

**LDC REVISION FIRST READING**  
**2<sup>ND</sup> ROUND**  
**(“Traunch 2”)**

**[HARPER-MADISON] ADDITIONAL DIRECTION TO TOVO #4**

Remap and right-zone existing triplexes, fourplexes, missing middle and multi-family housing in NCCDs.

**[CASAR CC5 (New)] DOWNTOWN MAPPING AND CALIBRATION**

Amend [STAFF2] DT-1 Commercial Core (CC) Subzone Bonuses, [PC] DT2 Substitute Amendment, and [PC] A9 Unlimited CC Bonus to Increase Community Benefits

Allow an unlimited CC bonus across Downtown, except do not map this unlimited bonus in the small area of Downtown where there currently is no bonus, on first reading. Council intends to add a bonus with new height and density in this northwest area on second reading, while maintaining a transition in height to areas that are primarily Residential House-Scale within the Downtown area. This transition in heights is to be considered the transition zone for house-scale areas in the Downtown. Staff and stakeholders should explore options for achieving this goal.

Within the boundaries of the Downtown Plan Overlay, if staff demonstrates that greater participation in the affordable housing bonus program would be achieved, DC zones may be mapped where CC zones are currently proposed, while maintaining a reasonable transition in height to areas that are primarily Residential House-Scale within the Northwest District of the Downtown Austin Plan Overlay.

Late night cocktail lounge uses that are being newly permitted in Downtown areas (where they were previously unpermitted) should be allowed, but only by conditional use permit.

**[CASAR AMEND RES1] COMPLIANT PROPERTIES**

If changes to the code cause properties in RM1 zones and below to be non-conforming, allow existing residential uses to be compliant and allow such residential uses to expand to current code site development standards. New site development standards from R1 to RM1 should only apply to new builds. However, properties in RM1 zones and below should not be allowed to expand their impervious cover to levels higher than 40% for single unit development/expansion, as listed in the staff-supported planning commission recommendation, while allowing for 45% impervious cover for two-unit development, as listed in the staff-supported planning commission recommendation.

**[KITCHEN #14] WATER FORWARD**

-To ensure climate resiliency and responsible stewardship of water resources.

1. To promote beneficial reuse of stormwater, conserve potable water, improve soil moisture and enhance creek baseflows, include a beneficial use of stormwater provision that requires sites to keep rainfall from smaller storms on-site and require a portion of the captured water to be beneficially used on-site.

**[HARPER-MADISON AMEND]** To promote beneficial reuse of stormwater, conserve potable water, improve soil moisture and enhance creek baseflows, include a beneficial use of stormwater provision that requires sites to keep rainfall from smaller storms on-site and require a portion of the captured water to be beneficially used on-site unless it is demonstrated to have a negative impact on affordability.

#### **[KITCHEN #15] PARCEL ENVIRONMENTAL CONSTRAINTS / CONFLICTS**

-To continue the City's high standard for public safety and environmental protection.

1. Explore expansion of a proposed zoning category that provides and preserves public safety and environmental sensitivities for existing residential 10,000 sf large lot tracts in floodplain and aquifer recharge areas and to discourage subdivisions in areas that endanger or compromise public safety and environmental sensitivities.
2. Consider R1A for current R1 small lots and new R1B for these targeted large lots.

**[KITCHEN #19]** Review proposed zoning for state and publicly owned lands, including lands controlled by Municipal Utility Districts, to ensure that zoning assignments align with current uses

#### **[POOL #9] PRIORITIZING SMART HOUSING PROJECT REVIEW**

Consider a "Prioritized" Expedited Review for S.M.A.R.T. Housing projects in which projects would be reviewed ahead of other applications including where an expedited review fee has been paid.

#### **[POOL #10] FACILITATING RESIDENTIAL COOPERATIVES IN THE CODE**

1. Review the definitions for "Group Residential" and "Co-Housing" in all Residential and MU/MS zones and consider the distinctive structure of cooperatives as compared to conventional dwelling units. For example, consider restoring the exemption from occupancy limits in the definition for "Group Residential" that we currently have in the code, and since "Co-Housing" is new, consider inserting a similar exemption in its definition.

Suggested Language: "GROUP RESIDENTIAL. The use of a site for occupancy by a group of more than six people who are not a family on a weekly or longer basis in which sleeping units are separate from, but located in the same building, common areas that include kitchen, laundry, and other shared facilities."



2. Consider allowing “Group Residential” by right in R2B and R2C and align “Group Residential” and “Co-Housing” in the “R” zones with the “Adult Care – Large” (7 adults and up), which is allowed by CUP in all residential zones.

**[TOVO #2]** Tie all increases in entitlements over current base zoning to strong affordability requirements. Include on-site affordable unit(s) for projects of five units or more and require appropriate fees-in-lieu for projects between three and five units.

**[GC AMEND]** Tie all increases in entitlements over current base zoning to strong affordability requirements or to the creation of missing middle housing. Include on-site affordable unit(s) for projects of five units or more insofar as staff modeling of code changes shows that site development standards after first reading, and market conditions will in fact produce an on-site affordable unit, and require appropriate fees-in-lieu for projects between three and five units.

**[TOVO #27]** Revise map so that transition zones do not extend for more than 5 adjacent parcels in any area.

**[TOVO #29]** Retain current on-site parking requirements for residential properties within 750,’ and limit parking reductions to no more than 30% for commercial properties within 1500’ of an urban core public school to maintain needed parking for parents, visitors, teachers, and staff at school campuses.

**[CASAR SUBSTITUTE]** Leave in place current parking requirements for the residential properties immediately adjacent to neighborhood schools, unless there is a sidewalk on one side of the street or unless a sidewalk is planned in the near future. For streets that are very proximate to schools, but not adjacent to schools, staff may provide a recommendation for such parking and sidewalk policies.

**[ALTER #6]** To increase efficiency of constructing and operating schools, consider appropriate revisions to the draft LDC and/or applicable land development standards agreements to generally:

1. simplify the development review and permitting process and
2. engage with local school districts to identify potential code revisions needed to ensure that reductions in minimum parking standards do not disrupt school operations, including transport of students to and from school.

## **MONITORING AND COMPLIANCE FEES**

### **[CASAR PC-15] MONITORING AND COMPLIANCE FEE FOR AFFORDABLE HOUSING PROGRAM PARTICIPATION**

Intent: Consider requiring a monitoring and compliance fee from all participants of the affordable housing bonus programs.

Staff Response: Because newly utilized land use restriction agreements address non-compliance with reporting/monitoring and affordability requirements, NHCD will wait to make a decision about monitoring fees or fines for non-compliance.

**[POOL #7] Ensure Support for Monitoring of Affordable Housing Units**

Review the possibility of enacting a "monitoring and compliance fee" as a requirement to participate in the Affordable Housing Bonus Program.

**[TOVO #11]** Assess an annual compliance and monitoring fee to properties that participate in the AHBP program.

**[CASAR AMEND]** Assess an ~~annual~~ compliance and monitoring fee to properties that participate in the AHBP program.

**[MAYOR] PROCESS-RELATED DIRECTION**

Staff should prioritize publishing the revised code text and zoning map as soon as possible in order to allow substantial review and comment before second reading. Work related to other Council requests should be handled consistent therewith.

## **LDC REVISION FIRST READING PROGRAMMATIC AMENDMENTS**

### **[GARZA #1(c)] FUTURE REVISIONS OF THE OVERLAY**

Overlay should be looked at and revised after 3 years and tied to the Census.

### **[GARZA #3] SMALL NEIGHBORHOOD GROCER**

Work with Economic Department to identify the square footage of a small neighborhood grocer and where this type of use can benefit areas that have difficulties accessing healthy food options.

### **[CASAR AH2(3)] DENSITY BONUS CALIBRATION**

- (3) Allocation of Bonus Funds: Create a process so that NHCD can easily assign bonus dollars to create on-site affordable homes during the development review process.

### **[CASAR P6] ADU FEES**

Reduce fees and/or costs for those who are not doing a full rebuild, but are instead just adding an ADU.

### **[KITCHEN #6(2)] REVIEW TRANSITION ZONE AREAS GREATER THAN 5 LOTS**

2. As part of the next capacity analysis, include the zoning categories that were not previously counted.

### **[POOL #5] STREAMLINING PERMITTING & POSSIBLE PROGRAMS TO ADD ON & STAY IN PLACE**

Explore providing a streamlined permitting process for a menu of pre-approved ADU (internal and detached), micro-unit, and other small housing types. Review methods for qualified homeowners to participate in developing additional units through financial assistance as well as through facilitated community partnerships.

### **[POOL #6] PRESERVING EXISTING AFFORDABLE MF**

Deliver scenarios of different ways of zoning existing market affordable multifamily to answer the question: Which scenarios trigger redevelopment?

Scenarios should include options such as:

1. Map to current use with/without a bonus
2. Map proposed zoning with/without bonus

**[TOVO #3]** To manage on-site affordable units in smaller projects, partner with local nonprofit organizations, such as Foundation Communities, to identify qualified tenants and provide ongoing monitoring.



**[TOVO #5]** Allocate bond or other funding to create a low- or no-interest loan program to upgrade aging multifamily properties that might pose health or safety risks to tenants (I intend to bring forward an Item from Council creating this fund in January 2020)

**[TOVO #6]** To help existing homeowners stay in place, take the following steps to assist them in creating income-generating second units:

- Develop pre-approved ADU plans in a variety of sizes to expedite permitting and cut costs for both homeowners and the city (such plans could also be used by non-homesteaded properties).
- Create programs to educate homeowners about financing options for ADUs or other second units.
- Allocate \$1 million in bond or other funding to create a low or no-interest loan program for lower- and perhaps middle-income homeowners to assist in building income-generating additional units. (I intend to bring forward an Item from Council creating this fund in January 2020)

**[TOVO #12]** For all AHBP units, work with stakeholders and require tenant protections similar to what is currently required in the Rental Housing Development Assistance lease addendum.

**[CASAR SUBSTITUTE]** Provide recommendations on which tenant protections are feasible, legal, and recommended.

**[TOVO #23]** For the safety of residents, ensure adequate sidewalks and infrastructure (water, sewer, drainage) to accommodate proposed up-zoning.

**[CASAR SUBSTITUTE]** The code should protect the health and safety of all residents.

**[TOVO #28]** Develop a strategy for ensuring access for emergency vehicles, trash collection, deliveries, work crews and other basic services in areas where parking is eliminated. Craft visual illustrations of how RM1 or R4 properties that take full advantage of every entitlement would accommodate basic services such as trash collection on a standard city lot.

**[TOVO #36] ALTERNATIVE MAPPING**

Provide resources and support for neighborhoods that want to construct alternative maps.