CODE NEXT

SHAPING THE AUSTIN WE IMAGINE

From Here to There: Setting a Path for Austin's Code

Code Approach Alternatives & Annotated Outlines Document

Public Review Draft

Presented by:

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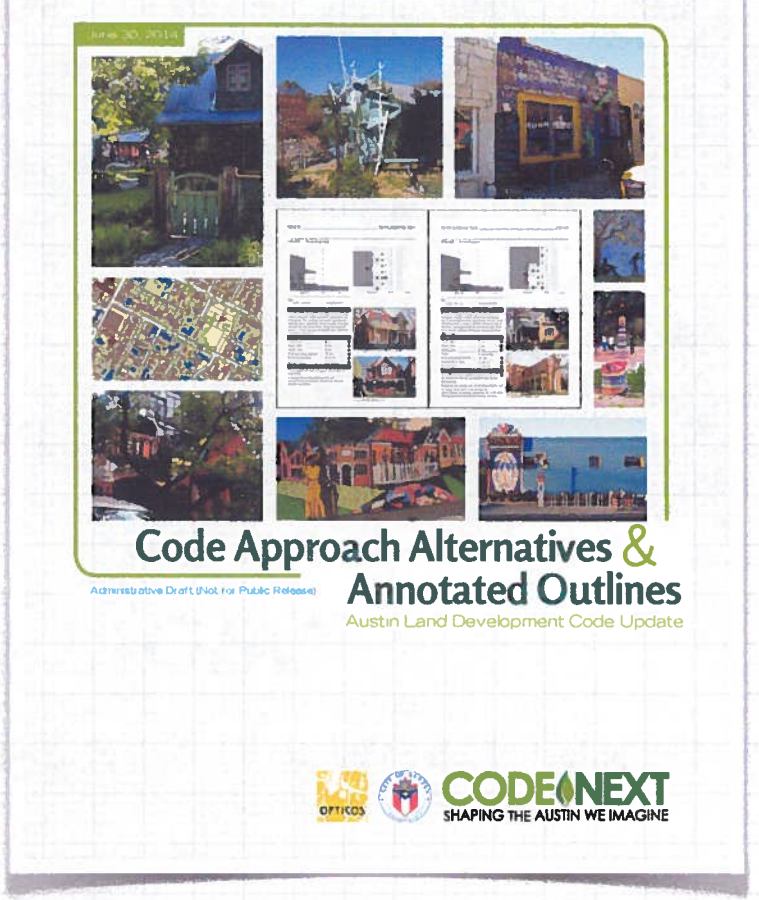
Opticos Design, Inc.

Presented:

Austin City Council, Comprehensive Plan and Transportation Subcommittee

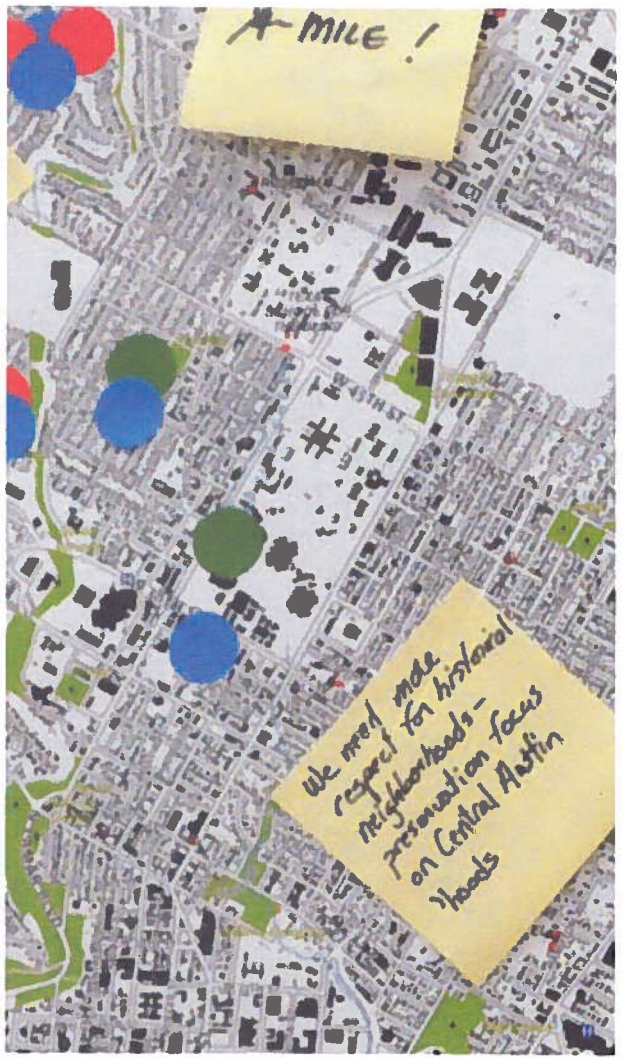
September 4, 2014



From Here to There: Setting a Path for Austin's Code

Presentation Overview:

1. Background
2. Overview of Approach Alternatives and **Recommended Approach**
3. Overview of **Elements**
   - These are the "ingredients" for the approaches
4. Comparison of Approach **Alternatives and Basis of Recommendation**
   - Overview of 3 Alternative Approaches
   - Comparing Approaches
   - Our recommended Approach
5. **Concluding Thoughts** & Next Steps



What choosing an approach does and does not do:

Selecting an approach...

Does

- **Set a framework**
  Creates parameters to guide the revision of the LDC.
- **Allow for future flexibility**
  Future City Council will have opportunity to reaffirm selected Approach.
- **Establish a road map for updating the code**
  Chooses a direction for the CodeNEXT team to explore with Austinites.

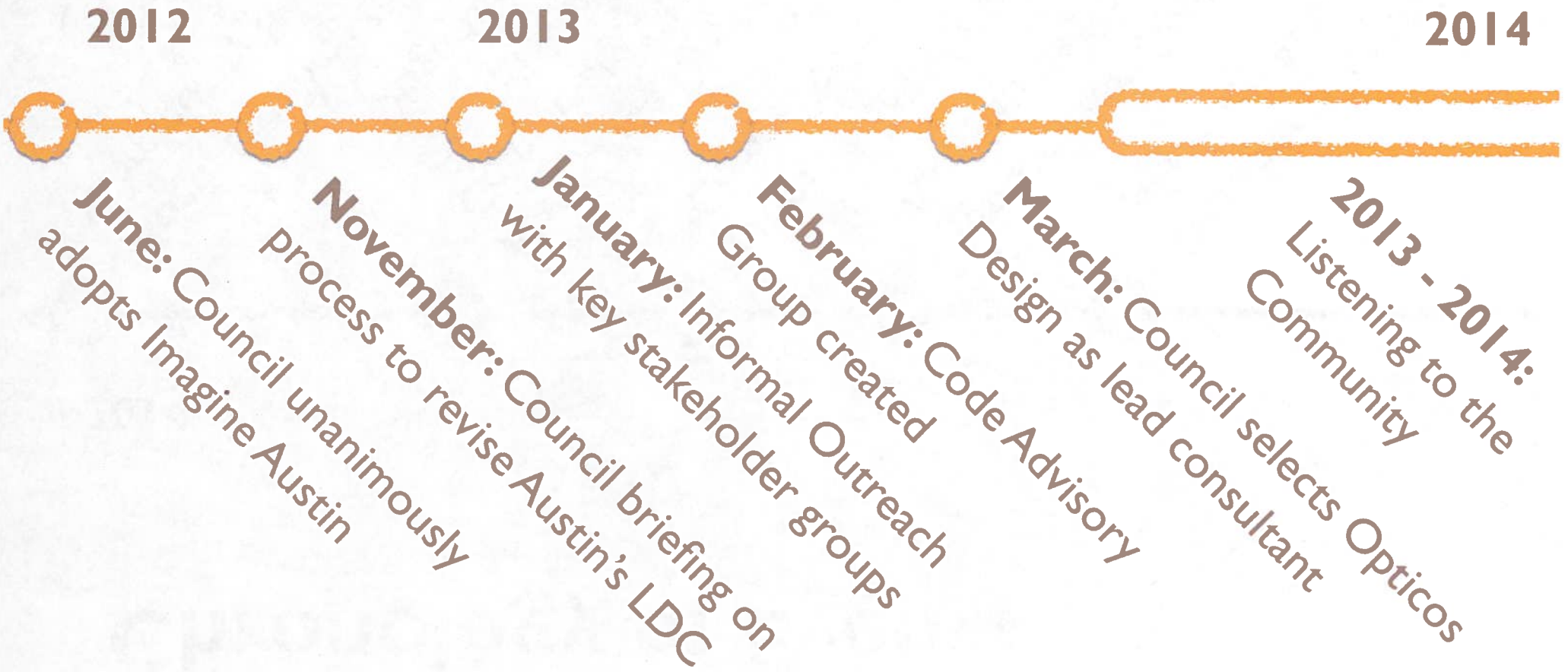
Does Not

- **Change existing regulations or policies such as neighborhood plans**
  Does not say which regulations will be kept, replaced, or removed.
- **Revise zoning districts, neighborhood plans or create new districts**
  No recommendation of districts.
- **Decide where new or revised zoning districts will apply within the City**
  Code Approach does not provide direction for mapping.

Background

Overview of the Project

Chronology of Events



Overview of the Project

Chronology of Events

Overview of the Project

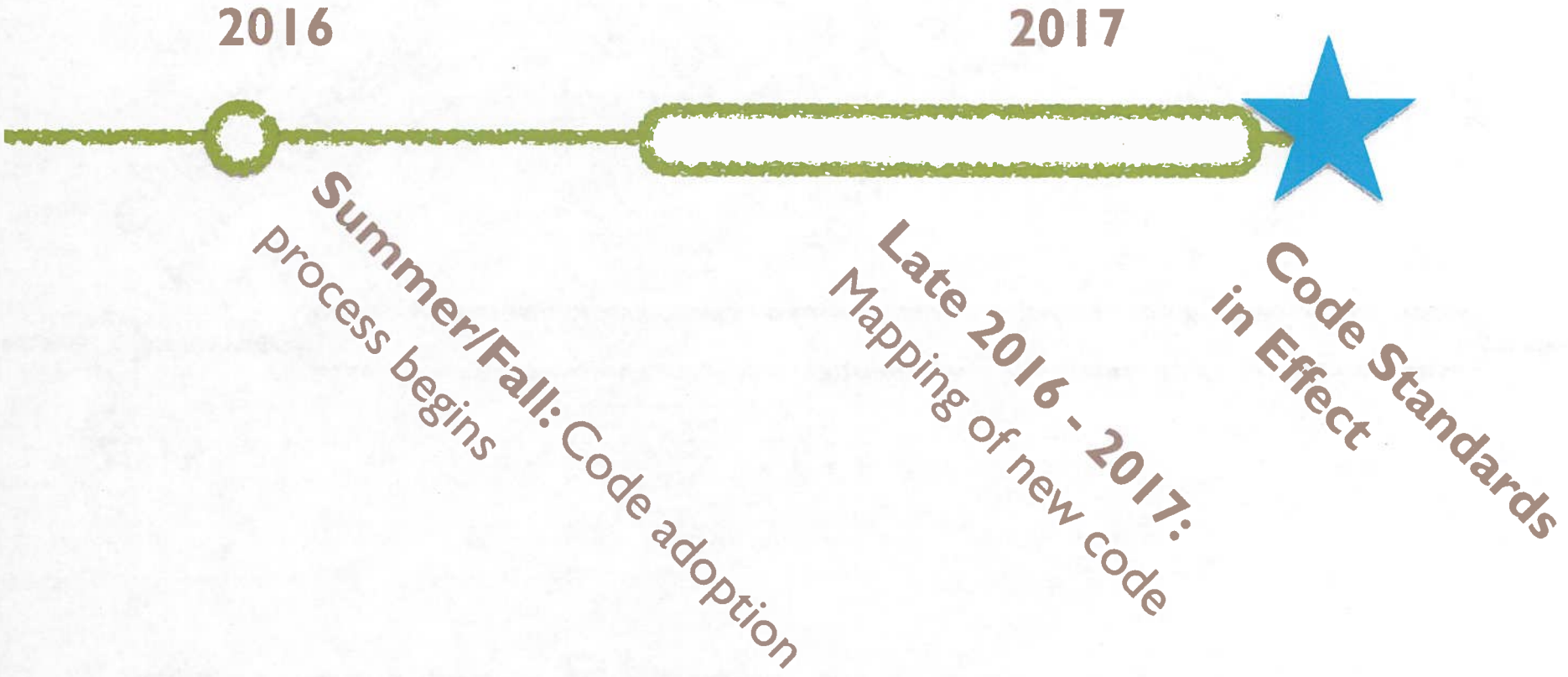
Chronology of Events

March/April: Council Confirmation of Approach

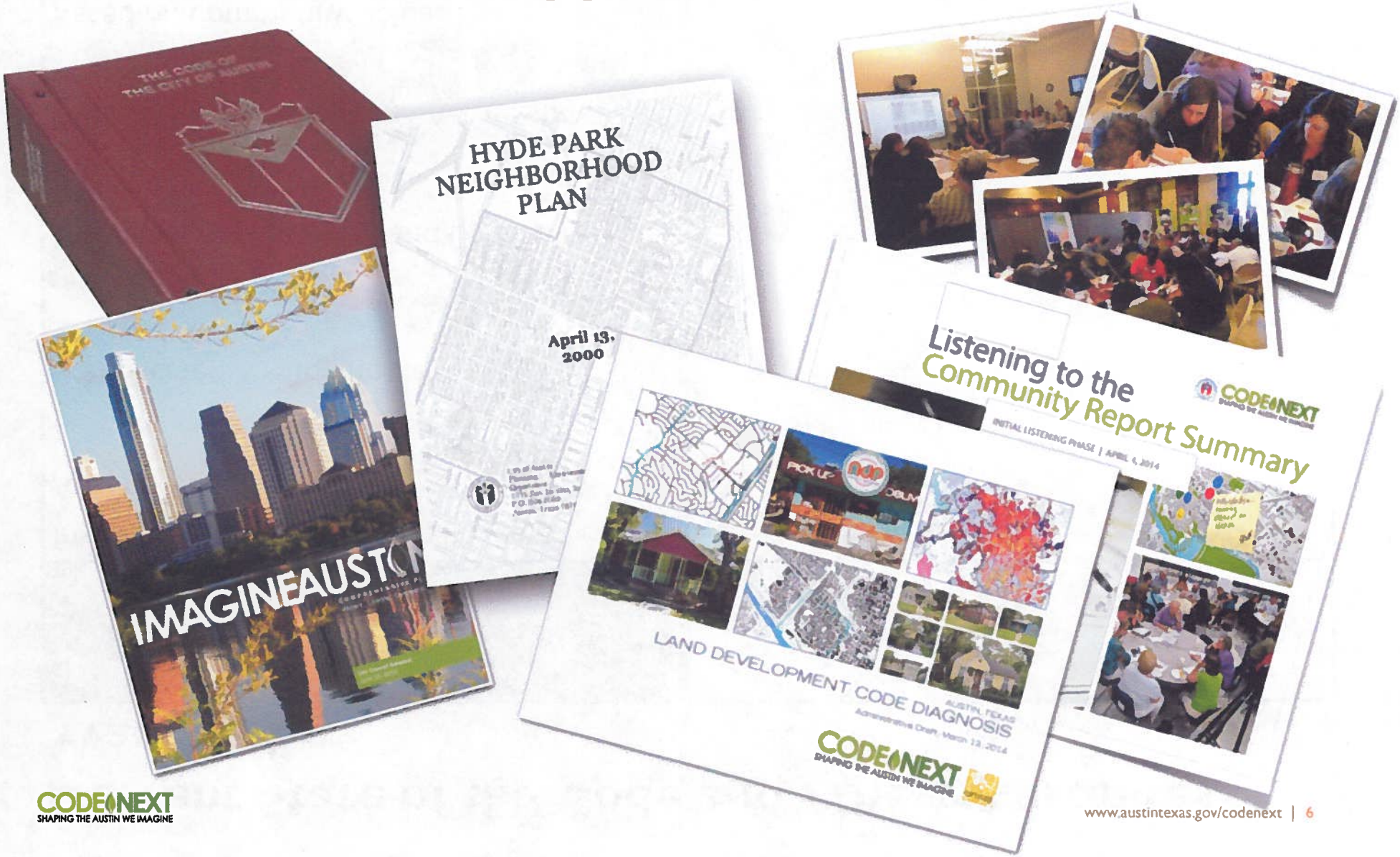
2015-Mid 2016: Drafting process with feedback to revise LDC; CodeTALKS on Issues; Review of Draft Standards.

Overview of the Project

Chronology of Events



The Work Done to Date Provides a Foundation for Approaches



Current State of the Code and Where Austinites Want to Be

Existing Code	
Ineffective in Implementing Imagine Austin	
Complicated and Inefficient	
Unpredictable, Unclear, and Conflicting	
Difficult to Implement and Administer	
Based on Community Values	

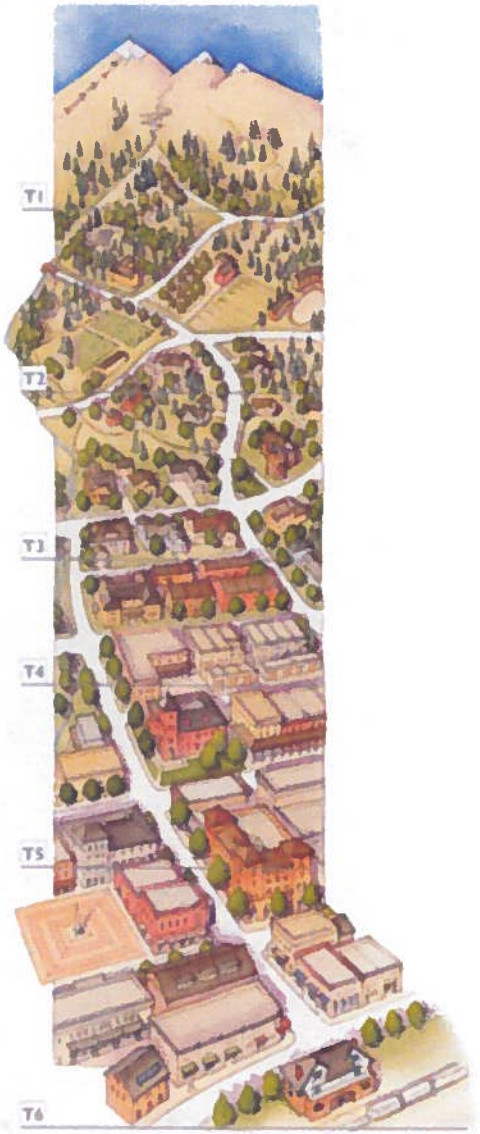
Current State of the Code and Where Austinites Want to Be

Existing Code	Future Code
Ineffective in Implementing Imagine Austin	Supports Creation of Complete Communities and Implementation of Priority Programs
Complicated and Inefficient	Streamlined and Understandable
Unpredictable, Unclear, and Conflicting	Predictable Outcomes
Difficult to Implement and Administer	Transparent, Consistent Processes
Based on Community Values	Based on Community Values

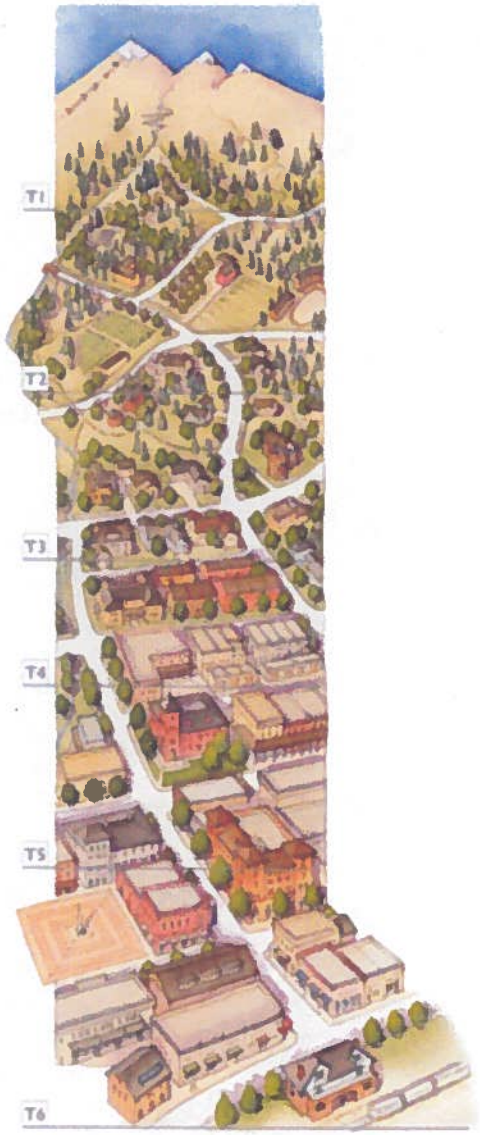
2 Overview of the Alternatives

A Path Forward

The Three Approach Alternatives Explored

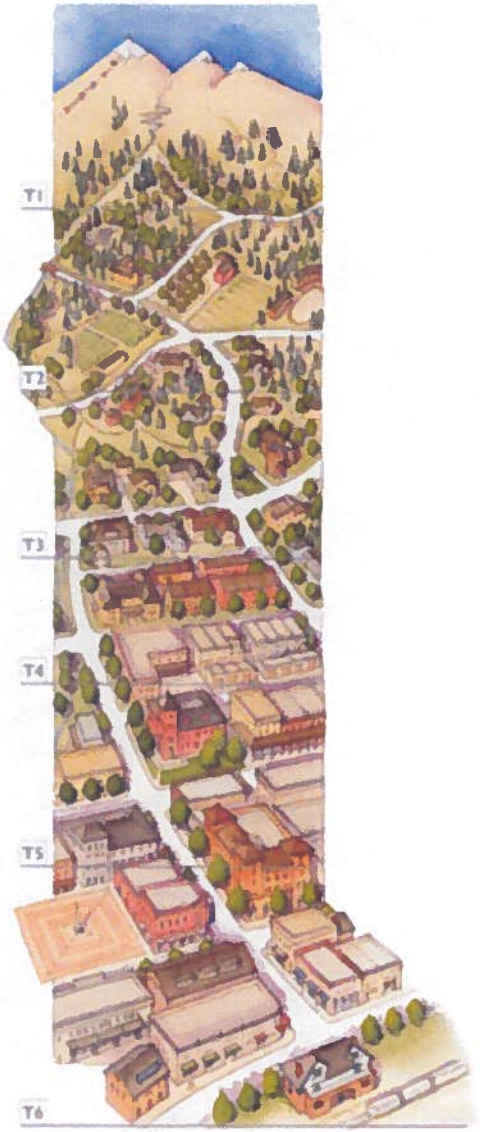


The Three Approach Alternatives Explored



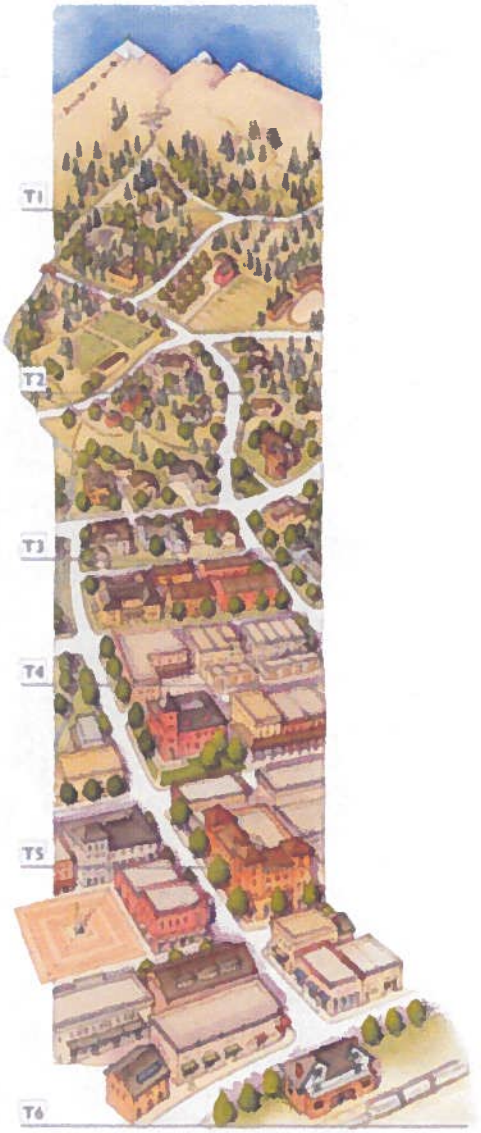
The Three Approach Alternatives Explored

1. Brisk Sweep



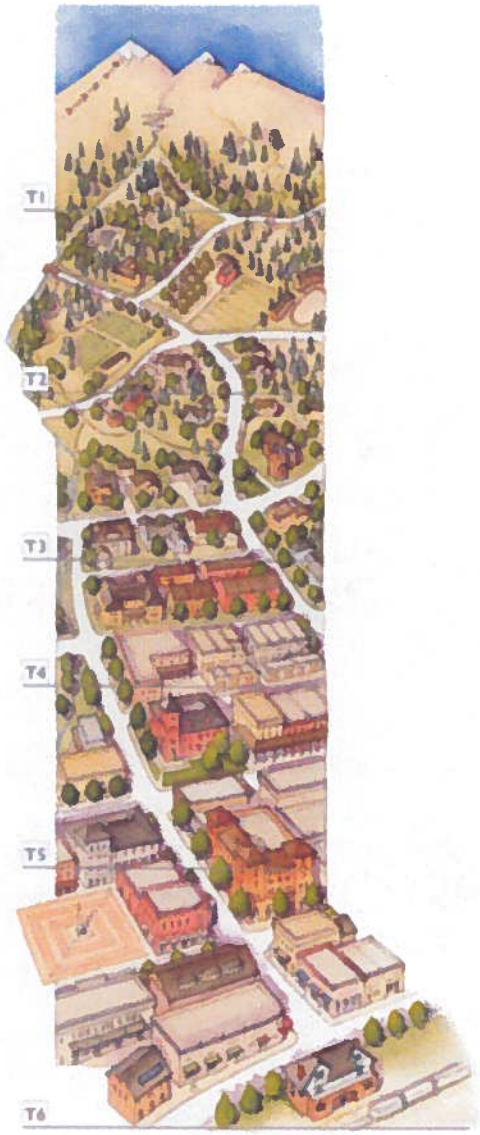
The Three Approach Alternatives Explored

1. Brisk Sweep
2. Deep Clean



The Three Approach Alternatives Explored

1. Brisk Sweep
2. Deep Clean
3. Complete Makeover



Approach Alternative 1

The Brisk Sweep:

- **No major structural/organizational changes** to the Code.
- **Clean-up** of the existing LDC.
- **Targeted refinements.**
- **Addition of a Form-Based Code** that will have **limited application.**
  - Primarily to future small area plans.

Approach Alternative 2 [Recommended Approach]

The Deep Clean:

- **Significantly reworks content and structure.**
- **Substantially improves** the appearance, usability, and consistency of the existing LDC .
- Citywide framework for form-based standards will be created and applied to a **limited number of interested communities.** But Allow for easy future applications.
- Hybrid nature allows for **balanced mix** of by-right review, customized zoning, and discretionary review where appropriate.
- Combining districts compressed where feasible.

Approach Alternative 3

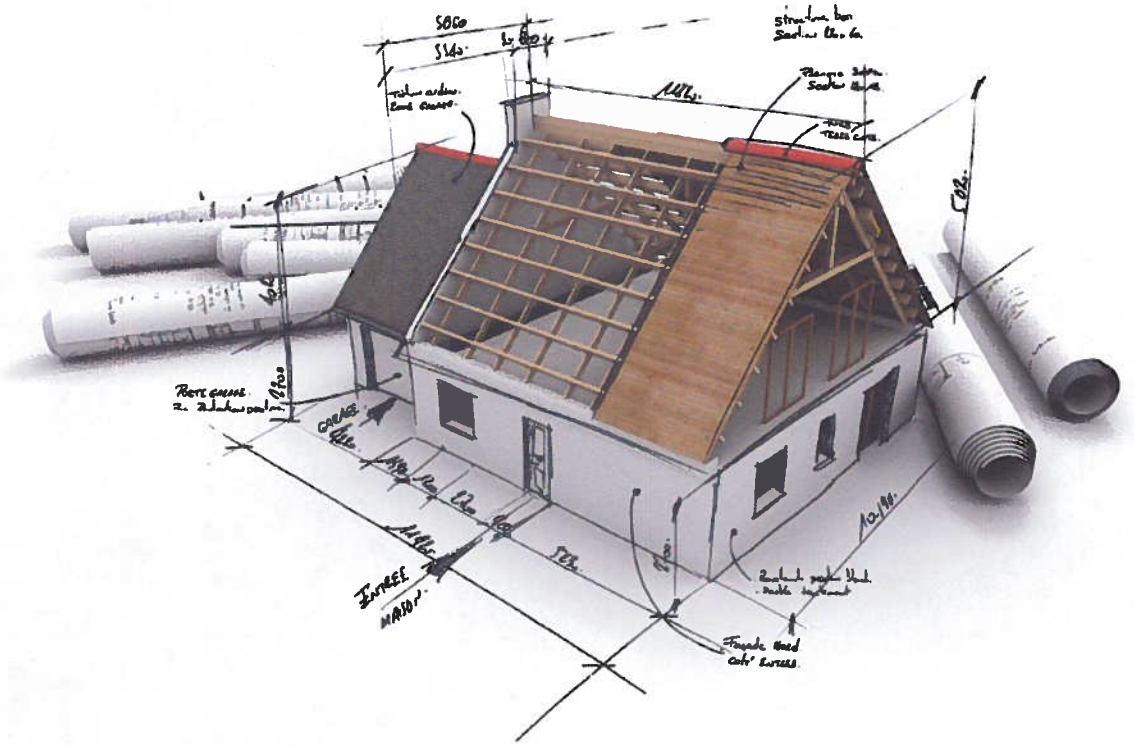
The Complete Makeover:

- **Most extensive modifications** to the existing LDC.
- **Significantly reworks content and structure.**
- Development standards include **significant form-based standards. Applied widely** across the city.
- Development **review process relies primarily on by-right review.**
- Combining districts are compressed where feasible

3 Overview of Elements

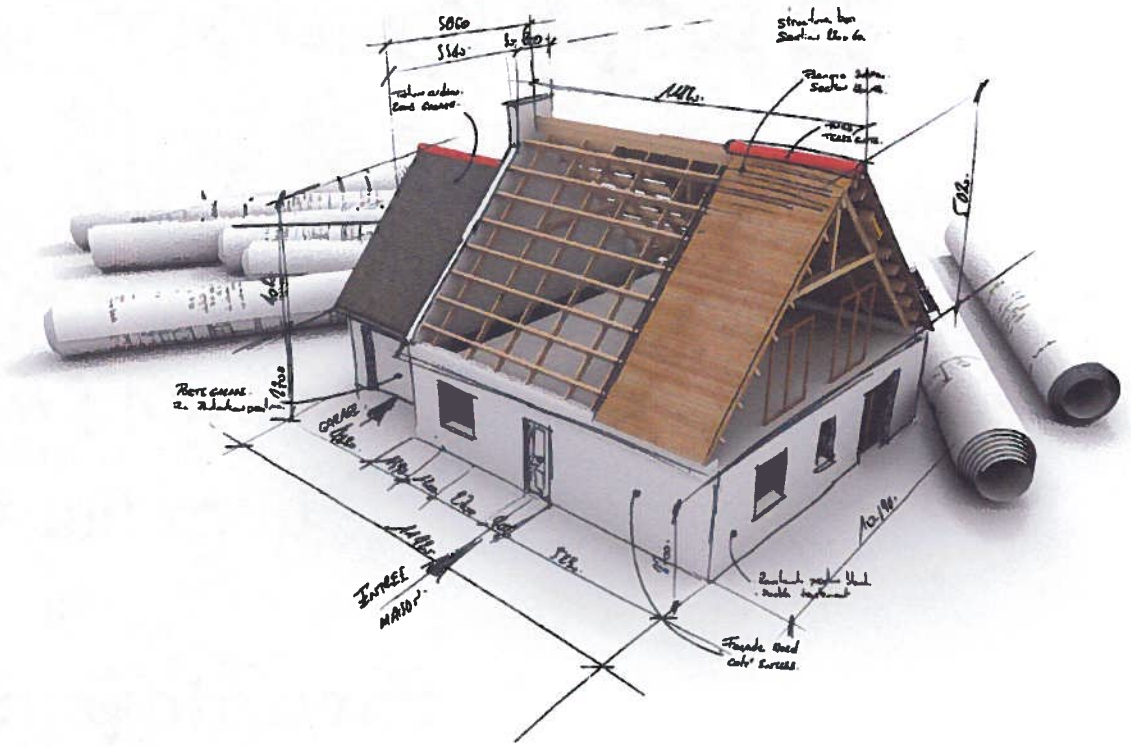
Elements that Form an Approach

Elements that Form an Approach



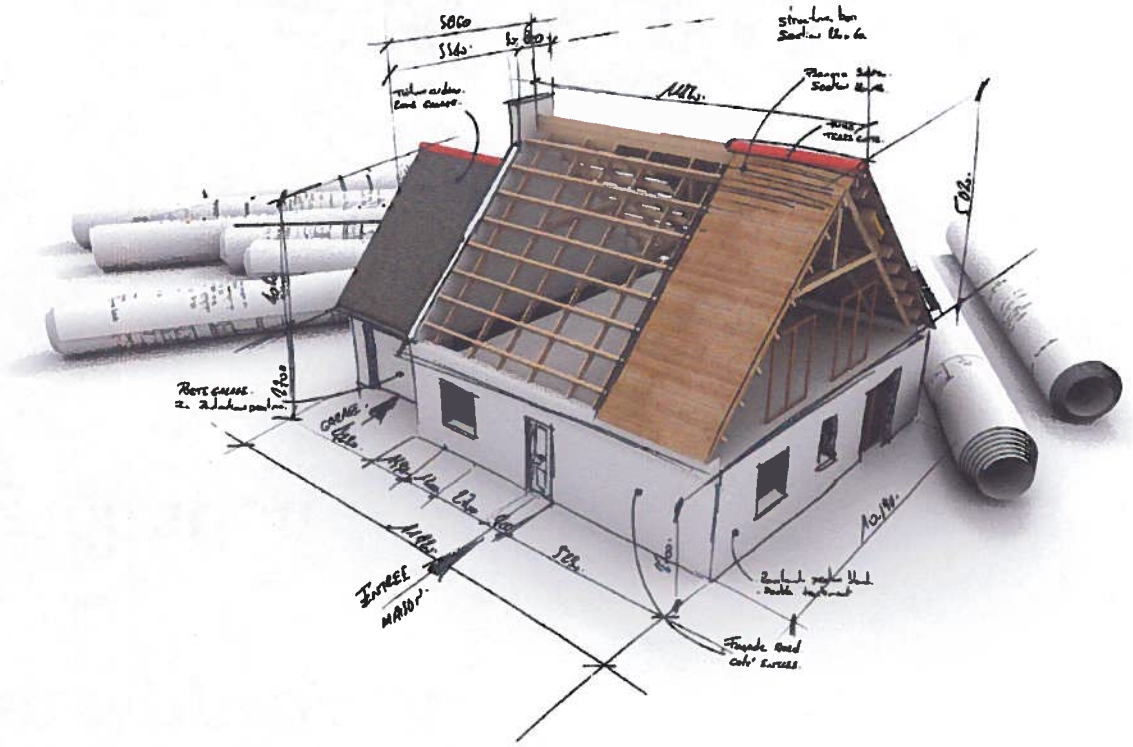
Elements that Form an Approach

1. Code Format & Organization



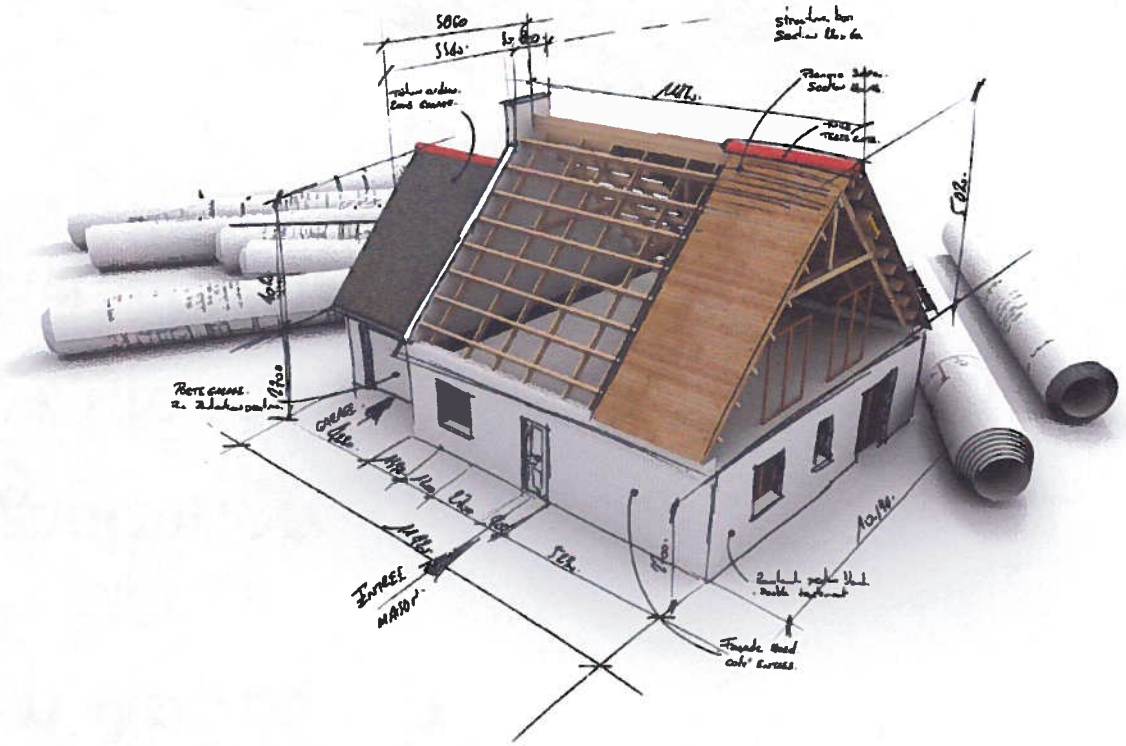
Elements that Form an Approach

1. Code Format & Organization
2. Development Review Models



Elements that Form an Approach

1. Code Format & Organization
2. Development Review Models
3. Development Standards Models



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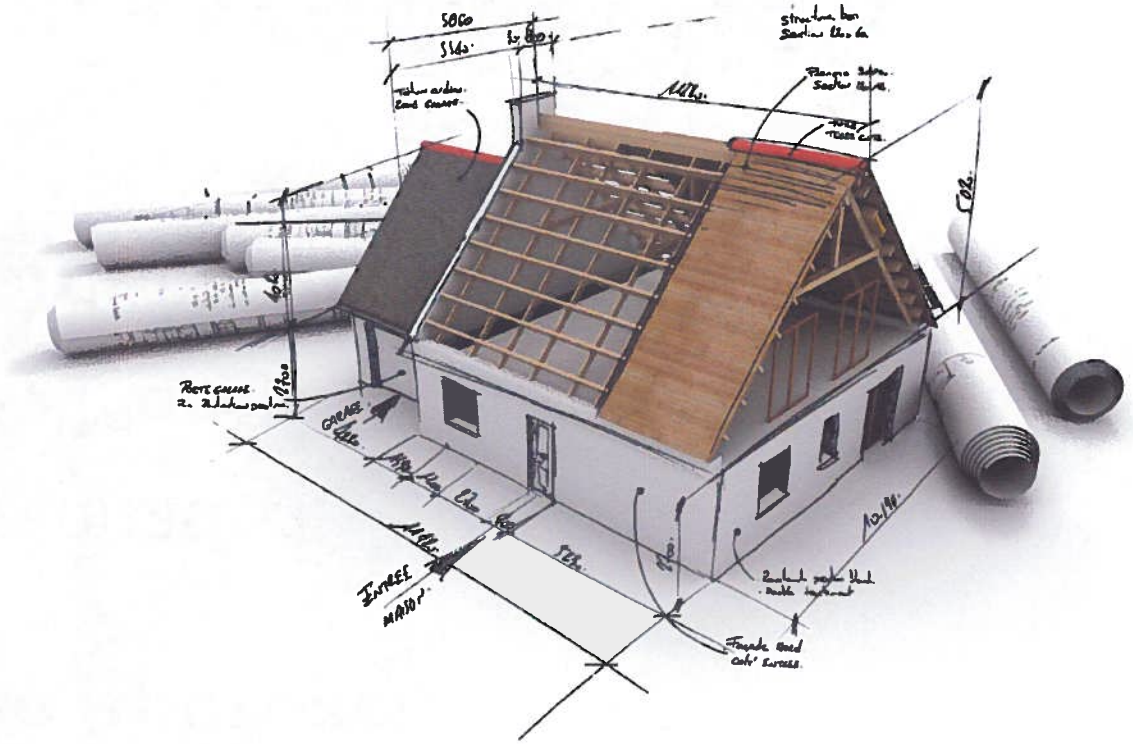
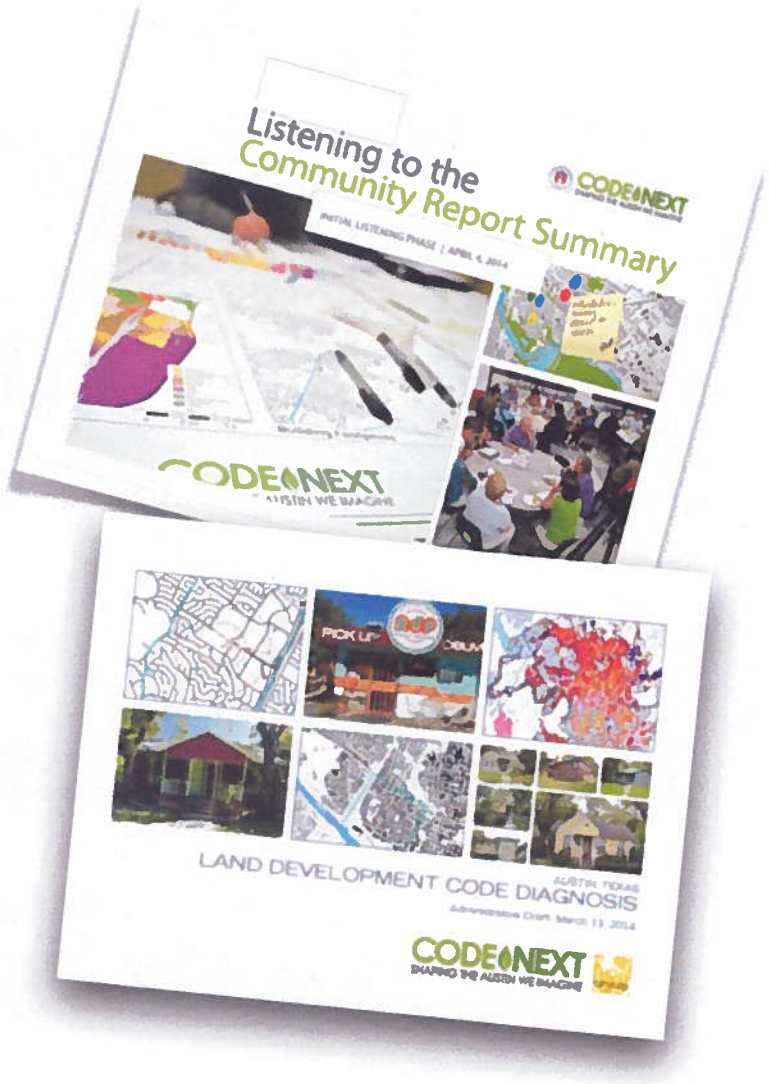


Criteria to Evaluate Elements of Code Approaches

1. Effectiveness
2. Clarity
3. Consistency
4. Predictability
5. Simplicity
6. Ease of Implementation
7. Ease of Administration



Evaluate Each Element Option with Criteria

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
1 I REVISED CODE FORMAT AND ORGANIZATION	◐	◐	●	◐	○	●	◐
2 I REPLACEMENT CODE FORMAT AND ORGANIZATION	●	●	●	●	●	◐	●

Key: ● High Level ◐ Medium Level ○ Low Level

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Code Format and Organization

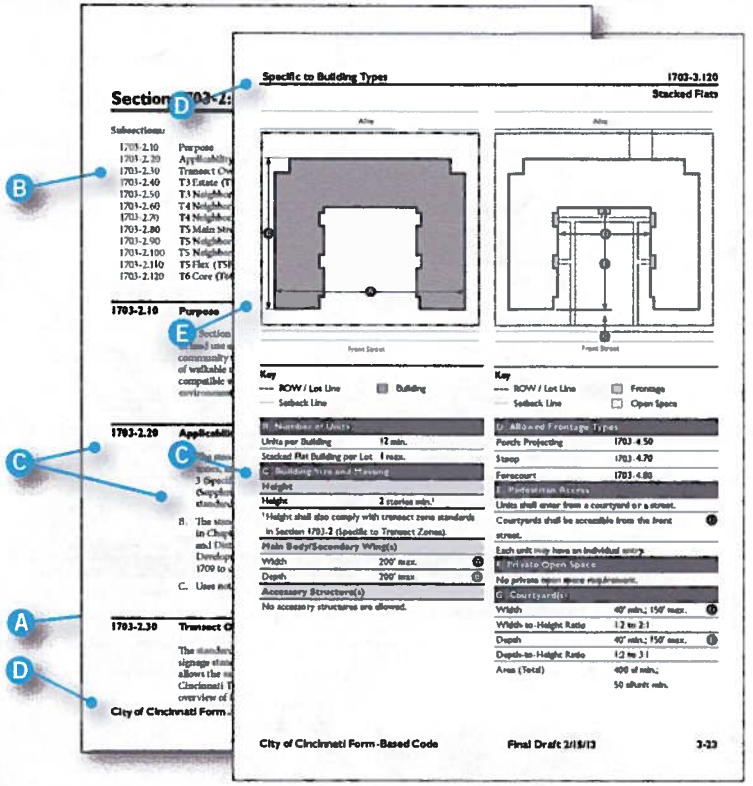
How Standards are Presented

Code Format and Organization:

Code Format

- Format refers to the way information is laid out on a page;

  size and style of text, indenting, clear graphics, tables, and paragraph structure help to make information easy to find and understand.



A Clear break between major portions of code.

B Table of Contents in each new section.

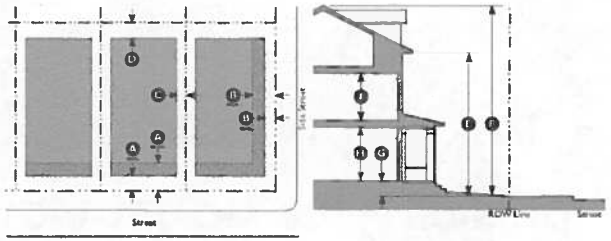
C Clear indenting, section breaks, and labeling.

D Strong headers and footers explain where you are in the document.

E Clear graphics and illustrations visually explain regulations.

Example of "Best Practices" for Usability and Clarity in Codes

T3 Neighborhood 1 (T3N.1) Standards



Key

ROW/Property Line — Building Setback Line — Building Area — Façade Zone

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Principal Building		
Front[1]	20' min.; 30' max.	A
Front Façade within Façade Zone	50% min.	
Side Street/Civic Space	12' min.; 25' max.	B
Side	5' min.; 12' min. combined	C
Rear	25' min.	D
Accessory Building or Structure		
Front	20' min.	
Side	3' min.; 6' max.	
Rear	3' min.	

[1] The setback may match an existing adjacent building as follows: the building may be placed to align with the façade of the front most immediately adjacent property, for a width no greater than that of the adjacent property's façade that encroaches into the minimum setback.

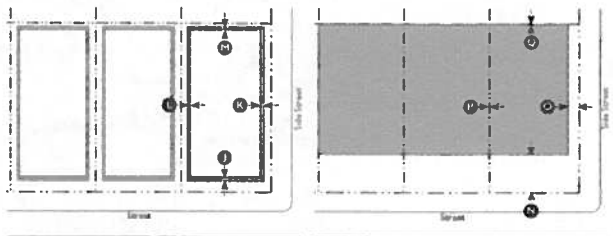
D. Building Form[2]		
Height		
Principal Building		
Stories	2-½ stories max.	
To Eave/Parapet	24' max.	E
Overall	35' max.	F
Accessory Building, Accessory Structure or Carriage House		
Stories	1-½ stories max.	
To Eave/Parapet	12' max.	
Overall	24' max.	
Ground Floor Finish Level: Principal Building	18" min. above sidewalk	G
Ground Floor Ceiling	8' min. clear	H
Upper Floor(s) Ceiling	8' min. clear	I

[2] See Division 10-50.110 (Specific to Building Types) for additional building form regulations.

Footprint		
Lot Coverage	40% max.	
Miscellaneous		

Mansard roof forms are not allowed.

T3 Neighborhood 1 (T3N.1) Standards



Key

ROW/Property Line — Building Setback Line — Encroachment Area

E. Encroachments and Frontage		
Encroachments[3]		
Front	5' max.	J
Side Street/Civic Space	5' max.	K
Side	3' max.	L
Rear		M
Property Line	5' max.	
Rear Lane or Alley	15' max.	

Encroachments are not allowed within a street ROW.

[3] See Division 10-50.40 (Encroachments) for allowed encroachments.

Allowed Private Frontage Types[3]	
Common Yard	
Porch	

[3] See Division 10-50.120 (Specific to Private Frontages) for private frontage type descriptions and regulations.

Key

ROW/Property Line — Parking Setback Line — Parking Area

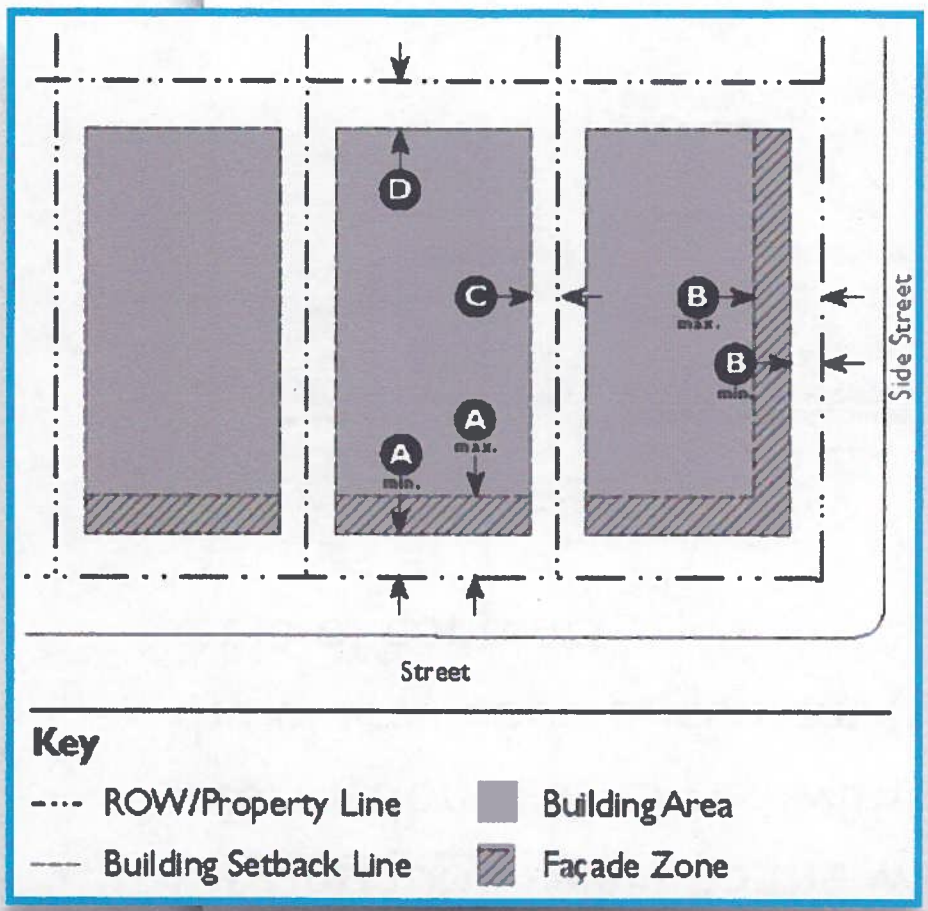
F. Required Parking		
Spaces[4]		
Residential Uses		
Studio/1 Bedroom	0.5 spaces/unit min.	
2+ Bedrooms	2 spaces/unit min.	
Service Uses	2 spaces/1,000 sf min.	

[4] Land use types not listed above shall meet the requirements in Table 10-50.80.040.A (Number of Motor Vehicle Parking Spaces Required).

Location (Setback from ROW/Property Line)		
Front		N
Covered/Attached	50' min.	
Uncovered	Match front façade min.	
Side Street/Civic Space	12' min.	O
Side	0' min.	P
Rear	0' min.	Q
Miscellaneous		
Linear Feet of Front or Side Façade that may be Garage	35% max.	

See Division 10-50.80 (Parking Standards) for additional parking regulations.

Example of "Best Practices" for Usability and Clarity in Codes



Tables and diagrams make information easy to find and simple to understand.

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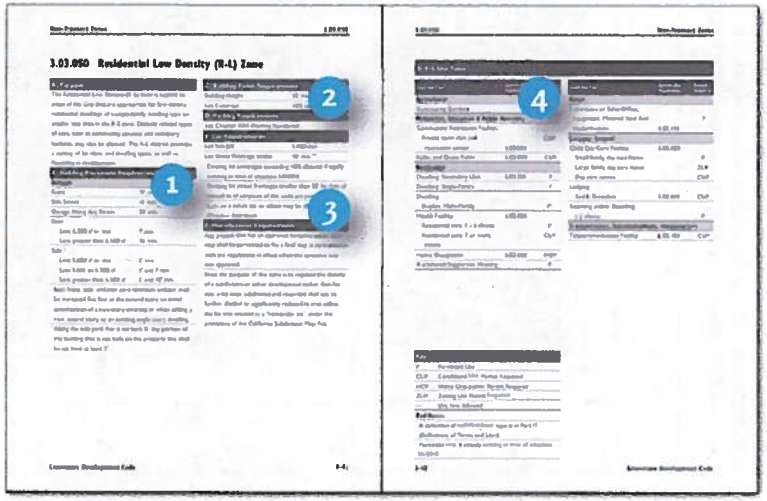
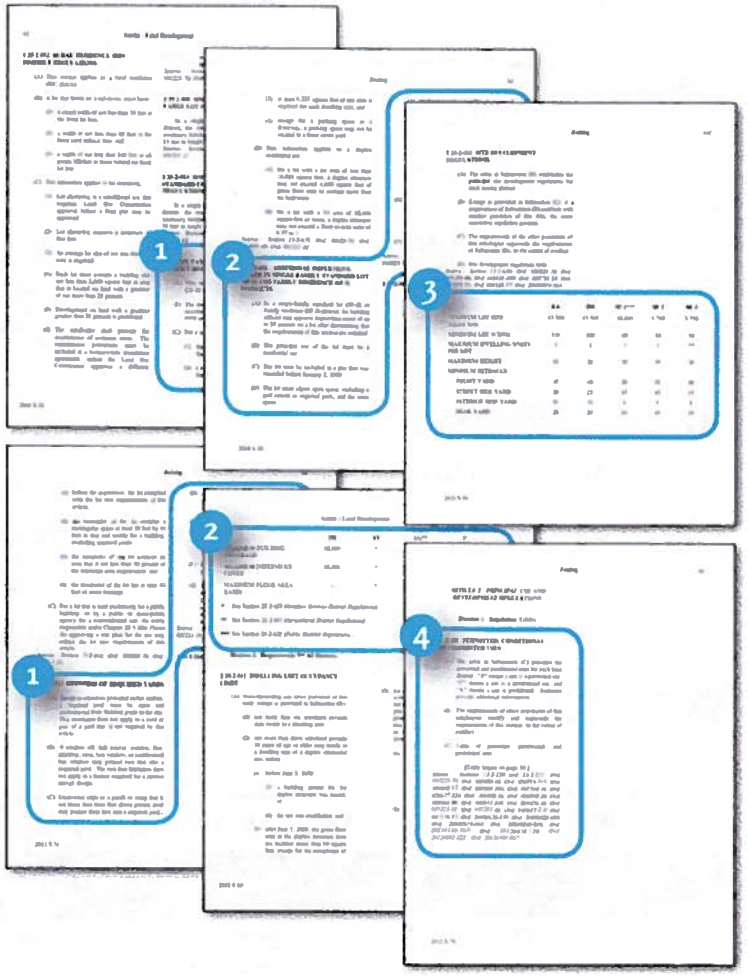
Code Format and Organization:

Code Organization

Organization refers to the way information is arranged within the overall code document (the table of contents).



Potential Code: one location for all of the same regulations.



Existing Code: Many different locations to look for basic regulations.

Code Format and Organization Options:

1. Revised Format & Organization

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Implementation	Administration
1	REVISED CODE FORMAT AND ORGANIZATION	○	○	●	○	○	●	○

Key: ● High Level ◐ Medium Level ○ Low Level

- Use the **existing code framework**/organization.
- Clean up and **targeted recalibration** of standards.
- This might mean creating **new districts** and compressing some existing districts, but **few changes** to the overall code structure.

Code Format and Organization Options:

2. Replacement Format & Organization

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
2 I REPLACEMENT CODE FORMAT AND ORGANIZATION	●	●	●	●	●	◎	●

Key: ● High Level ◎ Medium Level ○ Low Level

- Replace the entire code with a **new, alternative framework.**
- **Recalibrate the standards** in detail.

Code Format and Organization Options:

Comparing Options

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
1 | REVISED CODE FORMAT AND ORGANIZATION	○	○	●	○	○	●	○
2 | REPLACEMENT CODE FORMAT AND ORGANIZATION	●	●	●	●	●	○	●

Key: ● High Level ○ Medium Level ○ Low Level

- **Replacing** the code format and organization will produce a document that is:
  - **Substantially more simple to use** than revising code format and organization.
  - More **clear and predictable.**

Development Review Models

How the Code is Used

Approach Elements:

Development Review Models

- Process by which development applications are submitted, evaluated, and ultimately approved or denied. Or more simply, **"how do you use the code."**
- The **length of the review process**, the number of review loops, and the **subjective or objective** nature of the process should be kept in mind.
- In any of the development review models, careful consideration should be given to the development standards to ensure predictability in the built results.

Approach Elements:

Development Review Models

Approach Elements:

Development Review Models

1. By-right (Standards-based)

Approach Elements:

Development Review Models

1. By-right (Standards-based)
2. Discretionary Review

Approach Elements:

Development Review Models

1. By-right (Standards-based)
2. Discretionary Review
3. Customized

Development Review Models:

1. By-Right (Standards-Based)

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation & Administration
1 | BY-RIGHT (STANDARDS-BASED)	●	●	●	●	●	●

Key: ● High Level ◐ Medium Level ○ Low Level

- In a by-right system, development **applications that comply** with zoning can **move** to the building department/permit **quickly.**
- This system is **most effective** when **clear development standards** provide **predictable built results.**
  - This can be applied to any Euclidean, performance or form-based standards.
- Example Administrative Site Plan Review.

Development Review Models:

2. Discretionary Review

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation & Administration
2 | DISCRETIONARY REVIEW	●	◐	○	○	○	○

Key: ● High Level ◐ Medium Level ○ Low Level

- **Standards are less specific** and allow for more interpretation.
- Requires a **more extensive**, and **sometimes subjective review** process to ensure the intent is met.
- Projects often undergo **multiple review loops** to obtain approval.
- Permits are **issued at the "discretion"** of the review authority.
- Example Sub-chapter E: Alternative Equivalent Compliance.

Development Review Models:

3. Customized Zoning

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation & Administration
3 I CUSTOMIZED ZONING	○	○	○	○	○	○

Key: ● High Level ◐ Medium Level ○ Low Level

- In a customized zoning system, **new and independent regulations** are necessary to successfully regulate major projects.
- These new regulations are **not coordinated** with the overall LDC.
- **Hard to administer** in the long term.
- Examples are planned unit developments **(PUD)** and small area plans **(regulating plans).**

Development Review Models:

Comparing Development Review Models

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation & Administration
1 I BY-RIGHT (STANDARDS-BASED)	●	●	●	●	●	●
2 I DISCRETIONARY REVIEW	●	◐	○	○	○	○
3 I CUSTOMIZED ZONING	○	○	○	○	○	○

Key: ● High Level ◐ Medium Level ○ Low Level

- **By-Right** achieves the **best scores** using these criteria.
- Discretionary Review can be **very effective in targeted applications**, especially when a clear process and criteria are defined.
- Customized Zoning achieves the weakest scores when assessed using these criteria.

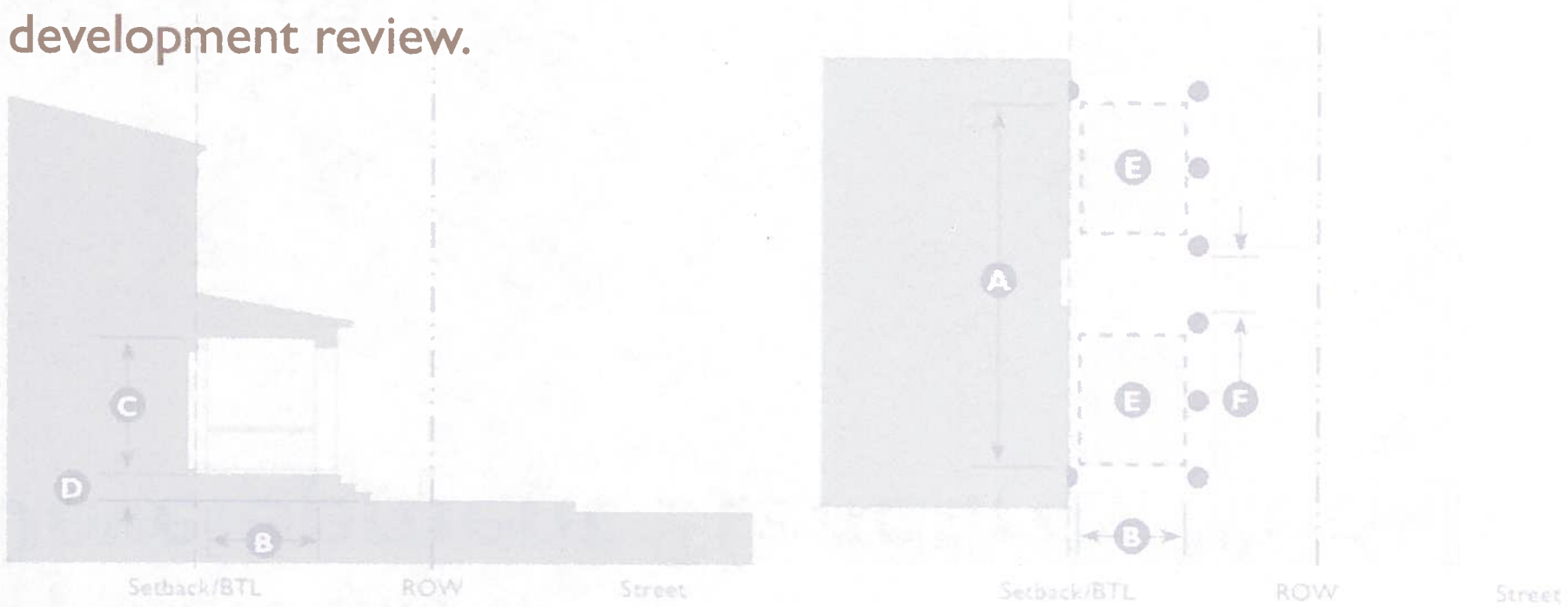
Development Standards Models

Determine What and How a Code Regulates

Approach Elements:

Development Standards Models

- Development standards determine **what and how a code regulates**.
- Also affect the **efficiency** of different development review.



Approach Elements:

Development Standards Models

Approach Elements:

Development Standards Models

Approach Elements:

Development Standards Models

1. Euclidean Zoning Standards;

Approach Elements:

Development Standards Models

1. Euclidean Zoning Standards;
2. Performance Zoning Standards;

Approach Elements:

Development Standards Models

1. Euclidean Zoning Standards;
2. Performance Zoning Standards;
3. Form-Based Zoning Standards; and,

Approach Elements:

Development Standards Models

1. Euclidean Zoning Standards;
2. Performance Zoning Standards;
3. Form-Based Zoning Standards; and,
4. Hybrid code.

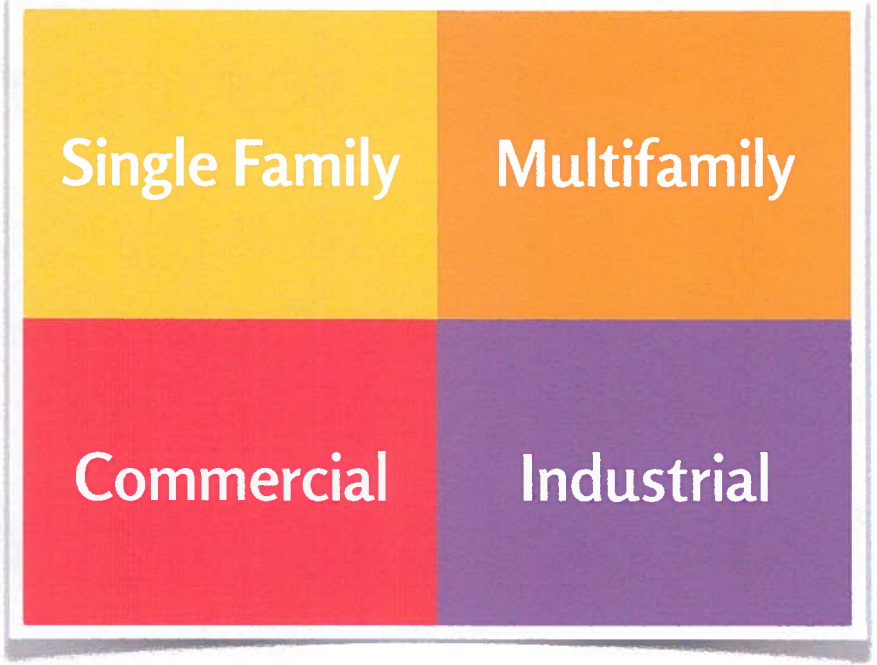
Development Standard Models:

1. Euclidean Zoning Standards

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
1 | Euclidean Zoning Standards	●	●	●	○	●	●	◌

Key: ● High Level ◌ Medium Level ○ Low Level

- Zones and code structure **based primarily on desired uses** Focus on use separation.
- Also sometimes called **use-based zoning** standards.



Development Standard Models:

2. Performance Zoning Standards

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
2 | Performance Zoning Standards	●	○	◉	◉	○	○	○

Key: ● High Level ◉ Medium Level ○ Low Level

- Regulates the **effects or impacts** of a proposed development or activity on the community. **Goal Oriented**
- Less specific standards, providing more flexibility, but often complex formulas that are hard to understand.
- Often used to protect natural resources.
- Performance standards can be negative or positive.
  - Ex. They can set a **maximum level for the noise** impacts or they can require **specified types of buffers** to be established between certain types of land uses.

Development Standard Models:

3. Form-Based Zoning Standards

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
3 | Form-Based Zoning Standards	●	●	◉	●	●	○	◉

Key: ● High Level ◉ Medium Level ○ Low Level

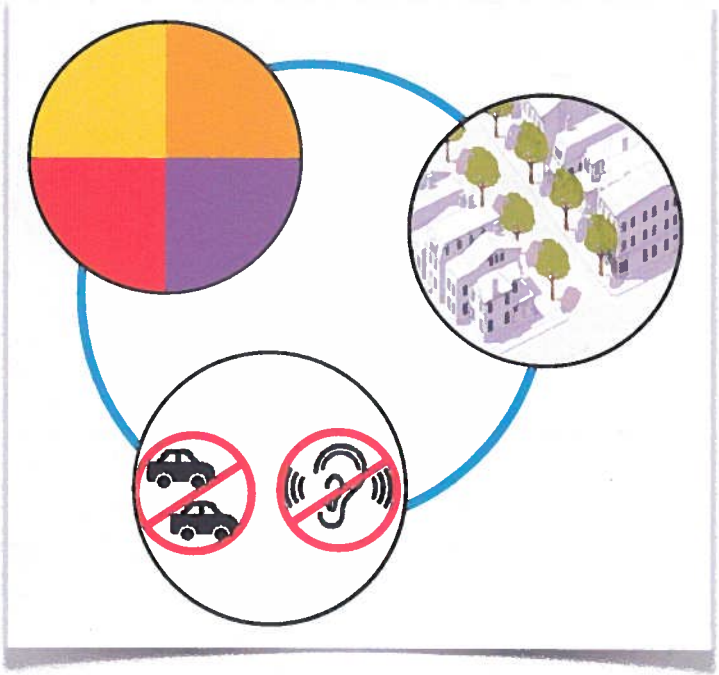
- Zones and code structure **based primarily on desired form** rather than desired use.
- Focus on building form and **public space.**
- Typical Standards:
  - Build-to-Lines;
  - Broad Approach to Uses (still has allowed use tables);
  - Frontages and Building Types; and,
  - Thoroughfare Standards.

Development Standard Models:

4. Mix of Zoning Standards (Hybrid Code)

Models	Effectiveness	Clarity	Consistency	Predictability	Simplicity	Ease of Implementation	Ease of Administration
4 | Mix of Zoning Standards (Hybrid Code)	●	●	●	●	●	●	○

Combination and **careful coordination** of the best of conventional, performance and form-based elements.



Development Standard Models:

Comparing Models

Models	Effectiveness	Clarity	Predictability	Simplicity	Ease of Implementation	Ease of Administration
1 I EUCLIDEAN-BASED ZONING STANDARDS	●	◐	○	●	●	◐
2 I PERFORMANCE-BASED ZONING STANDARDS	●	○	●	○	○	○
3 I FORM-BASED ZONING STANDARDS	●	●	●	●	○	◐
4 I MIX OF ZONING STANDARDS (HYBRID CODE)	●	●	●	●	●	◐

Key: ● High Level ◐ Medium Level ○ Low Level

- The mix of zoning standards – a Hybrid Code – **scores the highest** with this criteria.
- Form-Based Standards and Euclidean-Based Standards can be effectively applied to the right context.
- Performance standards can be **less simple and clear,** but can be effectively applied to implement certain goals.

4 Comparison of Approach Alternatives

Basis for Recommended Approach

Approach Comparison Table

A "MUST READ" SECTION

Approaches Comparison

Elements	Approaches 1	2	3
Code Format and Organization			
Format	Revise	Replace	Replace
Reorganization of Content	Limited	Extensive	Extensive
Content Rewriting	Low/Moderate	Moderate	High
Clean up for Consistency	Same Across All Approaches		
Development Review Models			
By-Right Review	Low	Medium	High
Customized Zoning	High	Medium	Low
Discretionary Review	Medium	Low	Low
Development Standards Models			
Euclidean Based	High	Medium	Low
Performance-Based	Same Across All Approaches		
Form-Based	Very Limited*	Medium	High
Is it a Hybrid?	No	Yes	Yes

* Applied only in New Small Area Plans

Approach Comparison Table

A "MUST READ" SECTION

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CodeNEXT Team Recommendation

Deep Clean: Why this Approach?

- Code Format & Organization: This approach introduces a new format and re-organization of the document to **maximize usability and clarity**.
- Development Review Models: This approach introduces a **good balance** of by-right development in selected areas and discretionary review where appropriate.

CodeNEXT Team Recommendation

Deep Clean: Why this Approach?

- Development Standards Models: This approach creates a hybrid code that applies Euclidean standards and form-based standards to appropriate contexts, **maximizing the benefits and strengths** of each without pushing the application of a form-based approach too aggressively.
- This approach is the closest alignment to Imagine Austin priority programs, community input (Listening to the Community Report) and Code Diagnosis.
- Best fit with Austin's civic culture and the community's desired level of change.

5 Concluding Thoughts

The Road Ahead

When does the team get more specific about code changes? How will detailed comments from the community and city staff be used?

- Fleshing out Table of Contents, with the core management team on staff to a higher level of detail.
- Continue to engage community, stakeholders, staff, boards and commissions and Council.

Approach Alternatives and Annotated Outline

Upcoming Schedule

September 4:

- Approach Alternatives Document Released
- Council Comprehensive Plan & Transportation (CPT) Committee
- Community Presentation: Approach Alternatives Document

September 8-22: Board and Commission presentations

September 9: Planning Commission

September 16: Codes & Ordinances Committee of Planning Commission, and Zoning and Platting Commission

Upcoming Schedule

September 22: Code Advisory Group meeting

September 23: Planning Commission (2nd meeting)

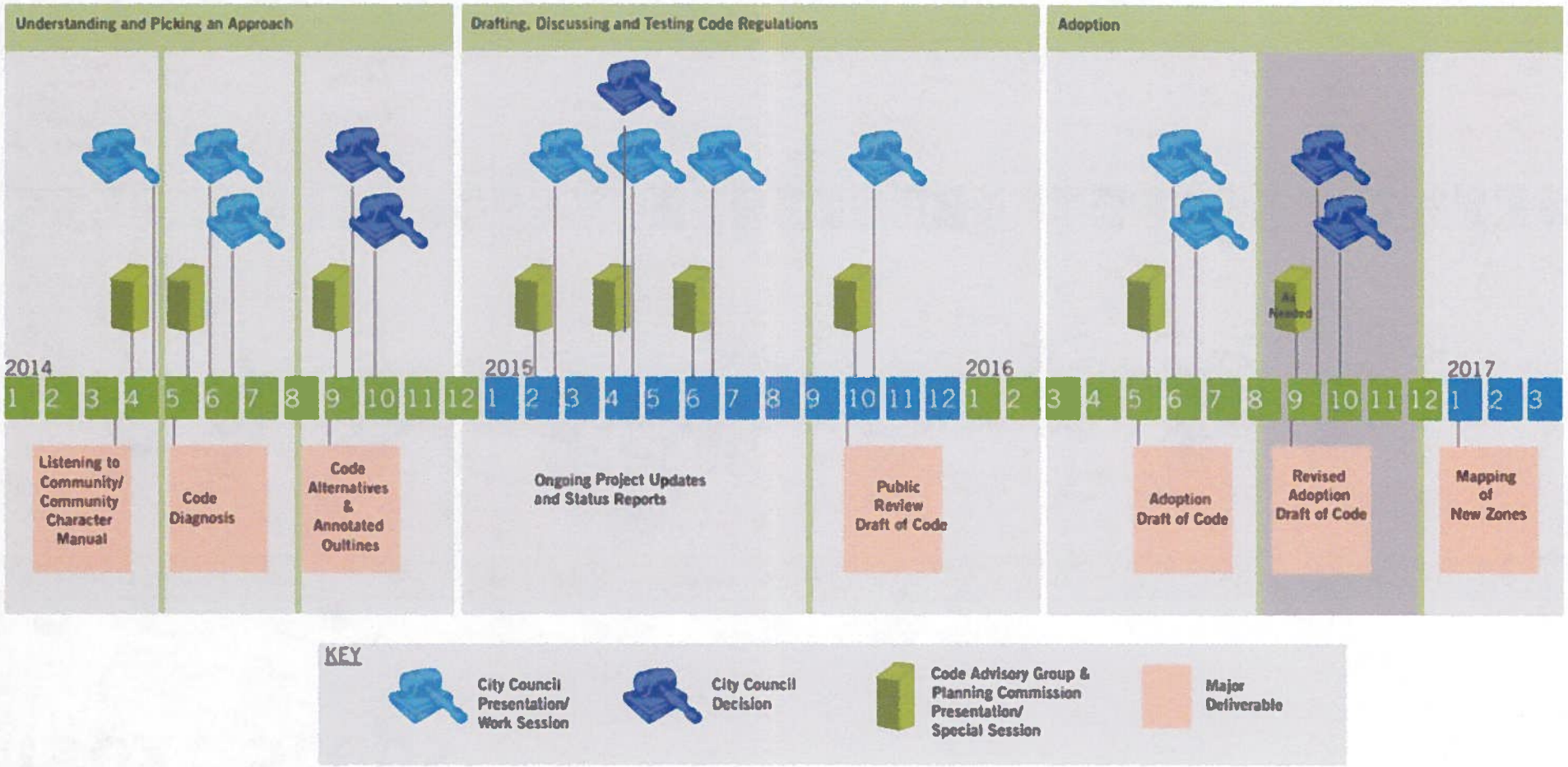
October 2: City Council briefing

October 6: Code Advisory Group meeting

October 20: Code Advisory Group meeting

October 23: City Council hearing

Next Steps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2015
2016
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Ongoing Project Updates and Status Reports
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Adoption Draft of Code
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Code Advisory Group & Planning Commission Presentation/ Special Session
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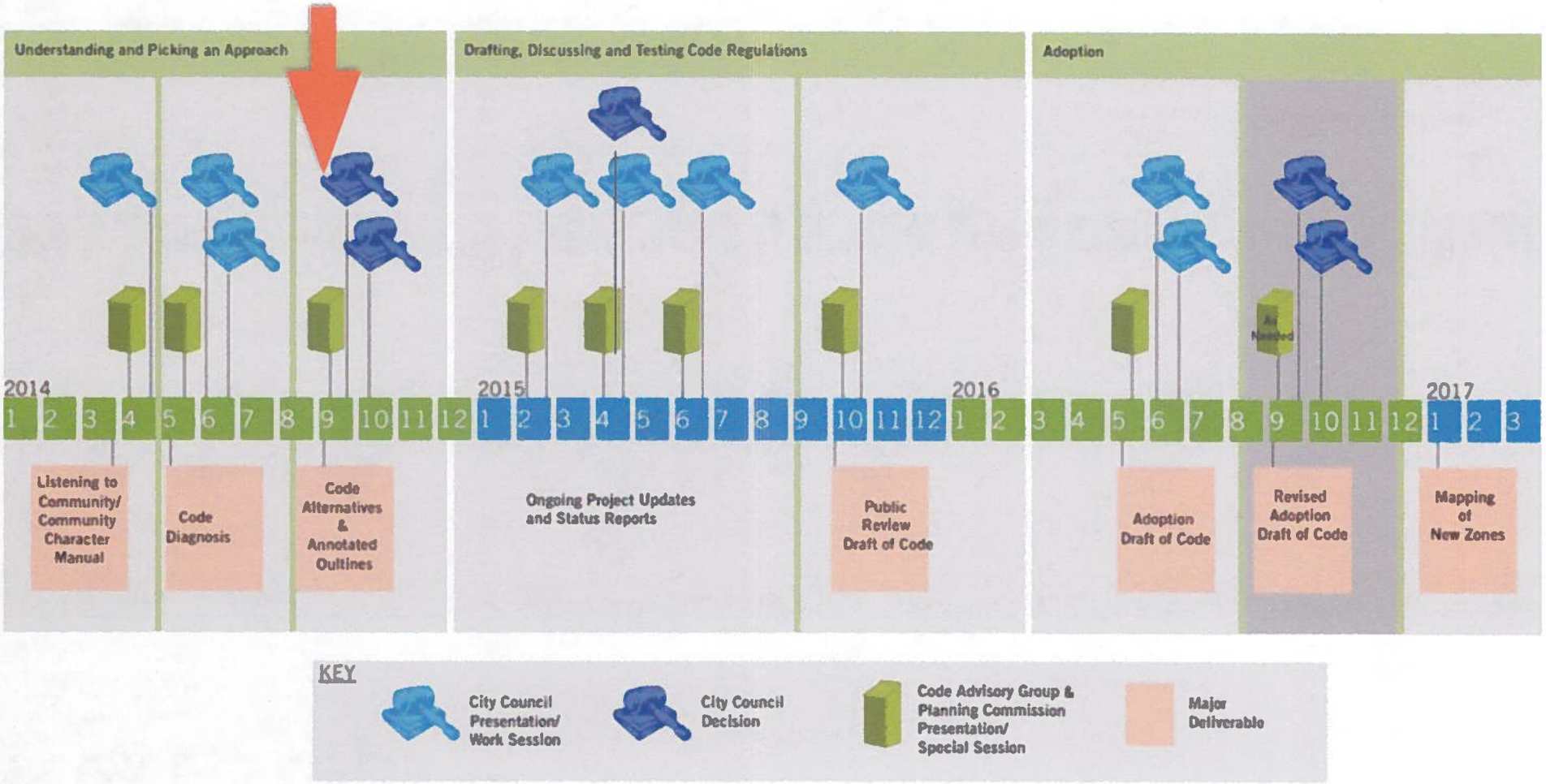
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Q&A:

CODE NEXT

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