

**To:** City Council of Austin

**From:** Urban Renewal Board

**Date:** November 15, 2021

**Subject:** Land Use Regulations in the proposed Urban Renewal Plan and Neighborhood Conservation Combining Districts

The Urban Renewal Board (URB) engaged in a multiyear effort to update the Urban Renewal Plan (URP) and the East 11<sup>th</sup> and 12<sup>th</sup> Street Neighborhood Conservation Combining Districts (NCCDs). The Board's recommendations were formed with the assistance of consultants, staff, and community input.

The URB refined the list of neighborhood-oriented and pedestrian-friendly land uses in the URP and NCCDs to support active streets that serve the community. In response to concerns from stakeholders about the reduction of uses allowed for some properties:

- The Board supports proposed regulations which continue to allow uses that are permitted or conditional under current regulations if they support the goals of the URP.

The URB intended through the “save and except” provision in the proposed URP and NCCDs that the uses listed by address, including existing single family houses, remain legal and are not subject to non-conforming regulations. In response to legal concerns about this section, City staff is recommending the creation of a new permitted use, “conforming”, that will be defined as a use that conformed to the regulations in effect at the time the use was established and existed on the date of adoption of the proposed ordinance.

- The Board supports the most appropriate mechanism to reduce the impact of non-conforming regulations on existing legal uses outlined in the “save and except” provision. This may include but is not limited to, inclusion of the “conforming” land use or other adjustments to the land use charts.

The URB does not plan to hold any additional meetings to specifically discuss proposed land use regulations and will defer to Council regarding any changes as reflected above.