



**PLANNING COMMISSION
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING
Tuesday, July 15, 2014**

The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Tuesday, July 15, 2014, at 301 W. 2nd Street, City Hall, Boards and Commissions Room, in Austin, Texas.

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

Subcommittee Members in Attendance:

Danette Chimenti
Jeff Jack – Ex-Officio
James Nortey

Jean Stevens
Nuria Zaragoza
Stephen Oliver

City Staff in Attendance:

Greg Dutton, Planning and Development Review
Jerry Rusthoven, Planning and Development Review
Carol Gibbs, Planning and Development Review
Viktor Auzenne, Planning and Development Review
Kathy Haught, Planning and Development Review
Greg Guernsey, Planning and Development Review
Eric Gomez, Planning and Development Review
Patricia Link, Law Department
Brent Lloyd, Law Department
Greg Anderson, Mayor and Council

Others in Attendance:

Stuart Hersh
Mary Stratmann
Amanda Morrow
David Hartman
Richard Suttle

1. CITIZEN COMMUNICATION: GENERAL

- a. NONE.

2. APPROVAL OF MINUTES

- a. The June meeting minutes will be available for approval at August subcommittee meeting.

No action was taken.

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. Review Periods** – Consider initiation of an amendment to Title 25 of the City Code to change standardized review periods. City Staff: Greg Guernsey, Planning and Development Review Department, 974-2387, Greg.Guernsey@austintexas.gov; (Discussion and/or Possible Action).

Greg Guernsey proposed the initiation of a code amendment that would allow staff to look at existing review times and make necessary changes based on real-world review periods. The code currently lists the length of time that certain reviews should take; Mr. Guernsey explained that these times are outdated and often are not realistic. Stuart Hersh requested that SMART housing review times be included in any staff review. Commissioner Jack asked that staff provide data on workload and staffing changes over time, and how they have impacted review times.

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

- b. Agricultural-Related Development** – Consider initiation of an amendment to Title 25 of the City Code to clarify the types of activities allowed as a part of agricultural development. City Staff: Greg Guernsey, Planning and Development Review Department, 974-2387, Greg.Guernsey@austintexas.gov; (Discussion and/or Possible Action).

Greg Guernsey explained that under the current land development code it is unclear what types of agricultural activities are considered development, and what types of activities are permitted as part of an agricultural use and not considered development. The proposed amendment will clarify the difference.

A motion was made to initiate the request to initiate by Commissioner Nortey, seconded by Commissioner Oliver. 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. Right-of-Way Installations** – Consider an ordinance to amend Title 25 of the City Code to allow sign, logo or placard placement on a legally permitted right-of-way installation that identifies the name, operator, or sponsor of the right-of-way installation. City Staff: Viktor Auzenne, Planning and Development Review Department, 974-2941, Viktor.Auzenne@austintexas.gov; (Discussion and/or Possible Action).

Viktor Auzenne explained a proposed amendment that would allow advertising for right-of-way installations, so long as the advertisements are a certain size and face away from the roadway (so that drivers are not distracted).

Commissioners voiced concern over allowing advertising and that the permitted sign should be smaller than proposed by staff.

A motion was made to table the item to the August subcommittee meeting by Commissioner Oliver, seconded by Commissioner Stevens, with the following direction to staff:

- Show examples of how signage would face away from traffic
- Show examples of what other cities do for ROW installations
- Define sponsor vs. advertisement

Vote: 5-0.

- b. Parkland Dedication** – Consider an ordinance to amend Title 25 of the City Code to allow amendment of plat notes related to parkland dedication. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@austintexas.gov; (Discussion and/or Possible Action).

Greg Dutton explained a proposed code amendment that would allow the amendment of plat notes under certain specific conditions. During the mid-1980s the City of Austin began collecting parkland dedication fees for residential developments. In order to avoid paying these fees, plat notes were added to plats noting that residential development was prohibited. Today, property that is zoned residential may have an existing plat note indicating that residential is prohibited; although the City regulates land use with zoning (and not plat notes), banks are often reluctant to loan money for residential projects if the property has a plat note that restricts residential. The proposed amendment would allow these plat notes to be amended such that residential development is allowed, so long as parkland dedication takes place.

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

- c. Micro Units** – Consider an ordinance to amend Title 25 of the City Code to reduce barriers that may impede the construction of micro units. City Staff: Greg Dutton, Planning and Development Review Department, 974-3509, Greg.Dutton@austintexas.gov; (Discussion and/or Possible Action).

Greg Dutton described a proposed amendment that would make it easier to develop micro units – efficiency apartments under 400 square feet. These small units would be permitted on Core Transit Corridors or Future Core Transit Corridors, be permitted in certain zoning districts, have a parking reduction, and an on-site affordability requirement. Micro units could be mixed into a building with other non-efficiency apartments, or an entire building of micro units could be constructed. Specifically, the proposed amendment has the following specifics:

- 400 sq ft site area requirement for each dwelling unit
- 0.6 on-site parking spaces required per dwelling
- Permitted on Core Transit Corridors and Future Core Transit Corridors
- Permitted in the following zoning districts: MF-1, MF-2, MF-3, MF-4, MF-5; MU combining district
- Not applicable in VMU, TOD, ERC, CBD, DMU (all of which have their own density bonuses, parking reductions, affordability requirements)
- No changes to other base district site development standards, aside from parking
- Affordability required:

- 10% of square footage of total development must be reserved as affordable for a minimum of 99 years for rental and occupancy by a household earning not more than 60 percent of the median family income for the Austin metropolitan statistical area; OR
- 10% of square footage of total development must be reserved as affordable for a minimum of 99 years for ownership and occupancy by a household earning not more than 80 percent of the median family income for the Austin metropolitan statistical area.

Commissioners discussed whether the proposed parking reduction went too far or not far enough, and had similar concerns with the affordability requirement.

A motion was made to table the item to the August subcommittee meeting by Commissioner Oliver, seconded by Commissioner Stevens, with the following direction to staff:

- Show examples of car reduction for tenants of micro units
- In other cities, where does excess parking go for micro unit tenants?
- Show examples of micro unit sites or what they could look like
- Does deeper affordability make sense for a developer?
- Does deeper affordability attract tenants who might be less likely to own a car?
- Does Cap Metro tie their service plans to density?

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).

Postponed without objection to the June subcommittee meeting.

- 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)

Commissioners briefly discussed affordable housing.

No action was taken.

- 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 8:15 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