

Late Backup

No.	Topic	Sub-Topic	Policy Question	Current Code	CodeNEXT Draft 3	Location In CodeNEXT	Planning Commission Recommendation	Zoning and Platting Commission Recommendation	Environmental Recommendation	Historic Landmark Recommendation	Staff Reaction to Commission Recommendation
I.A.1	Affordable Housing	Income-Restricted Housing	What is our income-restricted housing goal? What capacity is needed to reach that goal? How often should we evaluate and re-calibrate the program to ensure we meet that goal?	<p>The Austin Strategic Housing Blueprint (adopted by Council in 2017) sets a goal of creating 60,000 income-restricted affordable housing units over 10 years. As shown on page 18 of the Blueprint (<a href="https://www.austintexas.gov/sites/default/files/files/StrategicHousingBlueprint_Final_September_2017.pdf">https://www.austintexas.gov/sites/default/files/files/StrategicHousingBlueprint_Final_September_2017.pdf</a>), achieving this goal will require utilization of several tools, including but not limited to density bonus programs. Past production of Austin's roughly 10 existing bonus programs indicates that under a business-as-usual scenario, the City can expect to produce 1,500 income-restricted units through current programs over the next decade (ibid). Additional affordable units will need to be generated through the proposed Affordable Housing Bonus Program (see CodeNEXT Draft 3 Division 23-3E-1). CodeNEXT consultants have suggested that a standard measure of capacity in relation to meeting a planning goal is to allow for at least twice the capacity needed to meet the planning goal (see Slide 3 from presentation to Council Work Session, Feb. 13, 2018: <a href="http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/regoCouncilWorkSessionSlides_021318.pdf">http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/regoCouncilWorkSessionSlides_021318.pdf</a>).</p>	<p>CodeNEXT Draft 3 proposes a new citywide affordable housing bonus program; see Division 23-3E-1. Section 23-3E-1070 requires the Housing Director to evaluate the program's production on an annual basis and provide recommendations if needed to update, or re-calibrate, the program's affordable unit set-aside requirements and fees.</p>		<p>Motion 12: Recommend approval of Article 23-3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns:</p> <ol style="list-style-type: none"><li>1. Establish as additional items of intent for the program to:<ol style="list-style-type: none"><li>a. meet the annual affordable housing goals set forth by city council;</li><li>b. generally permit sites to utilize affordable bonus entitlements; and</li><li>c. maximize affordable units in high-opportunity areas, whether built on-site or financed via fee-in-lieu.</li></ol></li><li>2. Reinstate expedited review for SMART Housing and expand it to the Affordable Housing Bonus Program at all stages for projects that participate in the program per the original requirements of 2000.</li><li>3. Explore a Super Density Bonus for large-scale affordable projects that offer over 50% of units as affordable</li><li>4. Establish a Density Bonus pilot program with a revision and review window of 18-months with an annual re-evaluation period to ensure the program is properly calibrated, and staff and consultants to continue to hold workshops with stakeholders, including affordable housing advocates, builders, affordable housing builders, construction companies, developers, and community advocates to continue to work out the bonus program.</li><li>5. Staff to use White Exhibit 1 Pages 20-25 (Edits to the SMART program) and White Exhibit 1 Pages 45-48 (SIMPLICITY &amp; HOUSING BLUEPRINT GOALS - yellow from Housing Coalition) as a directive to prioritize those changes as they review this Article</li></ol> <p>Motion 13: Upon Council's review of Article 23-3E, Council consider sending that division back to the Planning Commission for additional feedback.</p>	No recommendation	No recommendation	No recommendation	<p>Staff support annual evaluation of and recommending updates to the Affordable Housing Bonus Program, but do not believe the Land Development Code is the appropriate place to include annual goals. Further, this is a market-based tool that is subject to fluctuations in market conditions. Staff recommend reporting the Affordable Housing Bonus Program production in the context of how it is helping the City achieve its Strategic Housing Blueprint goals.</p>
I.A.2	Affordable Housing	Income-Restricted Housing	How should affordable housing bonuses be calibrated to maximize the production of income restricted units?	<p>Bonus programs in the current code are calibrated individually by specific regulating area and are calibrated to be incentive-based for the production of a percentage or a number of affordable units. Income restricted units are specified by the regulating plan.</p>	<p>Broadly speaking, a bonus program should be calibrated so that the most attractive option is to build the bonus entitlements and deliver the affordability benefit (whether that benefit is in the form of units or a fee). Otherwise, a developer will simply choose not to utilize the bonus program and just build to the site's base entitlements. To make delivering the bonus with affordability the most attractive option, an attractive set of bonus entitlements must be offered. Given the base entitlements and the bonus entitlements proposed, the consultant team has endeavored to calibrate the proposed Affordable Housing Bonus Program so that delivering bonus entitlements and the affordability benefit is as attractive as possible. The calibration that has been undertaken for the proposed Affordable Housing Bonus Program is much more tailored to available bonuses and market conditions than calibration of the City's existing bonus programs.</p>	23-3E-1040 Affordable Housing Bonus Calculation	Motions 12, 13, 17, 18, 72, 75, 80, 86, 106, 110, 111, 113	<p>It is clear from other growing cities and our own that a bigger, denser city increases the rate of innovation, start-ups, and productivity, but it is also accompanied by increased gentrification, income inequality and segregation, and housing costs. One remedy to the downside of growth is to require developers to provide affordable housing in exchange for the additional height and density that they want</p>	No recommendation	No recommendation	<p>Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or decreased numbers of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.</p>
I.A.3	Affordable Housing	Income-Restricted Housing	How should base zoning entitlements be calibrated with affordable housing bonuses?	<p>The current code assigns density bonuses by specific regulating area such as in Downtown, University Neighborhood Overlay, UNO, East Riverside, and transit-oriented developments. Base zoning entitlements are set by specific zoning district and the specific zoning district base entitlements are modified when taking advantage of a density bonus incentive.</p>	<p>Broadly speaking, a bonus program should be calibrated so that the most attractive option is to build the bonus entitlements and deliver the affordability benefit (whether that benefit is in the form of units or a fee). Otherwise, a developer will simply choose not to utilize the bonus program and just build to the site's base entitlements. To make delivering the bonus with affordability the most attractive option, an attractive set of bonus entitlements must be offered. Given the base entitlements and the bonus entitlements proposed, the consultant team has endeavored to calibrate the proposed Affordable Housing Bonus Program so that delivering bonus entitlements and the affordability benefit is as attractive as possible. The calibration that has been undertaken for the proposed Affordable Housing Bonus Program is much more tailored to available bonuses and market conditions than calibration of the City's existing bonus programs.</p>	23-4D Specific to Zones	Motions 17, 18, 72, 75, 80, 86, 106, 110, 111, 113	<p>It is clear from other growing cities and our own that a bigger, denser city increases the rate of innovation, start-ups, and productivity, but it is also accompanied by increased gentrification, income inequality and segregation, and housing costs. One remedy to the downside of growth is to require developers to provide affordable housing in exchange for the additional height and density that they want</p>	No recommendation	No recommendation	<p>Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or decreased numbers of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.</p>

**City Council  
Discussion Topics**

No.	Topic	Sub-Topic	Policy Question	Current Code	CodeNEXT Draft 3	Location in CodeNEXT	Planning Commission Recommendation	Zoning and Platting Commission Recommendation	Environmental Recommendation	Historic Landmark Recommendation	Staff Reaction to Commission Recommendation
1.A.4	Affordable Housing	Income-Restricted Housing	How should we maximize the development of income-restricted housing in all parts of the city? What should be our goals for producing income-restricted housing in moderate, high, and very high opportunity areas?	Current density bonus programs are focused around specific geographies (regulating plan areas like North Burnet-Gateway and East Riverside; transit-oriented development districts like Plaza Saltillo; downtown; certain VMU-zoned corridors) and are not equally distributed across the city.  The Austin Strategic Housing Blueprint (adopted by Council in 2017) sets goals related to the production of income-restricted housing over the next decade, including geographic goals. One such goal stipulates that at least 25% of all new income-restricted housing (from all sources, including but not limited to density bonus programs) be located in high opportunity areas.	CodeNEXT Draft 3 proposes a new citywide affordable housing bonus program linked to zoning districts, rather than a specific geographic area; see Divisions 23-3E-1 and 23-4D. Linking bonus opportunity to zoning districts allows for income-restricted units to be built where ever a zone with a bonus is mapped (provided development on the site meets other development requirements). In the Draft 3 map, that means 30,000 acres are proposed to allow for income-restricted bonus units, compared to just 5,600 acres under current code (see slide 51 in presentation to Council Work Session, Feb. 13, 2018: <a href="http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/20180212_CC_Draft_3_Preview_forWeb_445p.m.pdf">http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/20180212_CC_Draft_3_Preview_forWeb_445p.m.pdf</a> ). To increase income-restricted unit capacity, one approach would be to map more zones with bonuses in more parts of town, including moderate to very high opportunity areas.		Motions 12, 13, 87, 111	No recommendation	No recommendation	No recommendation	
1.A.5	Affordable Housing	Income-Restricted Housing	Should there be incentives for providing a greater number of family-sized units in income restricted housing?	The Downtown Density Bonus Program includes an incentive for family-friendly units.	A family-friendly incentive is proposed in the citywide Affordable Housing Bonus Program; see Section 23-3E-1030 (D): "two or three-bedroom affordable units may count as two or three one-bedroom/efficiency market-rate units at the discretion of the director."  The family-friendly incentive in the Downtown Density Bonus Program is carried through in Draft 3 (see Division 23-3E-2060(D)(2)).	23-3E-1030(D)		No recommendation	No recommendation	No recommendation	
1.A.6	Affordable Housing	Income-Restricted Housing	Should affordable housing bonuses be available in residential house scale zones (LA – R4) to create income-restricted units?	Current code does not have any bonus available for single-family zones.	Draft 3 applies the Affordable Housing Bonus Program to R4 zones.	23-4D-2190 Residential 4A (R4A) Zone	Motion 87: As stated in Kenny Exhibit 2 – ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions  Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply	CodeNEXT hurts Austin's ability to provide affordable housing in two ways. The first is by reducing the percentage of affordable units that must be provided in the Affordable Housing Bonus Program (AHBP) and the second is by providing increased by-right entitlements without imposing affordability requirements in return	No recommendation	No recommendation	NHCD recommends a fee-in-lieu, rather than on-site ADUs.  NHCD supports ADUs in general. With regard to ADUs and the Affordable Housing Bonus Program, the Department's position is that property owners opting into the program through ADU development pay a fee-in-lieu into the Housing Trust Fund, rather than income-restrict the ADU on their sites. We take this position for many reasons, including the higher per-unit cost associated with monitoring these units and potential issues related to how tenants are selected. City Council has expressed interest in creating a waitlist for affordable housing units that may include priorities for people with housing barriers (including criminal backgrounds, poor credit, or who are exiting homelessness). Employing this waitlist approach for ADUs may cause potential bonus program applicants to decide not to utilize the program at all. Other cities are grappling with how to enforce affordability in ADUs as well – Portland, OR decided not to require ADUs to be affordable after difficulties with their proposal were identified.
1.A.7	Affordable Housing	Income-Restricted Housing	How could we revise S.M.A.R.T. housing to better incentivize affordable housing projects?	Current code Title 25, Article 15, Division 2: S.M.A.R.T. Housing requires affordable (aka "reasonably priced") units to be income-restricted at 80% MFI for 5 years for rental, and at initial sale for ownership. Capital recovery fees (one of the most valuable fee waivers in the program) are only being waived on affordable units that meet federal criteria. The required percentages of affordable units vary from 10-40% of total units.	Draft 3 Increases affordability requirements to reduce rental income restrictions to 60% MFI and lengthen affordability periods to 40 years for rental and 99 years for ownership and simplifies the required percentage of affordable units to be 10% of total units. However, more incentives are needed to attract private development to participate in the program, given these affordability requirement proposals and the changing landscape of incentives that can be offered.  See slides 45-51 from presentation to Council Housing & Planning Committee, Mar, 27, 2018: <a href="http://www.austintexas.gov/edims/document.cfm?id=295565">http://www.austintexas.gov/edims/document.cfm?id=295565</a> .	Division 23-3E-4: S.M.A.R.T. Housing	Motion 12: Recommend approval of Article 23-3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns:  1. Establish as additional items of intent for the program to: a. meet the annual affordable housing goals set forth by city council; b. generally permit sites to utilize affordable bonus entitlements; and c. maximize affordable units in high-opportunity areas, whether built on-site or financed via fee-in-lieu. 2. Reinstate expedited review for SMART Housing and expand it to the Affordable Housing Bonus Program at all stages for projects that participate in the program per the original requirements of 2000. 3. Explore a Super Density Bonus for large-scale affordable projects that offer over 50% of units as affordable 4. Establish a Density Bonus pilot program with a revision and review window of 18-months with an annual re-evaluation period to ensure the program is properly calibrated, and staff and consultants to continue to hold workshops with stakeholders, including affordable housing advocates, builders, affordable housing builders, construction companies, developers, and community advocates to continue to work out the bonus program. 5. Staff to use White Exhibit 1 Pages 20-25 (Edits to the SMART program) and White Exhibit 1 Pages 45-48 (SIMPLICITY & HOUSING BLUEPRINT GOALS - yellow from Housing Coalition) as a directive to prioritize those changes as they review this Article  Motion 13: Upon Council's review of Article 23-3E, Council consider sending that division back to the Planning Commission for additional feedback.	No recommendation	No recommendation	No recommendation	Staff do not recommend requiring density bonus projects to comply with S.M.A.R.T. Housing requirements unless it can be evidenced that typical density bonus projects would be S.M.A.R.T. Housing compliant and that this would not deter participation in density bonus programs.

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1.B.1	Affordable Housing	Density Bonus Program	When should income restricted housing be required on-site vs. off-site vs. fee-in-lieu, etc.? Which entity should make that determination?	Current code allows for a fee-in-lieu option for 6 out of 10 density bonus programs (see slide 11 in presentation on Resolution No 20151015-038: <a href="http://www.austintexas.gov/edims/document.cfm?id=259993">http://www.austintexas.gov/edims/document.cfm?id=259993</a> ). They are: Planned Unit Developments, Transit Oriented Developments (TODs, including Plaza Saltillo, MLK, and Lamar/Justin Ln), East Riverside Corridor, University Neighborhood Overlay (UNO), Downtown Density Bonus, and North Burnet Gateway.	the proposed Affordable Housing Bonus Program provides alternatives to on-site affordable units to attract as much participation as possible to a voluntary program. See Section 23-3E-1050 and 23-3E-1080. For more discussion of this review group and alternatives to on-site units, see the Proposed General Administrative Procedures for Affordable Housing Bonus and Downtown Density Bonus Programs in CodeNEXT Article 23-3E document here: <a href="https://www.austintexas.gov/sites/default/files/files/Planning/CodeNEXT/Proposed_Admin_Procedures_AHBP_3-26-18.pdf">https://www.austintexas.gov/sites/default/files/files/Planning/CodeNEXT/Proposed_Admin_Procedures_AHBP_3-26-18.pdf</a> .	23-3E-1080 Application Procedures		To provide the maximum benefits, AHBP should be made available in as many zones as possible. For example, the AHBP should be available in all Main Street zones. Commercial properties with no housing should be allowed to participate in the AHBP by paying fee-in-lieu. To ensure compatibility, height and FAR should not increase in or near residential house form zones. Bonuses in these locations should be limited to increases in units.	No recommendation	No recommendation	
1.C.1	Affordable Housing	Preservation	Should preservation incentives, such as larger ADUs or increased FAR, be used to discourage demolition of existing single-family homes?	Current code allows the designation of Historic "H" zoning to preserve historic housing.	Draft 3 provides an "ADU preservation incentive" that allows additional FAR on a lot (the ADU does not count against FAR) when the original house is preserved.	23-4D Specific to Zones	Motion 53: Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones	No recommendation	No recommendation	No recommendation	
1.C.2	Affordable Housing	Preservation	How should gentrifying areas and areas susceptible to gentrification (such as the Eastern Crescent) be mapped so as to prevent accelerated displacement of low-income residents?				Motion 74: Create a new zone (RM1C) which has the same uses as R2C, but with a permitted density of 14 units per acre maximum. 0.4 FAR limit for the 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. No multi-unit buildings  Staff to review proposed zone to ensure it does not have a negative impact on Density Bonus program  Motion 111: Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff Direct Staff to review policy on exempting TODs from compatibility	The Zoning and Platting Commission recommends that the number of house form zones be drastically reduced, that all areas of the city be mapped equitably, and that CodeNEXT encourage mixed-income communities by using one set of zoning standards in the entire city. We also recommend that subdivision rules be changed to promote a mix of lot sizes	No recommendation	No recommendation	
1.C.3	Affordable Housing	Preservation	How should older, affordable multifamily properties be zoned to promote affordability?	Older multifamily developments usually have market-rate affordable units (they pre-date any affordable housing bonus programs) as a function of age.	Proposed zoning for multifamily complexes (particularly those not on corridors) generally matches existing zoning entitlements, so as not to over-entitle those properties.	23-4D-3050 Residential Multi-Unit 1A (RM1A) Zone		No recommendation	No recommendation	No recommendation	
							Motion 53				

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I.C.4	Affordable Housing	Preservation	How can incentives be used to preserve existing housing that is affordable to middle to lower income citizens?	Preservation of housing today is done by applying Historic "H" zoning to properties, which limits redevelopment potential in return for tax abatement.	Historic "H" zoning remains an option in Draft 3 of CodeNEXT. In addition, there is an "ADU preservation incentive" that grants additional FAR when building an ADU, if the original house on the property is preserved. ADU placement is also more flexible in Draft 3, obviating the need to demolish the original house to accommodate an ADU. Finally, no parking is required for an ADU, reducing the cost of building an ADU, and adding flexibility to ADU placement.	23-7D-4010 Pending Historic Designations	<p>Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones</p> <p>Motion 111:</p> <p>Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors</p> <p>Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones</p> <p>See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29)</p> <p>For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.</p> <p>Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors</p> <p>Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones</p> <p>See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29)</p> <p>For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.</p> <p>Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff</p> <p>Direct Staff to review policy on exempting TODs from compatibility</p>	No recommendation	No recommendation	No recommendation	
I.D.1	Affordable Housing	Tenant Relocation Protections	How can tenant relocation programs assist with affordability?	Current code Title 25, Article 15, Division 3 documents the requirements of the current Tenant Notification and Relocation Assistance Ordinance (Ord. No. 20160901-050). The ordinance requires property owners to provide notice to tenants when applying for certain types of permits for redevelopment of multifamily and mobile home park properties. It also allows for Council to set a tenant relocation fee or set aside public funds for financial assistance for displaced low-income tenants.	Draft 3 carries through the Tenant Notification and Relocation Assistance Ordinance.	Division 23-3E-3: Tenant Notification and Relocation		No recommendation	No recommendation	No recommendation	Planning Commission had no comments; marked as "consent" item.
I.D.2	Affordable Housing	Tenant Relocation Protections	How do base zoning entitlements impact the tenant relocation ordinance?	Current code Title 25, Article 15, Division 3 documents the requirements of the current Tenant Notification and Relocation Assistance Ordinance (Ord. No. 20160901-050). The ordinance applies to multifamily properties and mobile home parks of 5 or more occupied units.	Draft 3 maintains the ordinance's applicability to multifamily and mobile home park developments of 5 or more occupied units.	Division 23-3E-3: Tenant Notification and Relocation		No recommendation	No recommendation	No recommendation	
I.E.	Housing Choices	Live/Work Spaces	No question listed.						No recommendation	No recommendation	
II.A.1	Housing Choices	Strategic Housing Blueprint	What should be our overall housing capacity goal to meet the goals in Imagine Austin and the Strategic Housing Blueprint?	<p>The Austin Strategic Housing Blueprint (adopted by Council in 2017) sets a goal of creating 135,000 housing units, 60,000 of which are income-restricted affordable, over 10 years. As stated in the Blueprint, achieving these goals will require utilization of several tools, including but not limited to density bonus programs and more flexible zoning regulations.</p> <p>CodeNEXT consultants have suggested that a standard measure of capacity in relation to meeting a planning goal is to allow for at least twice the capacity needed to meet the planning goal (see Slide 3 from presentation to Council Work Session, Feb. 13, 2018: <a href="http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/FrigoCouncilWorkSessionSlides_021318.pdf">http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/FrigoCouncilWorkSessionSlides_021318.pdf</a>).</p>				No recommendation	No recommendation	No recommendation	

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II.A.2	Housing Choices	Strategic Housing Blueprint	Does Draft Three or Planning Commission recommendations meet our housing capacity and policy goals in the Strategic Housing Blueprint?	The Austin Strategic Housing Blueprint (adopted by Council in 2017) sets a goal of creating 135,000 housing units, 60,000 of which are income-restricted affordable housing, over 10 years.	CodeNEXT consultants have suggested that a standard measure of capacity in relation to meeting a planning goal is to allow for at least twice the capacity needed to meet the planning goal (see Slide 3 from presentation to Council Work Session, Feb. 13, 2018: <a href="http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/FregoCouncilWorkSessionSlides_021318.pdf">http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/FregoCouncilWorkSessionSlides_021318.pdf</a> ). Estimates from the consultant team indicate that CodeNEXT Draft 3 will offer a capacity of 287,000 total housing units and 6,000 income-restricted housing units through the bonus program (see Report Card: <a href="https://www.austintexas.gov/sites/default/files/files/Planning/CodeNEXT/CodeNEXT_D3_Report_Card_031418.pdf">https://www.austintexas.gov/sites/default/files/files/Planning/CodeNEXT/CodeNEXT_D3_Report_Card_031418.pdf</a> ).  Capacity analyses of the Planning Commission recommendations have not been done.		<p><b>Motion 12:</b> Recommend approval of Article 23-3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns:</p> <ol style="list-style-type: none"> <li>1. Establish as additional items of intent for the program to:               <ol style="list-style-type: none"> <li>a. meet the annual affordable housing goals set forth by city council;</li> <li>b. generally permit sites to utilize affordable bonus entitlements; and</li> <li>c. maximize affordable units in high-opportunity areas, whether built on-site or financed via fee-in-lieu.</li> </ol> </li> <li>2. Reinstate expedited review for SMART Housing and expand it to the Affordable Housing Bonus Program at all stages for projects that participate in the program per the original requirements of 2000.</li> <li>3. Explore a Super Density Bonus for large-scale affordable projects that offer over 50% of units as affordable</li> <li>4. Establish a Density Bonus pilot program with a revision and review window of 18-months with an annual re-evaluation period to ensure the program is properly calibrated, and staff and consultants to continue to hold workshops with stakeholders, including affordable housing advocates, builders, affordable housing builders, construction companies, developers, and community advocates to continue to work out the bonus program.</li> <li>5. Staff to use White Exhibit 1 Pages 20-25 (Edits to the SMART program) and White Exhibit 1 Pages 45-48 (SIMPLICITY &amp; HOUSING BLUEPRINT GOALS - yellow from Housing Coalition) as a directive to prioritize those changes as they review this Article</li> </ol> <p><b>Motion 87:</b> As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions</p> <p>Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply</p>	No recommendation	No recommendation	No recommendation	
II.A.3	Housing Choices	Strategic Housing Blueprint	Which are the best tools in the Strategic Housing Blueprint that help meet housing goals?	All 60+ strategies discussed in the Blueprint are important and should be pursued in order to meet the goals of producing 135,000 total units (including 60,000 income-restricted units) in the next 10 years.				No recommendation	No recommendation	No recommendation	
II.A.4	Housing Choices	Strategic Housing Blueprint	How do we measure and calibrate the non-zoning sections to achieve housing capacity goals along with environmental, transportation and other Imagine Austin goals?	Most of the current land development code was drafted and amended prior to the adoption of Imagine Austin in 2012.	Staff have developed an Affordability Impact Statement for CodeNEXT Draft 3 that discusses, among other topics, the tradeoffs inherent in proposals for greater environmental, transportation, or review regulations aimed at achieving different Imagine Austin goals relative to keeping housing costs in check.  See AIS here: <a href="http://www.ci.austin.tx.us/edims/pio/document.cfm?id=298194">http://www.ci.austin.tx.us/edims/pio/document.cfm?id=298194</a>		<p><b>Motion 1:</b> General Policy Guidelines</p> <ol style="list-style-type: none"> <li>1. Establish triage points after the Council adopts the codes such as quarterly check-ins as problems are found with code language. Problems first are revisited by Planning Commission and then Council.</li> <li>2. Complete rework of the Plan to Plan including transitions, centers, TODs, and Neighborhood Plans. Following the adoption of CodeNEXT, Land Use Commission revisit the Imagine Austin Centers and Corridors.</li> <li>3. Process to phase out F25 with stakeholder input regarding items such as Conditional Overlays, TODs, etc. Process to be revisited by Planning Commission and then Council.</li> <li>4. Prior to the Code being enacted, test and model the code in a wide-range of development scenarios with stakeholder participation, and testing of the financial impacts of the Code, including additional staffing needs, development fee increases, Density Bonus Program resources, and a quantified effect of working in two codes. Staff and consultants to prepare a Report Card of the Planning Commission mapping recommendations. After the Code has been implemented, additional testing to help inform the triage process and measure if the added density is delivering the anticipated affordable units.</li> <li>5. Entire Code needs to be reviewed by a Master Editor prior to adoption</li> <li>6. Planning Commission Recommendation is the starting point for Council Review.</li> <li>7. Land Use Commission's recommendation is shown to Council by each Division. Prior to the Code adoption, Staff to show Council what major elements of Title 25 are not being included in CodeNEXT.</li> <li>8. Performance mechanisms be identified by PC and staff to show the success and failures of the Code, particularly as it relates to Affordable Housing, displacement, demolition, review times/ permitting, and Imagine Austin Performance Indicators.</li> <li>9. Staff and Council explore methods to capture the added value of the added density along corridors to help finance transit projects along corridors.</li> </ol>	No recommendation	No recommendation	No recommendation	

City Council  
Discussion Topics

No.	Topic	Sub-Topic	Policy Question	Current Code	CodeNEXT Draft 3	Location In CodeNEXT	Planning Commission Recommendation	Zoning and Platting Commission Recommendation	Environmental Recommendation	Historic Landmark Recommendation	Staff Reaction to Commission Recommendation
II.B.1	Housing Choices	Accessory Dwelling Unit (ADU)	Should ADU's be allowed in more areas across Austin?	The current code allows ADUs in zones SF-3 and SF-5 through MF-6, plus DMU and CBD. In areas that have adopted neighborhood plans and chose the secondary apartment infill tool, ADUs are also allowed in SF-1 and SF-2 zoning.  The Strategic Housing Blueprint (adopted in 2017) recommends relaxing regulations on internal and external ADUs to make it easier to create these structures in more parts of Austin.	ADUs are allowed in all residential house-scale (R) zones, all RM zones, and MU1 zones.	23-4D Specific to Zones	Motion 53: Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones  Motion 87: As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions  Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply	The Zoning and Platting Commission recommends that Austin reduce the allowed size of ADUs consistent with other cities and find other ways to encourage the use of this infill tool. ADUs should be allowed by right in all house form zones and CodeNEXT should allow detached, attached and garage ADUs, fast-track and eliminate permit fees for smaller ADUs (<500 sq. ft.) and income-restricted ADUs, and vary permitted floor area by lot size (600, 850, and 1,100 sq. ft.)	No recommendation	Encourage ADUs as a tool to retain older, historic-age residential buildings (50+ years) while increasing density. (a) Allow larger ADUs in the rear of older houses by right, with the condition of retaining and rehabilitating the historic-age house; or allow existing houses equal to or less than 1,375 square feet (25% of allowable ADU square footage) to be classified as ADUs while remaining at the front of the lot. The maximum allowable area for new construction should be within a set square footage or percentage of the lot size of existing house's area. (b) Allow rear additions to existing houses on cottage lots to be classified as ADUs as long as they maintain the roofline and width of the existing house. (c) Waive parking requirements for ADUs if the existing house is retained and rehabilitated.	NHCD recommends a fee-in-lieu, rather than on-site income-restricted affordable ADUs.  NHCD supports ADUs in general. With regard to ADUs and the Affordable Housing Bonus Program, the Department's position is that property owners opting into the program through ADU development pay a fee-in-lieu into the Housing Trust Fund, rather than income-restrict the ADU on their sites. We take this position for many reasons, including the higher per-unit cost associated with monitoring these units and potential issues related to how tenants are selected. City Council has expressed interest in creating a waitlist for affordable housing units that may include priorities for people with housing barriers (including criminal backgrounds, poor credit, or who are exiting homelessness). Employing this waitlist approach for ADUs may cause potential bonus program applicants to decide not to utilize the program at all. Other cities are grappling with how to enforce affordability in ADUs as well – Portland, OR decided not to require ADUs to be affordable after difficulties with their proposal were identified.
II.B.2	Housing Choices	Accessory Dwelling Unit (ADU)	What should be the maximum allowable size of ADUs?	Current code allows a maximum ADU size of 1,100 sq ft or 0.15 FAR, whichever is smaller, with a limitation of 550 sq ft on the second floor.	Draft 3 has an ADU size limit of 750 SF - 1,100 SF, depending on the lot size. The second story 550 sq ft limit remains.	23-4D Specific to Zones		The Zoning and Platting Commission recommends that Austin reduce the allowed size of ADUs consistent with other cities and find other ways to encourage the use of this infill tool. ADUs should be allowed by right in all house form zones and CodeNEXT should allow detached, attached and garage ADUs, fast-track and eliminate permit fees for smaller ADUs (<500 sq. ft.) and income-restricted ADUs, and vary permitted floor area by lot size (600, 850, and 1,100 sq. ft.)	No recommendation	Encourage ADUs as a tool to retain older, historic-age residential buildings (50+ years) while increasing density. (a) Allow larger ADUs in the rear of older houses by right, with the condition of retaining and rehabilitating the historic-age house; or allow existing houses equal to or less than 1,375 square feet (25% of allowable ADU square footage) to be classified as ADUs while remaining at the front of the lot. The maximum allowable area for new construction should be within a set square footage or percentage of the lot size of existing house's area. (b) Allow rear additions to existing houses on cottage lots to be classified as ADUs as long as they maintain the roofline and width of the existing house. (c) Waive parking requirements for ADUs if the existing house is retained and rehabilitated.	
II.B.3	Housing Choices	Accessory Dwelling Unit (ADU)	Should ADU's be made more feasible in single family zones (Residential house-scale zones LA - R4)? Where should ADUs be made more feasible, such as near transportation corridors or activity centers? How should ADUs be made more feasible, such as FAR bonuses for preserving an existing house or parking reductions?	The current code allows ADUs in zones SF-3 and SF-5 through MF-6, plus DMU and CBD. In areas that have adopted neighborhood plans and chose the secondary apartment infill tool, ADUs are also allowed in SF-1 and SF-2 zoning.	ADUs are allowed in all residential house-scale (R) zones, all RM zones, and MU1 zones.	23-4D-2 Residential House-Scale Zones	Motion 53: Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones  Motion 87: As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions  Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply	No recommendation	No recommendation	No recommendation	

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II.C.1	Housing Choices	Housing Types and Choices	Should more housing choices and types be allowed in more areas across Austin?	<p>Existing zoning allows up to 2 units/lot for SF-3 zoning, but then jumps to 12 units/acre (with a minimum lot size of 10,500 sq ft) for SF-5 and SF-6. There are no existing zones that both allow and limit development to 3 or 4 units on smaller lots.</p> <p>The Strategic Housing Blueprint recommends that at least 30% of new housing should be a range of housing types from small-lot single-family to eight-plexes to help address Austin's need for multi-generational housing.</p> <p>Imagine Austin HN P1 states to "distribute a variety of housing types throughout the City to expand the choices available to meet the financial and lifestyle needs of Austin's diverse population."</p>	Codenext Draft 3 contains R3 and R4 zones, which allow 3 or 4 units on a lot.	23-4D Specific to Zones	<p>Motion 41: Change Cooperative Housing to Permitted in MH, MS1A, MU3B, MUS Change Cooperative Housing to Permitted in R3B-C, R4C,R4A-C, RM1A-B;</p> <p>Motion 57: Allow a three units, attached or detached, as a residential use in the R3 zones. Exact definition and alterations to Use Tables to be determined by staff.</p> <p>Motion 60: Add a "Small Lot Single-Family Use" as a permitted use in R2D and R2E with the following development standards. R2C remains the same. min. lot size: 2500 sf. max lot size: 4999sf min. lot width: 36' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5', Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max"</p> <p>Motion 64: Make one new zone (staff to determine which zoning base [R, RM, etc.]) for the Small Lot Single-Family Use with the following development standards: min. lot size: 2500 sf. max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max Staff to prepare a new zone that only permits the single use.</p> <p>Motion 74: Create a new zone (RM1C) which has the same uses as R2C, but with a permitted density of 14 units per acre maximum. .04 FAR limit for the 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. No multi-unit buildings</p>	No recommendation	No recommendation	No recommendation	
II.C.2	Housing Choices	Housing Types and Choices	Where should more housing choices and types be allowed?	<p>Existing development patterns in Austin are zoned such that SF-3 properties often abut major commercial corridors, with little or inconsistently applied transitional zoning, making for abrupt changes in building typology and adjacency of disparate uses.</p>	Draft 3 largely carries forward existing entitlements, with very moderate additions to density and height along corridors, and new residential entitlements for properties previously zoned commercial only.	23-4D Specific to Zones	Motion 108: Map Corridor Transitions per modified Kazi Corridor Transitions Directive, as voted on by Planning Commission	No recommendation	No recommendation	No recommendation	
II.C.3	Housing Choices	Housing Types and Choices	Should there be equitable distribution of housing density throughout the city?	<p>Existing housing density is a product of past zoning and policy decisions.</p> <p>Imagine Austin HN P1 states to "distribute a variety of housing types throughout the City to expand the choices available to meet the financial and lifestyle needs of Austin's diverse population."</p> <p>The Strategic Housing Blueprint includes geographic goals for citywide housing dispersion: "Within each Council District: At least 10% of rental housing units that are affordable to households earning at or below 30% MFI; and at least 25% of ownership housing units that are affordable to households earning at or below 120% MFI." These goals will not be able to be achieved if there is not enough multifamily zoning mapped through CodeNEXT in each council district.</p>	Draft 3 largely carries forward existing entitlements, with very moderate additions to density and height along corridors, and new residential entitlements for properties previously zoned commercial only.	MAPPING		No recommendation	No recommendation	No recommendation	
II.C.4	Housing Choices	Housing Types and Choices	In which zones should Cooperative Housing be allowed?	<p>The Strategic Housing Blueprint (adopted in 2017) recommends that regulations on cooperative housing be relaxed to allow for a wider range of more affordable housing options throughout the city.</p>			<p>Motion 41: Change Cooperative Housing to Permitted in MH, MS1A, MU3B, MUS Change Cooperative Housing to Permitted in R3B-C, R4C,R4A-C, RM1A-B;</p> <p>Motion 82: Allow the following uses as a permitted use in all MU and MS zones except MU1A and MU1B: Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Live Music, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufactured Home, and all sizes of Daycares</p>	No recommendation	No recommendation	No recommendation	

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No.	Topic	Sub-Topic	Policy Question	Current Code	CodeNEXT Draft 3	Location in CodeNEXT	Planning Commission Recommendation	Zoning and Platting Commission Recommendation	Environmental Recommendation	Historic Landmark Recommendation	Staff Reaction to Commission Recommendation
II.D.1	Housing Choices	Fair Housing	How do we measure and calibrate how the land development code affirmatively furthers fair housing over the next 30 years?	The Strategic Housing Blueprint identifies implementing the City of Austin's Fair Housing Action Plan ( <a href="http://austintexas.gov/sites/default/files/files/NHCD/Reports_Publications/4FHAP.pdf">http://austintexas.gov/sites/default/files/files/NHCD/Reports_Publications/4FHAP.pdf</a> ) and bolstering enforcement of existing fair housing requirements as a high impact strategy. The Fair Housing Action Plan identifies barrier #6: "Overly complex land use regulations limit housing choice and create impediments to housing affordability." It is recommended that land use and regulatory requirements be modified to expand housing choice and reduce housing access barriers.	The City of Austin can measure these goals by measuring to geographic targets identified on page 16 of the Austin Strategic Housing Blueprint. Within each Council District: At least 10% of rental housing units that are affordable to households earning at or below 30% MFI; and at least 25% of ownership housing units that are affordable to households earning at or below 120% MFI. These goals will not be able to be achieved if there is not enough multifamily zoning mapped through CodeNEXT in each council district.		Motion 1, 12, 13	No recommendation	No recommendation	No recommendation	
II.D.2	Housing Choices	Fair Housing	How do we create more affordable housing throughout the city, including in high opportunity areas?		CodeNEXT Draft 3 proposes a new citywide affordable housing bonus program linked to zoning districts, rather than a specific geographic area; see Divisions 23-3E-1 and 23-4D. Linking bonus opportunity to zoning districts allows for income-restricted units to be built where ever a zone with a bonus is mapped (provided development on the site meets other development requirements). In the Draft 3 map, that means 30,000 acres are proposed to allow for income-restricted bonus units, compared to just 5,600 acres under current code (see slide 51 in presentation to Council Work Session, Feb. 13, 2018: <a href="http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/20180212_CC_Draft_3_Preview_forWeb_445p.m.pdf">http://austintexas.gov/sites/default/files/files/Planning/CodeNEXT/20180212_CC_Draft_3_Preview_forWeb_445p.m.pdf</a> ). To increase income-restricted unit capacity, one approach would be to map more zones with bonuses in more parts of town, including moderate to very high opportunity areas.		Motions 12, 13, 87, 111 Motion 40: Comparability: Between 25-50 feet from the triggering lot line: 35 foot height limit 50-100 feet: 45 foot height limit 100-150 feet: 65 foot height limit 150-225 feet: 75 foot height limit 225-300 feet: 90 foot height limit Full height at 300 feet Affordable bonuses are exempt at 100 feet  Motion 43: Update each district to max height of "35 feet from top of slab to top of roof" and "slab height is limited to a maximum of 5' above finished grade and a maximum of 12" above highest finished grade." Staff will continue to work to clarify and correct the height with the intent stated  Motion 44: Delete Frontyard Impervious Cover Regulation in all R Zones  Motion 46: Remove articulation from all R zones	To provide the maximum benefits, AHBP should be made available in as many zones as possible. For example, the AHBP should be available in all Main Street zones. Commercial properties with no housing should be allowed to participate in the AHBP by paying fee-in-lieu. To ensure compatibility, height and FAR should not increase in or near residential house form zones. Bonuses in these locations should be limited to increases in units	No recommendation	No recommendation	
II.D.3	Housing Choices	Fair Housing	What land development policies conflict with or hinder the ability to affirmatively further fair housing?	The City of Austin's Fair Housing Action Plan identifies: minimum site area requirements for multifamily housing, limits on ADUs, compatibility standards, overly restrictive neighborhood plans and excessive parking requirements ( <a href="http://austintexas.gov/sites/default/files/files/NHCD/Reports_Publications/4FHAP.pdf">http://austintexas.gov/sites/default/files/files/NHCD/Reports_Publications/4FHAP.pdf</a> ).	In Draft 3, parking minimums have been reduced for multiple zones, compatibility standards have been updated, ADUs are allowed in more zones by right, and minimum site area requirements have been replaced by standard numbers of dwelling units per acre or FAR maximums. @Greg Dutton			CodeNEXT hurts Austin's ability to provide affordable housing in two ways. The first is by reducing the percentage of affordable units that must be provided in the Affordable Housing Bonus Program (AHBP) and the second is by providing increased by-right entitlements without imposing affordability requirements in return	No recommendation	No recommendation	



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II.E.1	Housing Choices	Housing Supply	Where should more by-right housing be allowed through increased base entitlements? Should there be by-right housing increases allowed? Should additional by-right housing be allowed only through Affordable Housing Density Bonuses? How much new housing on corridors should be by-right versus affordable housing bonus?	By-right housing is allowed in Rural Residential, Single-Family (SF) 1-6, Multi-Family (MF) 1-6, Mobile Home, Lake Commercial (L), Central Business District (CBD), Downtown Mixed Use (DMU), Commercial Highway (CH), and Research and Development (R&D) zones. The Mixed Use Combining District (-MU) and Vertical Mixed Use Building Combining District (-V) also permit housing by-right in a development.	By-right housing is allowed in Rural Residential (RR), Lake Austin (LA), Residential House Scale (R) 1-4, Residential Manufactured Home (MH), Residential Multi-Unit (RM) 1-5, Main Street 1-3, Mixed-Use 1-5, Commercial Center (CC), Urban Center (UC), and Downtown Core (DC) zones. Mixed Use zones with a "A" designation cannot build housing by right. In this type of zoning, participation in the Affordable Housing Bonus Program is required to build housing; this was done to ensure that commercial properties without by-right zoning today only receive the ability to build housing under CodeNEXT zones if some of the housing to be built is affordable.  Increasing base entitlements for housing will increase capacity for more housing units overall. However, for bonus programs, increases in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program.	23-4D Specific to Zones	Motions 17, 18, 69, 72, 75, 80, 86, 87	No recommendation	No recommendation	No recommendation	Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs.
II.E.2	Housing Choices	Housing Supply	Where should more intense Residential House Scale Zones (R4) and Residential Multi-Unit Zones (RM1 – RMS) be mapped so as to allow for sufficient housing choice in appropriate places?	R4 is most similar to today's SF-5; RM 1-5 are most similar to SF-6 and MF-1-6. These zones are found throughout Austin. SF-5 and SF-6 allow for a duplex, two-family, townhouse, or condominium use and may be used as a transition between a single-family and multi-family residential use.	R4 and RM 1-5 were usually mapped on lots zoned SF-5, SF-6, and MF 1-6. R4 allows for single-family, duplex, multi-family, cottage court, townhouse, and accessory dwelling unit uses. The RM zones allow for single-family, single-family attached, duplex, live/work, multi-family, townhouse uses. These zones can be found throughout Austin.  In general, multi-unit zones allow for more affordable types of housing. Additionally, these zones are proposed to allow participation in the Affordable Housing Bonus Program. In order to affirmatively further fair housing, zones that allow for more affordable types of housing and/or participation in the Affordable Housing Bonus Program should be mapped across the city, especially in higher opportunity areas.	23-4D Specific to Zones	Motion 74: Create a new zone (RM1C) which has the same uses as R2C, but with a permitted density of 14 units per acre maximum. 0.4 FAR limit for the 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. No multi-unit buildings  Staff to review proposed zone to ensure it does not have a negative impact on Density Bonus program  Motion 111: Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff Direct Staff to review policy on exempting TODs from compatibility	No recommendation	No recommendation	No recommendation	
II.E.3	Housing Choices	Housing Supply	How many dwelling units should be allowed per lot (depending on the size) in residential zones R2 - R4?	The R2 zones are most similar to today's SF-2, SF-3, and SF-4B zones. SF-2 and SF-4B today allow up to one unit per lot and SF-3 allows up to two units per lot.	R2 allows up to two units per lot, R3 allows up to three units per lot, and R4 allows up to four units per lot.	23-4D Specific to Zones	Motion 87: As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions  Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply	No recommendation	No recommendation	No recommendation	

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					Short-Term Rentals are divided into three types. Type 1 is owner-occupied and is associated with an owner-occupied principal residential unit. These rentals are permitted in Lake Austin (LA), Rural Residential (RR), Residential House Scale (R) 1-4, Residential Multi-Unit (RM) 1-5, Mobile Home (MH), Mixed-Use (MU) 1-2 and MUSA, Main Street (MS) 1-3, Commercial Center (CC), Urban Center (UC), and Downtown Core (DC). Type 2 cannot be part of a multi-family residential use and is not owner occupied. These rentals are only valid for properties that received a license before November 23, 2015 or submitted an application before November 12, 2015; they are not permitted in any of the CodeNEXT zones. Type 3 rentals are part of a multi-family use and are permitted in the Residential House Scale (R) 4, Residential Multi-Unit (RM) 1-5, Residential Manufactured Home (MH), Mixed-Use (MU) 1-2 and MUSA, Main Street (MS) 1-3, Urban Center (UC), and Downtown Core (DC).						
II.E.4	Housing Choices	Housing Supply	In which zones should STRs be allowed by-right, or allowed with a Minor Use Permit or Conditional Use Permit?	Short-Term Rentals are divided into three types. Type 1 is owner-occupied, and is allowed in zones that allow single-family (SF) and multi-family (MF) uses. Type 2 are not owner-occupied, apply to single family or duplex properties, and are allowed in Central Business District (CBD), Downtown Mixed Use (DMU), Planned Unit Development (PUD), General Retail-Mixed Use (GR-MU), Commercial Services-Mixed Use (CS-MU), Commercial Services Vertical Mixed Use (CS-V), and General Retail Vertical Mixed Use (GR-V). Type 3 are not owner occupied and are part of a multi-family use.		23-4D Specific to Zones		No recommendation	No recommendation	No recommendation	
II.F.1	Housing Choices	Future Growth along Corridors and in Centers	Should we focus new, denser, mixed-use development achieving our housing goals on transportation corridors and in activity centers, rather than in the core of existing single-family neighborhoods?	The current code assigns mostly commercial zoning classifications along transportation corridors. Most of the more intensive zoning along these corridors is Commercial Services (CS) and can include a mixed-use overlay with the combining district. While this allows for the option of a mix of uses, commercial-based zoning does not allow for residential uses outright. Thus, a zoning change is often sought to apply a mixed-use combining overlay.	By-right residential has been largely applied to all major corridors with the intent to increase housing options.	23-4D Specific to Zones	Motion 87: As stated in Kenny Exhibit 2 - ADU Bonus Amendments: Apply Changes to the Citywide Density Bonus Program Create a Corridor Density Bonus Program Create an NHCD Review after the implementation of the bonuses Alter the ADU and R-scale compatibility restrictions  Additional provisions not stated in Kenny Exhibit 2 NHCD review will be 18 months after implementation LA and RR zones will have a by-right ADU and it will no longer have an affordability requirement Within 1/8 of a mile of any school, the Corridor ADU Bonus will apply  Motion 107: Map Imagine Austin Corridors as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq ft. deep zoned as MS2B, and lots between 140-220 sq ft. deep zoned as MS3B. Revise the Impervious Cover in MS2B to 90%, and MS3B to 95%  Motion 111: Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.  Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff Direct Staff to review policy on exempting TODs from compatibility	No recommendation	No recommendation	No recommendation	Related to Motions 110, 113, 114:  The UC-Unlimited zone is currently designed without an affordable housing bonus lever. Staff believe this change would result in a loss of affordable housing bonus capacity in regional centers. If Council would like to pursue rezoning regional centers to a UC zone that has a bonus (UC80, UC120, or UC180), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize.  Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced.  Related to Motion 111: Do not support increases to base entitlements, as it may impact the ability to achieve affordable housing benefits. Do support increases to entitlements through a bonus program. Do support updating TOD regulating plans.
II.F.2	Housing Choices	Future Growth along Corridors and in Centers	What degree of change should be allowed to accommodate transitions between centers and corridors and residential house-scaled areas?	The current code does not address transition zones unless those were created by specific regulating plans such as such as in Downtown, University Neighborhood Overlay, UNO, East Riverside, and transit-oriented developments.	R4 districts were intended to be transitional elements between residential house scale development and mixed use or main street zones.	23-4D Specific to Zones	Motion 108: Map Corridor Transitions per modified Kazi Corridor Transitions Directive, as voted on by Planning Commission	No recommendation	No recommendation	No recommendation	Staff is currently evaluating PC recommendation for transition zones and exploring ways to accommodate transition zones as recommended by the commission.

City Council  
Discussion Topics

No.	Topic	Sub-Topic	Policy Question	Current Code	CodeNEXT Draft 3	Location in CodeNEXT	Planning Commission Recommendation	Zoning and Platting Commission Recommendation	Environmental Recommendation	Historic Landmark Recommendation	Staff Reaction to Commission Recommendation
II.F.3	Housing Choices	Future Growth along Corridors and in Centers	How can we ensure that sites on transportation corridors are able to achieve and balance sufficient housing supply with non-zoning requirements related to environmental protection, open space, reducing flood risk, transportation, infrastructure, urban forest protection, etc.	The current code assigns specific requirements related to environmental protections, open space, environmental protection, open space, reducing flood risk, transportation, infrastructure, urban forest protection, etc. that can dis-incentivize additional housing supply along corridors as those regulations reduce development potential on sites.	Specific regulations to address environmental protection, open space, reducing flood risk, transportation, infrastructure, urban forest protection have been reinforced to continue the preservation of these legacy regulations.	Article 23-4C: General to All Development	<p>Motion 36: 100% reduction in parking for properties located within a TOD with the following note about ADA 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.</p> <p>Motion 111: Map the areas adjacent to Imagine Austin corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.</p> <p>Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors Revise the language to set a goal of 90% while also taking into account lot size, localized flooding, existing infrastructure capabilities, connectivity/ access to corridor, and gentrification in applying the zones See Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29) For the areas identified in the Eastern Crescent Gentrification Protection Zone, establish a new zone of RM1C that features the base zoning of R2C with a 15 foot front setback, and the bonus entitlements of RM2A. This would be the default zone for behind corridors in the related map.</p> <p>Exempt TODs from compatibility entirely, by either mapping or text as determined by Staff Direct Staff to review policy on exempting TODs from compatibility</p>	No recommendation	No recommendation	No recommendation	
II.G.1	Housing Choices	Cooperative Housing	In which zones should Cooperative Housing be allowed by-right, or allowed with a Minor Use Permit or Conditional Use Permit?	The Strategic Housing Blueprint (adopted in 2017) recommends that regulations on cooperative housing be relaxed to allow for a wider range of more affordable housing options throughout the city.	Draft 3 permits Cooperative Housing in: R2B to R3C (CUP); R4A to RM1B (MUP); RM2A to RM5A (P); MU1A to MU3A, and MU5A (P); MS1B to MS3B (P); and all RC zones.	23-4D Specific to Zones	<p>Motion 41: Change Cooperative Housing to Permitted in MH, MS1A, MU3B, MU5 Change Cooperative Housing to Permitted in R3B-C, R4C,R4A-C, RM1A-B;</p> <p>Motion 82: Allow the following uses as a permitted use in all MU and MS zones except MU1A and MU1B: Residential Care Facilities, Senior/Retirement Housing, Work/Live, Library, Museum, or Public Art Gallery, Meeting Facility, Mobile Food Sales, General Retail Under 5,000 SF, Performance Venue/Theater, Live Music, Indoor Recreation (all sizes), Cooperative Housing, Group Residential, Manufactured Home, and all sizes of Daycares</p>	No recommendation	No recommendation	No recommendation	
II.H	Housing Choices	Occupancy Limits	No question listed.	SF = 6/4 (inside McMansion); Duplex = 6/4; SF + ADU = 6+2/2+2; Duplex + ADU = Not applicable	SF = 6/4 (inside McMansion); Duplex = 6/4; SF + ADU = 6+2/4+2; Duplex + ADU = 6+2/(4+2 = 6)  The Strategic Housing Blueprint recommends adding flexibility to occupancy limits.	23-3E-7040 Dwelling Occupancy Limit	<p>Motion 99: Throughout the City (regardless of McMansion), set occupancy at the following standards: Single Family: 6 Duplex: 3 + 3 Single Family + ADU: 6 + 2 Duplex + ADU: 3 + 3 + 2 ADU alone: 2 Direct Staff to recommend more where appropriate</p>	No recommendation	No recommendation	No recommendation	