



**PLANNING COMMISSION
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING
Tuesday, May 20, 2014**

The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Tuesday, April 15, 2014, 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
Jean Stevens
Jeff Jack – Ex-Officio

James Nortey
Dave Anderson
Stephen Oliver

City Staff in Attendance:

Greg Dutton, Planning and Development Review
Greg Guernsey, Planning and Development Review
Matt Dugan, Planning and Development Review
Carol Gibbs, Planning and Development Review
George Adams, Planning and Development Review

Others in Attendance:

Stuart Hersh
David King
Elaine Robbins
Mark Yznaga
Kristi Stillwell
Mary Ingle
Robert Kleeman

Nelson Lovos
Albert Quintanilla
Viridiana Mendez
Sharon Mays
Dan Parolek
Lisa Wise

1. CITIZEN COMMUNICATION: GENERAL

- a. Elaine Robbins spoke about the desire to have an amendment to the existing city code that would prohibit electronic and/or LED signs that are too bright and too distracting for drivers.

No action was taken.

2. APPROVAL OF MINUTES

- a. A motion was made to approve the April 15, 2014 minutes by Commissioner Nortey, seconded by Commissioner Stevens. Vote: 5-0.

3. POTENTIAL CODE AMENDMENTS: Proposed for Discussion and/or Initiation

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

- a. **Parkland Dedication** – Consider initiating an amendment to Title 25 of the City Code related to parkland dedication in residential subdivision and permitting. City Staff: Greg Guernsey, Planning and Development Review Department, 974-2387, Greg.Guernsey@austintexas.gov (Discussion and/or Possible Action)

Greg Guernsey explained that during the 1980s the City allowed plat notes prohibiting residential to be made for the purpose of avoiding a parkland dedication fee. Today, those plat notes, although they cannot be used to prohibit a land use, can make it difficult for a residential developer to obtain financing. The proposed amendment would allow certain plat notes to be amended to allow for residential use, as long as parkland dedication fees are paid.

A motion was made to initiate the request to initiate by Commissioner Oliver, seconded by Commissioner Anderson. Vote: 5-0.

4. **REGULAR AGENDA: Previously Initiated**

Previously initiated amendments to the code are offered for discussion and possible recommendation to the full Planning Commission.

- a. **STAFF BRIEFING: Code Next Briefing on Land Development Code Diagnosis** – Discuss major issues related to revision of the Land Development Code. Briefing by Dan Parolek of Opticos Design. City Staff: George Zapalac, Planning & Development Review Department, 974-2725, George.Zapalac@austintexas.gov. (Discussion and/or possible action)

Dan Parolek and Lisa Wise went through a presentation on the Code Next land development code revision, including the Code Diagnosis and next steps. They explained that the revision will likely include a mix of form-based code and standard Euclidean zoning code. The presentation included a top ten of existing issues with Austin’s LDC, and identified areas that will be addressed by the LDC revision. The consultants added that the conditional use permit process would remain in place, and that performance standards could be added to form-based code and tailored to a particular neighborhood.

Commissioners brought up the idea of whether the new code would encapsulate existing conditions, or anticipate future changes. Mr. Parolek mentioned that neighborhoods are usually assigned an “intended degree of change” that would help determine what that future change might be. Imagine Austin didn’t make that assessment.

Members of the public voiced concerns that there wasn’t enough data to make decisions about costs of infrastructure, or how affordability might be impacted by the LDC revision.

No action was taken.

- b. **TOD Boundary** – Consider an ordinance to Title 25 of the City Code to amend the boundaries of the Lakeline Transit Oriented Development. City Staff: Jerry Rusthoven, Planning and Development Review Department, 974-3207, Jerry.Rusthoven@austintexas.gov (Discussion and/or Possible Action)

Greg Dutton went over a proposed change to the Lakeline TOD boundary that would include an adjacent property that is currently not within the TOD district. The proposed change would make North Lake Creek Parkway the district boundary instead of the property line. The proposed change would allow the property owner to have a reduced parking reduction.

A motion was made to recommend approval to the full Planning Commission by Commissioner Nortey, seconded by Commissioner Oliver. Vote: 5-0.

- c. **Mobile Retail** – Consider an ordinance to Title 25 of the City Code to allow mobile retail sales. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@austintexas.gov; (Discussion and/or Possible Action).

Greg Dutton explained the proposed amendment to allow mobile retail sales. Currently the city does not have code that allows for mobile retail sales, and prospective vendors have made clear the need to address the issue. Mobile retail would function in a similar fashion as mobile food, with items being sold from trailers. The sales will be permitted in certain zoning districts, during certain hours, and compatibility requirements will exist to buffer adjacent residential uses. No site plan or on-site parking will be required.

Commissioners raised concerns that no on-site parking would be required, although customers might still drive to the vendor and need some place to park. Further discussion on parking centered on how RPP might be attached to the mobile retail ordinance, and how parking concerns might be addressed.

A motion was made to table this item to next month's subcommittee, by Commissioner Oliver, seconded by Commissioner Stevens. Vote: 4-0.

5. OTHER BUSINESS

- a. **Residential Over-Occupancy (Stealth Dorm) Working Group Recommendations** – Discuss ongoing working group activity and recommendations related to over-occupancy of residential dwellings. Commissioner Stevens. (Discussion and/or Possible Action).

Commissioner Stevens went over a list of recommendations generated by the Over-Occupancy Working Group, and suggested that the Commissioners take time to absorb it before further discussing at the next subcommittee meeting.

A motion was made to table this item to next month's subcommittee meeting, by Commissioner Stevens, seconded by Commissioner Nortey. Vote: 4-0.

- b. **Policy Issues and Priorities Standing Item: Affordability** – Discuss issues around affordability in the City of Austin. (Sponsor: Commissioner Anderson; Co-Sponsor: Commissioner Oliver) (Discussion and/or Possible Action)

A motion was made to postpone this item by Commissioner Oliver, seconded by Commissioner Nortey. Vote: 5-0.

- c. **Update on potential upcoming and current code amendments, and the amendment process** – City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@austintexas.gov (Discussion and/or Possible Action)

Greg Dutton gave a brief update on ongoing code amendments.

No action was taken.

6. FUTURE AGENDA ITEMS

Future agenda items will NOT be discussed at the current meeting, but will be offered for initiation, discussion, and/or possible recommendation to the full Planning Commission at a FUTURE meeting.

ADJOURNMENT

Commissioner Chimenti adjourned the meeting without objection at 9:15 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