



**PLANNING COMMISSION
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING
Tuesday, October 16, 2012**

The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Tuesday, October 16, 2012, at 301 W. 2nd Street, City Hall, Room #1027, in Austin, Texas.

Commissioner Chimenti called the meeting to order at 6:03 p.m.

Subcommittee Members in Attendance:

Danette Chimenti - Chair
Stephen Oliver
Jean Stevens
Myron Smith
Jeff Jack – Ex-Officio

City Staff in Attendance:

Greg Dutton, Planning and Development Review
Carol Haywood, Planning and Development Review
Erica Leak, Planning and Development Review
Robert Anderson, Planning and Development Review
Pamela Larson, Planning and Development Review
Brian Tanzola, Fire Prevention
Carl Wren, Fire Department
Dan McNabb, Planning and Development Review
Carol Gibbs, Planning and Development Review
George Zapalac, Planning and Development Review
George Adams, Planning and Development Review
Jill Fagan, Economic Growth and Redevelopment Services
Pam Hefner, Economic Growth and Redevelopment Services

Others in Attendance:

Ron Thrower, Thrower Design
Annie Armbrust, Real Estate Council of Austin
Jan Long, EROC Contact Team/EROC Working Group
Toni House, EROC Contact Team/EROC Working Group
Tommy Tucker, Catellus
Jana McCann, McCann Adams Studio
James Nortey, Planning Commissioner

1. CITIZEN COMMUNICATION: GENERAL

- a. None

2. APPROVAL OF MINUTES

- a. A motion was made to approve the September 18, 2102 minutes by Commissioner Stevens, seconded by Commissioner Smith. Vote: 3-0 (Commissioners Anderson and Oliver absent).

3. APPOINT SUBCOMMITTEE CHAIR

- a. A motion was made to nominate Commissioner Chimenti chair of the subcommittee, seconded by Commissioner Smith. Vote: 3-0 (Commissioners Anderson and Oliver absent).

4. POTENTIAL CODE AMENDMENTS: Proposed for Initiation and Discussion

Potential amendments to the code are offered for discussion and possible recommendation for initiation. If initiated, Staff will research the proposal and report back to the subcommittee.

- a. **International Building Code** – Discussion on a potential amendment to the International Building Code, as it addresses live/work units, and general process and procedures for amendments to the IBC. City Staff: Dan McNabb, Planning and Development Review Department, 974-2752, Dan.McNabb@AustinTexas.gov (Discussion and/or Possible Action)

Carl Wren explained that the International Building Code specified that the same person occupy a live/work unit, because a live/work unit does not require a fire separation wall. Allowing this type of live/work unit to be partially leased to someone else (such that live space and work space are occupied by different tenants) would expose one tenant to the actions of the other, and without a fire separation wall that could be potentially dangerous. Tommy Tucker explained that for builders and buyers of live/work units, there is an expectation that they would like to possibly rent the work portion of the unit. For builders it is often a hurdle to go through the commercial site plan process. George Zapalac indicated that there might be a way to simplify the site review process for live/work units. The commissioners directed staff to look into the feasibility of simplifying the review process for live/work units.

No action was taken.

- b. **Subdivision** – A staff presentation on potential amendments to the subdivision code to promote neighborhood connectivity and improve accessibility. City Staff: Carol Haywood, Planning and Development Review Department, 974-7685, Carol.Haywood@AustinTexas.gov (Discussion and/or Possible Action)

George Adams gave a presentation on the proposed subdivision code rewrite, explaining that grant funding was already in place, and would help keep down overall code rewrite costs. He also explained that any rewrite of the subdivision code would take into account concepts and principles from Imagine Austin, and would be written in a way that it could either fit with the upcoming overall code rewrite or dovetail with it.

A motion was made to initiate the code amendment and forward to the full Planning Commission on 11/13/12, by Commissioner Stevens, seconded by Commissioner Smith. Vote: 3-0 (Commissioners Anderson and Oliver absent).

- c. **Waterfront Overlay Boundary** – Consider an ordinance amending Chapter 25 of the City Code to modify the boundary of the Waterfront Overlay District – Auditorium Shores and Butler Shores Subdistricts. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@AustinTexas.gov (Discussion and/or Possible Action)

Greg Dutton explained that a citizen with property currently in the Auditorium Shores subdistrict had requested that the Waterfront Overlay boundaries be amended so that their property would fall into the Butler Shores subdistrict instead of the Auditorium Shores subdistrict. The Waterfront Planning Advisory Board voted to initiate this item on September 24, 2012. Ron Thrower explained that the property owners made this request so that the uses allowed on the property could be expanded to include uses currently prohibited in the Auditorium Shores subdistrict.

A motion was made to initiate the code amendment and forward to the full Planning Commission, by Commissioner Oliver, seconded by Commissioner Stevens. Vote: 4-0 (Commissioners Anderson absent).

5. REGULAR AGENDA

- a. **Briefing on East Riverside Corridor Regulating Plan** - Consider an ordinance amending Title 25 of the City Code to implement the East Riverside Corridor Regulating Plan. City Staff: Erica Leak, Planning and Development Review Department, 974-2856, Erica.Leak@AustinTexas.gov (Discussion and/or Possible Action)

Erica Leak presented a list of additional recommendations for the East Riverside Regulating Plan, made by staff. Discussion ensued regarding affordable housing and how the ERC Regulating Plan takes that into account; Ms. Leak explained that loss of affordable housing was already taking place, and that the regulating plan seeks to encourage affordable housing using a development bonus. There was also discussion about how the ERC Regulating Plan fits with the existing EROC neighborhood plan, with Ms. Leak explaining that the regulating plan attempts to preserve single family areas. Once the ERC Regulating Plan is adopted, those portions of the planning area that fall into existing neighborhood planning areas will have their Future Land Use Map designation changed to indicate that they fall within the ERC planning area.

A motion was made to forward to the full Planning Commission, by Commissioner Stevens, seconded by Commissioner Smith. Vote: 4-0 (Commissioners Anderson absent), with all staff-recommended changes and the additional recommendations by Commissioners:

- Make congregate living a conditional use
- Remove the \$.50 fee
- Staff to determine feasibility of Fire Department using alleys for fire access

- b. Downtown Parking** – Consider an ordinance amending Chapter 25 of the city code, as it relates to downtown parking requirements. City Staff: George Zapalac, Planning and Development Review Department, 974-2725, George.Zapalac@AustinTexas.gov (Discussion and/or Possible Action)

George Zapalac explained that staff had been examining the feasibility of reduced parking requirements in the downtown area, and the different approaches that could be taken to do so. Commissioners brought up several points, including how effective reduced parking requirements would be if lenders had their own requirements, and the need to include both residential and retail parking needs in any assessment. In addition, the Commissioners voiced concern that any reduced parking in the downtown area could impact surrounding neighborhoods, and the need to look at residential parking permitting in conjunction with any reduced downtown parking.

The Commissioners asked that staff continue to work on the issue and bring it back to the subcommittee, likely in early 2013.

No action was taken.

- c. Amphitheater** – Consider an ordinance amending Chapter 25 of the city code, to make amphitheaters a conditional use. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@AustinTexas.gov (Discussion and/or Possible Action)

Greg Dutton presented draft language on how an amphitheater might be defined, and explained that the idea for this code amendment is to make amphitheaters conditional, such that any use with accompanying amphitheater would require a conditional use permit.

Commissioners felt that more work was needed on the definition of an amphitheater, and stressed that the Music Office should be included early in the application process to provide guidance on amphitheater size, orientation, etc.

No action was taken.

- d. Pedicab** – Consider an ordinance amending Chapter 25 of the city code, to add a new use classification, Pedicab Dispatch and Storage. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@AustinTexas.gov (Discussion and/or Possible Action)

Greg Dutton explained that pedicab uses are currently defined as automotive rentals, and that with the increased popularity of pedicabs and desire to distinguish between automotive and non-automotive uses, it was appropriate for pedicabs to have their own use classification. The new use would allow pedicab storage, dispatch, and incidental servicing.

A motion was made to forward to the full Planning Commission, by Commissioner Oliver, seconded by Commissioner Stevens. Vote: 4-0 (Commissioners Anderson absent).

6. OTHER BUSINESS

- a. Update on current code amendments and process** - City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@AustinTexas.gov

Greg Dutton reviewed the current code amendment process and went over a list of code amendment cases that are in process.

7. FUTURE AGENDA ITEMS

- a. None**

ADJOURNMENT

Commissioner Chimenti adjourned the meeting without objection at 8:50 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Greg Dutton at Planning and Development Review Department, at 512-974-3509, for additional information; TTY users route through Relay Texas at 711.

For more information on the Planning Commission Codes and Ordinances Subcommittee, please contact Greg Dutton at (512) 974-3509 or at greg.dutton@austintexas.gov