhoods. Currently the minimu lot isze is 8,000 SF	No	
23.131	Division 23-4D-3 Residential Mult-Unit Zones	x		СК				Rem existing family a conform in R	single s a non- ing use	No	Yes	Entire section	Add a footnote that any existing single family home on a lot zoned RM as of 6/1/2018 will not be considered as a non-conforming use. Vacancy and other mechanisms that require redevelopment are not applicable in this case.	If a single family use is on a lot zoned as RM, that building will not become considered non-conforming. However, no new non-conforming single family housing may be built.	No	Consider mapping change to R4 or RM1A.
23.132	Division 23-4D All RM, MS, MU zones	×		СК				Incre afford bon entitle	lable	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group	More bonus entitlements got us from 6,000 affordable units to 13,500.	ş	Need more detail.
23.134	Division 23-4D-3 Residential Mult-Unit Zones	x	FK					reside	ential			Add RM1C Zone	Table A: Allowed Uses are the same as R2C (no multiplex). Allow Any Uses up to 14 units per acre4 FAR limit for entire site. R2C height limits, building form (mcmansion) and setback tables, 1 space per unit with additional proposed parking matrix reductions, Add Note to Table A: minimum 10' separation between buildings. No compatibility setbacks.	Map existing % to 1 acre tracts to a new "residential scale" RM zone that allows units per acre rather than a fixed unit count is the most efficient and cost effective way to utilize existing "developable" capacity within neighborhoods, removing the need to resubdivide or rezone. A common objection to upzoning is the risk of change in housing type, so multiplex use is excluded. This new zone is intended for infill tracts within the neighborhood as a "resubdivision/rezoning replacement", not for transition zones. It rades off lower density and residential house form vs increased "mappability", increased capacity and reduced regulatory burden under CodeNext. 14 units per acre is limited by 10' separation and .4 FAR, forcing much smaller units to get to the max units/acre.	No	
23.135	Division 23-40-3 Residential Mult-Unit Zones	x	GA AH FK					Multi-F	amily	No	No	23-4D-3	Strike dwelling units per acre for all multi unit zones.	Dwelling units per acre is a duplicative regulation, given that scale is already regulated through height, IC, FAR, etc. Also, it is a regulation that is wholly internal to the building and doesn't affect the public domain. LDIC should regulate the built environment, not those who live within it. Unit caps impose a de facto tax on small, affordable homes.	No	Density bonus program calibrated to du/acre.
23.136	Division 23-4D-3 3030 - Land Use and Permits	x					TS	3030 - La and Pe		NO		Table 23-4D-3030(A) Allowed Uses in Residential Multi-Unit Zones		ADDENDA added duplexes in RM1A and RM1B.		commentary
23.125	Division 23-4D-2 Residential House-Scale Zones	x	АН					reside	ential			23-2A-3030 & 3040 (B)	patterns will not negatively impact adjacent property if the construction, remodel, or expansion: Is more than 300 square feet; and Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted. [2] Install acceptable drainage improvements, such as swales, grading, gutters, rain gardens, rainwater harvesting systems or other methods on site to preserve existing drainage patterns if the construction, remodel or expansion: Is more than 750 square feet; and Located on an unplatted tract or within a residential subdivision approved more than five years before the building permit application was submitted. And in an area subject to localized flooding, as determined by the Watershed Protection Department on an annual basis.	letter. Lst \$8000 per house for over \$100+ permits last year fitting the requirements = over \$40 million additional cost.	Pending	
23.137	Division 23-4D-3 3040- Parking Requirements (Residentail House Scale)	x					TS	Maxir Numb Parking	er of	NO		3040 (B) Maximum Number of Parking Spaces	Delete section 3040 (B)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though minimums are established and that developers are allowed to put in as many parking spots as they want.	Neutral	Suggest replacing "double" with 2.5" for this zone category
23.138	Division 23-4D-3 3040- Parking Requirements (Residentail House Scale)	х					TS	Park Limita		NO		3040 (C) Parking Limitations	Delete section 3040 (C)	This conflicts with statements from Planning and Zoning Department that the "market" will determine number of parking spaces even though minimums are established and that developers are allowed to put in as many parking spots as they want.	Yes	Duplication. Subsection should be deleted, refer to (C).

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	AR III	F	CHANGES TO DE	3		INITIATE	D BY CO	MMSSION	IER	EX O	FFICIO	TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				- 1	SON	, WA	DLS R	SLER	PSON	ARDT	OZA							YES/NEUTRAL /NO	
					ANDEI HART	KENN	NUCK	SCHIS! SEEGE SHIFH	THOM	SHAW	MEND			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
23.139				×		CK						Limited commercial parking use for RM	Yes	Yes	All RM zone uses	Allow "Parking Facility" as a CUP use in all RM zones with the following design requirements specific to this use: (A) Screening: All areas used for parking, storage, waste receptacles or mechanical equipment shall be screened from a triggering property. Such screening may be a fence, berm or vegetation and shall be maintained by the property owner. Fences shall not exceed six feet in height. (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 20 (or 50) feet of a triggering property. The City shall review and approve the location of and access to each waste receptacle. Collection of such receptacles shall be prohibited between 10 pm and 7 am. (E) From a parking structure facing and located within 100 feet of a triggering property: (1) Vehicle headlights shall not be directly visible; (2) Parked vehicles shall be screened from the view of any public right of way; and	This allows corridor-fronting MS and MU properties to aquire and jointly develop an adjacent RM property to better accommodate parking. The parking must be fully screened and there cannot be an exit to the parking within 100 feet of a triggering property. The idea is to allow the structure to cross the lot line but not have it be externally perceivable or impact nearby residential properties. Conditional Use Permit required to provide review of compliance with these requirements.		
23.140				X				JS	h `			IC			23-4D-3050	property. 60% impervious cover allowed in RM1A for "Other Use" (more than SF)		No	As long as these projects are required to go through a full site plan with drainage review, WPD is neutral.
23.141	Division 23-4D-3 F	Residential Mult-Unit Zones		Ţ	АН						П	Compatibility	No	No	23-4D-3050	"Option 1: Eliminate compatibility setback within 1/10 of a mile of an Imagine Austin corridor or Core Transit Corridor."	Multiple pages: 4D-2 pg. 91	No	
23.142	Division 23-4D-3 F	Residential Mult-Unit Zones		x	АН							Multi-Family	No	No	23-4D-3050	Require R-Zone Table (D) (1) Primary and Accessory Building and Table (E) (2) Height Encroachment to apply in lieu of compatibility restrictions.	Small RM tracts under RM1A/RM1B would still be undevelopable under CodeNEXT like they are today due to compatiblity. Maintains current code standards and provides flexibility to increase unit capacity while maintaining neighborhood character and scale.	No	Support removal of compatibility setbacks but height would need further discussion.
23.143	Division 23-4D-3	Aesidential Mult-Unit Zones		x	АН							Multi-Family	No	No	23-4D-3050	"Option 1: Eliminate compatibility setback, consider changing landscape buffer to semi-opaque. Option 2: 1. Eliminate additional setback if Intermittent Visual Obstruction Buffer (20 ft) is kept 2. Reduce landscape buffer height to 23-4E-4100 (Semi Opaque Buffer, 6 ft) and reduce setback to 15 feet on side and rear 3. Eliminate additional setbacks and just have Semi-Opaque Buffer 4. Change which residential house scale zones trigger compatibility - ie RAA & R4B with MF allowed should not trigger compatibility for other MF"	Compatibility is one of the key drivers of the reduction of housing yield.	No	Option 1 not reccommended. Option 2, reducing setback to 15' and requiring more intense buffer, open to discussion (Option 2.2).
23.144	Division 23-4D-3	Residential Mult-Unit Zones		x	x							Compatibility	No	No	23-4D-3050	Eliminate compatibility setback within 1/10 of a mile of an Imagine Austin corridor or Core Transit Corridor when an affordable housing bonus program is sought.	Multiple pages: 4D-2 pg. 91	No	
23.145		0050 - 3090; RM1A-RM5B		x						TS		Compatibility Setbacks	NO		3050 - 3110; RM1A- RM3B; Table 23-4D- XXXX(B)(3)(a)	(a) Where a portion of a building is across an alley less than 20 feet in width from a property zoned Residential House-Scale; or is adjacent to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property. minimum setbacks shall be provided along the alley or shared lot line that comply with subsections (b) and (c).	Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	Yes	Staff supports measurement from triggering property line. Reccommend 30 ft instead of 25 ft.
23.146		3050 - 3090; RM1A-RM5B		х						TS		Compatibility Setbacks	NO		3050 - 3110; RM1A- RM3B; Table 23-4D- XXXX(B)(3)(b)	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to renumber (3)(c). Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	
23.147	Division 23-4D-3	3050 - 3090; RM1A-RM5B		х						TS		Common and Civic Open Space	NO		3050 - 3090; RM1A- RM3B; Table 23-4D- XXXX(G), (H) or (I)	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions recommended.	No	See adenddum
23.148		Parking and Loading		х	GA							Parking	No		Section 23-4E-3060 A	(2) Minimum off-street parking requirements shall be further reduced as follows: (a) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.	Same language appears in current code but was dropped from latest draft.	No	Removed intentionally.
23.149	Division 23-4D-4 F	Parking and Loading		х	GA							Parking	No	no	Section 23-4E-3060 A	One space for each on-street metered parking spaced located w/n 250 feet of the site, measured as the shortests practical and lega walking distance to the nearest principal entrance of the site.	One reason for metering parking is to ensure turnover, so that a space will generally be available when need. The council approvled this language on first reading on 12/11/14 (Resolution 20131024-058)	No	Parking districts would best implement this reduction.

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	NO THE	CHANGES TO D3	+		NITIATED	BY COM	MMSSION	NER	EX OF	FICIO T	TOPIC AREA	FEEDBACK	AN	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
			ANDERSON	HART	KENNY MCGRAW	NUCKOLS	SCHISSLER SEEGER	THOMPSON	SHAW BURKARDT MENDOZA	TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.150	Division 23-4D-3 Residential Mult-Unit Zones	x		АН						N	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need to be looked at together.	In this zone the height is limited to 40 feet and there is a 20 tall landscape buffer, so limiting the building to 2 stories or less than the buffer makes no sense, especially since the height is limited to 2 stories for 25 feet from property line but the setback is 20 ft from side lot and 30 from rear, so you can't even use that.	No	
23.151	Division 23-4D-3 Residential Mult-Unit Zones	x		АН						N	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need to be looked at together.	Max height is 40 feet, yet limited to 35 feet until 50 feet from property line and then up to 40. Seems silly given that you can probably get three stories in 35 feet and there is a 20 foot buffer. This is only 5 feet higher than the adjacent SF.	No	
23.152	Division 23-4D-3 Residential Mult-Unit Zones	x		АН						N	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need to be looked at together.	Same issue of previous section as the graduated height went up to 100 feet from property line. APplicable to RM2B, RM3A, MU3A&B, MU4A, MS3A, MS3B.	No	
23.153	Division 23-4D-3 Residential Mult-Unit Zones	x		АН						N	Multi-Family	No	No	23-4D-3070	Either, eliminate setback, eliminate landscape buffer, or eliminate stepback. It's the combination that makes no sense. These clauses need to be looked at together.	Same issue of previous section as the graduated height went up to 50 feet from property line for both MU2A&B and MS2A-C.	No	
23.154	Division 23-4D-3 3050 - 3090; RM1A-RM5B	x							TS	RI Co	M2A, RM2B, M3A, RM4A, and RM5A ompatibility Height Stepbacks	NO		3070 - 3110; RM2A- RM5A; Table 23-4D- XXXXX- Height (4) Compatibility Height Stepback	RELOCATE AND MODIFY: Table 23-40-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements. Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	Staff supports information within each zone.
23.155	Division 23-4D-4 Mixed-Use Zones										·							UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
23.156	Division 23-4D4 Mixed-Use Zones	x		FK						c	Corridor and Centers	No		23-4D-4 All MU Zones	Increase overall height maximums in all MS zones: MU1A, MU1B: 32' to 52' MU1C, MU1D, MU2A: 45' to 65' MU2B, MU3A, MU3B: 60' to 80' MU4A, MU4B: 60' to 80', 120' with AHBP Bonus MU5A: 100'	in order to properly absorb density along our corridors, we must increase overall height maximums in proposed corridor and center zoning types	No	
23.157		x			СК						Adjust compability nd height for MU1	No	No	MU1A-MU1D	The setback when adjacent to an R zone property is changed to 10 ft for all MU zones. The height is restored to 40'. Stepback heights 10'-20' from lot line are 25', 20'-25' from lot line is 35', and full height is allowed at 30'.	This restores compatibility to more closely mimic a legal single family home next door, restores the entitled height under current zoning, and removes articulation requirements from walls hidden behind a required vegetative screen.	Yes/No	Support reducing setback in MU1A/B which have the same height restrictions as Rzones. In MU1C/D, open to reducing side setbacks.
23.158	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements	x							TS		Uses	NO		Table 23-4D-4030(A)		ADDENDA: Added Townhouses as permitted use to zones MU3, MU4 and MU5		Commentary
23.159	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements								TS		Uses	NO		Table 23-4D-4030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added. Review Attached Adult Entertainment for Adult Uses in MU4B and MU5B zones.		Commentary
23.160	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements								TS		Bars and Nighclubs, Restaurants Uses	YES		Table 23-4D-4030(A)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added.		Commentary
23.161	Division 23-4D-4 4030 - Allowed Uses and Permitting Requirements	l î							TS	En	Adult ntertainment	NO		Table 23-4D-4030(A)(6)	Change MU4B and MU5B permitting to CUP only	23-4E-6060 permitted adutl entertainment other than an adult lounge	No	Specific to use standards clarifies when use if P vs. CUP.
23.162	Allowed Uses	х						TW			uses			Table 23-4D-4030 (A)	MU1D	Allow Senior/ Retirement housing in MU zones; see exhibit Table 23-4D-4030 (A) for more clarity		Zones are designed for small buildings.
23.163	Allowed Uses	х						TW			uses			Table 23-4D-4030 (A)	Micro-Brewery/Micro-Distillery/Winery to CUP in MU1B; MU1D MUP IN MU2B	Micro-Brewery/Micro-Distillery/Winery change to CUP & MUP see exhibit Table 23-4D-4030 (A) for more clarity	Neutral	
23.164	Division 23-4D-4 Mixed-Use Zones	x		AH FK						c	Corridor and Centers	No	No	23-4D-4030 (A)	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufacured Home, and all sizes of Day Cares to be built within all MU and MS districts.	Permitted uses in MU and MS zones don't seem to have any true methodology governing them.	No	
23.165	Division 23-4D-4 4040 - Parking Requirements	x							TS		Parking	NO		Table 23-4D-4040(A) (4) Office, General (non- medical)	1 per 500 sf after first 2,500 sf	If cars are expected to travel and park related to use, then parking should be provided. ADDENDA has this shown this way.	Yes	Addendum matches suggestion
23.166	Division 23-4D-4 4040 - Parking Requirements	x x							TS		Parking	NO		Table 23-4D-4040(A) (5) Civic and Public Assembly	for each 3 students enrolled in grades 11 and 12	ADDENDA Changed parking for Public and Private Seconday Schools. Keep at levels in Draft 3.		Addendum makes parking requirements consistent for schools.
23.167	Division 23-4D-5 Parking and Loading	х	×								Parking	No	no	Table 23-4D-4040 A	Provide a 2500 sf exemption in MU similar to exemption in MS zones.			MS zones intended for more walkable develpoment.
23.168	Division 23-4D-4 Mixed-Use Zones	х					JSc	IΤ			Process	No		Mixed-Use Zones (3)(a)(ii)	(ii) Balconies, pedestrian walkways, porches, accessible ramps, and stoops; provided that no such feature shall extend into the public right-of-way without a license agreement, encroachment agreement, or other appropriate legal document.	providing any appropriate legal document is presented.		Needs law review
23.169	Division 23-4D-4 Mixed-Use Zones	x					JSC	ΤL			Process	No	No	23-4D-4060 Mixed-Use 1A (E) Encroachments	Encroachments are not allowed within a right-of-way, public easement, or utility easement, <u>unless a license agreement</u> , <u>encroachment agreement</u> , or other appropriate legal document is in place	Agreements to encroach within a public right-of-way may come in several different forms. The recommended language clarifies that any legal document that authorizes the extension of certain features into public right-of-way, providing any appropriate legal document is presented.	Pending	Needs law review

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					Z			<u>α</u>	N O	5 ⋖								YES/NEUTRAL	
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23.170	Division 23-4D-4	4060-4160; MU1A - MU5A			A A	M KE KE	OE N	호봉동	¥ \$ 3	등 교 필	产			GENERAL	SPECIFIC SECTION 4060 - 4160; MU1A-	(a) Where a portion of a building is across an alley less than 20 feet in	Simplify compatibility requirements. Resulted from ZAP/PC Compatability	No	STAFF RESPONSE see above
23:170											Compat Setba		NO		MU5A; Table 23-4D- XXXX(B)(3)(a)	width from a property zoned Residential House-Scale; or is adjacent to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property.	working group.		
23.171	Division 23-4D-4	4060-4160; MU1A - MU5A		х					т	s					4060 - 4160; MU1A-	minimum setbacks shall be provided along the alley or shared lot line that comply with subsections (b) and (c). DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to renumber (3)(c). Simplify	No	see above
				x							Compat Setba		NO		MU5A; Table 23-4D- XXXX(B)(3)(b)		compatibility requirements. Resulted from ZAP/PC Compatability working group.		
23.172	Division 23-4D-4								Т	S	MU2A, I MU3A, I MU4A, I MU! Compat Heig Stepb	MU3B, MU4B, 5A tibility ght	NO		4100 - 4160; MU2A- MU5A; Table 23-4D- XXXX(D)(2)	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements. Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	see above
23.173	Division 23-4D-4	Mixed-Use Zones		х		СК					Ade			No	All sections	Expands the allowed zones for microbreweries and adds the new live	More live music and brewpubs throughout the city.	No	
				x	Ш						Microbr and Live Venue permitte in all MU	Music e as ed use	No			music venue use to all MU zones.			
23.174				x		СК					Adju compabi MU	ility for	No	No	MU1A-MU1D	Adjust the setbacks and compatibility in all MU1 to mimic R zones; adjust height back to 40', remove articulation when behind a vegetative buffer.	Draft 3 breaks MU1 as a viable zone. This would restore it.	Yes/No	Support reducing setback in MU1A/B which have the same height restrictions as Rzones. In MU1C/D, open to reducing side setbacks.
23.175	Division 23-4D-5	Main Street Zones																	UTC: Exempt fromComp Std w/in 1/4 mile of transit/IA cooridors
23.176		Main Street Zones		x		FK					Corrido Cent		No		23-4D-5 All MS Zones	Eliminate building articulation requirements. E.g. Table 23-4D-5060(C)(2)	Main street buildings are universally placed side-by-side and take up the entire property width to create an active pedestrian experience. Articulation should be eliminated in all MS zones.	No	Articulation requirements were calibrate for the Main Street zones
23.177	Division 23-4D-5	Main Street Zones		x		FK					Corrido Cent		No		23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	MS setback requirements currently range from 5-10°. As every foot counts in a pedestrian environment, all MS setbacks should be 0°, in line with near universal practice around the world.	No	S' is the minimum required from the utility departments. The intent is still for buildings to be placed at the back of sidewalks
23.178	Division 23-4D-5	Main Street Zones		x		FK					Corrido Cent		No		23-4D-5 All MS Zones	Increase overall height maximums in all MS zones: MS1A, MS1B: 35' to 55' MS2A, MS2B, MS2C: 45' to 65' MS3A, MS3B: 60' to 80', 120' with AHBP Bonus	In order to properly absorb density along our corridors, we must increase overall height maximums in proposed corridor and center zoning types	No	The proposed heights would go against the intent of the MS1 and MS2 zones. If there is a desire for a taller MS zone district this is a possibility.
23.179						СК					Adju compa and heig MS	bility ght for	No	No	All MS1 zones	The setback when adjacent to an R zone property is changed to 10 ft for all MU zones. The height is restored to 40'. Stepback heights 10'-20' from lot line are 25', 20'-25' from lot line is 35', and full height is allowed at 30'.	This restores compatibility to more closely mimic a legal single family home next door, restores the entitled height under current zoning, and removes articulation requirements from walls hidden behind a required vegetative screen.	No	
23.180						СК					Create I MS4A, MS5A 2	MS3C, , and	Yes	No	New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height bonuses 180' of height, 275', and uncapped, respectfully, with bonus IC/BC of 95/90, uncapped units, and uncapped FAR.	If the CC zone is going to be restricted to downtown, we need MS zoning that goes very high as an option for mapping.	?	Proposed MS zones with taller heights should be limited to IA centers, alternative would be to allow UC in all Imagine Austin centers, noit just Imagien Austin regional centers When these zones are mapped, WPD will need to evaluate the
																			citywide and watershed impervios cover implications.
23.181	Division 23-4D-5	Main Street Zones		x	AH						Corrido		No	No	23-4D-5 All MS Zones	Eliminate building articulation requirements. E.g. Table 23-4D-5060(C)(2)	On every main street in the world, main street buildings are placed side-by-side and expand to the entire envelope of the lot, creating an active pedestrian experience. This is best practice. As such, articulation should be eliminated in all MS zones.	No	
23.182	Division 23-4D-5	Main Street Zones			АН						Corrido Cent		No	No	23-4D-5 All MS Zones	Example: Table 23-4D-5060(C) Building Form 1) Setback(Distance from ROW / Lot Line) [Maximum and minimum front setbacks should be 0']	MS setback requirements currently range from 5-10'. As every foot counts in a pedestrian environment, all MS setbacks should be 0', in line with near universal practice around the world.		5' is the minimum required from the utility departments. The intent is still for buildings to be placed at the back of sidewalks
23.183	Division 23-4D-5	Main Street Zones		x		FK					Corrido Cent		No		23-4D-5030	Allow by right (P) Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Bar/Nightclub, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufacured Home, and all sizes of Day Cares to be built within all MU and MS districts.	Permitted uses in MU and MS zones don't seem to have any true methodology governing them.	No	Uses in MS zones stagger based on integrating Cos
23.184		Main Street Zones		x				PS			Parkin Zones e RC	except			23-4D-2040, 23-4D- 3040, 23-4D-404023-4D- 5040 Parking		Reduced parking citywide will create safety and welfare problems. Applying a citywide rule will damage our neighborhoods and the areas surrounding public/private schools. The neighborhood's welfare damage is from no parking requirements for the first 2,500 sq. ft. adjacent to Main Street uses. AISD has repeatedly requested COA to reinstate Chapter 25 parking requirements around schools for the safety of children. A one-size parking scheme does not work in residential areas outside the City Core with no alternative transportation modes just automobiles. Reevaluate parking requirements.		
23.185		allowable uses	x						TW		use	es			23-4D-5030(A)	Level 1 Night club & Restaurant w/alcohol sales CUP in MS1B; MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
23.186		allowable uses	,						TW		use	es			23-4D-5030(A)	Micro-Brewery/Micro-Distillery/Winery CUP in MS1B; MUP in MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
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23.187	allowable uses	x						rw	uses			23-4D-5030(A)	General Retail>5000 & <10,000 & w/onsite production MUP in MS1B; MS2B; MS2C	see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
23.188	allowable uses	x						rw	uses			23-4D-5030(A)	Outdoor Formal CUP in MS1A; MS1B; MS2A MS2B; MS2C	Outdoor Formal includes shooting ranges, paintball courses, batting cages etc. see exhibit Table 23-4D-5030 (A) for more clarity	Neutral	
23.189	allowable uses							rw				23-4D-5030(A)	Community Agriculture P in MS1A; MS1B; MS2A MS2B; MS2C	I understand having a MUP for the higher intensity MS zones but why would we discourage a community garden if that's what the owners feel is appropriate for	Neutral	
		_x							uses					the site; see exhibit Table 23-4D-5030 (A) for more clarity		
23.190			GA										The parking requirements for MS zones include a 2,500sf exemption for most uses. (Table 23-4D-5040(A), Parking requirements for	Solution: Incorporate the 2500sf exemption for MS into MU zones.	No	
													MS1A-MS3B.)			
									Parking Req	No No			The parking requirements for Mixed Use zones do not, except for			
													offices. (Table 23-4D-4040(A) Off-street Parking Requirements for Mixed-Use Zones.)			
23.191	5030 - Allowed Uses and Permitting	 	+++					TS	Bars and			Table 23-4D-5030(A)	Assess Criteria for permitting requirements within zones for uses:	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and	?	
	Requirements								Nighclubs, Restaurant	YES			Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	Specific to Use Requirements that should be added.		
23.192	5040 - Parking Requirements	x	$\perp \! \! \perp \! \! \perp$		\bot				Uses	1		T-1-1- 22 4D 5040(4)	Section Colored Name of the Colored Co	If one are appared to travel and park related to use then parking should be	No	
23.192	3040 * Falking Requirements							15				Table 23-4D-5040(A)	For (3) Services-Other Allowed Uses, (4) Office-Office General (non-medical), (5) Civic and Public Assembly -Library, Museum, or Public	If cars are expected to travel and park related to use, then parking should be provided. ADDENDA has others that will need to be altered.	NO	
													Gallery , (6) Bars and Nightclubs, (7) Retail, (8) Entertainment and Recreation - add parking requirements back for first 2,500 SF; 1 per			
									Parking	NO			500 SF after first 2,500 SF , none required if <2,500 SF			
A.23.192.1	Parking Requirements							rw	Parking			23-4D-5040 (D)	(D) Parking Buffer. A 200′ parking buffer is required when adjacent	See exhibit Conditional Uses Permits	Neutral	Addressed by PC Motion 23.28
23.193	5060-5120; MS1A-MS3B							TS	Turking			5060 - 5120; MS1A-	to R & RM zones (a) Where a portion of a building is across an alley less than 20 feet in	Simplify compatibility requirements. Resulted from ZAP/PC Compatability	No	see aboive
												MS3B; Table 23-4D-	width-from a property zoned Residential House-Scale; or is adjacent	working group.		
												XXXX(B)(3)(a)	to a property zoned Residential House-Scale. Then, all structures shall be set back at least 25 feet from a triggering property.			
									Compatibility Setbacks	/ NO			minimum setbacks shall be provided along the alley or shared lot line that comply with subsections (b) and (c).			
23.194	5060-5120; MS1A-MS3B	x	+					TS				5060 - 5120; MS1A-	DELETE: Table 23-4D-XXXX(B)(3)(b) Compatibility Standards	Simplify compatibility requirements. Need to renumber (3)(c). Simplify	No	
									Compatibili	, NO		MS3B; Table 23-4D-	SEELE TO TO THE SEELE TO THE SEELE T	compatibility requirements. Resulted from ZAP/PC Compatability working group.		
		x							Setbacks			XXXX(B)(3)(b)		5. oup.		
23.195	5060-5120; MS1A-MS3B							TS	Common an	1		5060 - 5120; MS1A- MS3B; Table 23-4D-	DELETE: Common Open Space and Civic Open Space	Common and Civic Open Space requirements are not correct in Table and are addressed throroughly in 23-4C-1 and 23-4C-2 with previous revisions	No	see above
									Civic Open Space	NO		XXXX(I)		recommended.		
23.196	5060-5120; MS1A-MS3B	х						TS	MS2, MS3			5080 - 5120; MS2A,	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4)	Consolidate compatibility requirements. Simplify compatibility requirements.	No	
									Compatibilit			MS2B, MS3A, MS3B; Table 23-4D-XXXX(D)(2)	Compatibility Height Stepback to new 23-4E-6 Compatibility	Resulted from ZAP/PC Compatability working group.		
		x							Stepbacks							
23.197	Division 23-4D-5 Main Street Zones		A	АН					Corridor an Centers	No	No	23-4D-5080/90 (B)(D)	"For each of the sections (a), strike Residential House Scale and add in R1, R2, and R3 into text instead."	Allow missing middle transition zones that don't trigger compatibility corridors.	?	
23.198	Division 23-4D-5 Main Street Zones	×		C	СК	++	+++	+++	Add		No	All sections	Expands the allowed zones for microbreweries and adds the new live	More live music and brewpubs throughout the city.	No	
									Microbrewe				music venue use to all MU zones.			
									Venue as	No						
									permitted us in all MS zon							
23.199				C	СК				Adjust compability t	or No	No	All MS1 zones	Adjust the setbacks and compatibility in all MS1 to mimic R zones; adjust height back to 40', remove articulation when behind a	Draft 3 breaks MS1 as a viable zone. This would restore it.	No	
22.222		x							MS1				vegetative buffer.	(the CC	2	
23.200					JK				Create MS3 MS4A, and	Yes	No	New sections	Create new MS3C, MS4A, and MS5A zones with 60' of base height and increasing bonus height to 275'.	If the CC zone is going to be restricted to downtown, we need MS zoning that goes very high as an option for mapping.	r	Proposed MS zones with taller heights should be limited to IA centers, alternative would be to allow UC in all Imagine Austin
23.201	Division 23-4D-6 Regional Center Zones	x							MS5A zone							centers, noit just Imagien Austin regional centers Dtwn Comm: 6070(A)(2) Allow Transitional Housuing Supportive
																housing as permitted uses, 6050(B) 0" setbacks, 6050(B) allow 100% IC, Increase DC FAR to 12:1 and 6080 2-Star Grn Bldg min.
23.202	Division 23-4D-6 Regional Center Zones	 	GA	-	+++	+	+ + +					Division 23-4D-6	(A) Parking Required. Regional center zones do not require off-	Decoupling in UNO already exists. Helps to allow folks who don't need a car to	Yes	ATD is supportive of such a motion
													street parking.	go without parking. Seattle just passed a similar law city wide where apartments with 10 or more units are required to decouple		
									Parking Req	No No			(B) Decoupling required for residential leases. In a multi-unit	The same are required to decouple		
		x											dwelling, a parking space must be leased separately from a dwelling			

5/25/2018 [Includes votes taken on 5/25/18]

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23.206		23-4D-6 F	Regional Center Zones			ANE	MA KEN	OFI)	<u> </u>	N W	SHA BUR		Downtown		GENERAL	SPECIFIC SECTION 23-4D-6000	Maintain all provisions of the Downtown Plan as it relates to the Judges Hill District	This adopted plan should be respected.	Yes	STAFF RESPONSE Draft 3 implements the Downtown Plan
A-23.2	06.1	Ċ	сс		x					TW			design standards	х	X		Revise CC zones to allow 100% impervious cover and remove minimum setbacks.	Revise the zoning map to rezone many of the downtown CC120 sites to DC, especially those along the Waller Creek corridor and north and east of the Capitol. Many of these sites are already limited by Capitol View Corridors and other overlays, and should not be subject to additional height restrictions that limit downtown density. Revise CC zones to allow 100% impervious cover and remove minimum setbacks. The new CC zoning is intended to carry forward the entitlements of current DMU zoning. However, CC reduces impervious cover maximums to 95% and requires minimum building setbacks of at least 5ft. DMU allows for 100% impervious cover and no building setbacks.	No	The mapping is following the Downtown Plan. This change would require an amendment to the Downtown Plan. However, staff would support the change to 100% impervious cover for CC zones. Staff does not support removal of 5' setback due to utility infastructure/ conflicts.
A-23.2	06.2		сс		x					TW			design standards		х		Revise CC zones to allow exceptions for small sites downtown.	Create exceptions for small sites downtown. DC and CC zones are required to have a minimum of 60% (or 75% on designated streets per the Downtown Plan Overlay Zone) of their street frontage in approved active commercial or civic uses. Active frontage requirements are very difficult to achieve on small sites due to the amount of space taken up by parking and loading access, utilities and egress. If the intent is to provide more active pedestrian frontage, consider reducing the amount of required frontage, creating an exception for small sites, or allowing building support spaces (AE vault, fire pump, etc.) to be located directly on the ROW.	Neutral	Staff would support with an amendment to the Downtown Plan to accomodate for small sites under a quarter of a block.
A-23.2	06.3	C	сс		х					TW			design standards		х		Revise CC zones to increase heights & FAR.	Increase CC sub-zone height limits and FAR maximums to better match or exceed allowable density under existing code. Consider adjusting height limits to better accommodate common floor-to-floor heights: 40ft to 50ft (4 floors); 60ft to 75ft (6 floors), 80ft to 90ft. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Regulating maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights	Neutral	Staff would support with an amendment to the Downtown Plan.
23.207			6030 - Allowed Uses and Permitting Requirements		x					T	rs	В	ars/Restauran ts	NO		Table 23-4D-6030(A)(6)	Assess Criteria for permitting requirements within zones for uses: Bars and Nightclubs, Restaurants w/ alcohol sales, and Restaurants w/ Late Night Operations	See Attached Table Rest&Bars to dicuss changes to P, CUP, MUP permitting and Specific to Use Requirements that should be added.	?	
23.208		Division 23-4D-6	6030 - Allowed Uses and Permitting Requirements		v					T	rs	E	Adult Intertainment	NO		Table 23-4D-6030(A)(8)	Change CC and DC permitting to CUP only	23-4E-6060 permitted (P) adult entertainment other than an adult lounge	No	Specific to Use clarifies P and CUP
23.209		Division 23-4D-6	6030 - Allowed Uses and Permitting Requirements		v	П				Т	rs	E	Adult Intertainment	NO		Table 23-4D-6030(A)(8)	Change IF, IG, and IH permitting to CUP	23-4E-6060 permitted (P) adult entertainment other than an adult lounge	No	Specific to Use clarifies P and CUP
23.203		Division 23-4E-5	Specific to Use		x	x							ADUs	No			After "Max 550 sf on a second floor," add "unless located within the primary structure."	Size limited was intened to promote accessibility in new, exterior buildings, not to excisting homes. This change would allow homeowners to remain downtstairs in tehir homes and rent out upstairs to provide for aging in place options.	Yes	
23.204		Division 23-4D-6 i	Regional Center Zones	x				1	Sc				Downtown	YES		23-4D-6030 Allowed Uses and Permit Requirements	Clarify if parking facility is a defined term in the code and provide the definition. It is not defined in Article 23-3M Definitions and Measurements. Parking facility should not include surface parking lots.	At Table (A)(11) Automobile Related, Parking Facility is listed as an allowed use by Conditional Use Permit. However, as referenced in (A)(2), the term parking facility is not defined in Article 23-3M Definitions and Measurements. Consider prohibiting surface parking lots as an allowed use in the Regional Center Zones.	No	Parking Facility is defined in 23-3M page 13A-2 pg. 10. Do not recommend changing definition
23.205		Division 23-4D-6	Regional Center Zones		x				Sc				Downtown			23-4D-6040 Parking Requirements	At (e): Increase driveway width maximum to 30' to allow for 3 lanes of traffic flow.	Limiting driveways to 25 feet in width will be difficult to achieve on projects that require three parking access lanes and/or on projects which combine loading with their driveway access points. Consider increasing driveway width maximum to 30'.	Neutral	Alternative is to allow up to 30 feet in particular situations but not all.
23.210			6040 - Parking Requirements	x						T	rs		Parking	NO		Table 23-4D-6040(A)		No parking required. Isn't this where we would want parking maximums?	No	If we create a maximum then we need to state a clear maximum, pick a number or reference other zones like main street
23.212		Division 23-4D-6	22.40.000(4)	x			Ш		PS				Parking			23-4D-6040		Retain no parking requirements in RC zones	N/A	comment
23.213		UIVISIUII 23°4U-6	23-4D-6060(A) Lot Size and Intensity		x	IGA FK			SC				Downtown	NO		23-4D-6060(A)	All CC zones should allow 5:1 FAR maximum. Change CC40, CC60, CC80 FAR max to 5:1.	At FAR max: Consider increasing CC zone FAR maximums to better match or exceed allowable density under existing code. There are lots in the Northwest district of downtown, designated as CC-40 and CC-60 with FAR limitations of 1.0 and 2.0 respectively, that are not eligible for density bonuses. Consider applying the principles of the Downtown Austin Plan for this area: maintain compatibility with the two and three-story pattern of development. Also in the Downtown Austin Plan is a stated goal of Northwest District to incentivize housing over office/commercial. In reviewing sites in this area, it is apparent that allowing max FAR of 5:1 for all CC zones would make residential a more viable use, and removing the density bonus exemption could result in more affordable housing. Consider increasing the maximum density on these sites as part of an expanded density bonus, while maintaining the height limits that promote compatibility. It is recognized that a separate planning effort may be necessary for the consideration of these changes.	INO	Will need discussion about the effects on potential density bonus ramifications
23.214		Division 23-4D-6 i	Regional Center Zones		х				Sc				Downtown	YES		23-4D-6060(B): Overview (2)	Clarify the contradictions between Overview (2) and Table 23-4D-6060(B) Note 1 and the paragraph above it about ROW and utility easements.	(2) conflicts with Table 23-40-6060(B) Note 1 and the paragraph above it about ROW and utility easements.	No	23-4D-6060(B) refers to compatibilty setbacks

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23.215	Division 23-4D-6	23-4D-6060(B) Building Placement		x	GA GA	2 2 2	2 0 3	5 35 45		8 N N 1	Downtown	NO	GENERAL	SPECIFIC SECTION 23-4D-6060(B)	Remove all minimum setbacks for all CC zones. Clarify reference to easements. Note 1 section referenced is Industrial Flex Zones and must be incorrect.	The CC zone establishes a minimum setback of 5 feet on all sites, but the map in the Downtown Plan Overlay Zone described (23-4D-9080 as taken directly from the Downtown Austin Plan) has many streets with 0' setbacks. To simplify and clarify, consider removing the 5-foot minimum setback. This setback can create a significant impediment to development on small sites and does not allow downtown to achieve the density needed for regional centers, as stated in Imagine Austin. DMU zoning, which CC is meant to replace in the new code, does not require any setbacks. Therefore, this new regulation is effectively downzoning (reducing entitlements) as compared to the existing code. Also, Regarding "Additional setback and/or easement may be required where street right of way or utilities easement is required" - where is this addressed in the code? And, at Note 1: section referenced is Industrial Flex Zones and must be incorrect.	Yes	STAFF RESPONSE Clarification regarding setbacks in CC zones and Downtown Plan Overlay have been addressed in the addendum.
23.216		Regional Center Zones		x	GA		JS	ic .			Downtown			23-4D-6060(C) Sub- Zones	CC subzones should allow for these height maximums: Replace CC40 with CC50; Replace CC60 with CC75; Replace CC80 with CC90.	Consider adjusting height limits to better accommodate common floor-to-floor heights. Consider adjusting 40' to 50' (4 floors), 60' to 75' (6 floors), 80' to 90'. Or, consider providing a height limit OR a floor limit. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Providing maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights.	Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.217		Regional Center Zones		х	GA		ıs	ic			Downtown			23-4D-6060(D) Height (1) All Buildings	At (1) All Buildings: Replace CC40 with CC50 (50' overall max height); Replace CC60 with CC75 (75' overall max height); Replace CC80 with CC90 (90' overall max height).	At All Buildings: Consider adjusting height limits to better accommodate common floor-to-floor heights. Consider adjusting 40' to 50' (4 floors); 60' to 75' (6 floors), 80' to 90'. Or, consider providing a height limit OR a floor limit. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Providing maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights.	Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.218	Division 23-4D-6	Regional Center Zones	x				JS	ic			Downtown			23-4D-6060(E) Encroachments	Provide reference to the section that describes the process for "Encroachments within a right-of-way, public easement, or utility easement require a license agreement or encroachment agreement."		No	Process for license agreement resides outside of the LDC.
23.220		Regional Center Zones		x	GA		St	ic			Downtown			23-4D-6060(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW.	This requirement (in DC and CC zones and in the Downtown Plan Overlay Zone) is only appropriate for full-block sites. Many, if not most downtown sites, will be unable to comply with the frontage requirements unless all building lobbies are allowed to count towards Commercial Group A compliance. It too restrictive and prescriptive to allow viable development on <1/2 block sites and should be eliminated or relaxed. There is confusion with the frontage requirements.	Neutral	staff would support a motion to reduce maximum for smaller sites
23.221		Regional Center Zones		x	АН						Corridor and Centers	No	No	23-4D-6060 (G)	"Table G: For commercial buildings greater than or equal to one-half block width: Except for building support spaces (including as Austin Energy vault, fire pump), entries must be oriented to the street and located at sidewalk level No ramps or stairs allowed within public right- of-way or front setback For commercial buildings less than one-half block width: The primary entry must be oriented to the street and located at the sidewalk level. Prior Notes for Clarity: Create exception for <1/2 block sites. Either significantly reduce the % requirement or only require one block face of the site to comply. Or remove requirement in CC base zone and allow for a district planning process to dictate which streets and	Create exception for 1/2 block sites and reduce requirements for many building support spaces.	Neutral	staff would support exception
23.222	Division 23-4D-6	Regional Center Zones		х			JS	ic			Downtown			23-4D-6060(H) Impervious Cover	Increase impervious cover and building cover maximums to 100%.	Bring entitlement back to match existing code	Yes	Staff supports aligning CC with current code IC and BC standards
23.223		Regional Center Zones		х	F	-K	JS	ic			Downtown			23-4D-6080 (A) Lot Size and Intensity	Change DC zone FAR max to 12:1.		Neutral	Will require a recalibration of the downtownd density bonus program and a change to the DAP.
23.224	Division 23-4D-6	Regional Center Zones		x			Is	ic			Downtown			23-4D-6080(B) Building Placement	Clarify reference to easements. Note 1 section referenced is Industrial Flex Zones and must be incorrect.	Regarding "Additional setback and/or easement may be required where street right of way or utilities easement is required" - where is this addressed in the code? And, at Note 1: section referenced is Industrial Flex Zones and must be incorrect.	Yes	language referencing IF has been updated to reference the Downtown Overlay 23-4D-9070; full development standards may not be attainable due to the need for additional utility or right of way easements
23.225		Regional Center Zones		x			JS	ic .			Downtown			23-4D-6080(G): Frontages	Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in DC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW. The definition of active commercial uses (Commercial Group A in the Downtown Plan Overlay Zone) needs to be clarified or refined to allow for ground level office or multi-family lobbies. Additionally, revise the requirement that prohibits stairs/ramps in required setbacks to allow	More restrictive than LDC. There are no such requirements in existing code.	Neutral	see line 23.220
23.226		Regional Center Zones		х			JS	oc .			Downtown			23-4D-6080(J) Additional Standards	Add "or at least the minimum level LEED Certification as a substitute for Austin Energy Green Building rating."	Consider allowing LEED certification as a substitute for Austin Energy Green Building rating.	NO	Coordination with AE would be required.
23.227	Division 23-4D-6	Regional Center Zones	x		Ш		JS	ic			Downtown			23-4D-6080(K) Additional Compatibility	Add "except for additional setbacks or height stepbacks."	To better align this with 23-4D-6080(B)(2), add "except for additional setbacks or height stepbacks.	No	Section 23-40-6080(B)(2) has been corrected in the addendum to reflect Downtown Plan Overlay Zone additional setback standards

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22.222		CIARGES 18 D.	ANDERSON	HART	MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	THOMPSON	SHAW BURKARDT S	Н		GENERA		SOUTH OF LANGUAGE	CommissionEn NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
23.228	Division 23-4D-7 Commercial and Industrial Zones Division 23-4D-7 Commercial and Industrial Zones		x	(СК				Brewerie	Yes	Yes	Applicable zones	Breweries and brewpubs in MS and MU districts should be limited to 5,000 barrels per year of production. Breweries with more production should be allowed in all industrial zones, but should not have a cap on their production.	This right-sizes brew pubs for the city, but allows breweries to continue to operate without arbitrary production caps that exist in D3.	No	The staff recommendation of 15,000 barrels for microbreweries falls within national standards for microbreweries/ brewpubs. Large scale breweries are only permitted within the higher intensity Industrial zones and are not capped on production
23.230	Division 23-40-7 (commercial and Industrial Zones Division 23-13A-2 Commercial and Industrial Zones, Land Uses (Land Uses), Division 23-40-7 (Commercial and Industrial Zones), Division 23- 13A-2 (Land Uses)	x	GA	•	СК				Breweries a Microbrewo			23-4D-7030	Sec. 23-13A-2030, "Manufacturing and Storage", change 3(e) ("Brewery/distillery/winery which manufacture more than 15,000 barrels of beverage") from 15,000 barrels to 5,000 barrels, and move it from "Manufacturing and Storage - Restricted" to "Manufacturing and Storage - General". Table 23-4D-7030(A), "Allowed Uses in Commercial and Industrial Zones," change Manufacturing and Storage - General from not allowed to CUP in Commercial Recreational, and from CUP to P industrial Flex. Sec. 23-13A-2030, "Micro-Brewery/Micro-Distillery/Winery," change "15,000 barrels" to "5,000 barrels". Sec. 23-4E-6220(B), "Requirements for a Brewery/Winery/Distillery," change: (1) Allowed. The sale of beer, ale, wine, or distilled liquor produced on-site for on-site consumption must comply with Section 4-9-4 (Minimum Distance from	This addresses a problem in Draft 3 that incorrectly distinguishes between microbreweries and breweries and is then overly prescriptive for microbreweries. The break between microbreweries and production breweries is about 5,000 barrels per year. This amendment changes the break from 15,000 to 5,000. It restores breweries as an allowed use in Industrial Flex, which is where at least one Austin brewery is today but was left out of the zone. It also removes restrictions on micro-breweries with tasting rooms that far exceed bars or restaurants that serve alcohol, and replaces the restrictions with a reference to the city ordinance that governs distance requirements for alcohol sales and restaurants that serve alcohol.	No	See row 23.299
23.232			GA	•	СК				Breweries a Microbrewe S			23-4D-7030	(a) Is an allowed use, if the use is at least 540 feet from any single-family residential use, as measured from lot line to lot line; (b) Is a conditional use, if the use is less than 540 feet from any Residential House Scale Zone, as measured from lot line to lot line; and (c) Except as provided in Subsection (B)(2), must not exceed the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use. (2) On-site Consumption Area (a) During a tour, on-site consumption is allowed in an area that exceeds the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use. (b) If the use is located in Airport Overlay Zones AO-1, AO-2, or AO-3, on-site consumption is allowed in an area that exceeds the lesser of 33 percent or 5,000 square feet of the total floor area of the principal developed use. (3) Increased Square Footage. During the conditional use permit approval process, the Planning Commission or city council may	This addresses a problem in Draft 3 that incorrectly distinguishes between microbreweries and breweries and is then overly prescriptive for microbreweries. The break between microbreweries and production breweries is about 5,000 barrels per year. This amendment changes the break from 15,000 to 5,000. It restores breweries as an allowed use in Industrial Flex, which is where at least one Austin brewery is today but was left out of the zone. It also removes restrictions on micro-breweries with tasting rooms that far exceed bars or restaurants that serve alcohol, and replaces the restrictions with a reference to the city ordinance that governs distance requirements for alcohol sales and restaurants that serve alcohol.	No	See row 23.299
23.233	7030 - Allowed Uses and Permitting Requirements	x						TS	Bars and Nightclub	NO		Table 23-4D-7030(A)(6)		Bars and Nighclubs not permitted in commercial and industrial zones	N/A	comment
23.234	7040 - Parking Requirements		x					TS	Parking	NO		Table 23-4D-7040(A)	Remove language "after first XXXX SF"	If cars are expected to travel and park related to use, then parking should be provided.	Yes	Removed in addendum.
23.235	7050-7100; CR, CW, IF, IG, IH, RD		x					TS	Compatibil	y NO		Table 23-4D-XXXX(D) Height	RELOCATE AND MODIFY: Table 23-4D-XXXX ()- Height (4) Compatibility Height Stepback to new 23-4E-6 Compatibility	Consolidate compatibility requirements.Simplify compatibility requirements. Resulted from ZAP/PC Compatability working group.	No	Staff supports information within each zone.
23.236 23.237	Division 23-4D-8 Other Zones Division 23-4D-8 Other Zones		x						Parking in F	25 No		Division 23-4D-8	(A) Parking. (1) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data. (2) For a property owned by the City, the off-street parking requirement for each use allowed in a zone is determined by the director. (3) A property zoned-Former Title 25 shall comply with the parking requirements established in the applicable ordinances and agreements adopted prior to the effective date of this Title. For a property zoned Former Title 25, off-street motor vehicle parking.		No	Staff is not recommending adding new regulations to F25. However, because current parking regulations are outside of Title 25, staff recommends referencing current parking standards in the F25 Section.

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0	DIV	Ē	CHANGES TO D3		IN	ITIATED BY	COMMSSIC	ONER	EX O	FFICIO	TOPIC AREA	FEEDBACK	AN	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	_	T
23.238	Division 23-4D-8	Other Zones		× ANDERSON	HART	KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	SHAW BURKARDT	MEN DO ZA TEICH	Parking		GENERAL	SPECIFIC SECTION 23-4D-8040 (A)(3)	(3) A property zoned Former Title 25 shall comply with the parking requirements established in the applicable ordinances and agreements adopted prior to the effective date of this Title. For a property zoned Former Title 25, off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060, Off-Street Motor Vehicle Parking Adjustments.	F25 areas should be allowed to get the same parking reductions as Chapter 23 areas. Otherwise, they will have abnormally high parking reqs	YES/NEUTRAL /NO	STAFF RESPONSE Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by F25
23.239	Division 23-4D-8		X	GA							Parking in F-25	No		Division 23-4D-8	(A) Parking. (1) Except as provided in subsections (A)(2) and (A)(3), the director shall determine the minimum off-street motor vehicle parking requirement and minimum off-street loading requirement for a use allowed in a zone included in this division. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data. (2) For a property owned by the City, the off-street parking requirement for each use allowed in a zone is determined by the director. (3) A property zoned Former Title 25 shall comply with the parking requirements established in the applicable ordinances and agreements adopted prior to the effective date of this Title, For a property zoned Former Title 25, off-street motor vehicle parking requirements are subject to adjustment under section 23-4E-3060, Off-Street Motor Vehicle Parking Adjustments.		No	See 23.237
23.240	Division 23-4D-8	Other Zones			АН		JSc				All Zones	No	No	23-4D-8080 (D)(2)(a)	Delete 23-4D-8080 (D)(2)(a): (2) F25 Compatibility Standards. (a) Properties within the F25 Zone are subject to the compatibility-regulations established under former Chapter 25-2, Subchapter C, Article 10 (Compatibility), which limit the scale and intensity of development based on the existing use and zoning of adjacent properties.	Use based compatibility can trigger compatibility restrictions long after Council has rezoned a property. This eliminates the desired outcome of rezoning, especially along corridors.	No	for the fairness of residential properties in F25 staff supports allowing F25 compatability to exist
23.241	Division 23-4D-8	Other Zones	x	x							F25	No		23-4D-8080 (d)(new)	(A) Purpose and Applicability (1) The purpose of the former title 25 (F25) zone is to incorporate within the Land Development Code certain specially negotiated regulatory ordinances and agreements applicable prior to the effective date of this Title, but which continue to serve important purposes. () (D) F25 Rezoning Policy. In order to achieve compliance with current regulations of this Title and minimize reliance on prior regulations, the City's preferred policy is to: (1) Rezone properties within the F25 zone to current zones established in this Title and gradually eliminate Plannded Development Agreements (PDAs), Neighborhood Combining and Conservation District (NCCDs); and conditional overlays (COs); and (2) Rezone properties within an F25 Planned Unit Development (PUD) zoning district or an F25 small-area regulating plan by adopting update PUD zoning ordinances and small-area plans consistent with requirements of this Title.	This brings the language back to what we had in Draft III and was eliminated in the Errata with no reason. F25 is old as stated in Imagine in Austin we need a new land development code.	No	for the fairness of residential properties in F25 staff supports allowing F25 compatability to exist
23.242	Division 23-4D-8	Other Zones	^					JT		П	F25	No	Yes	23-4D-8080	Delete all parking requirements from F25	If F25 isn't deleted as recomemnded, at remove parking.	No	Any amendments to F25 would have to be made before adoption of Title 23 since it is the continuation of Title 25
23.243	Division 23-4D-8	Other Zones	x		АН						Corridor and Centers	No		23-4D-8080	Delete F25.	"1) No neighborhood should be exempt from affordability bonuses or the policies in CodeNEXT. 2) F25 is clearly inconsistent with Imagine Austin, so designating areas F25 will open the city to lawsuits challenging F25 zoning. Zoning regulations must be consistent with the comprehensive plan, per state law. F25 was developed prior to the adoption of Imagine Austin so is not permitted. 3) Will cause endless headache and confusion."	No	F25 is used for highly specific regulating plans, PUDs, PDAs, NCCDs and Conditional Overlays (COs). Giving new Title 23 zones to these properties would result in significant changes to entitlements.
23.245			x			СК					F25 compatibility trigger	Yes	No	In 23-4D-8080 (c)(2)	In 23-4D-8080 (c)(2): Replace (C)(2)(c): Properties within the F25 Zone that are zoned RR, LA, SF1, SF2, SF3, or SF4 shall be treated as Residential House-Scale Zones and trigger the compatibility regulations estaablished in this Title for properties within Zones established in this Title."	This makes clear that it is zoning, not use, in F25 that triggers compatibility on CodeNEXT zones.	No	Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25
23.246	Division 23-4D-2		x			ск					Residential ADU Affordable Bonus available in F25 single family zones	No	No	23-4D-8080	Add new "(E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones): (1) The bonus available as "Citywide Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25. (2) The bonus available as "Corridor Transition Affordable Accessory Dwelling Unit Incentive" available in zone R2C is also available with the same terms (regarding allowable FAR and units) in all Single Family zones (SF1-SF6), including within Neighborhood Combining and Conservation Districts, in former chapter 25.	The affordable ADU bonus should be available in all residential zoning citywide, including in SF zoning left in place through CodeNEXT. This change would not alter setbacks, height, or other requirements, but only the FAR and unit counts.	No	Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25

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			ANDERSON	KAZI KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER SHIEH	THOMPSON WHITE SHAW	BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.247	Division 23-4D-8 Other Zones	x	AH	FK		υ τ		All Zones	No		23-4D-8080	"Add new (E) Regardless of the requirements of the former chapter 25 (including NCCDs and F25 zones): (1) one ADU that meets the base zoning requirements of R2 is allowed per residential lot that that meets the standards of R2 or greater, including but not limited to, placement, height, impervious cover, FAR, and setbacks; (2) the minimum lot size is 2,500 square feet; and (3) Parking requirements are determined by the roughly equivalent requirements from this Title, as determined by the Director. (4) The Director of Neighborhood Housing must determine if a roughly equivalent zone has an AHBP that should apply to an F25	If F25 isn't deleted as recomemnded, at least ADUs and small lots should be allowed as supprted by previous unanimous PC vote	No	Staff is not recommending adding new regulations to F25 as any F25 property has standards already set by Title 25
23.248	Division 23-4D-8 Other Zones	x	АН	FK				Public Zoning	No	No	23-4D-8090	"(A) Purpose. Public (P) zone is intended for areas that are government-owned civic, public institutions, or <u>public or affordable housing</u> , indoor or outdoor active recreation uses. (B) Additional Requirements (1) Residential Uses. If a residential use <u>is for ten or more dwelling units</u> , then a site plan is required. is allowed in Table 23-4D-7040(A), the site development requirements are the same as the most-comparable residential zone. (2) Non-Residential Uses (a) If the site is less than one acre, the site development requirements of the zone on the adjacent property applies. A property owned by the City is not subject to minimum lot size requirements. (b) If a site is larger than one acre, then a conditional use permit and	Allow greater flexibility for housing on publicly owned land.	No	Site plan required for 6 or more units (3 or more in some cases) in other zones. Site development requirements need to be defined. WPD does not support a blanket site plan exemption for residential projects under ten units, as projects of this size can potentially cause drainage impacts to onsite residents and downstream properties. The standards of 23-2A-3 were introduced to provide a streamlined process for 3 - 6 unit products. Recommend that publically-owned land follow the same development process as private development to ensure same standard of living as private housing.
23.249	Division 23-4D-8 8110 - Planned Unit Development					TS		PUD			8110 - Planned Unit Development	To the state of th	A) Purpose and Overview section rewritten and is more thorough. C) Added back in requirement for establishing baseline zoning.		EV Comm: 8110(GF) Tier 1 must exceed landscape req., 8100(G)(2)(c) delete if not GSI superior, 8100(G0(2)(m) replace with preserve 75% all native caliper inches.
23.250	Division 23-4D-8 8110 - Planned Unit Development	x				TS		PUD Tier 1		NO	(F) Tier One Requirements	INSERT AND RENUMBER: (F)(8) exceed the minimum landscaping requirements of the City Code.	Add back from current code that all PUDs must exceed the minimum lanscaping requirements of the code. Environmental Commission Recommendation.	No	
23.251	Division 23-4D-8 8110 - Planned Unit Development		Ш			TS		PUD		NO	8110 (G)(2)(c)	DELETE: (c)Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by this Title.	Environmental Commission recommendation. No longer superior compared to CodeNext,	Yes	WPD agrees.
23.252	Division 23-4D-8 8110 - Planned Unit Development	x				TS		PUD-Tree Protection		NO	8110 (G)(2)(m)	(m) Preserves all heritage trees; preserves 75 percent of the caliper- inches associated with native protected size trees; and preserves 75 percent of all of the native caliper inches.	Environmental Commission recommendation.	No	
23.253 23.254	Division 23-4D-9 Overlay Zones Division 23-4D-9 Overlay Zones							Downtown		Yes	23-4D-9080	Remove things like exemption from TIA, etc from DD and DC zones	Assuming other regional centers that have less supporting infrastructure than	No	-
23.255	Division 23-4D-9 Overlay Zones	x			JSc			Capitol Dominance Overlay Zone			23-4D-9050	and place in overlay Strike section 23-40-9050 or make it not effective to the west (Because it impacts a portion of the Guadalupe corridor)	downtown, put these exemptions here. This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.	No	Included in code for ease of use and alignment with State regulations.
23.256	Division 23-4D-9 Overlay Zones	x			JSc			Capitol View Corridors			23-4D-9060	Strike this section and 23-4D-9150(A) (which describes the details of CVC regulations)	This is overlaps with state law that already regulates protecting Capitol views. Having a height limitation 1/4 of a mile from the Capitol could significantly impacts density.	No	This section is not redundant with State regulations. The City zoning code establishes Capitol View Corridors that are independent of the State View Corridors. These corridors are enforced as zoning restrictions.
23.257	Division 23-4D-9 Overlay Zones				JSc			Downtown				Office, residential, and mixed use building lobbies should be specifically added to the Commercial Group A list to include lobbies as an allowed use.	More restrictive/downzoning: LDC does not require ground floor requirements.	Neutral	Standard described as frontage requirement in DAP, however it is not clear in draft code if this is refering to frontage or total square footage of the ground floor.
23.258	Division 23-4D-9 Overlay Zones	x			JSc			Downtown			23-4D-9080(D)(1) Development Standards: Driveways, Curb Cuts, and Porte Cocheres	Add Refer to Figure 23-4D-9080(1) Pedestrian Activity Street. Add "exception for corner sites that have frontage on two Pedestrian Activity Streets. These sites will be allowed either a driveway or curb onto the street determined to be secondary of the two streets at the site. or during review process."	More restrictive than LDC. There are no such requirements in existing code.	Neutral	Standard from the Downtown Austin Plan. However, small sites that only front Pedestrian Activity Streets may require this exception.
23.259	Division 23-4D-9 Overlay Zones	x			JSc			Downtown	YES		23-4D-9080(D)(2) Treatment of Commercial Building	Clarify if the definition of commercial building in this context includes multi-family residential uses.	More restrictive than LDC. There are no such requirements in existing code.	No	Per Chapter 23-13 (Definitions and Measurements) Commercial is a term defining office, service, restaurant, entertainment, or retail uses collectively.
23.260	Division 23-4D-9 Overlay Zones	×			JSc			Downtown			23-4D-9080(D)(2) Treatment of Commercial Building	At Note 3: Add "street trees are an acceptable shade device if they provide shade in front of the required area."	More restrictive than LDC. There are no such requirements in existing code.	Neutral	Standard from the Downtown Austin Plan.
23.261	Division 23-4D-9 Overlay Zones	x			JSc			Downtown			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Minimum Shade Note 3: This requirement will likely force a project to seek a license agreement from the City because they will not want to push the building back to accommodate an awning or canopy. License agreements will incur additional costs and time.		No	Standard from the Downtown Austin Plan.
23.262	Division 23-4D-9 Overlay Zones	x			1SC			Downtown			23-4D-9080(D)(2) Treatment of Commercial Building Fronts	At (a) Front Setbacks (i) and Figure 23-4D-9080(2) Minimum Front Setback Requirements: Remove setbacks greater than 5' except when a site is within a block with existing greater setbacks. Or At (a) Front Setbacks (i) change to "Minimum front setback is 5' or equal to existing adjacent block front setback when site is within a block with existing greater setbacks" and delete the Figure (2) map until an updated map developed during a district planning process can be	More restrictive than LDC. There are no such requirements in existing code.	Yes	Clarification regarding setbacks in CC zones and Downtown Plan Overlay have been addressed in the addendum.

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				ANDERSON HART KAZI	KENNY MCGRAW	NUCKOLS OLIVER SCHISSLER	SEEGER SHIEH	THOMPSON WHITE SHAW	BURKARDT MENDOZA	ЕІСН			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.263	Division 23-40-9 Overlay Zones		х			JSc				Di	Downtown			23-4D-9080(E) Compatibility	Remove this section. Use base zoning compatibility and the mapping of the zones to achieve the intent of the Downtown Austin Plan. If more restrictive requirements are necessary, use a new district planning process to create additional requirements.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.	No	Compatibility based on Downtown Austin Plan. Compatibility affects height bonus, cannot be accopmplished solely through base zoning.
23.264	Division 23-40-9 Overlay Zones		х	Ш		JSc				D	Downtown			23-4D-9080(F) (2) Screening	If these requirements will be covered in the Criteria Manual for parking garages, remove them from this section to avoid redundancy.	At (2) Additional Screening Requirements for a Parking Structure: These requirements will likely be covered in the Criteria Manual for parking garages. If so, remove them from this section to avoid redundancy.	No	Recommendation in Downtown Austin Plan.
23.265	Division 23-4D-9 Overlay Zones	х		Ш		JSc				D	Downtown			23-4D-9080(F) (3) Screening	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the affected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements	At (3) Surface Parking Facility: Confirm that surface parking facilities are an allowed use in the affected base zones. See 23-4D-6030 Allowed Uses and Permit Requirements		Parking Facility (which includes surface parking) is CUP per 23-40- 6030.
23.266	Division 23-4D-9 Overlay Zones		x				PS			Pla Ov Nei	Small Area ans, NCCDs, verlays and righborhood Plans.					Keep all plans in place through adoption & implementation of CodeNEXT. Then review plans for appropriatness in CodeNEXT context.		
23.267			x	П	СК						dd Coops to NO overlay	No	No	23-4D-9130	Change "group residential use" to "group residential or cooperative housing use" in divisions (D)(1)(d), (H)(1), (H)(1)(b), (H)(1)(b)(iii), (I)(1), (I)(2), and (I)(5).	Coops seem to have been forgotten in the university overlay. This adds them in wherever group residential is included.	Yes	Staff supports listing "cooperative housing" as an allowed separate use in list due to the changes in use definitions in the draft code.
23.268	Division 23-4D All RM, MS, MU zones		v		СК					at	Increase affordable bonus ntitlements	No	Yes	Applicable zones	Adopt the bonus entitlements recommended by the affordable bonus working group. (See attached table.)	More bonus entitlements got us from 6,000 affordable units to 13,500.		need attachment
23.269	Division 23-4D-9 Overlay Zones		x	GA						UNG	IO University eighborhood Overlay			23-4D-9130	For the figure 23-4D-9130(1): 1) increase the max height in the area currently labeled 175' to 275'. 2) for the area UNO area from 26th st to the North, San Antonio to the West, Martin Luther King Jr to the South, and the eastern boundary of the UNO overlay to the East, increase the max height to 275' feet. 3) for the cyan area south of 28th, east of Rio Grande, north of 26th, and west of Guadalupe, increase the max height to 175' 4) for the green area to the north and west of the cyan area, increase the max height to 175' 5) For the 90' area, increase the max height to 120' 6) For the remainder of the current UNO area, increase the max height to 70' with the exception of the pink and the yellow areas which stay the same.		No	Staff not reccommending changes to the UNO overlay.
23.270	23-40-9130		x	GA						Nei	IO University eighborhood Overlay			Section 23-4D-9130	(E) Requirements for Specific Uses in an UNO zone (1) Multi-Family Residential Use (g) No parking spaces are required. —The minimum off-street-parking; requirement is 40 percent of required minimum parking if the multi-family residential use: (i) Includes a car sharing program that complies with the program-requirements established by administrative rule; or (ii) In addition to Subsection (I), for at least 15 years from the date-the certificate of occupancy is issued, sets aside at least 10 percent of the dwelling units on the site to house persons whose household income is less than 50 percent of the median income in the Austin-statistical metropolitan area.	We know where they're going. Rideshare services. Project team meetings, utilizatoin of campus nights and weekends. This will help with affordability as well as allowing more parcels to be developable.	No	Staff not reccommending changes to the UNO overlay.
23.271	Division 23-4D-9 Overlay Zones		х	П	СК						dd Coops to NO overlay	No	No	UNO overlay	Add cooperative housing use to every place where group housing is an allowable use	Coops seem to have been left out of the UNO overlay provisions.	Yes	Staff supports listing "cooperative housing" as an allowed separate use in list due to the changes in use definitions in the draft code.
23.272	Division 23-4B-9 Overlay Zones	x						TS		Ove	verlay Zones	NO	Х			MOTION: In that the Planning Commission has so many issues to address with draft 3 of code, I propose that we do not make changes to current overlay zones.		
23.273	7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2]		x					TS				NO	х	7090 - Neighborhood Plan Overlay Zone [Removed in Draft 2]		The Neighborhood Plan Overlay found in 23-4D-7090 in the first draft has been eliminated. [This is despite a commitment from the CodeNext Team to Council Member Pool to her question #23 posted on-line on 6/24/2017 that "Neighborhood Plans will remain as overlay districts."] Neighborhoods have spent hundreds of hours creating Neighborhood Plans to reflect the values and character of its residents. The latest CN maps disregard many of the elements of the approved Neighborhood Plans and with the removal of the Neighborhood Plan Overlay, these plans will no longer take precedent over the base zoning requirements in CN. In fact, Article 23-2E, Section 2030 Neighborhood Plan Amendments, (hl/Y) Director's Recommendation allows the Land Use Director and Land Use Commission to recommend approval of an amendment based on its compliance with the base zoning alone. Furthermore, City Staff's answer to Pool's question #24 as to the future of Neighborhood Plans indicates that the Neighborhood Planning process will be overhauled due to concerns in an audit of the planning process and within the Zucker Report. City Staff's answer clearly puts future and pending neighborhood planning efforts into question.		Adopted NPs will still continue to be used as a reference for administering zoning changes and visions in the neighborhoods they cover. Since the plans are visionary and not technically regulatory, they are not overlays to be added into the LDC.
23.274	ALL USE TABLES	х						TW			alcohol		Х		Require a CUP for all alcohol uses in or near residential zoning		No	Dtwn Comm: 9080(B) include lobby and other mandated uses. It's unlcear how 'in or near' is defined, but many zones limit the sales and consumption of alcohol sales and use. This may be better as a mapping change than a blanket use chart change.

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				ANDERSON	KAZI KENNY	MCGRAW NUCKOLS OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
23.275	Note to all COMMERCIAL USE TABLES	×						l I	w		foot notes		X		"Regardless of base zoning, state and local laws do not allow alcohol sales within 300' of a public school, church or public hospital without a City Council waiver."	For clarity and predictability, add a note to all Use Tables stating:	No	Staff could support adding notation to specific to use
23.244					СК						Add Affordable ADU bonuses to F25	Yes	No	New section E	(E): In addition to any affordable housing incentives available for zones SF1, SF2, and SF3, lots with those zonings are eliglible for the Residential Citywide Affordable Accessory Dwelling Unit Incentive: (1) In addition to base entitlements, an additional, income-restricted Accessory Dwelling Unit may be built and the size does not count toward FAR limit and the principal use's FAR limit is increased by the size of the income-restricted Accessory Dwelling Unit. When adding an Accessory Dwelling Unit under this incentive, the total dwelling units per lot may not exceed 4. (2) In taking the incentive, an applicant shall agree to: (a) Continued affordability of all affordable rental units for 10 years, with the affordability period for rental projects begins on the issuance of the last final certificate of occupancy for the development; or (2) Continued affordability of all affordable ownership units for 20 years. The affordability period for ownership units begins on the date of sale for each affordable ownership units begins on the date of sale for each affordable ownership units begins on the date	This adds an affordable ADU to every SF1, SF2, and SF3 lot left in F25.	No	Staff does not recommending adding regulations regarding F25.
24 24.1	Article 23-4E Supplemental to Zones Division 23-4E-1 Private Frontages														I Sale III ea II aminame nwheisim iiii ii an eileine iiivei			-
24.2						\pm		JSh								confusing diagram, fence heights, porch descriptions, too prescriptive, paths	N/A	comment
24.3	Division 23-4E-1 Private Frontages		x	АН						Ħ	All Zones	No	No	23-4E-1040 and 1060	Delete "Stoop"; revise "Porch: Projecting" to stoop minimum dimensions of 5' width (clear) and 5' depth (clear); maintain other porch regulations	The differentiation between stoops and porches seems arbitrary and unnecessarily complicates the code.	Neutral	Porch is intended for areas with front yards while stoops are intended for more urban areas
24.4	Division 23-4E-1 Private Frontages		x	АН							All Zones	No	No	23-4E-1040 (A)	Delete "furniture areas" and" clear path" of travel mandates in Table 23-4E-1040(A)	Overly prescriptive furniture area dimensions; does not allow for flexibility to work around various site conditions like trees. For example, stair leading up a porch to the front door would not be allowed, as the required "furniture area" forces the porch to be offset.	Yes	Okay as long as other deminsions are maintained
24.5								JSh			fences			23-4E-1040 - 1080	C fence that does not exceed FOUR feet	3' is too short for privacy, safety, and can cause conflicts between codes this is fence not a handrail - change to 4'	Neutral	3' is to ensure an aesthetic fence, but staff could be okay with 4' if it's the desire of a front fence to provide more safety
A-24.5.1	porches		x					Т	W		porches		Х			Allow Engaged Porches open only on one side. The restriction that an Engaged Porch must be open on two sides prohibits an architectural strategy to recess the porch entirely in the front façade, with interior spaces projecting on either side (similar to the Stoop frontage). This architectural strategy is not incompatible with other frontages in residential zones and maintains a similar street frontage. Therefore, this type of porch should be allowed. The code should not dictate architectural style.		
24.6	Division 23-4E-2 Outdoor Lighting																	-
A-24.6.1		х							TS		Light Pollution	NO	Х			Environmental Commission recommendation that staff draft provisions to address light pollution.		
24.7	Division 23-4E-3 Parking and Loading Division 23-4E-3 Parking and Loading							17					Ves		Pamove all parking minimums	Places as diverse as Meyico City and Puffala NV are drawing earling	No	maintaining parking minimum is part of the Austin Paresia
24.8	Division 23-4E-31 Parking and Loading							JT					Yes		Remove all parking minimums	Places as diverse as Mexico City and Buffalo NY are dropping parking requirements. Just like downtown Austin (where there are no requirements) it doesn't mean parking doesn't get built. Just that developers let the market determine how many to build.	INO	maintaining parking minimum is part of the Austin Bargain
A-24.8.1	Parking and Loading		х					T	w		parking	х	х			Consider scalable Parking Lot Landscaping standards. The Parking Lot Landscaping standards, particularly the Tree Island frequency standard, are too restrictive for small-scale, low-intensity Mixed-Use and Main Street zones. For these smaller lots, a parking lot may only need nine or ten spaces, but the Tree Island frequency requirment of every 8 parking spaces may result in the loss of area for a parking space within the width of the lot. At this scale, the loss of even one parking space can be detrimental to development, and the addition of Impervious Cover for the drive-aisle to access spaces further away is significant. Moreover, developments of this scale are most often in well-developed neighborhoods where mature trees exist along the side property lines. A proximity standard may be more appropriate.		
24.9	3020 - Applicability	х							TS		ADU Parking	NO		3020 (A)(4)	(4) new residential units, except for accessory dwelling, on the same lot as an existing dwelling; or	New development where there is not an existing dwelling, would have to provide parking for ADU. New code is going to allow for multiple units including cottage courts.	N/A	comment

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24.10	Division 23-4E-3 Parking and Loading	x			<u>я</u> л		ADA Parking	No		23-4E-3050	Add the following language from current code on CBD/DMU Parking: Except for a use occupying a designated historic landmark or an existing building in a designated historic district, off-street motor vehicle parking for persons with disabilities must be provided for a use that occupies 6,000 square feet or more of floor space under the requirements of this paragraph. (a) The following requirements apply if no parking is provided for a use, other than parking for persons with disabilities: (i) the minimum number of accessible parking spaces is calculated by taking 20 percent of the parking required for the use under Appendix A (Tables of Off-Street Parking and Loading Requirements) and using that result to determine the number of accessible spaces required under the Building Code. The accessible spaces may be provided on- or off-site, within 250 feet of the use. (ii) The director may waive or reduce the number of accessible spaces required under Paragraph (2)(a)(i) if the applicant pays a fee in-lieu to be used by the city to construct and maintain accessible parking in the vicinity of the use.	This is from current code. Require ADA parking if any parking is provided or if loading facility is provided.		JAN ALS GREE
24.11					IΤ						The availability of this option is contingent on the establishment of a fee by separate ordinance and the adoption of a program by the director to administer the fee and establish eligibility criteria. A decision by the director that a use is ineligible for a fee in-lieu is final. (iii) The director may waive or reduce the number of accessible spaces required if no accessible spaces required in oaccessible spaces can be provided consistent with the requirements of Paragraph (2)(a)(i) and the use is ineligible for participation in the fee in-lieu program under Paragraph (2)(a)(ii). (iv) An off-site or on-street parking space designated for persons with disabilities that is located within 250 feet of a use may be counted towards the number of parking spaces the use is required to			
24.12	3050				JSh		disability parking for single family			23-4E-3050	Parking for Persons with Disabilities A. A NON-RESIDENTIAL site must have B. This references single family and duplex, but if we change ramp requirements then can we eliminate this part? Visitability relation to parking is per the ramp. There is not such a thing residential parking space requirements			
24.13	Division 23-4E-3 Parking for Persons with Disabilities	х			TW		parking			23-4E-3050 -A	A non-residential site must have	leaving it as just a site is too vague and could be interpreted to inclue residential projects	No	Residential sites are not exempt from visitability requirements, unless staff is misinterpreting the motion
24.14	Division 23-4E-3 Parking for Persons with Disabilities				TW		parking	х		23-4E-3050-A-3	the number of accessible parking spaces required by the Building Code or one whichever is greater.	We heard very clearly that our community needs accessible parking spaces		
24.15					JSh		parking		-	23-4E-3060	(B) 2. References 100% reduction in parking. There should never be a full 100% reduction in parking. Handicap parking, car share parking needs to be considered.			HLC:waiver or reduce pkng for maintaining old bldg. UTC:reduce pkng particularily on high tranist/lA activity corridors
24.17	3060 - Off- Street Motor Vehicle Parking Adjustments	×				TS	Max. Parking Ajustment	NO		Table 23-4E-3060(A)		The table provides too great of and adjustment compared to the requirement and many of the requirements are vague and are not quantified. This is especially the case with the AHBP bonus, which should only be allowed when affordable units are actually provided above some threshold.		HLC:walver or reduce pkng for maintaining old bldg. UTC:reduce pkng particularily on high tranist/IA activity corridors
24.18	Division 23-4E-3	х			JSh							if business have no parking, off street load should be required, parking for disabilty, home occupation ADA, ada for residential vs commercial, parking reduction too much		HLC:waiver or reduce pkng for maintaining old bldg. UTC:reduce pkng particularily on high tranist/IA activity corridors
24.16	3060 - Off- Street Motor Vehicle Parking Adjustments	x				TS	Max. Parking Ajustment	NO		3060 (B)	(B) Maximum Parking Adjustment. (1) Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumulative parking reduction is 60% 20%. (2) The maximum cumulative parking adjustment for a site that is part of a TDM program that allows multiple parking adjustments is	Reduction too fund. Revert back to draft 2 levels but allow for reasonable increase for TDM. 100% reduction is not practicle. TDM programs have not been demonstrated to work at 100% reduction. Consider developments with high levels of affordable housing receiving up to 60%.		HLC:waiver or reduce pkng for maintaining old bldg. UTC:reduce pkng particularily on high tranist/IA activity corridors
24.19	Division 23-4E-3 Off-Street Motor Vehicle Parking Adjustments	х			TW		parking			23-4E-3060-B	Unless the site is part of a TDM program that allows multiple parking adjustments, the maximum cumlative parking reduction is 60% 20% 3-The maximum cumlative parking adjustment for a site with more then 4 deeply		No	Parking reductions up to 60% is carried forward from current code (needs confirmation).
A-24.19.1	23-9 General (or maybe 23-4E-3060 - Off- Street Motor Vehicle Parking Adjustments?)	x	СК				School parking	Yes	Yes		Within 1/8 mile of a public K-12 school, the director of transportation may at their discretion craete a school parking permit district that restricts parking from 6:30AM to 8:30AM and 2:30PM to 5:00PM on weekdays to 15 minutes, except for permit holders. Permits may be issued to any school district employee who works at the campus triggering the parking permit zone, and to residents at the rate of one per residential unit with a cap of one per 50 feet of frontage for that property. The director must determine that there is a parking shortage during pickup/drop-off times for that campus before creating a district under this section.	This creates space for faculty and staff to park at schools by 1) restricting parking to 15 minutes during school begin and end times except for permit holders; and 2) limiting permit holders to campus staff and faculty and to 1 per residential unit with a cap of one per 50 feet of street frontage.		
A-24.19.2	23-9 General (or maybe 23-4E-3060 - Off- Street Motor Vehicle Parking Adjustments?)	X	СК				Residential parking permits	Yes	Yes		Residential permit parking districts may not be imposed on both sides of a street.	This addresses parking permit districts around town that provide no spaces for the public on publicly financed and maintined streets.		

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24.20	residential parking process	x	ANDERSON HART KAZI KAZI KRANY MCGRAW NUCKOLS OLUVER SCHISSLER SEEGER SHEH SHIEH SHIEH SHURKARDT BURKARDT TEICH TEICH	parking		GENERAL SPECIFIC SECTION X	allow for an easier process by which neighborhoods and streets near MS & MU can receive residential parking requirements	The reduction of the parking by 50% for commercial projects alone will not discourage people from driving. We see this all over South Congress and on E. 6th. I think we should discourage street parking for enviornmental reasons (actual driving reduction) & for safety reasons (street parking is dangerous for pedestrians and bicylist). Let's take this one step further and really mean it when we say we want people to drive less. Open to suggestions on how best to incorporate this aspect into the code	YES/NEUTRAL /NO STAFF RESPONSE No Staff does not recommend incorporating the RPP program into code.
24.21	Division 23-4E-3 Parking and Loading	x	GA	On Street Parking	No	23-4E-3060	23-4E-3060 Off-Street Motor Vehicle Parking Adjustments (A) Simple Parking Adjustments. (1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table. (2) Minimum off-street parking requirements shall be further reduced as follows: (a) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation. Routes that meet public street standards.	It's in today's code and we need to keep this § 25-6-478 - MOTOR VEHICLE REDUCTIONS GENERAL. (E) Except for development that does not require a site plan under Section 25-5-2 (Site Plan Exemptions), the minimum off-street parking requirement is reduced by the following amounts: (1) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards;	No Parking districts would best implement this reduction.
24.22	Division 23-4E-4 Parking and Loading	x	GA	On Street Parking	No	23-4E-3060	(A) Simple Parking Adjustments. (1) Table (A) (Simple Parking Adjustments) establishes the adjustments allowed when a site meets the requirements described in the table. (2) Minimum off-street parking requirements shall be further reduced as follows: One space for each on-street metered parking space located within 250 feet of the site, measured as the shortest practical and legal walking distance to the nearest principal entrance of the site. Metered parking spaces may not be counted towards the minimum		No Parking districts would best implement this reduction.
24.23	Division 23-4E-3 Parking and Loading		KM				Eliminate all parking reductions beyond those already in place	Note AISD requests to maintain parking regulations near schools. Note: 2500 SF bars & restaurants near homes w/o parking is not compatible Using street parking to count for bars is unfair to other businesses and residents. Code Lready allows extensive reductions in parking that are not enforced. Tandem parking results in many cars already on the streets. Vistors and emergency responders have no place to parkINg when streets are crowded. This also impacts trash and bicyclists.	No
24.24	Division 23-4E-4 Landscape Division 23-4E4 Landscape	x						is landscape regs more onerous and difficult to comply and review? Also says	No landscape requirements are more straightforward and specific to
								foundtion buffer reqd all zones. CC and DC zones currently has no setback. No we have to do landscaping with the new setbacks? Does it all have to have landscape architect? what about small projects? maybe req only for 10k sqft or more projects.	site plan elements being propose, e.g., each element such as front yard planting, surface parking, compatibility buffers, etc., have clear requirements when applicable as opposed to general landscape (streetyard) requirements for every site. Green
24.26			JS h	parking		23-4E-3070	(B) up to 10,000sqft, no off street loading required DOES NOT WORK WHEN THERE IS NO PARKING REQRD for small businesses. In instances where there is no general parking available, then should require at least 1		
A-24.26.1	Front yard Planting reqs	X	T W	landscape	х	X	Reduce the Front Yard Planting Requirements.	The draft requires significantly more trees than existing Street yard code requirements. There is concern for over-planting and the health of the new trees that are planted if they are spaced too closely together, especially for small lots. Reduce, or make scalable, the Front Yard Planting Requirements.	Tree quantities are currently scaleable based on the size of the building setbacks. Testing of quantities is ongoing and quantity requirements will be adjusted as needed to avoid overcrowding. Note that calculations for plant quantities is simply based on only a portion of the area within setback; the actual planting can occur in any available portion of the front yard area.
24.27			JS h	landscape		23-4E-4020	A-1-C single family, duplex, and other residential house scale buildings		Yes Staff concurs: A-1-C. Change to single family, duplex, and other residential house scale buildings
24.28			JS h	landscape		23-4E-4040	B. This section applies to commercial or non-house scale multi-family development that is located adjacent to a public right of way.		23-2A-3040 for 3 to 6 units and under 45% are exempt from site plan.
24.30	Division 23-4E4 Landscape	х	JSc JSc	Downtown		23-4E-4040 Landscaping	Exempt CC and DC zones (and any other urban zones) from this section as written (and it is recommended that CC does not require any minimum setback).	Currently no landscape requirements downtown to maximize density, Great Street trees are required.	Yes per table23-E-4E-4040(A) Front Yard Planting Requirements, there are no Front Yard Planting Requirements. No Change needed
A-24.30.1	Division 23-4E-4 Landscape	х	JSc JSc	Landscaping		Table 23-4E-4040(A)	Reduce Front Yard Landscaping to 25%	Architects do not design buildings for them to be hidden by landscaping, current requiement is 20%.	No Landscape requirements vary but can include shrubs, grasses, groundcover, and trees at various rates based on building setbacks These are meant to enhance the architecture of the building, add
24.29			h JS	landscape		23-4E-4050	C. This section applies to commercial zones (says all zones)		Yes staff agrees: replace "all" with "commercial"
24.31	Division 23-4E-3 Landscape	х	JSc JSc	Landscaping		23-4E-4050	Remove Foundation Buffer because some areas should not have landscaping next to the slabs. Soils engineers are against this on larger buildings.	Architects do not design buildings for them to be hidden, would destabilize soil conditions around foundation, conflicts with AFD Requirements for clear zone for ladders around building	No Landscape requirements include shrubs, grasses, groundcover, and small trees. These are meant to enhance the architecture of the building and not required as a solid planting against the entire length of the façade, nor directly against the foundation.

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			ANDERSON HART KAZI	KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE	BURKARDT MENDOZA TFICH			GENERAL				YES/NEUTRAL /NO	STAFF RESPONSE
24.32	Division 23-4E-4 Landscape	X			JSc			Landscaping			23-4E-4060(D)	Remove island every 8 spaces and make it every 10 spaces	Landscape islands at 10 spaces has been standard for decades, onerous and will make redevelopment costly to retrofit parking lots		There is no requirement for landscape island at 10 spaces in the current code. The current code requires each parking space to be within 50' of a tree and the tree doesnt have to be within an island. New code requires a maximum of 8 consecutive spaces before a parking tree island is required. This ensures parking lots will have adequate shade from trees spread uniformly throughout the parking lot thereby reducing the Urban Heat Island Effect and fostering more hospitable human conditions within parking lots.
24.33	Division 23-4E-4 Landscape	X			JSc			Landscaping			23-4E-4060(F)(2)	Modify the 10' landscape islands and make them 9'	need to change.		Proposed code increases the minimum width for landscaped Islands, medians or peninsulas which contain new trees from eight (8) feet to ten (10) feet, measured from the inside of the curb, to help accomodate new minimum soil volume requirements and to provide significant space for the growth of trees planted within these areas.
A-24.33.1	Street Tree Requirements	x			PS			Street Trees				Per Environmental Commission Recommendation: Reinstate Street Tree Requirements	Reinstate, as written in Draft 2 23-9E-5050 (b)(1,) which states "the width requirements for street tree planting shall apply regardless of the available right- of-way: the street planting area shall extend onto private property, within a public access easement, to fullfill the width requirement when sufficient right-of- way is not available"		
A-24.33.2	Landscape - General	х			PS			Landscape general				Per Environmental Commission Recommendation:	Recommends that the proposed landscaping requirements be approved, with the following revisions: (1) direct Staff to develop a program to apply the Functional Green scoring system to alllandscapes, regardless of impervious cover, to ensure that we are maximizing the benefits to be achieved via landscaping requirements and to ensure simplicity and consistency (2) Revise the width of landscape buffers for compatibility setbacks as follows: (a) intermittent visual obstruction: 15 feet (b) semi-opaque: 15 feet (c) opaque: 15 feet; (3) remove details regarding plant quantities from the draft code and move to Criteria Manual (4) Coordinate with the Water First Task Force to incorporate recommendations that further incentivize requirements for auxiliary water use and beneficial reuse of stormwater for irrigation, with consideration for the need to use potable water during dry periods, especially to help establish new or young vegetation.	Neutral	FYI - references Water Forward Task Force ("Water First" here) and beneficial use requirements
A-24.33.3	Division 23-4E-4 Landscape	Х			JSc			Landscaping			23-4E-4070(A)	A landscape median seperates <u>every other</u> parking run on the interior portion of a parking lot.	Current requirements have already redued the requirement from every third bay to every other bay.	No	Proposed requirements call for medians between each bay of face to face parking except for lots with greater than 120 spaces. Lots > 120 spaces can skip every other median if slightly larger medians
24.34	Division 23-4E-4 Landscape Division 23-4E-5 Docks, Bulkheads, and Shoreline	x			JSC			Nonzoning	YES		Green Requirements.	Requirements of application of Function Green shall be codified including: What sites are required to comply? To what % are sites required to comply? Which team has review authority over decisions? What is allowed to overlap (trees, water quality, other) and what is not? What land can be used for compliance (private land only, parkland, ROW, easements, etc)?			120 Spaces Cars Age very Other median ir signity target medians Following Funcitional Green regulations are codified: *Applicability: 23-4E4120(C): applies to all sites that proposed an impervious cover total exceeding 80 percent. *Overlap: 23-4E-4120(D): Fol landscape plan is required to: 1) comply with all applicable landscape and buffer types; and 2) reach the target score (in ECM). *ROW use: 23-4E-4120(G): Landscape elements may be planted in the ROW. (All plantings on-site can count, Following Functional green rules are in criteria: *Scoresheet *Landscape element list, with directions on how to apply Review by EV Reviewers Please Note: WPD supports the use of Functional Green areas for water quality compliance.
24.36	Division 23-4E-6 Specific to Use														-
24.37	6030 - Accessory Dwelling Unit- Residential	x				T	5	ADU Placement	NO			Placement (1) If detached, minimum 6: 10' to the front, rear, or side of the primary structure or above a detached garage; may be connected to the primary structure with a covered walkway;	Restore 10' distance between structures equal to setbacks between adjacent single family units.		HLC: limit bldg size as % of lot or existing bldg.
24.38	6060 - Adult Entertainment	x				T	5	Adult Entertainmer t Use	NO			(D) Allowed. Except as provided in Subsection (E) (1)-An adult entertainment use-other than- including an adult lounge: (a) s allowed in a MU4B, or MU5A Zone, DC or CC Zone; and (b) Is allowed with a conditional use permit in the MU4B, MU5A, DC or CC Zones; and (2) An adult lounge is allowed with a conditional use permit in a MU4B, MU5A, DC or CC Zone.	Require CUP for all adult entertainment.		

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24.39		6070- Alcohol Sales		x	AND :	KAZ KAZ	MCG	SG SE	표 물 물	SHA BIR	MEN			GENERAL	SPECIFIC SECTION 6070	CORRECT; Section 4-9-4 (Minimum Distance from Certain Uses.	Added Section 4-9-4 (min. distance from certain uses). This reference number is	No	STAFF RESPONSE Section 4-9-4 is the correct reference for the section of the Austin
												Alcohol Sales	YES				incorrect-does not exist. As ALCOHOL SALES are defined as The retail sale of alcoholic beverages for off-premises consumption , are distances from certain residential uses required?		City Code (not part of the Land Development Code or CodeNEXT) governing alcohol sales and City zoning approval of Alcoholic Beverage Licenses by the TABC. City of Austin regulations mirror minimum distance requirements of State Law and prescribe minimum separation from churches, public schools, day care facilities, and hospitals. There is no minimum separation from residential uses. 23-4E-6070 just reiterates that a business selling alcohol must comply with state law and local regulations governing the approval of alcoholic beverage licenses.
24.40		Add New Bar/NightClub Section (there is a def. for Bar/Nightclub)		х						TS		Bars and Nightclubs	YES		23-4E-6 Specific to Use	ADD AND RENUMBER: 6090 Bars and Nightclubs- (A) Location Restrictions. A use that includes the sale of alcohol must comply with Section 4-9-4 (Minimum Distance from Certain Uses). (B) Late-Hours Permit. A restaurant operating late at with a late-hours permit from the Texas Alcoholic Beverage Commission requires a conditional use permit if it is located within 200 feet of a Residential House Scale Zone. The distance is measured to the lot line. (C) Bar or Nightclub with outdoor seating must be a minimum of 200 feet from a Residential House-Scale Zone, unless the use is located within an enclosed shopping center. (D) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A"-weighted decibels, measured at the property line of the licensed premises. In this subsection, "premises" has the meaning ascribed to it in the Texas	include same requirements for restaraunts serving alcohol w/ late hours for bars and nightclubs. Need correct reference for 4-9-4	Yes	Staff has agreed the Specific to Use article needs a Bar/Night Club section that includes the same language regarding CUPs and distance from certain uses, same as Restaurant currently has
24.41		Coperative Housing		х						TS		Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		spefic language is needed for staff to review on whether we agree or disagree
24.42		6160 - Duplex		x						TS		Duplex design requirements	NO		6160	ADD:(D) Duplex units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element. (5) On a lot less	Add back design requirements and limit on bedrooms to no more than 6 for lots < 10,000 SF.	No	staff supports reducing too presecriptive duplex design standards from today's code to continue with concept of simplicity
24.43				x		c	K					Remove max ADU size on second floor	No	No	Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a second floor to 550 sq ft.	No	Staff does not support complete removal but does support adding language suggested on line xxx that removes this standard from internal or attached ADUs; staff can also support exempting ADUs not in the back of the lot from this standard
24.44		6200 - Home Occupations					км									Eliminate all new entitlements proposed for Home Occupations Including prohibit Signage associated with home occupations in residential house scale zones.	These new entitlements for additional employees, sales, parking and signs are invasive to peaceful neighborhoods. Live/Work and other mixed use and commercial areas allow for offices.	No	signs allowed in residential house scale is limited and staff does not believe they will disrupt the fabric of a neighborhood
24.45		6210 - 6280 - 6390					KM									Townhouse Use and Live/Work uses require at minimum at least one blockface. Prohibit Signage associated with Live-Work in residential house scale zones.	These uses are not compatible with stand alone houses and should only exist in a cohesive development.	No	block sizes differ among neighborhoods and areas of town, so there are times when it is appropriate for townhomes to only cover a portion of a block or live on the same street as a single house
24.46									JS h			Home Occupation			23-4E-6200	C. why is "medical" office referenced if it is a prohibited use either eliminate it from K or C I Off street storage of the commercial vehicle is in addition to requirement of the dwelling unit. L. COMPLIANCE TO ADA? Ramps? Etc??? Help!			
24.47									JS h			livework			23-4E-6210	(7) Parking is requiredper (does this mean it can not be deemed as NO parking?) I would assume that since it is a dwelling unit, there is at least one parking (8) Landscaping MAY be required and should comply with (small projects shouldnt require)	If live work, one parking space per unit, but because to 2500sqft commercial exemption, then no parking? But what it there is a commercial vehicle? Need to require.	Yes/ No	Live/ Work is only permitted in Multi-unit Residential and Main Street zones. In both zones, 1 space per unit is required. Live/ Work is a residential use, and does not receive the 2500 sf parking reduction that is permitted for MS commercial uses Staff supports requiring landscaping for all projects that meet the criteria stated in 23-4E-4 (landscaping). If the project does not meet the applicability requirements, it would be excempt.
24.48				х					PS			Uses			23-4E-6200 Home Occupations	23-4E-6200(D) & 23-4E-6200 (F) add "excluding R1A-R3D residential zones."	The addition of 3 employees and limited retail sales is a burden in residential neighborhoods especially parking and traffic congestion. The Live/Work zone allows up to 2 employees by-right and up to 3 with an CUP. Interesting that a CUP is required for 3 employees in a Live/Work zonewhile only an MUP in R zones (residential).	Yes	In the addendum, Item D relating to three employees was eliminated, and Item F was modified to "The sale of merchandise directly to a customer on the premisis is prohibited." Addiditionally another provision was added that limits home occupation to generating no more than 4 vehicular trips each day (which includes trips to and from the site, essentially limiting customers to 2).
24.49		Group Residential		х						TS		Co-operative Housing	Yes		23-4E-6 Specific to Use		Need standards for co-operative housing.		same motion as line 24.41

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CHAPTER	/ISION	DESIRED P	PROPOSED									REQ. ADD'L STAFF						
	X 10 IT	CHANGE	ES TO D3	ANDERSON	HART KAZI KENNY	MCGRAW GALVIII	OLIVER OSCHISSLER	SHIEH SHIEH THOMPSON	WHITE	BURKARDT X3 MENDOZA DO TEICH	TOPIC AREA	FEEDBACK	AMENDME GENERAL SPEC	CIFIC SECTION	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	YES/NEUTRAL /NO	STAFF RESPONSE
24.50	6240- Multi-Family		x						TS		Multi-Family Open Space	YES	6240		DELETE: (B) Required Open Space	Common Open Space is already covered based on zones. This adds confusion as to when common space is required. 23-4C-1030 required common open space for sites greater than one acre in levels of 5% of gross site area. This is based on 10 unit threshold. Also, Personal Open space requirements in (B)(3) are covered in the open space table for each zone requlation. Perhaps this is meant for zones that are not required to have common open space either by zone type or size.		
24.51	6310 -Restaurant Late Night Operation	х	ı						TS		Restaurant Late Night Operation	NO	6310(A	((4)	CORRECTION NEEDED: Section 4-9-4	No section 4-9-4 can be found.	No	This refers to City code Chapter 4-9-4 Minimum Distance From Certain Uses, not house inside the LDC
24.52	6310 -Restaurant Late Night Operation	х							TS		Restaurant Late Night Operation	YES	6310(C)	(C) Live Entertainment. Live entertainment is allowed if the amplified sound does not exceed 70 "A"-weighted decibels from the hours of to measured at the property line of the licensed premises. In this subsection, "premises" has the meaning ascribed to it in the Texas Alcoholic Beverage Code.	Are there hours that this should apply? Should this limit be in all zones?	No	Restaurants wit Late Night Operations are regulated through the Use Charts in 23-4D
24.53	23-4E-6340 Short Term Rentals					КМ							23-4E-6	5340	Eliminate Short Term Rental as a legal use	In order to make existing housing stock available to serve Austin's "dire housing shortage"	No	not sure if we can legally do this
24.54	23-4E-6340 Single-Family Attached		х						TS		Single-Family Attached	YES	Add ne	w section	ADD RELEVANT SECTIONS OF 6160 AND (D) Single Family Attached units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that: (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments. (2) The two units must have a common roof. (3) At least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit. (4) The two units may not be separated by a breezeway, carport, or other open building element. (5) On a lot less than 10,000 square feet the use must not exceed 6 bedrooms.	Need design standards for new single family attached. 23-5C-2060 includes Convenants, Conditions and Restrictions.		Code Citations: • Current code: 25-4-233 "Single-Family Attached Residential Subdivision" • Code Next: 23-5C-2060 "Single-Family Attached Lots" The concept of the "small lot subdivision" is no longer applicable. Instead, the minimum lot size varies by zone and the subdivision chapter does not regulate lot size, except in the ETJ. In the same manner, if the applicable base zone allows single-family attached dwellings, the subdivision chapter should not impede the creation of those type of lots. The applicable zone will also regulate the lot size, setbacks and impervious cover standards. Those standards are no longer in the subdivision chapter. The definition of Single-Family Attached is located in 23-13A 2030 "Land Uses". There is no definition for "small lot" because that term is no longer used.
24.55	Division 23-4E-6 Specific to Use		x		FK						Affordability	No	23-4E-6	5	"(A) Purpose: This section established the requirements to develop cooperative housing units and to reuse existing residential buildings to accommodate cooperative housing opportunities. (B) Occupancy Requirement. The bedrooms and residential space within a Cooperative Housing unit on a site must be occupied by residents who have shares if the cooperative corporation sells shares. Bedrooms and residential space may be occupied by residents undergoing a trial period of defined duration for membership in the nonprofit or cooperative corporation. (C) Operation. A Cooperative Housing unit must be operated by a cooperative or nonprofit corporation whose members reside on the site. (D) Additional Requirements for Cooperative Housing in a RR, R1-R4, RM, MS, MU Zone. The requirements of the base zone apply, unless modified by	Allow housing cooperatives in R zones to have more flexible site development standards to encourage their efficient and effective development.	Neutral	this appears to be language added to Specific to Use that pertains to Cooperatives, need to be sure it does not conflict with definition of cooperative housing
24.56	Division 23-4E-6 Specific to Use		x		FK						Affordability	No	23-4E-6	5	(E) Additional requirements for Cooperative Housing organized as a			This is going to require coordination with NHCD on adressing the AHBP aspects, ramification, and necessary language of the motion
24.57	Division 23-4E-6		х					JSh								cottage ct diagram wrong, internal drive thru allowed?, Home occupation ADA and parking? Some uses should be allowed, 550sqft adu second floor exempt internal ADU if primary	3	
24.58	Division 23-4E-6 Specific to Use	х	1		AH						Residential		23-4E-6	6150 (A)		Depth minimums are too prescriptive and cannot fit around site conditions, smaller lots or corner lot	Neutral	Depth solidifies the size of the open space but staff can support only having one deminsion, so long as we maintain some form of open area requirement
24.59	Division 23-4E-6 Specific to Use	х	1	A	АН						Residential		23-4E-6	5150 (A)		There is already a per unit minimum area spelled out in code. Total minimum area needs to be adjusted to account for 3 unit cottage courts. Total is too large relative to lot size.		need more clarification on where the language is that this motion refers to, also clarity on how the motion defines the adjustment for 3 unit cottage courts
24.60	Division 23-4E-6 Specific to Use	х	1	A	АН						Residential		23-4E-6	5150 (A)	Amendment: Change open space width minimum. Replace open space width minimum to 20' clear minimum on lots over 100' wide, and 10' clear minimum on lots less than 100' wide	The 20' width does not fit on lots less than 100' wide.	yes	to allow for more flexibility and for cottage courts to be a viable product, staff can support a 10' minimum on thinner lots

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5	DIV	Щ	CHANGES			INITI	ATED BY (COMMSSI	IONER	EX	OFFICIO	TOPIC AREA	FEEDBACK	A	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON	KAZI KENNY	MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	WHITE SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	L STAFF RESPONSE
24.61	Division 23-4E-6	Specific to Use	x		АН	1						Residential			23-4E-6150 (A)	Open space requirements cannot be met with open space that is provided in a required front or side-street setback on lots that are 100' or greater in width	Requirement cannot be met on lots less than 100' wide.		see above
24.62	Division 23-4E-6	Specific to Use	х		АН	ı						Residential			23-4E-6150 (A)	The main entrance to the court from the front street.	This does not allow enough flexibility for corner lots.	No	this language can be clarified to say that on corner lots the pedestrian main entrance needs to be accessible from at least one front street, though the concept of the open space is to have pedestrian access and it seems reasonable that a corner lot would have some kind of path or access from both streets
24.63	Division 23-4E-6	Specific to Use	х		АН							Residential			23-4E-6150 (A)	On a corner lot, the units adjacent to the side street must front both the court and the street.	If unit is on corner, they should have access from either main or side street.	Neutral	
24.64	Division 23-4E-6	Specific to Use	х		АН	1						Residential			23-4E-6150 (A)	Driveway and parking areas must be screened from the common- court by buildings, fence, or wall.	Safety issue parking in fenced/screened area away from residence at night; Parking close to unit is considered a market standard nationwide. Develop regulations to encourage this building type rather than preventing its use.	yes	to make development more viable and keep costs down
24.65	Division 23-4E-6	Specific to Use		х	АН							Affordability	No	No	23-4E-6	"(A) Purpose: This section established the requirements to develop cooperative housing units and to reuse existing residential buildings to accommodate cooperative housing opportunities. (B) Occupancy Requirement. The bedrooms and residential space within a Cooperative Housing unit on a site must be occupied by residents who have shares if the cooperative corporation sells shares. Bedrooms and residential space may be occupied by residents undergoing a trial period of defined duration for membership in the nonprofit or cooperative corporation. (C) Operation. A Cooperative Housing unit must be operated by a cooperative or nonprofit corporation whose members reside on the site. (D) Additional Requirements for Cooperative Housing in a RR, R1-R4, RM, MS, MU Zone. The requirements of the base zone apply, unless modified by	Allow housing cooperatives in R zones to have more flexible site development standards to encourage their efficient and effective development.		same motion as line 24.55
24.66	Division 23-4E-6	Specific to Use		х	АН							Affordability	No	No	23-4E-6	(E) Additional requirements for Cooperative Housing organized as a Cottage Court. a. A housing cooperative may follow the design requirements for Cottage Courts if the Cottage Court type is allowed in the base zone. 2. A housing cooperative organized as a Cottage Court shall follow the Development Requirements established in Section 23-4E-6150 of this Titl. 3. A housing cooperative organized as a Cottage Court shall be eligible for 4 additional bonus units when participating in the Affordable Housing Bonus Program. (F) Combining Lot and Open Space Requirements. Lot area and open space requirements may be combined and shared among cooperative housing units with conditional use approval provided that the overall density remains consistent with standards defined in this Section. (G) Alternative Site Design Compliance. If a multifamily use is converted to a cooperative housing use and participates in the Affordable Housing Density Bonus Program, it may be expanded or altered without requiring related to building placement, open space	Allow housing cooperatives in R zones to have more flexible site development standards to encourage their efficient and effective development.		same motion as line 24.56
A-24.66.1		Schools	х						T	rw		schools	х	х		Amend Section 23-4E-6320 School to incorporate corrections submitted by Susan Moffat as vetted by the law department. Please see exhibit	Amend Section 23-4E-6320 School to incorporate corrections submitted by Susan Moffat as vetted by the law department. Please see exhibit		
24.67	Division 23-4E-6	Specific to Use		x		СК						Remove max ADU size on second floor	No	No	Table 23-4E-6030(A)	Strike the entire row of the table starting with "Floor Area".	There is no good reason to limit ADUs on a second floor to 550 sq ft.		same motion as line 24.43
A-24.67.1		23-4E-6		х				PS				Definitions			23-4Е- 6ххх	Add definition for Cooperative Housing	Need to understand and define difference between group residential and coops.		
24.68	Division 23-4E-7	Additional General Standards																	HLC: Use Front Yard setback of block, add new language to match bkldg height with neighborhood, add 15 setback for new story addition and 15' stepback or 1/3% of existing build for old buildings
24.69		Additional General Standards		х		FK						Affordability	No		23-4E-7040	23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single-family residential or duplex and in Subsection (D)(4) for a cooperative use, not more than four unrelated adults may reside in a structure, in the following zones:; (D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation.; 23-4E-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than fifteen unrelated adults may reside in each dwelling unit of Cooperative Housing.	work in harmony with it because its a larger limit for co-ops.		Not limiting the cooperative occupany to 4 would allow them to be more feasible, <u>NEED TO DISCUSS</u>
24.70		Additional General Standards							JSh			Dwelling Unit Occupancy Limit			23-4E-7040	C. Max occupancy of a duplex not more than 3 per unit or 5 per unit if meets criteria of B1,2,3	increase duplex occupany allowance under same allowance as SF homes	Neutral	
24.71	Division 23-4E-7	Additional General Standards		х					JSh								max occupany duplex up 10 total "if", land use commission able to allow more under CUP - hey Co-ops! Do we allow more occupany for coops? Fences are too restrictive compared to today we are okay 4-5' on front property line, and on the property line, intersections okay. Ramp encroachment says allowed only 3' on side, for corner lot more can be allowed		commentary

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	NA VIO	E .	CHANGES TO	D D3		INITIA	TED BY C	OMMSSIC	ONER	EX	OFFICIO	TOPIC AREA	FEEDBACK	Ar	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					SON		AW	, IER	PSON	RDT	oza							YES/NEUTRAL /NO	
					ANDER	KAZI	MCGR. NUCKC	SCHISS	SHIEH	WHITE SHAW BURKARI	MEND			GENERAL	SPECIFIC SECTION			, ,	STAFF RESPONSE
24.72	Division 23-4E-7	Additional General Standards		х	GA AH							Coops	No		23-4E-7040	23-4E-7040 (D)(1) Except as provided in Subsection (D)(2) for a single-family residential or duplex and in Subsection (D)(4) for a cooperative housing use, not more than four unrelated adults may reside in a structure, in the following zones: 23-4E-7040 (D)(4) The requirements of this subsection do not apply if a site has a Cooperative Housing land use designation. 23-5e-7040 (G) Maximum Occupancy for a Site with Cooperative Housing. Not more than two unreleated adults times the number of bedrooms in a Cooperative	Allowing cooperatives but limiting occupancy to 4-6 unrelated individuals does not allow sufficient residency to make a cooperative viable	Neutral	Not limiting the cooperative occupany to 4 would allow them to be more feasible, NEED TO DISCUSS Staff suggested language adjustment: Cooperative Housing use, not land use designation
24.73	Division 23-4E-7	Additional General Standards		х	GA AH							Affordability	No		23-4E-7040	(A) Maximum Occupancy. Except as otherwise provided, not more than six unrelated adults may reside in a dwelling unlit. The maximum occupancy for a dwelling unit shall be the greater of six unrelated adults, the specifications of (B) through (E) below, or two unrelated adults times the number of bedrooms in the dwelling unit.	Per NHCD's own affordability impact statement the limit as it stands today at four unrelated adults unnecissarily drives up the cost of housing for people who need to share space. This is also supported by the Austin Housing Coalition and Austin Tenants Council	Neutral	Need to discuss
24.76		7040 Dwelling Occupancy Limits		х						TS		Dwelling Occupancy Limits	YES		7040	C) Maximum Occupancy in a Duplex <u>and Single Family Attached.</u> Not more than three unrelated adults may reside in each unit of a duplex, unless: (1)Before June 5, 2003: (a)A building permit for the duplex structure was issued; or (b)The use was established; and (2)After June 5, 2003, the gross floor area in the duplex structure- does not increase more than 69 square feet unless to complete- construction authorized before that date or to comply with the American Disabilities Act. (D) Occupancy Limits in Certain Zones (1)Except as provided in Subsection (D)(2) for a single-family residential - or-duplex use, not more than four unrelated adults may reside in a unit structure, in the following zones: (a)Lake Austin Residence (LA) Zone; (b)Rural Residential (RR) Zone; (c)Residential House Scale 1C (R1C) Zone; (d)Residential House Scale 2A (R2A) Zone; (e)Residential House Scale 2A (R2E) Zone; (g)Residential House Scale 3A (R3A) Zone; (h)Residential House Scale 3C (R3C) Zone; (h)Residential House Scale 3C (R3C) Zone;	Simplify occupancy limits. Check with staff on provisions to see of there were gransfathering requirements.	no	in a housing crisis it is not staff's opinion to further restrict occupancy limits
24.77										TS						(2)The requirements of this subsection do not apply if: (a)Before March 31, 2014 a building permit was issued for the unit or the use was established; and (b)After March 31, 2014; (i)The gross floor area does not increase more than 69 square feet, except to complete construction authorized before March 31, 2014 or to comply with the American with Disabilities Act, or (ii)Any interior remodel that requires a building permit does not- result in additional sleeping rooms.(3) A structure located on a site exempt from these standards under- subsection (D)(2) that is partially or totally destroyed by a natural- disaster, act of god, or fire does not become subject to this subsection, if a building permit to repair or reconstruct the structure- is applied for within one year of the date of the partial or total- destruction. (E)Maximum Occupancy for a Site with an Accessory Dwelling Unit. Not more than two unrelated adults may reside in the accessory dwelling unit, unless (1)The use was established before November 18, 2004; or (2)A building permit was received before November 18, 2004; and (3)After November 18, 2004, the unit was not remodeled to increase- gross floor area more than 69 square feet, unless to finish- construction authorized before that date or to comply with the		no	there are grandfathering rights that are associated with these dates (need confirmation)
24.78	Division 23-4E-7	Additional General Standards		х	АН							Residential			23-4E-7060	(5) Fences of any kind, any height, in any zone are prohibited within 20 feet (as measured from the property line) of the intersection of: (a) A driveway and a street or alley; or (b) Two streets; or (c) A street and an alley.			need to discuss
24.79	Digition 22 dE 7	Additional General Standards		v					JSh						23-4E-7060	B 1. 4' to 5' max for sloped lots in front setback or building line-whichever is less, 6' with administrative variance 2. 6' at rear and side property lines (7' max on sloped lots), 8' with-administrative variance (I) Side Setback Exercises for Massing Townshouse Massing letters)	fence regulations are considerably more restritive Should restore current regulations of modify D3 to our proposal		need to discuss
24.80	DIVISION 23-4E-7	roduktulai General Stalitudrus		x	AH							Residential			23-4E-7070	(D) Side Setback Exemption for Attached Townhouses. Attached townhouses are not subject to side setback requirements.		yes	townhouse needs same clarification as single family attached on zero lot line setback requirements
24.81									JSh						23-4E-7080	A. Add ADUs 3B. Ramp must not encroach more that 3 feet into a interior side setback		yes	

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RTICL	DESIRED PROPOSED CHANGES TO D3		INITIATED	BY COMMSSI	ONED	EV OFFICIO	TOPIC AREA	STAFF FEEDBACK	Ι.	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
4 Q F	CHANGES TO D3		INITIATED	BY COIVINISSI	JNER	EX OFFICIO	TOPIC AREA		<u> </u>	AMENDIMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
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24.82 Division 23-4E-8 Building Design Standards		A I	<u> </u>	2088	S F > S	<u> </u>			GENERAL	SPECIFIC SECTION				- STATE RESPONSE
Chapter 23-5: Subdivision	NONE MINOR MAJOR							YES/NO	YES/NO					
25 Article 23-5A Introduction								,						
25.1 Division 23-5A-1 General Provisions 25.2 1010			KM								add Item 13) Ensure to the greatest extent legal that additions and		neutral	-
											subdivisions result in complete communities.			
26 Article 23-5B Subdivision Procedures														
26.1 Division 23-58-1 General Requirements 26.2 1050 - Variance Determination	<u> </u>		+ + +	+++	Tr.	+H				1050	(B) Variance Criteria for Specially Approved Development.(1) If a	remove special variance for PUDs. PUDs should demonstrate criteria in 1050 (A)	neutral	This is from the current code. The itent is to remove impediments
20.2							Large			1030	preliminary plan or final plat is associated with a mass housing	for variance.		to affordble housing projects.
							Residential and	NO			project, a planned unit development , or a similar specially approved			
							PUD platting requirements				development, the Land Use Commission may grant a variance from a requirement of Article 23-5C (Platting Requirements) if the Land Use			
10004											Commission determines that:			
A-26.2.1					JSM					23-5B-	Consent disapprovals for subdivisions may be set to either land use commission for review and			
											action.			
A-26.2.2 1100	x	+++++			TS					23-5B-1100 Plat Notes	(B)	23-5B-1100 Plat Notes	Neutral	Defer to Law.
											General Standards.	Delete the last sentence, "A plat note may not contain notations other than those required or allowed by the director."		
											City of Austin Land Development Code Draft 3 February 2018 5B-1 pg. 7	·		
											General Requirements 23-5B-1100	Reason: Could create unnecessary delay for the applicant. Subsequent subsections in the plat notes contain plat note requirements.		
											(1) The director may not require a notation on a plat unless the note is directly related to the subdivision of land and necessary to ensure			
											compliance with the requirements of this Title. A plat may not	23-5B-1100 (2) Add topographical information and restrictive covenants between "engineering		
											contain notations other than those required or allowed by the director.	notes" and "other requirements."		
											(2) Other than engineering notes, topographical information, and	Reason: Topographical information is critical to drainage calculation.		
							Plat Notes	NO			other required technical information, plat notations required by the	22 EP 1100 (2)		
											City shall be limited to the dedication of easements, parkland, and common areas and to the provision of facilities and other	23-5B-1100 (3) Add building setback lines.		
											infrastructure to serve development within the plat.			
											(3) If a regulation imposes a buffer or similar non-dedicatory limitation on development within the plat, the director may require	23-5B-1100		
											building setback lines and an informational plat note describing the	Change "may" to "must."		
											general nature of the requirement and referencing the appropriate City department or other official resource for more detailed	Reason: The local government code 212.004 requires that the dimensions of		
											information. (C)Parkland	parkland be noted on the final plat.		
											Dedication. (1) In approving a subdivision that is required to dedicate parkland	23-5B-2080 D Add the word "residential" between the words a change in land use for up to		
TS		+++	$\bot \downarrow \downarrow$			$\bot \!\!\!\!\bot \!\!\!\!\!\!\!\!\bot \!$			1		under Article 23-3B (Parkland Dedication), the director, must may	25% of the land area included in a preliminary plan.		
A-26.2.3 1100					TS						(2) If an application for a preliminary plan or final plat is submitted for a non-residential development that is exempt from parkland			
											dedication under Section 23-3B-1010(Purpose and Applicability), the			
											director must may require a plat notation stating that any subsequent residential development within the subdivision may be			
											required to dedicate parkland or make payment in-lieu of dedication			
											as required by Article 23-3B (Parkland Dedication) or other applicable ordinance.			
											(3) If a plat note prohibiting residential uses was required by the City			
											of Austin in order to document an exemption from parkland dedication for a non-residential subdivision on or after July 25, 1985,			
		$\coprod \mid \mid$								<u>1 </u>	the applicant must may amend the plat in order to conform the		<u>L</u>	<u> </u>
26.3 Division 23-5B-2 Preliminary Subdivision Plan	С													-
26.4 Division 23-58-3 Final Subdivision Plat														-
26.5 Division 23-58-4 Changes to Recorded Plats	С													-
26.6 Division 23-58-5 Subdivision Construction Plan 27 Article 23-5C Platting Requirements														
27.1 Division 23-5C-1 Property Markers, Easements, and Alleys										22 56 1020	Comments for a shift in and device a shift in and device a shift in a shift i	This slasifies the section	Noutral	WDD has no objection
27.2 Division 23-5C-1 Property Markers, Easements, and Alleys	x			JSC						23-5C-1020	Easements for public utilities and drainage ways shall be retained in all subdivisions in the widths and locations determined necessary by	This clarifies the section	Neutral	WPD has no objection.
							Easements and	No			the director. All easements <u>as defined by the criteria manual shall</u> be			
							Alleys				dedicated to public use for the named purpose and shall be aligned to minimize construction and future maintenance costs.			
27.3 Division 23-5C-2 Lots	 		+								The state of the s			
27.3														

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5	DIVE TITL		ANGES TO D3		1 1	INITIA	ED BY CO	OMMSS	ONER		EX OFFI	icio	TOPIC AREA	FEEDBACK	А	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
27.4	2000 Fire Late			100	ANDERSON	KENNY	NUCKOLS	SCHISSLER	SHIEH THOMPSON	WHITE SHAW	BURKARDT MENDOZA	ТЕІСН			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
27.4	2040 Flag Lots					K	M										in the ETJ.	Flag lots set up new intrusive patterns in existing neighborhoods and require special agreements in greenfield development. These configurations crowd trash and traffic on to narrow flag poles. Small lot entitlements in certain zones can accommodate the desired density without intrusions to existing neighborhods. Some areas have deed restrictions that are being ignored.	no	Flag lots are an important tool to address affordability, encourage infill and fight sprawl. The current code allows flag lots by-right for unplatted land, but requires a variance for platted lots when resubdividing. This is not a best practice. Staff's recommendation is to remove the variance requirement, but retain all other current standards. The following standards will remain: • Driveway/utility plan for residential lots. • Minimum lot width (20') with option for narrower width (15') with shared access. • Addresses for flag lots posted at closest point to street access. • The flag portion must meet minimum requirements of the applicable zone (size, width, etc). The pole does not count toward lot size.
27.5	Division 23-5C-2 Lots	Ш	х		AH F	K		JSc				П	Lot Size	No		23-5C-2020 (B)(1)	Lower the minimum lot size to 2,500 sq ft and 3,000 sq ft on a corner lot	The cost of land is a driving factor in household unaffordability.	neutral	This is only applicable in the ETJ of Williamson, Hays and Bastrop Counties. Lot sizes in those areas are more commonly determined by county requirements for septic systems and wells.
27.6	Division 23-5C-2 Lots		x		AH F	к		JSc					Lot Size Affordaibility	No		23-5C-2020	DELETE section 23-5C-2020	The cost of land is a driving factor in household unaffordability.	neutral	refer to comments on Item 27.5
27.7	Division 23-5C-2 2040- Flag Lots		×	×						TS			Flag Lots			2040	[See RWG recommendations]	Flag lot requirements provided. No variance required. This is identified as a way to remove barriers to missing middle housing. Flag lots should require an MUP at a minimum.	no	An MUP can not be used to create a lot. It can only be used to allow a use on a platted lot. Refer to 23-
27.8									JSh			П	flag lots			23-5C-2040	D. REINSTATE THAT IT REQUIRES VARIANCE FROM LAND USE COMMISSION	at a minimum.	no	refer to comments on item 27.4
A-27.8.1	2040 Flag Lots		K	×				PS					Flag Lot Variance			23-5C-2040	Restore Variance requirement to all Flag Lots	Add Variance requirement for Flag Lots back into code. Originally initiated from ZAP to assist certain neighborhoods in core Austin voice public opinion about therequest to subdivide lots that did not meet lot width standards. Variance allows public discussion of the subdivision in the appropriate context. Reason given by staff: adds expense to the applicant.		
27.9	2060-Single Family Attached					K	M										Delete this use	This was called Small Lots in Version 2 and it was not clear what zones is this allowed? The name has been changed to single-family attached lots. What comments to version 2 drove the need to add this to the code?	no	The concept of the "small lot subdivision" is no longer applicable. Instead, the minimum lot size varies by zone and the subdivision chapter will not regulate lot size, except in the ETJ. In the same manner, if the applicable base zone allows single-family attached dwellings, the subdivision chapter should not impede the creation of those type of lots. The applicable zone will also regulate the lot size, setbacks and impervious cover standards. Those standards are no longer in the subdivision chapter. The definition of Single-Family Attached is located in 23-13A 2030 "Land Uses". There is no definition for "small lot" because that
27.10									JSh				Single Family Attached			23-5C-2060		language about operations and maintenance possibly HOA creationwe call out the technical parts but that is it	neutral	
A-27.10.1	2080 5		x							TS			Changes to Approved Preliminary Plan	NO		23-58-2080 D	(D) Changes Approved by Commission. For a preliminary plan approved on or after October 28, 2013, an applicant may request that the Lanc Use Commission approve a <u>residential</u> change in land use for up to 25 percent of the land area included in the preliminary plan. The Commission may approve the request if it finds that the change would not significantly increase the amount of right-of-way required to be dedicated or otherwise impair the orderly planning of roads, utilities, drainage, and other public facilities.	23-58-2080 D Add the word "residential" between the words a change in land use for up to 25% of the land area included in a preliminary plan. Reason: This requirement was put in to make it easier for an applicant to change single-family residential lots to small lot single-family residential lots. To avoid interpretation questions, the word "residential" should be added.		
27.11	Division 23-5C-3 Utilities	С										ı								
27.12	Division 23-5C-3 3099 - TRASH					К	M									New section	PROVIDE FOR TRASH COLLECTION AND UTILITY SERVICES FOR EVERY LOT THAT ARE CONSISTENT IN LOCATION ALONG THE SAME PUBLIC ROW FOR ADJACENT LOTS IN ANY SUBDIVISION OR RESUBDIVISION	The city never requires provision for trash services in any subdivision. The rpreponderence of small lots and flag lots requires that this be accounted for. Many central city resubs result in utilities and trash not in locations consistent wisth adjacent properties. we need to do a better job of planning as we chop up the city into smaller pieces.	neutral	General comments: Each lot has frontage to a public ROW, and the ROW is used for trash collection. The utility providers determine the location of utilities, in accordance with state statutes, city code, and criteria manuals.
27.13	Division 23-5C-4 Trees for Residential Subdivision																			Residential Tree Standards were added to the subdivison chapter in error. Their correct location is in a criteria manual, and a reference to the criteria manual will be added to Article 23-3C: "Urban Forest Protection and Replenishment"
A-27.13.1 A-27.13.2				\blacksquare	Ŧ	H	Ŧ	H	JSh JSh			Н				23-5C-2020 B1 23-5C-2060	Revise area values with what is presented in zones B - ADD - 1) zero lot line is allowed only on one side and not allowed			
																	on a front, or street-side lot line			

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			RSON		3AW	SLER ER	4 MPSOI	ARDT	5 _	_						YES/NEUTRAL /NO	
			ANDE	HART	MCG!	OLIVE	SHIE	SHAV BURK	TEICH IN			GENERAL	SPECIFIC SECTION				STAFF RESPONSE
A-27.13.3							JSh					i i	23-5C-2060	PER TECHNICAL CODES, appropriate and adequate space must be provided for utilities including water meters and wastewater	needs city legal to clariy what is in the CCR's. Condo regiem duplex has agreements this should too		
														cleanouts (OR DELETE THIS IF THIS IS COVERED IN SECTION C			
														C) ADD:			
														Standard regarding site alterations and IC Maintenance responsibilities			
														Limitations of City liabilities			
A-27.13.4			+				JSh		+H-				5C-2040	Refeneces SF4a			
A-27.13.5							JSh		111				23-5c-4020	C) Trees preserved	this is to allow large preserved caliper trees to suffice for site requirement		
														REMOVE - A tree requiredAND USE Trees required C. Trees of species and caliper inches described in Protected and	Heritage and protected trees can already have a huge canopy		
														Heritage trees			
A-27.13.6		х						TS		es in Res, Sub	YES		Division 23-5C-4		Ask City Arborist if they reviewed.		
Chapter 23-	6: Site Plan Article 23-6A: Purpose and Applicability	NONE MINOR MAJOR	R								YES/NO	YES/NO					
28.1	Division 23-6A-1: Purpose and Applicability	С															-
28.2	Division 23-6A-2: Exemptions Division 23-6A-2: Exemptions	l x	-	FK		JSc				-			Table 23-6A-2010 (A)	Construction or alteration of a single-family residential structure,			-
			ш										Site Plan Exemptions	single-family attached, duplex residential structure, accessory			The language as proposed, "Structure quantity does not exceed
			ш						Exe	emptions	Yes			dwelling unit, or an accessory structure (1) -No more than two- residential structures are constructed on a legal lot or tract <u>Structure</u>			the quantity allowed in the applicable zoning category" has unintended consequences, and will prevent staff from being able
28.4			-		TN					_			23-6A-2	quantity does not exceed the quantity allowed in the applicable In Table 23-6A-2010(A), amend "Construction and change less than	Imagine Austin calls for "complete communities." Complete communities need		to enforce applicable regulations.
20.4			ш		''	1							23-0A-2	1,000 square feet and the limits of construction is less than 3000	a healthy tree canopy.		This was discussed by staff in the context of removing impervious
			ш											square feet.", to add the following: "(5) If existing impervious cover is removed and trees are planted and perpetually maintained thre,			cover in existing paved parking/vehicle circulation areas in support
			ш											the impervious cover removed does not count toward the 1,000 or 3,000 square feet limit."			of bringing noncompliant parking into better compliance with current parking lot landscaping/tree requirements.
																Yes (with clarification)	WPD is supportive of intent. Defer to DSD on process.
28.5	Division 23-6A-2: Exemptions	x	ш	FK		JSc							Table 23-6A-2010 (A) Site Plan Exemptions	Residential construction of three to six ten units - Provided the project complies with the requirements of Division 23-2A-3	Missing middle housing shouldn't have to go through a complete site plan - otherwise you'll only get six units and rarely ever seven to ten units.		
			ш						Exe	emptions	Yes			(Residential Development Regulations).			WPD is neutral to the number of units allowed under this process as long as the project complies with the requirements of 23-2A-3
A-28.5.1	Division 23-6A-2: Exemptions	x			+		TW		+			X		direct staff to crete a site plan light for missing middle housing	We want to lower the barrier for missing middle; the threshold of 6 for triggering	Yes	as proposed in the Draft 3 staff recommendation.
														between 6-12 units.	a site plan is a step in the right direction. But we'd like to see more in the way of reducing the number of hurrdles for the 6-10 units as well. Site plan light would		
															include watershed review but not necessarily all departments.		Since the early 1980s, water quality and drainage infrastructure in residential subdivisions has been sized assuming 45% impervious
																	cover across the subdivision. Earlier subdivisions often have inadequate drainage infrastructure. Allowing additional
											Х						impervious cover is likely to create drainage problems in modern subdivisions and exacerbate problems in older subdivisions.
																	Watershed Protection Department staff would recommend
																	lots if impervious cover limits were increased beyond 45%. This would result in substantial design and construction costs as well as
			Ш													No	additional permit review time and cost.
29.1	Article 23-6B: Site Plan Review and Filing Requirements Division 23-6B-1: Application Review and Approval																-
29.2	Division 23-6B-1: Application Review and Approval	×	ш			JSc							23-6B-1010 (D)(1)(a)	(a) For a site plan required due to a use change triggering a conditional use site plan that otherwise meets the criteria under 23-			
			ш							plicaton uirements	Yes			6A-2; Exemptions for Site Plan Review, compliance with requirements of a development or construction site does not apply.			This language reflects how most staff understand code. However, current code is not clear, and there is conflict in review. This
20.2	Division 23-6B-2: Submittal Waivers		Ш											requirements of a development of construction site does not apply.		Yes	language provides clarification; DSD supports this addition
29.4	Division 23-6B-3: Release																-
30 30.1	Article 23-6C: Expiration Division 23-6C-1: Expiration	C	H														
	7: Building, Demolition, and Relocation Permits; S	pecial Requirement F															-
31.1	Article 23-7A: General Provisions Division 23-7A-1: General Provisions																
31.2	Division 23-7A-1: General Provisions	х				JSc						2	23-7A-1020	Historic Properties and Buildings 45-50 or More Years Old (A) The building official must notify the historic preservation officer	The national standard for historic protection is 50 years.		
										istoric				before issuing a building, demolition, or relocation permit for a			
										oning				building 45 50 or more years old. (B) The building official may not issue a building, demolition, or			
														relocation permit for a property described in Subsection (D) unless all applicable requirements of Division 23-7D have been satisfied.			
														Transfer requirements of Division 25 70 flave been satisfied.			

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				8	8 8	8	NOS	[E	5	- 1					YES/NEUTRAL	
				DERS	GRA	VER	SMP.	IITE WW RAR							/NO	
21.2	Division 23-7A-1: General Provisions		x	A A	MC KEN	9 5 5	불통본	W SH IN	TEICH TEICH			GENERAL SPECIFIC SECTION	LUCTORIC DRODERTY INVENTORY A list of all accounting access the	This will provide conductory containty and identify proporties that are not		STAFF RESPONSE
31.3	Division 23-7A-1: General Provisions		X	ш		JSc						23-7A-1050	HISTORIC PROPERTY INVENTORY. A list of all properties across the city's zoning jurisdiction that either are historically zones or might	This will provide regulatory certainty and identify properties that are not currently protected but should be.		
													qualify for historic zoning protection. The historic preservation			
				ш									officer shall develop this list no later than January 1, 2024 and update it thereafter from time to time. The list should include a mix of			
									Hi	toric			commercial and residential properties, be spread geographically throughout the zoning jurisdiction, identify the reasons that the			
									Zo	ning			property might be historic, and include no more than one percent of			
													the land area of the zoning jurisdiction. When developing this list, the historic preservation officer shall evaluate properties that are			
													currently zoned historic for delisting. The list should provide			
													sufficient detail for the City Manager to determine the amount of tax waivers are associated with the protections.			
A-31.3.1	23-7A Historic		x	\blacksquare		P)S	+++				23-7	Include Historic Landmark Commission recommendations 20180423	Include HLC changes recommended changes (1) encourage ADUs as a tool to		
														retain older, historic-age residential buildings, 50+ years, while increasing		
										toric rvation				density (2) Maintain the historic street pattern, (3) preserve the built form of low rise residential neighborhoods and commercial corridors via context-sensitive		
														form-based zoning (4) discourage demolitoons of older commercial and residential buildings (compressd recommendations)		
A-31.3.2	23-7A-1020 Historic		x	++	+++		os I	+++	+++			23-7A-1020	Change 45 back to 50 years	Why is there a change of age from National Histoic guidelines of 50+ years.	1	
							1			toric rvation				Change back to standard.		
32	Article 23-7B: Building Demolition and Permits															
32.1	Division 23-78-1: Building and Demolition Permits Division 23-78-2: Permit Applications	С						+								
32.3	Division 23-78-3: Demolition Permit Expiration and Extension															
32.4	Division 23-7B-3: Demolition Permit Expiration and Extension					JSc	+	+++				23-7D-3010	Review for Buildings 45-50 or More Years Old Without Historic	50 is the national standard	_	
													Designation (A) This continues the little and the l			
													(A) This section applies to a building, structure, or site that is: (1) 45 50 or more years old; and			
													(2) Does not have historic designation of any kind.			
33.1	Article 23-7C: Relocation Permits Division 23-7C-1: Relocation Permits															
33.2	Division 23-7C-1: Relocation Permits		Х			JSc				storic ning		23-7D-1020	Article 23-7D: Special Requirements for Historic Properties and Buildings-45-50 or More Years Old	50 is the national standard		
33.3	Division 23-7C-2: Relocation Requirements									illing			bullulings-43-30 of More Hears Old			
34 34.1	Article 23-7D: Special Permit Requirements for Historic Properties an Division 23-7D-1: Overview	nd Buildings	s 45 or More Years Old													
34.2	Division 23-7D-2: Properties with Historic Designation															
34.3 34.4	Division 23-7D-3: Properties without Historic Designation Division 23-7D-3: Properties without Historic Designation		x	ш		ISc		+++				23-7D-3010	Review for Buildings 45 50 or More Years Old Without Historic			
	, , , , , , , , , , , , , , , , , , ,		"	ш					ш	storic			Designation			
				ш						ning			(A) This section applies to a building, structure, or site that is: (1) 45-50 or more years old; and			
													(2) Does not have historic designation of any kind.			
34.5 34.6	Division 23-7D-4: Pending Historic Designations Division 23-7D-5: Appeal			++			-		++-							
	Article 23-7E: Maintenance Requirements															
35.1 36	Division 23-7E-1: Maintenance Requirements Article 23-7F: Enforcement and Penalties															
36.1	Division 23-7F-1: Demolition by Neglect and New Construction															
Chapter 2	3-8: Signage Article 23-8A: General Provisions	NONE	MINOR MAJOR								YES/NO	YES/NO				
37.1	Division 23-8A-1: Pollicy and Administration	С														-
37.2	Division 23-8A-2: Sign Permit and Registration	С														-
38 38.1	Article 23-8B: Regulations Applicable to All Signs Division 23-8B-1: General Requirements	С														
38.2	Division 23-8B-2: On-Premise Signs Allowed Without a Permit				+++	++	+ + +	+++								
38.3	Division 23-8B-2: On-Premise Signs Allowed Without a Permit				км	+ +	+++	+++					(C)(1)(c) should read "the total area of signs does not exceed 9	Do we really want signs on houses?		
						$ \ \ $							square feet" (instead of 36) (C)(1)(d) should read "the maximum height does not exceed 6 feet above grade" (instead of 8)			
38.4	Division 23-88-3: Prohibited Signs							+					(mateur of o)		Yes	
38.5	Division 23-88-4: Non-conforming Signs			+	-	-	-	+++								
39 39.1	Article 23-8B: Regulations Applicable to Sign Districts and Sign Types Division 23-8B-1: Regulations by Sign District and Sign Overlay															
39.2	Division 23-88-2: Regulations by Sign Type	С								-						<u> </u>
39.3	Division 23-88-3: Regulations for Non-Standard Signs	С						+								
40	Article 23-8D: Enforcement and Relief Procedures															
40.1	Division 23-8D-1: Enforcement	С														-
40.2	Division 23-8D-2: Variances and Appeals	C	MINOR MARK								Viola for	VEC (NO				-
Chapter 2	3-9: Transportation Article 23-9A: General Provisions	NONE	MINOR MAJOR								YES/NO	YES/NO				
41.1	Division 23-9A-1: Policy and Administration															

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41.2	Division 23-9A-1: Policy and Administration	x	ANDERSON HART KAZI KENNY	MCGRAW	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE SHAW	BURKARDT MENDOZA TEICH				SPECIFIC SECTION	(4) Proportionality determinations required under Division 23-9A-2	This section states that standards for important transportation matters such as	YES/NEUTRAL /NO	STAFF RESPONSE
41.2	Division 23-3A I. I vincy and Administration		JGA					Rough Proportionality	No	23-9	94-1030	(Proportionality of Transportation Infrastructure Requirements), including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	Rough Proportionality standards should be set forth in a Transportation Criteria Manual that the public has not seen or had the ability to review and provide input. Leaving such important standards to be determined outside of the revised LDC process and in a criteria manual written in the future does not provide clear guidance and predictability. This should be in code.		
41.3	Division 23-9A-1: Policy and Administration	x	GA					Rough Proportionality	No	23-9		MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. The term does not include dedications or improvements to directly serve a development under generally	This definition needs modification and is important as it relates to offsets with rough proportionality requirements. The last sentence in this definition should be deleted. This sentence is problematic because it is unclear what types of improvements would be excluded and could be interpreted in many different ways. rough prop should be allowed for land onsite.		
41.4	Division 23-9A-1: Policy and Administration	x			JSc			Transportation Criteria	Yes	23-9	9A-1030 (B) (4)	Proportionality determinations required under Division 23-9A-2- (Proportionality of Transportation Infrastructure Requirements), including standardized procedures for making determinations and criteria for identifying required improvements with an essential nexus to the impacts of proposed development;	Rough proportionality should be defined in code, not criteria manuals. This section states that standards for important transportation matters such as Rough Proportionality standards should be set forth in a Transportation Criteria Manual that the public has not seen or had the ability to review and provide input. Leaving such important standards to be determined outside of the revised LDC process and in a criteria manual written in the future does not provide clear guidance and predictability.		
41.5	Division 23-9A-1: Policy and Administration	x			150			Municipal Transportation Infrastructure	Yes	23-9		MUNICIPAL TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS or TRANSPORTATION INFRASTRUCTURE IMPROVELMENTS. A transportation improvement that mitigate the impacts of development on the City's transportation system, including the construction or funding of system improvements and the dedication or improvement of right-of-way beyond the boundaries of a development or in excess of that required by generally applicable design standards. The term does not include dedications or improvements to directly serve a development under generally	This definition needs modification and is important as it relates to offsets with rough proportionality requirements. The last sentence in this definition should be deleted. This sentence is problematic because it is unclear what types of improvements would be excluded and could be interpreted in many different ways.		
41.6	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements			\coprod		$\bot \bot \bot \bot$	$\perp \! \! \perp \! \! \perp$								
41.8	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	X	Ш		JSc			Codify policies	Yes	23-9	9A-2		Policies regarding what is considered part of a project rough proportionality shall be included in code, not criteria manual. This includes definition of "Municipal transportation infrastructure improvements" (23-9A-1050)		
41.10					JSc							(D) To aid in making a proportionality determination and identifying required infrastructure improvements, the director may: (1) Adopt administrative guidelines setting forth assumptions, procedures, formulas, and development principles used in making a proportionality determination; and (2) If an applicant contests the director's proportionality determination, require an analysis underarticle 23-9C (Transportation Review and Analysis) that would otherwise not be required or other information related to traffic and safety impacts Proposed modifications to the rough proportionality procedures shall be adopted only via modification to this code section as approved and adopted by City Council.	Cont'd		
41.11	Division 23-9A-2: Proportionality of Transportation Infrastructure Requirements	х			JSc			Proportionality Determination	Yes	23-9		Strike the following language in item (B): "prior to approval of an application for which dedication of right of way or other construction or funding of system transportation improvements is required." and replace with "within 60 days of submission of a TIA, TDM, or other traffic study for the project."			
41.14	Division 23-9A-2: Proportionality of Transportation infrastructure Requirements	х	GA		JSc			Rough Proportionality	No	23-9		"(B) The director shall issue a written determination of an applicant's roughly proportionate share of transportation infrastructure costs attributable to a proposed development prior to approval of an application for which dedication of right-of-way or the construction or funding of system transportation improvements is required. A determination issued under this section: (1) Need not be made to a mathematical certainty, but is intended to be used as a tool to fairly assess the roughly proportionate impacts of a development based on the level of transportation demand created by a proposed development relative to the capacity of existing public infrastructure; (2) Shall be completed in compliance with generally recognized and approved measurements, assumptions, procedures, formulas, and development principles: and	standardized procedures for making determinations, needs to be established. There is no specific process defined in current code nor in Draft 3. The RP review process should be written in a manner that is predictable.		

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				ANDERSON	HART	MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON WHITE	SHAW BURKARDT	TEICH			GENERAL				YES/NEUTRAL /NO STAFF RESPONSE
41.12	Division 23-9A-2:	Proportionality of Transportation Infrastructure Requirements	X				JSc				oportionality stermination	Yes		23-9A-2020 (B) (3)	(3) Shall state the roughly proportionate share attributable to the property owner for the dedication and construction of transportation related improvements necessary to ensure an effective and safe-transportation system that is sufficient to accommodate the traffic generated by a proposed development. that will improve the transportation system immediately affected by the development to best mitigate the increased traffic caused by the development, as much as can be achieved considering physical and financial constraints. This statement shall not be intended as a measure to lessen density or deny development permit approvals along transportation ways that are in poor operating condition prior to		
41.15							JSc			Pro	Rough oportionality	No			(4) Within 30 days of submission, must provide a list of included/qualified rough proportionality imrprovements and estimated costs. (5) The Director shall develop rules using the admistrative rule process to develop a process for submital and review of rough proportionality evaluations, and the timing them in relation to TIAs, TDMs, other other traffic study reviews. These rules shall be presented to the Planning Commission for a recommendation to Council. Council shall approve the rules, reject them, or approve	Continued from above	
41.9		Proportionality of Transportation Infrastructure Requirements	x				JSc			Inf	RP frastructure	Yes		23-9A-2020 (C) & (D)	(C) If a proposed development is subject to a proportionality determination under this section, the director shall identify in writing all transportation infrastructure improvements required in conjunction with approval of the development application. The infrastructure improvements may include right of way dedication, the construction or funding of system improvements, or any combination thereof, in an amount not to exceed the total roughly proportionate share as established by the proportionality determination. RP definition shall include: (1) The land value (as determined by appraisal) of all dedicated ROW within or adjacent to a property as required by the City, (2) the hard cost of all transportation improvements associated with a project or required of a project by the City except for those associated with private onsite drives and parking, (3) the design and permitting "soft" costs associated with any required transportation improvements.	RP requirements and inclusions should be determined prior to adoption of code and listed within Code.	
41.13	Division 23-9A-2:	Proportionality of Transportation Infrastructure Requirements	x				JSc				oportionality stermination	Yes		23-9A-2020 NEW SECTION (E)	A rough proportionality determination made on a project shall be made with an initial project application and shall be grandfathered through future applications so long as the project has not (1) let any project application expire. (2) been in default of any application, or (3) changed the intended use and/or density in a manner that will increase the traffic generated by the project build out.		
42 42.1		Of-Way Dedication and Reservation General Provisions															
42.2	Division 23-98-1:	General Provisions	x				JSc			Rij	ight-of-Way Variance	Yes		23-9B-1030 (A)	If a development application requires approval by the Land Use- Commission or city-council, an applicant may request a variance under this section from a requirement to dedicate, reserve, or improve right-of-way. The purpose of the variance procedure authorized by this section is to provide for consideration of unique impacts that requirements of this chapter may have on property relative to the transportation needs generated by proposed development	The language in this section suggests that only an applicant whose development application requires approval by the Land Use Commission or city council is qualified to request a ROW variance. Section 25-6-86 in the current LDC does not limit an applicant who is seeking a ROW variance. The ability to seek a ROW variance should be allowed by all types of development applications, regardless of application type.	
42.3		General Provisions	x				JSc				ight-of-Way Variance	Yes		23-9B-1030 (B)	(B) Application Requirements. A request for a variance under this section must be: (1) Submitted in a manner approved by the directorand include any information required by the director to evaluate the variance request; and (2) Associated with a pending development application, unless the director determines that the amount of publicinght of way that would be required for dedication is 15 percent ormore of a project site's total land area.	The application requirements need clarification and are too broad. The variance request application submittal requirements give too much discretion to the director for approval. The application process is not predictable for an applicant.	
42.4		Right-Of-Way Dedication and Improvement Right-Of-Way Dedication and Improvement			+	+ + +	ISC	++	+++					22 OR 2010 (A)	Pight of Way Podication A landowner shall dedicate all subtraction	Delete with the aurage of so writing. This section is evaluated as it are to	
			X				JSC			ri, cor im	edication of ight of way and nstruction of provements	Yes		23-9B-2010 (A)	Right of -Way Dedication - A landowner shall dedicate all public right- of way required to adequately serve the transportation needs of proposed development consistent with the standards of this Title- The amount, location, and alignment of right of way to be dedicated shall conform to the Transportation Plan, an approved collector plan, or an approved capital improvement project and may be required within, adjacent to, or outside the boundaries of a proposed daysloopment.	Delete with the purpose of re-writing. This section is problematic as it can be interpreted to required dedication of land that the landowner may not own. There is also nothing defined in the code that clarifies what is considered "adequate". We suggest clarification and an edit to this section to ensure that this requirement for right-of-way dedication by the landowner is not required outside of a site plan boundary.	
42.6	Division 23-9B-2:	Right-Of-Way Dedication and Improvement	X			$ \cdot \cdot $	JSc		$ \ \ $		roadway	Yes		23-9B-2010 (B) (1) (C)	(c) the likelihood that adjoining property will develop in a timely- manner.		
42.7	Division 23-98-2:	Right-Of-Way Dedication and Improvement	х				JSc			ri	edication of ight of way and instruction of provements	Yes		23-9B-2010 (A) (2)	Construction of all required street improvements and transportation facilities, consistent with the applicable standards of this Title, is required within public right of way needed to directly serve aproposed development.		

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ION				REQ. ADD'L STAFF				
CHA ARTIC	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX O	FFICIO TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
		NDERSON NART AZI AZI RENNY ICGRAW UCKOLS LIVER HISSLER EEGER HIEH HOMPSON HITE AAW	EICH					YES/NEUTRAL /NO
42.8	x		Dedication of right of way and construction of improvements		GENERAL SPECIFIC SECTION 23-9B-2010 (B)(2) Frontage Roads	(2) Right of Way Improvements. Construction of all required street- improvements and transportation facilities, consistent with the applicable standards of this Title, is required within public right of way needed to directly serve a proposed development.	This section mandates improvements or dedications related to state, federal, or other sole municipality managed transportation networks which is outside of the City's purview. The language in this section is too general and open-ended. This code section should be removed as it creates an unnecessary mandate and additional layer upon the landowner where an existing process is already in place. For example, every project that is adjacent to State right-of-way is currently required to go through TXDOT process for review and approval relating to necessary dedication and improvements.	STAFF RESPONSE
42.9 Division 23-9B-2: Right-Of-Way Dedication and Improvement	x	JSc JSc	Determination of Right of Way Dedication and Improvements	Yes	23-9B-2020 (A)(2)(B)	(b) Approval of the rezone would substantially increase the intensity of development allowed on the property to the extent that right of way needs may be reasonably assessed without a site plan, subdivision, or other development application: increase the anticipated traffic generated on the site more than 25% what is allowed under current zoning at maximum build out. A traffic engineer should provide clarification via a signed and sealed letter of the traffic generated by the modified zoning compared with the		
42.10 Division 23-98-2: Right-Of-Way Dedication and Improvement	х	JSc JSc	Standards for establishing right of way alignment	Yes	23-9B-2040 (B)(2)(c) (ii)	(ii) if the centerline of the street is proposed to be shifted from its present alignment, such shift shall be shown in a published/approved transportation plan, the proposed right-of-way centerline; or		
42.11 Division 23-9B-3: Right-Of-Way Reservation	С							
43 Article 23-9C: Transportation Review and Analysis 43.1 Division 23-9C-1: General Provisions		 						
A-43.1.1 Division 23-9C-1: General Provisions	х	x	Transportation Review		23-9C-1010	Proposed new language "If a proposed development does not require transportation analysis under Section 23-9C-2020 (Transportation Impact Analysis Required) or Section 23-9C-2040 (Neighborhood Transportation Analysis Required), the applicable Director may condition approval of the application on funding system improvements or construction of some or all proposed improvements at applicant's discretion, not to exceed the value of the project street impact fee, as described in this section."	The mitigation language needs to be restated in such a way that a development approval and/or permit is not contingent upon development funding and/or building transportation infrastructure improvements to mitigate traffic caused by the development. To accomplish the goals of Imagine Austin, we recommend that this language is modified to allow for a prioritization of density in urban zones (cbd and corridors).	
43.2 Division 23-9C-1: General Provisions		ј ј ј ј ј ј ј ј ј ј ј ј ј ј ј ј ј ј			Yes	Per UTC recommendation, "Specifically remove Level of Service (LOS) as a metric and include VMT as a replacement."		
43.3 Division 23-9C-1: General Provisions	x	JSc JSc	Transportation Review		23-9C-1010(A)(2)	(A) This article establishes procedures for analyzing and mitigating the impacts of new development on the transportation system by: (1) Determining the extent to which streets and other municipal transportation infrastructure are impacted by new development; and (2) Requiring new development to provide transportation infrastructure improvements and other mitigation necessary to address the impacts of new development, and (2) Require new development to provide payment for or improvements to transportation infrastructure improvements and/or other mitigation to best address the impacts of new development, as is feasible given physical constraints of the transportation network and projects	The mitigation language needs to be restated in such a way that a development approval and/or permit is not contingent upon development funding and/or building transportation infrastructure improvements to mitigate traffic caused by the development. To accomplish the goals of Imagine Austin, we recommend that this language is modified to allow for a prioritization of density in urban zones (cbd and corridors).	
43.4 Division 23-9C-1: General Provisions	х	JSc	Purpose and Applicability	Yes	23-9C-1010 (A)	This article establishes procedures for analyzing and mitigating the impacts of new development on the transportation system by:	Language should be modified as mitigation is not always an option for new development in urban environments – language needs to allow for infill development on congested streets that increases transit ridership over time. Language shall be crafted such that infill development is not restricted.	
43.5 Division 23-9C-1: General Provisions	x	JSc	Purpose and Applicability	Yes	23-9C-1010 (B)(1)	Division 23-9C-2 (Comprehensive Transportation Review) is the highest level of transportation review and applies to new development anticipated to generate impacts of at least 1,000 2,000 vehicle trips per day or 100 peak hour trips;	RECA: The lowered TIA threshold of 1,000 trips/day and application of said requirement to downtown discourages density in the urban core and along our corridors. To encourage Imagine Austin density goals and create a critical mass for transit, as well as expedite increased housing supply, the threshold for TIA requirements should be reevaluated.	
43.6 Division 23-9C-1: General Provisions	x	JSc	Trip Calculation	Yes	23-9C-1020 (b)	(B) To determine a street's existing trip count, the director shall rely on most recent data or establish a current trip count based on generally accepted guidelines regulations within this code or the Transportation Criteria Manual and utilizing the federally accepted measures for calculating vehicle trips.		
43.7 Division 23-9C-1: General Provisions	х	JSc	Transportation Review		23-9c-1030 (B)	Add "If an affordable development does not require an analysis" and Delete language: Under(B) (1)-(3), "reasonably priced" because it is too vague and undefined.		
43.8 Division 23-9C-2: Comprehensive Transportation Review								Dtwn Comm: 2010 exempt TIAs and allow TDMs in CC & DC zones
43.9 Division 23-9C-2: Comprehensive Transportation Review		JSc JSc			23-9C-2010 Purpose and Applicability (B)	(B) Compliance with this division is required if a proposed-development is anticipated to generate impacts of at least 1,000 vehicle trips per day or 100 peak hour trips, after deducting any trip reductions approved by the director under Section 23-9D-2030 (Transportation Demand Management). A Comprehensive Transportation Plan is required when both a TIA and a TDM are required (per section 23-9C-2020 and 2030) and refers to the combined report containing information found in both a typical TIA	This section needs to be evaluated. In addition to the suggested modification, consider including a threshold based on alternate methodology that aligns with method of study and determination of impact at intersections (such as peak hour analysis) to provide more certainty and predictability.	
						and TDM.		

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٥	AR OIV	CHANGES TO D3	INITIATED BY COMMSSION	ER EX OFFICIO	TOPIC AREA	FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
43.10	Division 23-9C-2: Comprehensive Transportation Review	x	ANDERSON HART KAZI KAZI KAZI KENNY MCGRAW NUCKOLS OLIVER SECER SECER SHIEH	THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION 23-9C-2020 Transportation Impact Analysis (B)(1)(c)(d)	(B) Contents. A transportation impact analysis must be consistent with the scope approved by the director under Subsection (A) and must comply with the requirements described in this subsection.(1) A		YES/NEUTRAL /NO STAFF RESPONSE
43.11	Division 23-9C-2: Comprehensive Transportation Review	x	15-		Transportation		23-9C-2020	transportation impact analysis must be prepared in accordance with the Transportation Criteria Manual and must establish: (c) the capacity of affected streets intersections before and after the proposed development; (d) deficient streets intersections; and Do not require TIAs at zoning and make it clear to both City Council		
		Î			Transportation		Transportation Impact Analysis (B)(1)(c)(d)	and others that a TIA will be performed at the same time of site plan submittal. (a) must be submitted with an application for a site plan or subdivision. or planned unit development zoning district; and (b) may be submitted, at the applicant's discretion, or as required by the city council, for a zoning application other than a planned unit development.		
43.12			JSc				23-9C-2020 Transportation Impact Analysis (C)(1)(b)	(C) Timing of Submittal. (1) Initial TIA. If a proposed development meets the trip threshold established in Section23-9D-2010 (Purpose and Applicability), an initial transportation impact analysis: (a) must be submitted with an application for a site plan or subdivision. or planned unit development zoning district; and (b) may be submitted, at the applicant's discretion, or as required by the city council, for a zoning application other than a planned unit development.	The conflicting timing concepts between (C/(1)(a) and (C)(1)(b) should be removed. TIA submittal requirements should be clear and predictable. Current draft language suggests that City Council can ask for a TIA even when it is not initially required, which could add 6-9 months to the development process.	
43.13	Division 23-9C-2: Comprehensive Transportation Review	х	JSc		Transportation		23-9C-2030 (B)	Need to see TCM draft and vet along with proposed code language	Need more information on trip reduction measures before this section of code can be adopted	
43.14	Division 23-9C-2: Comprehensive Transportation Review	x	JSc		Transportation		23-9C-2030(C)	(C) Timing of Submittal. (1) Concurrent with TIA. Except as provided in Subsection (B)(2), a TDM plan that meets the requirements of this section must be submitted concurrent with a transportation impact analysis required under Section 23-9C-2020 (Transportation impact Analysis). A TDM review shall be submitted with a formal application for zoning, subdivision, preliminary plan, or site plan review. A TDM shall be reviewed and approval provided with formal comment report on the application. If the TDM reduces trips below the TIA threshold, the TDM shall serve to replace a TIA and a TIA shall not be required.	TDM submittal requirements, procedures and timelines are unclear and appear to be inefficient by requiring multiple studies to be reviewed concurrently. The timing of TDM submittal could be simplified. Whether a TDM plan should be submitted in lieu of a TIA and/or concurrent with a TIA needs to be clarified. To be more clear and predictable, we suggest that the timing of a TDM submittal becomes part of a predevelopment meeting and the predevelopment summary identifies any and all studies required for the applicant.	
43.15			JSc					(2) In Lieu of TIA. (a) The director may allow submittal of a proposed TDM plan in lieu of a transportation impact analysis if the director finds that implementing the TDM plan is sufficient to reduce vehicle trips generated by a proposed development to a level below the threshold established in Section 23-9C-2010 (Purpose and Applicability). (b) The director shall allow submittal of a proposed TDM plan in lieu of transportation impact analysis if a proposed development is anticipated to generate less than 2,000 trips per day. A TDM plan submitted under this paragraph shall be limited to reasonable design enhancements and other cost effective strategies-that can be efficiently integrated into project design. (c) Compliance-with a TDM plan approved under Paragraphs (B)(2)(a) (b) shall be required as a condition to approval of a development application under Division 23-9C-4 (Development Conditions and Mitigation) and may be subject to conditions under Section 23-9C-1030 (Waiver of	CONT'D	
43.16	Division 23-9C-2: Comprehensive Transportation Review	х	JSc		Transportation		23-9C-2030(D)	Change text in (d) by removing the following "and includes reasonable strategies for reducing transportation demand based on the layout, location, and context of a proposed development."	TDM submittal requirements, procedures and timelines are unclear and appear to be inefficient by requiring multiple studies to be reviewed concurrently. The timing of TDM submittal could be simplified. Whether a TDM plan should be submitted in lieu of a TIA and/or concurrent with a TIA needs to be clarified. To be more clear and predictable, we suggest that the timing of a TDM submittal becomes part of a predevelopment meeting and the predevelopment summary identifies any and all studies required for the applicant.	
43.17	Division 23-9C-3: Neighborhood Transportation Impact Analysis Division 23-9C-3: Neighborhood Transportation Impact Analysis		16-1				Santian 22 00 2020	Provide clear definition of "multimodal lovel of annion" to be the	The definition of multi-modal transportation is unclear to expert	
	Division 23-9C-3: Neighborhood Transportation Impact Analysis	x	JSC		Transportation	Yes	Section 23-9C-3020 (A)(1)	Provide clear definition of "multimodal level of service" to better understand implications of this requirement	The definition of multi-modal transportation is unclear. In order to create a predictable process, multi-modal transportation concepts should be clear and defined in code. The code should include a list of allowable and approved "modes" and specific goals of mode split for purpose of implementing code policies regarding redirecting traffic to other modes.	
43.19	Division 23-9C-3: Neighborhood Transportation Impact Analysis Article 23-9D: Development Conditions and Mitigation	x	JSc		Transportation		23-9C-3020	Clear definition is needed of multi-modal level of service – Code should include list of allowed/approved "modes" and goals regarding mode split for purpose of implementing code policies regarding redirecting traffic to other modes		
44.1	Division 23-9D-1: Action on Development Application									
44.2	Division 23-90-1: Action on Development Application Division 23-90-1: Action on Development Application	X X	JSc JSc		Nonzoning		23-9D-1030 (B)	Application Approval will be addressed after the Street Impact Fee regulations are finalized and once the new method of reviewing street impacts is considered.		

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44.4	Division 23-9D-1: Action on Development Application			Х				JSc		V , -					23-9D-1030 (B)(1)	(1) Delaying or phasing development until construction of municipal			
												Nonzoning				transportation infrastructure required to accommodate vehicle trips- generated by the development or other transportation-			
																improvements necessary to directly serve the development; or			
44.5	Division 23-9D-1: Action on Development Application			Х				JSc							23-9D-1030 (B)(2)	(2) Reducing the density or intensity of the development, to the			
												Nonzoning			, , , , ,	extent necessary to ensure that the capacity of the street network is-			
																sufficient to accommodate vehicle trips generated by the proposed			
44.6	Division 23-9D-1: Action on Development Application			х				JSc							23-9D-1030 (C)	Update section (C) to read as follows: "To the extend authorized	Need to clarify that application cannot be conditioned based on request		
																under division 23-9D-2 (transportation INfrastructure IMprovements), and within limits of a projects approved Rough	over/above RP value.		
																Proportionality Determination per section 23-9-XX, the director may			
												Transportation				condition development approval on the construction, dedication or			
																funding of municipal transportation infrastructure improvements that would benefit the transportation system immediately adjacent			
																to the development and assist in mitigating the effects of newly			
44.7	Division 23-9D-2: Transportation Infrastructure Improvements					++	+++	\dashv	+++	+	1 1					annoyated traffic from the development "			
44.8	Division 23-9D-2: Transportation Infrastructure Improvements		х			++	+++	JSc	+++	++	1				23-9D-2010(B)	Replace item (B) with following text "A Comprehensive	23-9D-2010(B): Requirement of Comp Transpo Plan here creates conflict with		
												Tromart			I	Transportation Plan is required when both a TIA and a TDM are	requirement for TDM per 23-0C-2030(A)(2)	ı	
												Transportation				require (per section 23-9C-2020 and 2030) and refers to the combined report containing information found in both a typical TIA		ı	
44.0	Division 22 0D 2. To			L.,		+	$+\!+\!\!+\!\!\!+$	15.	+++	$\perp \!\!\! \perp$	+				22 0D 2000(5)(1)	and TDM "	Development for the bound		
44.9	Division 23-9D-2: Transportation Infrastructure Improvements			х				120							23-9D-2020(B)(1)	Add item (3) as follows "Identified improvements shall be funded by the applicant based on an estimated cost of the system improvement	Requirements for offsite improvements should not be required and rather incentivized (similar to 2010(B) language)	ı	
												Transportation				or, at the discretion of the applicant, may be built by the applicant			
												i ransportation				conditioned on a cost reimbursement from the City of Austin equal			
																to at least 20% of the estimate cost of the improvement."			
44.10	Division 23-9D-2: Transportation Infrastructure Improvements			х				JSc							23-9D-2030(B)(2)	Update item (2) to replace "or refund the fee at the request of the	The City shall automatically refund these funds if not used; The City is		
												Transportation				applicant who paid the fee" to say "automatically upon expiration of the 10 year period to the applicant who paid the fee."	responsible for managing funds and improvements so this is a way to keep them accountable.		
																of the 10 year period to the applicant who paid the ree.			
44.11	Division 23-9D-2: Transportation Infrastructure Improvements			Х				JSc							23-9D-2040	Update item (A) to replace " certified under Division 23-3E-4	Reduced transportation mitigation should be applied to all affordable housing		
																(SMART Housing)." to read " proposing any number of affordable housing units or affordable square footage for commercial use based	projects regardless of whether they follow the City SMART housing proposal as they serve to benefit all affordable renters		
												Transportation				on the percentage of affordable units/square footage (commercial)			
																against the total units/square footage (commercial) of the project."			
_																			
45.1	Article 23-9E: Right-Of-Way Construction Division 23-9E-1: General Provisions	С									+								
45.2	Division 23-9E-2: Construction License	С				+	+++	\dashv		\top	+								
45.3	Division 23-9E-3: Right-Of-Way Permit	С				+	+++	\dashv		\top	+								
45.4	Division 23-9E-4: General Design and Maintenance	C				+	+	\dashv		+++	+								
45.5	Requirements Division 23-9E-5: Drivways and Alleys	_			+++	++	++	\dashv		++	+								
45.6	Division 23-9E-6 Sidewalks, Urban Trails, Street Trees																		
45.7	Division 23-9E-6														23-9E-6040(B)	Add "If public right-of-way adjacent to the development is of	Imagine Austin calls for "complete communities." Complete communities need a		
																insufficient width for the planting of street trees, street trees shall be planted on the applicant's property."	пеакту стее сапору.	ı	
46 46.1	Article 23-9F: Street Design Division 23-9F-1: General Provisions																		
70.1	Situation 2.5 St. Selected Frovisions																	ı	The requirements for access streets, street alignment, dead end
																			streets and block length have been moved out of the Subdivision chapter and into the Transportation chapter. The maximum block
																			length varies by zone, so the street layout will be context sensitive
46.2	Division 23-9F-2: Access to Major Streets							+										N/A	Refer to Table 23-9F-3050(A).
46.3	Division 23-9F-3: Street Layout							+											
47	Article 23-9G: Road Utility Districts																		
47.1	Division 23.96.3. Construction Demand Management	С				$\perp \perp$		Ш			ш								
47.2	Division 23-9G-2: Construction of Facilities	С												Vest					
	3-10: Infrastructure Article 23-10A: Austin Water Service	NONE	MINOR										YES/NO	YES/NO					
48.1	Division 23-10A-1: General Provisions																		-
48.2	Division 23-10A-2: Extension of Service, General Provisions					HT.													-
48.3 48.4	Division 23-10A-3: Extension of Service, Cost Participation Division 23-10A-3: Extension of Service, Cost Participation			v		++	+++	ISC	+++	+	+				23-10A-3040 (D)		In many cases the City may deny cost participation due to lock of funding and	_	- Disagree with the comment.
40.4	23-100-3-Extension of Service, Cost Participation			х				130							23-10A-3040 (D)		In many cases the City may deny cost participation due to lack of funding and will still require the developer to build out the new infrastructure or increase the		Based upon case law, if the City requires the oversizing of
												Nonzoning					pipe size to serve adjacent properties at the applicant's cost. By limiting it only		infrastructure it must pay its proportionate share of costs. If the City has no funds to pay for its proportionate share, it cannot
																	to servicing the proposed property and proposed development on that site it will limit potential abuse of overreach by AWU.	No	require an oversizing of the infrastructure. It should be noted that
48.5	Division 23-10A-4: Tap Permits			-		++	+++	+	+++	++	1						· ·	INO	the City may require a developer to upsize an existing line, but
48.6	Division 23-10A-4: Tap Permits		Х			++	11	JSc							23-10A-4080 Refund of	Strike "before the expiration date of the permit" because it should			
												Nonzoning			Tap Permit Fee (B)	allow a request for a refund to be made at any time		L	
49	Article 23-10B: Water Districts																	Yes	The deletion is acceptable.

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				ANDERSON HART	KENNY MCGRAW NUCKOLS	OLIVER SCHISSLER SEEGER	SHIEH THOMPSON	SHAW BURKARDT MENDOZA			GENERAL SPECIFIC SECTIO	N		YES/NEUTRAL /NO	STAFF RESPONSE
49.1	Division 23-10B-1: General Provisions														-
A-49.1.1	Division 23-10C-1: General Provisions	х				JSc			Nonzoning		23-10C-1030 (C)	Funds may be disbursed as reasonably necessary to carry out the purposes; provided that a fee shall be expended within a reasonable period of time, not to exceed 10 years, from the date the fee is deposited into the account. In the event that a fee is not expended within 10 years of a deposit, it may be reimbursed to the payee.	This clarifies that a fee not used in 10 years may be refunded to the original payee. This should encourage the city to be diligent about expending the funds and performing the capital improvements.	No	Capital Recovery Fees are designated for growth-related projects in the City's service area and are not solely designated for a specific project. As such, Austin Water adjusts its capital spending plan annually to ensure the construction of the most critical growth-related projects. Additionally, Austin Water reassesses its impact fees every five years, in accordance with State law, to
49.2	Division 23-10B-2: Procedure for Creation	С		$\perp \! \! \perp$			$\perp \perp$		Ц						-
49.3	Division 23-10B-3: Conditions and Restrictions on Consent to Creation of District	С													-
49.4	Division 23-10B-4: Out-of-District Service	С													-
49.5	Division 23-10B-5: Amendment to a Consent Document or an Agreement with a Water District	С													_
49.6	Division 23-10B-6: District Bond Issuance	С													-
50.1	Article 23-10C: Water and Wastewater Capital Recovery Fees Division 23-10C-1: General Provisions			+											_
50.2	Division 23-10C-2: Fee Established														-
50.3	Division 23-10C-2: Fee Established	x				JSc			Nonzoning		23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a-site plan or building plan review; or	This ensures that the impact fee being paid is directly related to the unit that is performing the impact.	Yes	The deletion is acceptable.
50.4	Division 23-10C-3: Determination of Service Units	С													_
50.5	Division 23-10C-4: Exemptions	С													_
50.6	Division 23-10C-5: Discounts and Adjustments	С													_
51	Article 23-10D: Reclaimed Water Division 23-10D-1: Reclaimed Water														
52	Article 23-10E: Drainage	С													-
52.1	Division 23-10E-1: General Provisions														-
52.2	Division 23-10E-1: General Provisions		x			JSc			Nonzoning		23-10E-1050 Obstruction of Waterways Prohibi	Unless authorized by a development application approved in compliance with Title 23, a person may not place, or cause to be placed, an obstruction in a waterway or drainage easement used for overland conveyance if the obstruction would cause impact to the conveyance of the waterway or drainage easement.	Clarifies that an easement may be obstructed, provided that the obstruction does not cause impact to the conveyance.	No	Obstructions to waterways are also a concern if they affect accessibility for maintenance.
52.3	Division 23-10E-1:		х			JSc			Nonzoning		23-10E-1060 Duty t Maintain Ubnobstructed Waterways	drainage easement of any type shall be maintained by the City of Austin. The person in control of real property traversed by a waterway or drainage easement is prohibited from obstructing the waterway or drainage easement i accordance with 23-10E-1050 and shall be responsible for alerting appropriate City Officials of any obstructions within the waterway or drainage easement promptly upon discovery. Removal of naturally occurring obstructions is the responsibility of the City of Austin. Removal of unauthorized, mammade obstructions within the waterway is the responsibility of the party responsible for placing the obstructions. must keep the waterway free from an obstruction that is not authorized by a development application approved under-Title 23.	This clarification eliminates the instances where a property owner would be required to remove the obstruction in a City owned easement as a result of an obstruction (tree or tree branch, etc.) ending up there due to conveyance.	No	The person in control of real property traversed by a waterway must keep the waterway free from an obstruction that is not authorized by a development application approved under Title 23.
A-52.3.1	Division 23-10E-3: 223-10E-3010 Criteria For Approval of Development Applications	x						TS	Drainagecritie rs for new and redeveloped		yes 23-10E-3010 (A)(5) (MOTION: PC shall adopt section 23-10E-3010 as proposed in CN draft 3 (refer to exhibits: SHAW EXHIBIT WS-1, SHAW WS-2, and SHAW WS-3.	(A)(5) (f) reduces the post-development peak flow rate of discharge to match the peak flow rate discharge for undeveloped conditions as prescribed on the Drainage Criteria Manual.		The addendum clarifies that this applies to site plans and subdivisions.
F2 F	3020 - Certificate of Engineer Required for Certain Alterations and Improvements	х						TS	Certificate of Engineer Required for Certain		3020 -	DELETE:(B)Subsection (A) does not prohibit the director from accepting a plan or specification for a minor alteration or improvement that, in the judgment of the director, does not require certification by an engineer.	Director should not be allowed to circumvent State P.E. Rules.		This allowance for minor alterations was part of the original 1974 Waterway Ordinance. However, our staff don't have any knowledge of the director ever waiving the requirements of a PE seal for minor alterations or improvements.
52.5	Division 23-10E-2: Drainage Studies; Erosion Hazard Analyis; Floodplain Delineation		+	$\perp \downarrow \perp$	+++			+++				(A) 5			-
52.6	Division 23-10C-2: Fee Established	X				JSC			Nonzoning		23-10C-2050 (A)(1)	(A) Except as provided by Section 23-10C-2060 (Installment Payment Of Impact Fee), or by a contract with a wholesale customer or with another political subdivision, the impact fee due for new development shall be collected: (1) At the time the City of Austin approves a site plan or building plan review; or	This ensures that the impact fee being paid is directly related to the unit that is performing the impact.		
52.7	Division 23-10E-3: Standards for Approval												<u> </u>		

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СНА	DIVISI		SIRED PRO			INITI	ATED BY	COMMS	SIONER	E	X OFFICIO	TOPIC AREA	STAFF FEEDBACK	Α.	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
					ANDERSON	KAZI KENNY	MCGRAW	OLIVER SCHISSLER	SHIEH	WHITE	BURKARDT MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
52.8	Division 23-10E-3: Standards for Approval			х	l			JSc				Noncoring			23-10E-3010	Proposal would include the following alternative options for site in an urban/suburban watershed that are also along a corridor, within ½ mile of transit or within a TOD: Option to develop to existing site impervious cover with 75% water quality volume compliance and detention required up to the 10 year storm for the full impervious cover.	Provide alternative options. Potential options listed here		
												Nonzoning				Option to develop to reduce existing impervious cover by 10% with 75% water quality volume compliance and no detention required. Option to develop above existing site impervious (if allowed by zoning/watershed code) with full water quality compliance and detention of new impervious to 100 year storm and existing impervious cover to 25 year storm.		No	Staff feels that these proposals would provide significantly less flood risk reduction and water quality benefits compared to the current CodeNEXT draft language. The RSMP program provides the off-site compliance opportunities in the form of downstream conveyance or collection system improvements or detention off-site. Also, since participation is based on a "no additional adverse impact" standard, there is some additional flexibility in participation for sites with minimal to no increase in impervious cover.
52.9	Division 23-10E-3: Standards for Approval Division 23-10E-3: 23-10E-3010 Criteria For Approval of			х	Ш			JSc				Nonzoning			23-10E-3020 Regional Stormwater management Program (C) [NEW]	the Regional Stormwater Management Program if: (1) The applicant contributes towards the cost of drainage studies for the watershed (2) The applicant constructs off-site improvements in lieu of payment		No	Drainage studies do not count towards the fee in lieu for the RSMP program. Off-site improvements as well as the engineering to produce final plans for infrastructure can be included as RSMP participation. Staff recommends that these options for RSMP participation continue to be housed in the Drainage Criteria Manual.
52.10	Development Applications				Ш							Drainage critieria for new and redeveloped sites			23-10E-3010 (A)(5)(b)	MOTION: PC shall adopt section 23-10E-3010 as proposed in CN draft 3 (refer to exhibits: SHAW EXHIBIT WS-1, SHAW WS-2, and SHAW WS - 3.	(A)(5) (f) reduces the post-development peak flow rate of discharge to match the peak flow rate discharge for undeveloped conditions as prescribed on the Drainage Criteria Manual.	Ver	WPD agrees. Please note: The addendum clarifies that this applies to site plans and subdivisions.
52.11	Division 23-10E-3: 3020 - Certificate of Engineer Required for Certain Alterations and Improvements		х							TS		Certificate of Engineer Required for Certain Alterations and Improvement			3020 -	DELETE: (B)Subsection (A) does not prohibit the director from- accepting a plan or specification for a minor alteration or- improvement that, in the judgment of the director, does not require- certification by an engineer.	Director should not be allowed to circumvent State P.E. Rules.	TES	This allowance for minor alterations was part of the original 1974 Waterway Ordinance. However, our staff don't have any knowledge of the director ever waiving the requirements of a PE seal for minor alterations or improvements.
52.12	Division 23-10E-5: Responsibilities of Applicant or Owner Division 23-10E-5: Responsibilities of Applicant or Owner			х				JSc				RSMP and Downstream Conveyance			23-10E-5020 Dedication of Easemetns and Rights-of-Way	(B) An easement or right-of-way required by Subsection 23-10-5020- (A) must be of sufficient width to provide continuous access for the operation, maintenance, or repair of a drainage facility, as prescribed in the Drainage Criteria Manual.(C) The applicant must dedicate any additional easement or right of way that is necessary to allow-continuous access for the operation, maintenance, or rehabilitation of a drainage facility.(B) The applicant shall allow access through the project site as necessary to allow City operation, maintenance, or rehabilitation of a drainage facility; such access shall be described in the easement terms for the facility, but shall not be required to be	The former B & C are unnecessary with the amendment which clarifies the intentions of both.	No	The applicant cannot guarantee that access through a project site will be available at all times. Drainage facilities must be fully accessible at all times to perform corrective maintenance.
Chapter 23-11: Technic al Codes (TBD)		NONE	MINOR										YES/NO	YES/NO					
54	Article 23-11A: Introduction Article 23-11B: Technical Codes																		
54.1 54.2	Division 23-118-1: Building Code Division 23-118-2: Food Establishments		-	\vdash		$\vdash\vdash$	$\vdash \vdash \vdash$	++	++	++	++								
54.3	Division 23-11B-3: Reserved							廿			廿								
54.4 54.5	Division 23-118-4: Electrical Code Division 23-118-5: Mechanical Code		1			$\vdash\vdash$	H	+	+	+	+								
54.6	Division 23-118-6: Plumbing Code		1			\vdash	++	++	++	+	++								
54.7	Division 23-118-7: Fire Code							11		\Box	\bot								
54.8 54.9	Division 23-118-8: Solar Energy Code Division 23-118-9: Property Maintenance Code		1	\vdash		$\vdash\vdash$	$\vdash \vdash \vdash$	++	++	++	++							-	
54.10	Division 23-11B-10: Reserved						Ш	Ш											
54.11 54.12	Division 23-11B-11: Residential Code Division 23-11B-12: Energy Code	\vdash	1	\Box	\Box		\Box	+T	$+\Gamma$	$+\!$	$+ \top$								
55	Article 23-11C: Administration of Technical Codes																		
	3-12: Airport Hazard and Compatible Land Use Article 23-12A: General Provisions	NONE	MINOR	MAJOR									YES/NO	YES/NO					
56.1	Division 23-12A-1: Height Limits and Airport Hazards	С																	
56.2	Division 23-12A-2: Compatible Land Uses	С																	
56.3	Division 23-12A-3: Nonconforming Uses, Structures, and Objects; Marking and Lighting	С																	
56.4	Division 23-12A-4: Permits	С																	
Chapter 2	3-13: Definitions and Measurements	NONE	MINOR	MAJOR									YES/NO	YES/NO					

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3	TITLE	ED PROPOS INGES TO D			INITIAT	ED BY CO	MMSSIC	ONER	EX	OFFICIO	TOPIC AREA	FEEDBACK	Ar	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
				ANDERSON HART KAZI	KENNY MCGRAW	NUCKOLS OLIVER	SCHISSLER SEEGER	SHIEH THOMPSON	SHAW BURKARDT	MENDOZA TEICH			GENERAL	SPECIFIC SECTION			YES/NEUTRAL /NO	STAFF RESPONSE
57 57.1	Article 23-13A: Definitions and Measurements Division 23-13A-1: Terms and Measurements				++													-
57.2	Division 23-13A-1: Attached	х						TV	v		DEFINITIONS			13a-1 pg 3	ATTACHED-When used with reference to two or more buildings- units, means having one or more common walls or being joined by a roof; covered porch or covered passageway measuered 20' in depth from the front lot line to rear.		No	
57.3	Division 23-13A-1: Conserve	х						TV	V		DEFINITIONS				Conserve: to maintain the height, footprint and roof line of an existing building for the first 25' as measured from the building line toward the rear lot line		No	
57.4	Division 23-13A-1: Gross (GFA)		х					TV	v		DEFINITIONS			13A-1 pg.11	GROSS (GFA) The total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The term excludes loading docks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities, driveways, and enclosed loading berths and off-	The intention with this change is to reduce the amount of exemptions toreduce the cost of projects by making it easier to calculate the FAR and easier to review. It would also reduce the number of unintentional violations of FAR limits by homeowners who turn exempted space into habitable space. This change would go hand in hand with an .05 increase to the allowable FAR in all residential zones.	No	
57.5	Division 23-13A-1: Small Area Plan							TV	v			х			Small Area Plan (MISSING). <u>Please add.</u>	Small Area Plan (MISSING). Please add. Small area plans are a major city planning tool and are referenced in Draft 3, yet not defined here.		
57.6	Division 23-13A-1: Stepback							TV	v			х			Stepback (MISSING). <u>Please add.</u>	Stepback (MISSING). Please add. The term 'stepback' is used in throughout 23- 40, but is not defined. The current draft does define setback, but that is not the same thing.	Yes	
57.7	Division 23-13A-1: Urban Core							TV	v						Urban Core (MISSING). <u>Please add.</u>	Urban Core (MISSING). Please add. 'Urban Core' is used throughout Draft 3 to describe geographical areas where certain zoning requirements apply so this needs a clear definition, ideally with live link to map. The draft currently defines it only in the context of Parkland Dedication	No	not needed. Remove from use
57.8	Division 23-13A-1: Valid Petitions							TV	v			х			please add a definition for Valid Petitions, including applicability, procedures, etc., similar to what the draft provides for Vested Rights Petitions in 23-K-2	In the interest of fairness, please add a definition for Valid Petitions, including applicability, procedures, etc., similar to what the draft provides for Vested Rights Petitions in 23-K-2		
57.9								JS h			Attached			23-13A-1030	When used with reference to two or more buildings ADD - When used with reference to duplex or single family dwellings with dual same street frontage, means being joined by a roof of 20' minimum measured perpendicular to the street frontage.	this will be tweak by workging group		
57.10	Division 23-13A-1: Terms and Measurements		x				JSc				Definitions			23-13A-1030	Delete Deficient Park Area Map definition and replace with "Proximity to Park Area Map": "A map depicting areas that the Parks Director has by rule determined lack sufficient parkland based on the criteria in 23-38-1 and 23-38-2"	Delete Deficient Park Area Map definition and replace with "Proximity to Park Area Map"		PARD does not agree with this substantive change due to the prior negotiations that created this section in 2016. The map in the code is a Deficiency Map, not a Proximity Map. That term Proximity does not match the concept. Changing this concept would require extensive staff time to change the Deficiency Map created over the last 10 years from recommendations from the City's Families and Children Task Force. For reference, here is the definition in the current code and DRAFT 3: PARK DEFIENCY MAP A map depicting areas that the Parks Director has determined lack sufficient parkland based on locational criteria established by the Parkland Dedication Operating Procedures Article 23-3B (Parkland Dedication) and the parkland policies of the Comprehensive Plan.
57.11	Division 23-13A-1: Terms and Measurements	х					JSc				Definitions				HEIGHT, ACCESSORY STRUCTURE. Height, for the purpose of establishing required setbacks, shall be defined for every point within the footprint area of an accessory structure, including a tree house, as the vertical distance between finished grade and the highest part of the structure directly above. Height in all cases shall include, but is not limited to, any slab, platform, pad, mound or similar elevated base above pre-existing grade.	Provides much needed clarity - height requirements interpretations shouldn't be a subject for debate.	Neutral	
57.12	Division 23-13A-1: Terms and Measurements	x					JSc				Definitions			23-13A-1030	discretion of the responsible director in order to treat two or more	UDA's are currently not allowed on residential sites. UDAs facilitate aggregation that is often required to achieve unit yields per AIA Charrettes. Allows more flexible site planning for tree preservation, etc.	Neutral	
57.13	Preservation				KN	м		İτν	V						Preservation is defined as the act or process of applying measures neces- sary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make prop-erties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment. The Standards for Preservation require retention of the greatest amount of historic			HLC: 1030 Define Preservation
57.14	Division 23-13A-1: Terms and Measurements							т			DEFINITIONS				Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.]	Per HLC recommendation, from Dept of Interior.		HLC: 1030 Define Preservation

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				NDERSON	AZI	ACGRAW IUCKOLS	CHISSLER	EEGER HIEH HOMPSON	VHITE	URKARDT AENDOZA EICH		Ш	GENERAL	SPECIFIC SI	CTION			YES/NEUTRAL /NO	STAFF RESPONSE
A-57.14.1			х	4	<u> </u>	<u> </u>	0 8 6	SSF	TS	<u> </u>	Large Site	YES	GENERAL	Division 23-40		Add definition to 23-13 Defintions and Measurements	Large sites is a new term and needs to be defined in 23-2M-1030 Terms.		STAFF RESPONSE
57.15						KM			+	+H	Definition Definitions			23-13A-1030		REWRITE PER EXISTING MCMANSION CODE	This should say NATURAL grade NOT FINISHED GRADE		
A-57.15.1	neighborhood plans								Т	+H	definitions					Add a definition			
57.16	Division 23-13A-2: Land Uses				+	++-			w	+									-
57.17	Division 23-13A-2: Land Uses		х	GA	FK		JSc				Definitions			23-13A-2030(0		Cooperative Housing: A housing use operated by a cooperative (under Section 251.002 of Texas Business Organizations Code), or a nonprofit or other entity in which residents are entitled equal voting rights, and equal ownership shares if the cooperative sells shares.	Amend Language	Yes	
57.18	Division 23-13A-2: Land Uses		x		FK						Definitions			23-13A-2030-		ACCESSORY DWELLING UNIT 1. RESIDENTIAL. A subordinate dwelling unit added to, created within, or detached from a primary residential structure that provides basic requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the primary structure. A tiny home, Manufactured Home or Recreational Vehicle that does not have a motor may be used as a residential accessory dwelling unit. 2. COMMERCIAL. A subordinate dwelling unit added to, created within, or detached from a primary commercial structure that provides basic requirements for independent living, sleeping, eating, cooking, and sanitation for one or more persons and which is located on the same lot as the rimany structure.	Tiny homes provide simple options for families and should be allowed.		
57.19	High Opportunity Area								TW			х				High Opportunity Area (INACCURATE, POTENTIALLY OFFENSIVE). Please replace with "Qualifying area" and strengthen the definition to require an area to provide at least three or more of the listed conditions to qualify	High Opportunity Area - a metric needs to be added to mandate how often this area will be redefined		
57.20									TW	$\Box\Box$							Please add definition of Multi-Unit. While Draft 3 still contains a few references to Multi-Family, it replaces this term with Multi-Unit throughout 23-4D. Please		
57.21	Multi-Unit								TW	+H		×			\dashv	Affordable Housing (INCOMPLETE). <u>Please replace or augment</u>	provide a definition for both terms.	No	not needed, multi-unit is not a use, it's a zone category
57.22	Affordable Housing								TW		definitions	x		specific defini	ion		this is redundant with the definition for live work. I don't see how this simplyfies anything and I think it'll end up being subjective which is which.		
A-57.22.1	live/work & work/live		x					JSh			accessory apartment						REINSTATE accessory apartment "USE" ALLOWED IN ALL R ZONES 23-4D-2030 LAND USE TABLE - ADD USE 23-4D-6050 ACCESSORY USES - ADD SECTION 23-13A-2030 LAND USES - ADD DEFINITION 25-2-901 - ACCESSORY APARTMENTS. An accessory apartment is a separate dwelling unit that is contained within the principal structure of a single-family residence, and that is occupied by at least one person who is 60 years of age or older or physically disabled. B. If space within a principal structure is converted to an accessory apartment, the accessory apartment may not include: 1. converted garage space; or 2. a new entrance visible from a street. REMOVE SECTION C BELOW C. The building official may not issue a building permit for construction or remodeling of an accessory apartment unless the applicant delivers to the building official an affidavit verifying that one of the proposed occupants of the accessory apartment is 60 years of age or older or physically disabled. Accessory Apartment Allowed Use - Reincorporated and allowed use.	No	all land uses shall be defined
											accessory apartment						Internal to an existing home - adaptive reuse Internal to main house, http://www.plgrove.org/documents/faq-accessory-apartments.pdf Should firewall separation be required between the AA and the main dwelling? No. This is required for a duplex, but not normally required for Accessory apartments. It is a substantial cost that would need to be required for most existing situations that might cause difficulties for compliance. An accessory apartment Is considered a part of the same home and structure, and normally the main dwelling unit is required to have access to it. proposed definition as refined over the years is: Attached: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities, within or attached to a single family residential building; or Detached: Within a detached accessory structure associated with a single Family dwelling. https://extension2.missouri.edu/gg14 Mention costs to do an accessory apartment - very VERY affordable vs adu		

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CHAPTER	ARTICLE DIVISION TITLE	DESIRED PROPOSED CHANGES TO D3	INITIATED BY COMMSSIONER EX OFFICIO	TOPIC AREA	REQ. ADD'L STAFF FEEDBACK	AMENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES	
			ANDERSON HART KAZI KENNY MCGRAW NUCKOLS OLIVER SCHISSLER SEGER SHIEH THOMPSON WHITE SHAW BURKARDT MENDOZA TEICH			GENERAL SPECIFIC SECTION			YES/NEUTRAL /NO STAFF RESPONSE
A-57.22.3	Designated Review Group	×	TW	missing defs	x			Clearly define Designated Review Group. Draft 3 repeatedly references a "Designated Review Group," which it invests with significant authority, but fails to provide any definition, including how review group members will be selected and by whom, qualifications for membership, terms of service, and whether the group is subject to the Open Meetings Act. Please revise to provide clear standards for this group	
A-57.22.4	micro units, modular, mobile homes	x		missing defs	х		Please add definitions	let's discuss why these aren't included as definitions or uses in our new code?	
57.23	micro units, modular, mobile homes	х	TW	missing defs	х		Please add definitions.	let's discuss why these aren't included as definitions or uses in our new code?	No only define uses.

CodeNEXT: DRAFT 3 DELIBERATION TABLE ADDENDUM

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Note on Addendum Item	Item Number	DIVI		GES TO D3		INITIATED	ву сомм:	SSIONER	E	X OFFICIO	TOPIC AREA	FEEDBACK	AN	MENDMENT TYPE	SUBSTITUTE LANGUAGE	COMMISSIONER NOTES		
Original Motion was voted to	21.5	Conditional Use Permits		×					TW		CUPs			23-4B-1020	please see Exhibit TW Conditional Use Permits	There are a number of general and specific changes outlined in the exhibit		
uvide	21.5 - Item 1														please see Exhibit TW Conditional Use Permit	OATION		
	21.5 - Item 2														please see Exhibit TW Conditional Use Permit			
	21.5 - Item 3														please see Exhibit TW Conditional Use Permit			
	21.5 - Item 4														please see Exhibit TW Conditional Use Permit			
	21.5 - Item 5														please see Exhibit TW Conditional Use Permit			
	21.5 - Item 6														please see Exhibit TW Conditional Use Permit			
Original Motion was voted to	23.3	Division 23-4D All Subsections	x		АН	FK					Affordable Housing	No	Yes	23-4D	Change Cooperative Housing to P in R1, R2B-E, R3B-C, R4C, RR and MH; Change Cooperative Housing to P in zones R4A-C, RM1A-B; Change Cooperative Housing to P in MH, MS1A, MU3B, MU4	Cooperative Housing would still have to apply with applicable zoning regulations - it's a model that everyone should support.	Yes/No	4 unrelated adults may reside in a house built since 2014 and 6 unrelated adults may reside in a house built before 2014 which is the reason for not recommending P in R zones; Staff agrees that it can
uivide	23.3 - Motion 1														Change Cooperative Housing to P in MH, MS1A, MU3B, MU4			he allowed in MLI3B and MLI4
Motion 2 was voted to separate															go acceptance rooding to rain many modely modely modely			
	23.3 - Motion 2A																	
															Change Cooperative Housing to P in R3B-C, R4C,R4A-C, RM1A-B;			
	23.3 - Motion 2B														Change cooperative housing to 1 in 183 c, 1845, 1847 c, 1881 a s,			
	23.10					EK		ISh	TVA					ALL R ZONES	delete frontyard impervious regulation		No	purpose is to prevent full front yard pavement - if removed from
Vote Unclear due to division of						rk		3311			FY Imp Cov			ALL R ZONES	delete irontyaru impervious regulation			D3, it will be removing a NP subset from some mcmansion areas, can maybe apply to only mcmansion zones
Original Motion was voted to	23.35	Division 23-4D-2				км								23-4D-2 simplify uses	Remove single-family attached, duplex and ADU	Remove these uses in favor of only referencing dwelling units without		See response on line 23.31
		Residential House-Scale Zones												maintain; minimum lot sizes in some zones	Maintain current lot sizes (minimum 5,750) and minimum width (50') in R1B, R1C, R2A, R2C, R3C, R4A (6,000 - 60' width)	respect to their attachment or not per zoning - only per Buildign code. FAR is permitted for any dwelling unit on the lot with the only limitation being 550 SF on the second floor of the rear 1/3 of the lot. per current ADU code. Smaller lot sizes may be incorporated into zones intended to be used in greenfield areas and as implementation for use via the Small Area Planning Process with full public participation. These include R2B, R2D, R2E, R3C, R3D This amendment provides balance required to achieve the Austin Bargain to allow neighborhoods to maintain existing current zoning while creating new zones for greenfield, areas where the new regulations match current development and for sites identified in a Small Area Planning process.	No	
	23.35 - Motion A														Remove single-family attached, duplex and ADU	r turning processe.		
No Action Made	23.35 - Motion B														Maintain current lot sizes (minimum 5,750) and minimum width (50') in R1B, R1C, R2A, R2C, R3C, R4A (6,000 - 60' width)			
Original Motion was voted to	23.37	Division 23-4D-2							TW				Х	Lot Size & Intensity	replace 5000 with 5750	This reduction inadvertently allows an additional 39,469 lots (lots in this zoning	No	Staff supports reducing nonconforming lots with 5000 square foot
divide		Lot size minimum		х							Lot Sizes			Table; R1B-R2C		category between 11.5k-10k) to be subdivided leading to increased demolitions		lot; the 39,469number is erroneous and the correct number is
	23.37 - Motion 1														Create comparable R zones in R1 and R2 (number to be determined by staff) that maintain the 5750 sf minimum lot size and a minimum 50' lot width (Pg 35 of 48 of Residential Working Group - Item B)			
	23.37 - Motion 2														Map new zone to all existing lots with 5750 sf			
Original Motion was voted to divide	23.44	Division 23-4D-2 2030- Allowed Land Uses and Permit Requirements		x					TS		Single Family Attached	NO		Table 23-4D-2030(C) Allowed Uses in Residential House-Scale	CHANGE: Single-Family Attached status from "P" to "-"in R2A, R2B, R2C, R3A, R3B.	Change permit status of Single-Family Attached in Specific Zones to not allowed.	No	Staff does not aggree with reducing SF attached permissions in D3 as it will be reducing entitlements currently allowed today
	23.44 Motion A													LUIICS	Single-Family Attached status from "P" to "-"in R2A, R2B, R2C			
Vote Unclear due to division of																		
question	23.44 Motion B							1 1	1 1 1		1		1		Single-Family Attached status from "P" to "-"in R3A, R3B.		1	

LEGEND

Passed Motion

Defeated Motion

Duplicate Motion of Acted-On Item or Failed on Second or Withdrawn

Staff identified duplicate motions Motion Tabled

See Table Addendum for more information

	General or	0	T	P. controller	Area	Supporting	had the state of t	O a manufaction and Nation	0.46 0
Item	Specific	Commissioner	Topic	Description	Impacted	Graphics (Y/N)	Justification	Commissioner Notes	Staff Comments
1	General	Conor Kenny	Corridor and transition zoning for IA gentrifying areas	All IA corridors in gentrifying areas will be mapped as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, lots between 140-220 sq ft. deep zoned as MS3B, lots 220 ft deep or more zoned as MS3C. 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.	IA gentrifying areas	n	This protects gentrifying areas while still building towards transit-supportive density and complete communities. Only one row of current single family zoning allows multi-family, and all increases in height must be obtained through participation in the affordable housing program.		Need clarification on the definition or criteria for gentrifying area. 1) MS Zones have been applied so that lots below 150 ft in depth are MS2 and over 150 ft are MS3 when adjacent to a zone that triggers compatibility. Staff does not recommend Main Street everywhere. Mixed Use Zones can provide flexibility when appropriate. Need clarification on the purpose of the difference between MS3B and MS3C in this motion. 2) Staff does not recommend blanket upzone, context needs to be further examined. If motion 23.129 is not passed by the commission, is there an alternative zone that should be applied. 3) Staff applied R2A or R2B on SF-2 and SF-1 zoned lots within a 1/4 mile of an IA corridor if the streets where connected to the corridor and the lots where not in a floodplain. SF-3 lots were converted to R2C.
2	General	Conor Kenny	Rezone all R2A	All D3 lots zoned as R2A will be re-zoned as R2C.	Citywide	n	R2A is junk zoning that only allows duplexes on corners, which is not an appropriate policy for a city in a housing crisis.		This zone is applied based on incremental increase in density while maintaining current neighborhood character. The R2A zone was modeled after existing development patterns found in Austin. R2A has been mostly mapped on SF-2 zoning which only allows one unit per lot under current code.
3	General	Conor Kenny	Rezone all R3A	All D3 lots zoned as R3A will be rezoned as R3C.	Citywide	n	R3A is junk zoning that only allows duplexes on corners, which is not an appropriate policy for a city in a housing crisis.		R3A does not appear on the Draft 3 map. This zone was modeled after neighborhoods like Windsor Park which have large lots and through future planning efforts this zone can be used to provide incremental increased in density while maintaining current neighborhood character. R3A allows duplexes on any lot.
4	General	Conor Kenny	Reverse undesired D3 mapping inconsistent with neighborhood plans	Reversing the mapping done in D3 that conflicts with neighborhood plans.	Citywide	Y	Clarify the debate.	Note: I will have a full list of these changes to come - I am still collecting from neighborhood groups.	Most properties align with the FLUM designation. The FLUM does not align with the proposed zoning if the current entitlements are more intense than the FLUM designation (example: multifamily or commercial zoning with single family FLUM designation) or the current residential use is more intense than the FLUM (existing fourplex with single family FLUM designation. Also, the expansion of mixed use zoning applies to many properties that are designated office or commercial by the FLUM.
5	General		IA Activity Centers	Map all activity centers. Most are now F25	Activity Centers	N	This was the whole point of CodeNext - To implement Imagine Austin		Any COs in the Centers can potentially be reviewed and get a proposed D3 zone; however, there are many F25s in these areas that are PUDs, TODs, PDAs or other regulation plans. Staff is not recommending rezoning at this time. These are specific plans and applying new zones may result in a loss of entitlements or specific form controls/benefits of the current zoning. - About 19,800 (8%) of lots intersect with an IA Center. - About 6,900 of those are F25 - About 1,100 F25 lots are conditional overlays
6	General	Jeff Thompson	Downtown remapping	to DAA proposal	downtown	N		This was actually one I was planning on submitting	
	General	Jeff Thompson	TOD's	Map all TOD's	TOD's	N		pianning on Submitting	Rezoning will affect different agreements and requirements in the regulating plan that reference Title 25 zones. Staff recommends this process be completed in the future.
8	General	Fayez Kazi	Corridors Zones	Create zone methodology as descibed in attachment	entire city				need attachment
9	Specific	Fayez Kazi	food desert	Zone the SW corner of Elroy and 130 from IF to MU3 or MU4			to allow grocery store with food sales and alcohol sales uses		Food and alcohol sales are permitted in IF.
10	Specific	Fayez Kazi	food desert	For the F25 areas between McKinney Falls, 183, and Burleson, zone the CS-CO-NP to MU3 or MU4 and the LI-CO-NP to be IF			to allow grocery store with food sales and alcohol sales uses		Food Sales are allowed in CS-CO
11	General	Fayez Kazi	compatibilty	Identify properties that cause compatibility on CC or DC areas and consider zoning them to the minimum necessary to not trigger compatibility.					Only two instances of a RH Zone adjacent to CC or DC and they are both CC zones with a historic overlay. The DAP sets specific compatibility regulations near Judges Hill. CC subzones are applied based on the heights set by the DAP. DC does not have compatibility restrictions.
12	Specific	Fayez Kazi	transit	Direct staff to zone South Park Meadows as a mix of MU, CC, and UC, with no less than 25% as UC					This area is classified as a Town Center in Imagine Austin, which is less intense than Regional Centers and does not lend itself to zones like UC. MS and MU are appropriate and this area is already MU with F25 (GR-CO).
13	General	Karen McGraw	mapping	We should not be mapping without an adopted Code	Entire City		CodeNext has not been adopted and may not be adopted as proposed. This could be simply a lost effort.		Staff does not recommend delaying the mapping process as it will delay the implementation and having an updated map at adoption will allow the small area planning process to commence sooner. Mapping has been essential to development of the proposed zones.

Line	General or				Area	Supporting			2
Item	Specific	Commissioner	Topic	Description	Impacted	Graphics (Y/N)	Justification Stakeholders should be active participants in a	Commissioner Notes	Staff Comments
				We should not be mapping without substantial stakeholder			remapping proces and have not been invited to or		CodeNEXT has gone out into the community, held many office hours, and has
14	General	Karen McGraw	mapping	engagement in the mapping process.	Entire City		engaged in this process.		mutliple tools for commenting on the mapping and code language.
15	General	Karen McGraw	UNO	UNO mapping should be left intact as requested by Canpac	UNO		UNO to remain as designed		UNO has been carried forward in the draft text and map.
				Each commissioner should foster the conversation among their district stakeholders and take the lead in structuring a process					
15.1	General	Karen McGraw		in their district regarding mapping					
	0			Allowing for the description of the control of the					
16	General (example)	Trinity White	plan to plan	Allowing future density through SAP with a quota to be met geographically for a balanced distribution of density city wide	city wide	maybe	back up to be provided		This is a motion that refers to the small area planning process, not a change to the proposed map.
	(example)	Timily Time	prair to prair	goograpmouny for a balancoa alombation of acrossy only made	ony mac				The proposed map:
							We need more affordable units then we are currently	/	
							getting with our density bonus. We want to make		
							sure that those units are in areas supported by		
							transit, areas spread equitably throughout the city,		
							near schools and city amenities, while garnering	.	
							more community benefit. We recognize that we need to exchange entitlements for the affordable units.		
							Recognizing the work that the AWG & the MWG have		
	1						already completed, while also recognizing that there		
				Large at the transfer of the state of the st			was not enough time to model all the entitlement		
				I move that we direct staff and consultants to continue to work together to fully vet the full suite of options for increased			options including impervious cover, building		
				entitlements through workshops with stakeholders including but not			coverage and parking stepback adjustment, and also		
			Small scale density bonus	limited to representatives from affordable housing advocates,			considering the role functional green can play in		
17	Specific	Trinity White	taskforce	construction companies, developers, and neighborhood advocates	city wide	N	balancing entitlements and environment.		
							.		
							We need more affordable units then we are currently	<u>'</u>	
							getting with our density bonus. We want to make		
							sure that those units are in areas supported by transit, areas spread equitably throughout the city,		
							near schools and city amenities, while garnering		
							more community benefit. We recognize that we need		
							to exchange entitlements for the affordable units.		
							Recognizing the work that the AWG & the MWG have		
							already completed, while also recognizing that there		
				I move that we direct staff and consultants to continue to work			was not enough time to model all the entitlement		
				together to fully vet the full suite of options for increased			options including impervious cover, building		
			Laura anala danaitu kanus	entitlements through workshops with stakeholders including but not			coverage and parking stepback adjustment, and also considering the role functional green can play in		
18	Specific	Trinity White	Large scale density bonus taskforce	limited to representatives from affordable housing advocates, construction companies, developers, and neighborhood advocates	city wide		balancing entitlements and environment.		
		,		and the second and the second and the second advocates	,		This is way to provide for smaller units throughout the		
							city allowing more opportunities for affordablity		
1	1						throughout the city. ADUs are a smaller scale housing option which can be compatible with most	¹	
1	1						neighborhood venacular and the addition of one unit		This would require a text amendment, R1 allows for ADUs on certain sized
1	1						will not lead to large scale demolitions on the larger		lots. More R2 can be applied to the map if the goal is to expand opportunity for
19	Specific	Trinity White	ADU	Allow ADU's in all R1 zones	city wide	N	lots of R1		ADUs.
1				Map existing neighborhoods to the Residential-Scale Zone that is equivalent or most closely equivalent to its current zoning and			Planning staff and the consultants did not successfully	/ Planning staff and the	
				then follow with creation of transition zones using new small			create adequate transition zones along IA corridors	consultants did not successfully	
				area planning tool in development. For example,			and within IA centers with adequate missing middle	create adequate transition	Many of these residential zoned properties inside an NPA already have the
				neighborhoods with a pattern of duplexes on corners was	Residential		housing opportunities. It will be difficult for Planning	zones along IA corridors and within IA centers with adequate	most similar D3 zone. Where there is a departure from current entitlements is
			Residential House-Scale	mapped with R2A zones (per CN draft 3) and neighborhoods allowing duplexes and ADUs were mapped with R2C zones per			Commission and City Council to create these taking into account the unique characteristics of the corridors		due to FLUM designations in the NP. Staff also mapped R2A and R2B on SF-1 or SF-2 zoned properties that are connected to IA corridors and centers to
20	General	Todd Shaw	Mapping	(CN draft 3).	ds	N	and neighborhoods.	opportunities.	expand the ability for infill through ADUs.
									Most properties align with the FLUM designation. The FLUM does not align
	1								with the proposed zoning if the current entitlements are more intense than the FLUM designation (example: multifamily or commercial zoning with single
									family FLUM designation) or the current residential use is more intense than
					Residential		I		the FLUM (existing fourplex with single family FLUM designation. Also, the
24	Goneral	Todd Shaw	Residential House-Scale	For residential neighborhoods with Neighborhood Plans, map	Neighborhoo	N	NP's should be used for initial mapping and modified		expansion of mixed use zoning applies to many properties that are designated
21	General	Todu Sliaw	Mapping	equivelent to FLUMS.	ds	IN	as new small area planning process is established.	1	office or commercial by the FLUM.

Lino	General or				Area	Supporting			
Item	Specific	Commissioner	Topic	Description	Area Impacted	Supporting Graphics (Y/N)	Justification	Commissioner Notes	Staff Comments
	General	Todd Shaw	Mapping methodology along IA Corridors and within IA Centers. No "Strip" mapping.	Map higher density R zones (R3, R4) and lower density RM zones (RM1, RM2) along IA Corridors and around IA Centers in a context sensitive manner (Refer to MWG mapping criteria). In other words, do not allow blanket distance (i.e. 1/4, 1/8, 1/2 mile) mapping of higher density R zones and RM zones in these areas.	IA Corridors and IA Centers - Transition Zones	Y- MWG maps of Burnet/Anderso n Corridors	Does not take into consideration the unique characteristics of corridors and neighborhoods mapping more density intense zones.		Need criteria. Staff did not apply these zones to SF zoning without plan direction. If transitions zones are mapped, staff supports looking at context rather than blanket distances.
23	General	Todd Shaw	Higher density limited to 1/8 mile from corridors and centers when adequate compatibility standards approved	Only if PC approves compatibility standards that are not based on adjacency and provide adequate separation between higher density development and Residential House-Scale Zones, mapping higher density R zones (R3, R4) and lower density RM zones (RM1, RM2) along IA Corridors and around IA Centers will extend 1/8 mile or less from the centers of Corridors and edges of Centers.	IA Corridors and IA Centers - Transition Zones	Y - Compatability Examples from ZAP/PC member collaboration and Excerpts from Jim Duncan Presentation	If "Strip Mapping" is performed then it should be limited to 1/8 mile and only when meaningful compatibility standards exist.	Maintaining compatible land use is one of the most difficult and important roles of a good planning and zoning program. And one of the most difficult areas to maintain compatibility is within the arterial corridors that separate neighborhoods. Now "Imagine Austin" has placed even more importance on compatibility by promoting even greater corridor intensiities.	The following zones, R3, R4, RM1 and RM2 were applied based on current zoning, current use, or if a existing small area plan designated a higher density residential zone.
				Mixed Use zones applied to areas zoned commerical in current					
				code without "v" or "mu" in their zoning string with a minimum of draft 3 compatibility requirements for setbacks and stepbacks		Y - MWG Presentation	Unaminous approval of MWG and effective at		
24	General	Todd Shaw	Application of MWG Priority #1	in place. (MWG Priority #1) [Compatibilty Standards in Place]	Entire City	(2/7 & 4/24)	producting housing units Majority approval of MWG and effective at producting		This priority is implemented through the text of the code. Included in D3.
25	General	Todd Shaw	Application of MWG Priority #2	Residential ADU's mapped in all zones as long as they are scaled appropriately for lot size and include incentives for preservation of existing homes. (Modified MWG Priority #2)	Entire City	Y - MWG Presentation (2/7 & 4/24)	housing units within all areas of Austin. Can be used as leverage for preservation of affordable single family housing.		This priority is implemented through the text of the code. Included in D3.
26	General	Todd Shaw	Application of MWG Priority #4	Map higher density zones on other major thoroughfares besides just IA corridors, including mobility bond corrdidors and other thoroughfares identified by MWG. (Similar to MWG Priority #4) [With compatibility standards in place]	Entire City	Y - MWG Presentation (2/7 & 4/24)	Extending higher density mixed use zoning along other corridors and thoroughfares was effective at increasing housing capacity.		Priority 4 refers to upzoning properties along or within 1/8 mile of a major throughfare currently propsed R, RM, MU, MS1, and MS2A properties to MS2B. Need to evaluate geographical distribution of this policy. If implemented, additional work needed by staff. Included in D3. Most properties with MF zoning received a comparable zone.
27	General	Todd Shaw	Application of MWG Priority #8	Map multi-family zones to limit redevelopment of existing older multi-family housing stock-do not upzone these properties. (MWG Priority #8)	Entire City	Y - MWG Presentation (2/7 & 4/24)			However, many of these existing older multifamily developments are built below their entitlements. Likewise, many occur on commercially zoned property as a vestige from cumulative zoning.
28	General	Todd Shaw	Application of MWG Priority #14	With a minimum of proposed CodeNext Draft 3 stepbacks, allow upzoning where increased density bonuses result along IA corridors and withing IA centers. (Priority # 14).	Entire City	Y - MWG Presentation (2/7 & 4/24)			Priority 14 took all RM1-3, MU2-4A, and bumped them up by 1 level. RM1A went to RM2A, RM1B to RM2B, etc. and MU2A to MU2B, MU2B to MU3A, etc. There are affects beyond housing capacity such as allowing more intense uses in certain areas and allowing more impervious cover. Recommend ammending zones in text to implement this priority. Potentially in conflict with priority #8.
			Application of MWG Priority	Map consistent with MWG Priority #15 [With compatibility		Y - MWG Presentation			Priority 15 is already implemented in the -A component of MU2-MU4, it is in D3
	General General	Todd Shaw Todd Shaw	#15 Application of MWG Priority #14	standards] With a minimum of proposed CodeNext Draft 3 stepbacks, allow upzoning where increased density bonuses result along IA corridors and withing IA centers. (Priority # 14).		(2/7 & 4/24) Y - MWG Presentation (2/7 & 4/24)	High yield of units and affordable units		duplicate of row 25
				Create robust tansition zones that allow for a harmonious progression from lots along Imagine Austin Corridors to current single neighborhoods. Transition zones are intended to create more options for lower costs housing, including home ownership, even within currently zoned single family lots. This mapping should not create hardship through non-conformity of adjacent lots and be done in context with the characteristics of the corridor and the surrounding neighborhoods. Setbacks and stepback requirements will be established for higher density zones will assure that the progression within the transition	Transition	Yes - IA			
31	General	Todd Shaw	Creating IA Transition Zones	zones are consistent.	Zones	reference	Compliance with IA		Staff mapped transition zones in Draft 1 and need more direction.
32	General	Todd Shaw	Extend IA mapping of corridors to Regional Corridors	Map Regional Corridors (defined by MWG as roadways used across town traffic; predominantly commerical; higher traffic speeds) along IA corridors in a context sensitive manner.	Entire City	Y - MWG List of Regional Corridors	Additional corridors are needed to meet housing capacity needs	Similar to Similar to MWG Priority #4 but without "Strip Mapping"	Most corridors, IA or not, have mixed use or main street zoning.
33	General	Todd Shaw	Extend IA mapping of corridors to Regional Corridors	Evaluate Community Corridors (defined by MWG as roadways used between multiple neighborhoods; intermittent to significant commerical presence; mix of lot sizes) for existing higher density zoning patterns and uses for determining most appropriate mapping.		Y - MWG List of Community Corridors	Allows other significant arterials to be built out and provide higher density development where it already has started.		Need more clarification and if implemented, potentially a great amount of additional work needed by staff. Would the application of MU1A on S 1st and Manchaca initiated by the SACNP character map be an example of this?

Line	General or				Area	Supporting			
Item	Specific	Commissioner	Topic	Description	Impacted	Graphics (Y/N)	Justification	Commissioner Notes	Staff Comments
34	General	Todd Shaw	House scale businesses	Use MU1 to replace houses with businesses.	Entire City	v	Staff mapped with way		Staff mapped MU1 on businesses with office/commercial zoning in house form building with the exception of SACNP which included lots zoned SF-3.
34	Gerierai	Toda Shaw	Tiouse scale businesses	If land use use did not match zone they applied a correct zone	Little Oity		Stan mapped with way		building with the exception of GAOTT which included iots zoned of -5.
35	General	Todd Shaw	Mapping for Conformance	to match use.	Entire City	Υ	Staff mapped with wayto allevaite non-conformities		Incuded in D3.
			Mixed Use Mappingbased on	Map mixed used zones based on lot size (i.e. do not map MS3			Realistic mapping. Do not want to over-zone		
36	General	Todd Shaw	lot size limitations	when the lot can only support MS2) Mapping of transition zones along IA corridors and within	Entire City	Υ	properties.		Staff applied MS zones to reflect this in the D3 addendum map update.
				Regional Centers will be handled through a small area planning					
37	General	Todd Shaw	Mapping Transition Zones	process.	Entire City	Υ	Staff recommendation		Staff recommendation.
			9		·				
				For base zoning: All properties within downtown except for					
				those within the area exempt from bonus density per Figure 23-					
				3E-2050(1) Downtown Density Bonus Program Map, and except those within the area bound by 14th Street and W MLK					The application of CC as opposed to DC is based on current zoning and the
				Jr Blvd and San Antonio and Rio Grande Streets, should be					DAP height map. This motion essentially zones all properties that are a mix of
				zoned DC. All other properties should be zoned one of the CC					commercial, multi-family, etc, and makes them all DC inside the Density Bonus
38		James Schissler		subzones as shown on the Draft 3 map.					areas.
				Auditus Burutum Burutu Burutu Burutu					
				And for Downtown Density Bonus Program: All properties within downtown except for those within the area exempt from bonus					
				density per Figure 23-3E-2050(1) Downtown Density Bonus					
				Program Map, and except for the three areas within 14th Street					
			Downtown Density Bonus	and W MLK Jr Blvd and San Antonio and Rio Grande Streets,					This is a text amendment to 23-2E-2030(B)(1), this section and figure identify
39		James Schissler	Program	should be allowed unlimited FAR and height bonuses.					the FAR maximums within the downtown density program
				One of the Land County of the Land County of the Land					
				Capacity in D3 is over 3x-4x that of forecast with the recommendation of around 2x. Additional capacity					
				considerations should therefore be thru SAP process. Too little					
				capacity is problematic, but too much capacity causes other					
				problems. Excess capacity should be carefully placed where					
				and when greatest needs are identified. Thru the mapping					
				studies, we know there are many new planning approaches and					
				levers that can be adjusted to bring more capacity and affordability. This is an opportunity for SAP to leverage the					
				insight to help to craft the city to reflect the Comprehensive					
				Plan. There is the opportunity to use technology innovation as					
				presented in SAP to identify critical need areas based upon fair					
				metrics, not opinions. We recommend that along with the MAP,					
				CodeNext be approved with the Plan to Plan which would					
				include recommendations of the resources needed as well as a priority plan and schedule. If we give away capacity now, we					
				will not be able to take it away. If we are truly going to plan, a					
				real planning process must be done which incorporates a public					
40		James Shieh		process.					Need further clarity on affect of this motion on the map.
									Most properties align with the FLUM designation. The FLUM does not align
									with the proposed zoning if the current entitlements are more intense than the
									FLUM designation (example: multifamily or commercial zoning with single family FLUM designation) or the current residential use is more intense than
				Recommend working on D3 map to coordinate mapping errors					the FLUM (existing fourplex with single family FLUM designation. Also, the
				and coordination with Neighborhood Plan Contact teams and					expansion of mixed use zoning applies to many properties that are designated
41		James Shieh		their FLUMs, with attention to corridor planning.					office or commercial by the FLUM.
				Recommend identification of underzoned and spot zoned lots					
42		James Shieh		and areas to be coordinated with surrounding areas.					Need further clarity on what the motion requests of the map.
				In order to increase affordability in areas of critical need, we					
				recommend identification of the critical areas then the					
				calibration of the new density bonus to bring deep affordability.					
				To offset the costs, the additional capacity opportunities as					
				identified in the Mapping studies may be rolled out in those					Need furhter clarity if this motion is requesting a change to the map or just
43		James Shieh		areas. This should be done thru the SAP process.					stating support in working with the new small area planning process

Line	General or				Area	Supporting			
		Angela De Hoyos	Mapping Working Group	Implement all components of Mapping Working Group Scenario C: Maximize Income-Restricted Affordable Housing (Includes: P1, P3, P4, P6, P9, P10, P12, P14, P15, P16) from page 22 of the presentation. Also add: P2, P19		Graphics (Y/N)	Justinication	Commissioner Notes	P1: Mixed use in commercial - included in D3 P3: Increase density in IA Centers - not included in D3 P4: Increase density along major thoroughfares - not included in D3 P6: Increase density around AISD schools - not included in D3 P9: Missing middle on vacant land with R zones - not included in D3 P10: Encourage redevelopment of existing SF - not included in D3 - Staff does not recommend because only one neighborhood east of IH 35 affected P12: Apply bonuses - not included in D3 - modeling for this priority assumed all bonuses where taken and did not take feasibility into account - unsure how to implement P14: Replace less internse bonus zones with more intense bonus zones - increasing RM entitlements may incentivize development of existing market affordable multifamily housing stock - applying a higher MU zone will also open up areas to more uses - recommend changing density allowed in text versus changing zone on the map P15: Residential only as bonus (-A) - included in D3 P16: P2: ADUS Everywhere - partially implemented in D3 through expansion of R2 on the map P19: Upzoned to missing middle densities along major corridors - not included in D3
	General	Angela De Hoyos Hart Stephen Oliver	Corridor Calibration Regional and Town Centers	Zone all corridors an "M" type zone, callibrate down block by block to the creamy nougat center of R1/2. I.e. If the corridor is zoned as Main Street or Mixed-Use, the next block will be callibrated to RMU, the next block in will be R3, etcdepending on number of blocks to interior of neighborhood. Identify properties and nodes within centers that can accomated zoning more intense than baseline MS3	Citywide	Y	In keeping with Mayor Adler's policy directive to implement the "Austin Bargain", we should allow for density along our corridors and callibrate to the interior of the neighborhood. Due to divergence in lot size, rather than units of measurement I propose this callibration be done block by block.	or	Staff applied transition zones in Draft 1 and, as not all corridors are designed the same and context would need to be reviewed. UC would be appropriate in Regional Centers. Staff does not reccommend more intense than MS3 in Town Centers.
47	Specific (example)	Stephen Oliver	Highland Mall Regional Center	Include CC Zoning and a transtion area at IA Highland Mall Regional Center if property is more than 540 feet from existing SF	Highland Mall Regional Center	Y			UC is more appropriate to apply to Regional Centers outside of downtown. Also, is this measurement from the property line of a residential house scale zone or suggesting measuring from use? Need to also define when the transition down from UC would begin and what that zoning looks like.
48	General	Greg Anderson	Central Austin Missing Middle	Instead of stepping down to R2 from a corridor zone, step down to R3, and zone no less than R3. When necessary, remove F25 to accomplish this. Thus, the minimum zone in this area will be R3.	Oltorf, east of Lamar, west of 35, and South of Koenig				Staff has applied R2 on SF-3 properties to reflect current unit per lot entitlements.
49	General	Greg Anderson	Commercial Center	Zone at least 75% of the Highland area Regional Center as UC and CC. (minimum 15% UC)	As specified on the Growth Concept Map				Staff does not recommend CC outside of downtown, UC is intended as a Regional Center zone. MS2 was applied in the map update to reflect realistic height achievable on
50		Greg Anderson		All the MS3 that was mapped in draft 3 and removed in the adendum should be restored					shallow lots. MS2 was given more impervious cover on to better reflect current entitlements.
		Greg Anderson Greg Anderson	Train Stations Parks	if across the street or adjacent to a park and residential, within the Residenital Design Boundary (AKA McMansion) remap to at minimum MS2 or RM2	Inside Residential Design Boundary/M cMansion boundar		Parks should be shared!		Increase in density from D3. Increase in density from D3.
		Greg Anderson	Rezone North Burnett Gateway as a Regional Center	Zone the at least 50% of the North Burnet Gateway area regional center minimum UC and CC (minimum 10% UC)	North of 183, west of metric, east of Mopac, south of Gracy Farms North of MLK, South of 38th, between Lamar and		N Burnett Gateway adjecent to domain		North Burnet Gateway has a specific regulating plan. Staff is not recommending any change to plan.
54	Specifc	Greg Anderson	W Campus/Heritage	Map R4, with RM where appropriate.	Guadalupe				Increase in density from D3. Would not align with FLUM.

Impacted				T. I.			1=			
General Greg Anderson Churches property. General Greg Anderson AlsD Property Zone everything between Springdale, 7th, and Cesar Chavez MSAS A Specific General Greg Anderson AlsD Property Zone and all ASD properties to their requested entitlements AlsD Property Zone and all ASD properties to their requested entitlements AlsD Property Zone and all ASD properties to their requested entitlements AlsD Property Zone all AlsD properties to their requested entitlements AlsD Property Zone all AlsD properties to their requested entitlements AlsD Property Zone all AlsD properties to their requested entitlements AlsD Property Zone all AlsD properties to their requested entitlements AlsD Property Zone all AlsD properties to their requested entitlements AlsD Property Zone all AlsD properties and place and the pro	Line	General or				Area	Supporting	L arm at		0. " 0
Second Comment	Item	Specific	Commissioner	Горіс	Description	Impacted	Graphics (Y/N)		Commissioner Notes	Staff Comments
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Specific Greg Anderson AISD Property Zone all AISD properties to their requested entitlements Attached spreadsheets Zone. Attached										
Specific Greg Anderson ASD Property Zone all AISD properties to their requested entitlements As the grand bargain mirrors commentary from circles that have have been outspoken against development in a single even-that the contributions with the text. For instance, staff recommends any transition zones be may use the properties along the new zoning tools in CodeNEXT such that Compatibility is not triggered on at least 80% of the properties along these committees and transition zones as we need to use them correctly in order to both zone compatibility to order to both zone compatibility to order to both zone compatibility to order to both zone compatibility in order to both zone compatibility to order to both zone compatibility in the text. For instance, staff recommends any transition zones be may zone the allowed to flourish—I'd like to propose the below motion. This would be a good way to lead off our discussion on transition zones as we need to use them correctly in order to both zone compatibility in our circle to the text. For instance, staff recommends any transition zones be may zone the allowed to flourish—I'd like to propose the below motion. This would be a good way to lead off our discussion on transition zones as we need to use them correctly in order to both zone compatibility in our circle to use them correctly in order to both zone compatibility in our circle to the text. For instance, staff recommends any transition zones be may zone to expend to flourish—I'd like to flourish—I'	56	General	Greg Anderson		MS3A					
As the grand bargain mirrors commentary from circles that have have been outspoken against development. Move to map the areas adjacent to our 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 and least 90% of the properties along these corridors and exempt our TODs from Compatibility Specific PS Medical Parkway rezoning Medical Parkway vexcept between 44th & 45th should be changed to MU1A Medical Parkway except between 44th & 45th should be Parkway to the parkway to the page of the page										
Move to map the areas adjacent to our core transit corridors, tuture core transit corridors, and Imagine Austin corridors using the new zoning tools in CodeNEXT such that Compatibility or deret to both zone application on the map as well as compatibility in the text. For instance, staff recommends any transition zones be may use as to not create nonconformities and transition zones as we need to use them correctly in order to both zone compatibility in order to both zone compatibility in the text. For instance, staff recommends any transition zones be may use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create nonconformities in clude R3, R4 and RM1A. Mapping these zones may allow single family use as to not create the use the most transition zones as we need to use them corridors should be declar parkway from 38th street to declar parkway rezoning of M01A. Medical Parkway from 38th street to M01A. Molecular par	57	Specifc	Greg Anderson	AISD Property	Zone all AISD properties to their requested entitlements			Attached spreadsheets		zone.
Begin and the previous of the proposition of the previous of t	57.1	General	Greg Anderson		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			that have have been outspoken against development in a single veinthat the corridors should be allowed to flourishI'd like to propose the below motion. This would be a good way to lead off our discussion on transition zones as we need to use them correctly in order to both zone compatibility into our city but also to		Consider both zone application on the map as well as compatibility triggers in the text. For instance, staff recommends any transition zones be mapped with zones that allow single family use as to not create nonconformities. This would include R3, R4 and RM1A. Mapping these zones may also require a text change regarding which zones trigger compatibility to meet the goals of this motion.
Medical Parkway rezoning of Modical Parkway Prior zoning of NO,LO,LR not permitted current entitlements and incorporates compatibility Exposition (both sides) to Spring Ln to Windsor should be changed from MS-2B & MS-3B to a MU zone Windsor Windsor Windsor Windsor Windsor Specific PS Windsor & Exposition Lake Austin Blvd (both sides) at Enfield Rd intersection should Medical Parkway except between 44th & 45th should be changed from MS-2B of MU2A is a downzoning on many of these properties, MS2 carries for not permitted current entitlements and incorporates compatibility Previously zoned LR, LO, GR, GR, CS-1 MS-zoning not appropriate Mu can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as of the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3, but MU1C is a downzoning considering the size at the proposed for MS3.	58	Specific	PS	Medical Parkway rezoning	,	Parkway from 38th street to	Y	, , , , , , , , , , , , , , , , , , ,		MU1A is a significant downzoning, staff would recommend MU1D to maintain current height and similar use entitlements
Fig. Area PS Medical Parkway rezoning Changed to MUZA Parkway Prior zoning of NO,LO,LR not permitted current entitlements and incorporates compatibility Exposition (both sides) to Spring Ln to Windsor should be changed from MS-2B & MS-3B to a MU zone Staff can support an MU4 as this area is not quite as connected as on Lake Austin Blvd (both sides) at Enfield Rd intersection should MU can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as on proposed for MS3, but MU1C is a downzoning considering the size at a connection of NO,LO,LR not permitted current entitlements and incorporates compatibility Exposition & Windsor Y Previously zoned LR, LO, GR, GR, CS-1 Lake Austin Blvd (both sides) at Enfield Rd intersection should Bl & Enfield MU can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as on proposed for MS3, but MU1C is a downzoning considering the size at a connection of NO,LO,LR not permitted current entitlements and incorporates compatibility Exposition & MU can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as on proposed for MS3, but MU1C is a downzoning considering the size at a connection of NO,LO,LR not permitted current entitlements and incorporates compatibility					Madical Darkway avaant batwaan 44th 9 45th abould be	Madiaal				MILION is a downgraping on many of those properties. MCO service forward
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60 Specific PS Windsor & Exposition Changed from MS-2B & MS-3B to a MU zone Windsor Y Previously zoned LR, LO, GR, GR, CS-1 MS-zoning not appropriate MU can be done but does not guarantee the walkable development. Lake Austin Blvd (both sides) at Enfield Rd intersection should Bl & Enfield MU can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as of MU1C more appropriate. MU can be done but does not guarantee the walkable development. Mu can be done but does not guarantee the walkable development. Staff can support an MU4 as this area is not quite as connected as of MU1C more appropriate.	59	Alea	ro	iviedical Falkway rezonling	3 1 3 1	,	!	Filor Zorning or NO,LO,LK	not permitted	current entitiements and incorporates compatibility
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					Lake Austin Blvd (both sides) at Enfield Rd intersection should				MUIC more appropriate	
To table of the contraction of the contract of	61	Specific	DS	Lake Austin Blvd & Enfield				Previously zoned CS & SE-3		
Exposition Blvd (north side) between Westover and Northwood Exposition & Zoned MS3B. Previously zoned CS. MU more Staff can support an MU4 in this area, though not as guaranteed to contain the containing of the containing the containing of the co	01	Opecilic	1 0	Lake Austin biva & Lilliela			'		Aujacetit lot is MOTO	Staff can support an MU4 in this area, though not as guaranteed to get a
62 Specific PS Exposition & Westover Rd too intense zone for this area. Westover Y appropriate for neighborhood. UNZ, R2C & P adjacent. walkable mix use development as with MS.	62	Specific	DS	Exposition & Westover	1 ' '		` _v	· · · · · · · · · · · · · · · · · · ·	LINZ R2C & Pladiacent	

Note on Addendum Item	Line Item	General or Specific	Commissioner	Торіс	Description	Area Impacted	Supporting Graphics (Y/N)	Justification	Commissioner Notes	Staff Comments
Motion was divided	1	General	Conor Kenny	Corridor and transition zoning for IA gentrifying areas	All IA corridors in gentrifying areas will be mapped as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, lots between 140-220 sq ft. deep zoned as MS3B, lots 220 ft deep or more zoned as MS3C. 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.		g n	This protects gentrifying areas while still building towards transit-supportive density and complete communities. Only one row of current single family zoning allows multi-family, and all increases in height must be obtained through participation in the affordable housing program.		Need clarification on the definition or criteria for gentrifying area. 1) MS Zones have been applied so that lots below 150 ft in depth are MS2 and over 150 ft are MS3 when adjacent to a zone that triggers compatibility. Staff does not recommend Main Street everywhere. Mixed Use Zones can provide flexibility when appropriate. Need clarification on the purpose of the difference between MS3B and MS3C in this motion. 2) Staff does not recommend blanket upzone, context needs to be further examined. If motion 23.129 is not passed by the commission, is there an alternative zone that should be applied. 3) Staff applied R2A or R2B on SF-2 and SF-1 zoned lots within a 1/4 mile of an IA corridor if the streets where connected to the corridor and the lots where not in a floodplain. SF-3 lots were converted to R2C.
	Motion 1				1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, lots between 140-220 sq ft. deep zoned as MS3B, lots 220 ft deep or more zoned as MS3C.					
Motion never taken up	Motion 2				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.					