



**PLANNING COMMISSION  
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING  
Tuesday, August 19, 2014**

**The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Tuesday, August 19, 2014, at 301 W. 2<sup>nd</sup> Street, City Hall, Boards and Commissions Room, in Austin, Texas.**

Commissioner Chimenti called the meeting to order at 6:00 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  
Viktor Auzenne, Planning and Development Review  
Carol Gibbs, Planning and Development Review  
Francis Reilly, Planning and Development Review  
Ming Chu, Planning and Development Review  
Brent Lloyd, Law Department  
Jessi Koch, Neighborhood Housing and Community Development  
Jason Redfern, Austin Transportation Department

**Others in Attendance:**

Stuart Hersh  
Meredith Sanger  
Ross Smith  
Elliot McFadden  
Karen Saadeh  
Lorre Weidlich  
Karen McGraw  
David Conner

**1. CITIZEN COMMUNICATION: GENERAL**

- a. Stuart Hersh expressed a wish for future affordability discussions to include the dissimilarity index.

No action was taken.

- b. Ross Smith explained that he had tried to move his property line to give a sliver of unusable land to his adjacent neighbor. This process, however, is costly and difficult, and Mr. Smith

wondered if there wasn't a more expeditious and less costly way to vacate easements or amend property lines.

No action was taken, but direction was given to staff to look into Mr. Smith's concerns.

## **2. APPROVAL OF MINUTES**

- a. A motion was made to approve the June 17, 2014 minutes by Commissioner Nortey, seconded by Commissioner Oliver. Vote: 4-0-1 (Commissioner Stevens abstaining).
- b. A motion was made to approve the July 15, 2014 minutes by Commissioner Nortey, seconded by Commissioner Oliver. Vote: 5-0.

## **3. SPECIAL ITEM**

- a. **Election of a new chair for the Codes and Ordinances Subcommittee of the Planning Commission.**

A motion was made to elect Commissioner Nortey as chair of the Codes and Ordinances Subcommittee by Commissioner Nortey, seconded by Commissioner Oliver. Vote: 5-0.

## **4. UNFINISHED 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).

The Commissioners discussed a list of recommendations generated by the Residential Over-Occupancy Working Group, deciding to first tackle the section related to code compliance. The Commissioners were generally in agreement with the code compliance-related recommendations, with the following questions:

- Is PDR currently using the BOA definition of bedroom?
- Is Code Compliance posting violations in the AMANDA database so that they are trackable by the public?
- What are current cycle times for complaints?
- Which of the listed items will help Code Compliance do their jobs better?

The remaining recommendations will be taken up at future subcommittee meetings.

## **5. 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. **NONE.**

## **6. 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: SMART Housing** – Update from staff on an amendment to Title 25 of the City Code related to the Transportation component of SMART housing requirements. City

Staff: TBD, Neighborhood Housing and Community Development; (Discussion and/or Possible Action).

Jessi Koch gave an overview of the process that NHCD is using to address the Council resolution on SMART housing requirements, specifically the transportation component of SMART housing.

Commissioners stressed the need for Cap Metro to collaborate with any SMART housing project, although Ms. Koch indicated that Cap Metro could not promise that any one transportation option will stay in one place for an indefinite amount of time. Commissioner Jack asked that some data be provided to show subsidies per housing type and by location. Ms. Koch noted that this type of information will likely be available next year, but not in time for the changes being made to the transportation component of SMART housing.

No action was taken.

- b. STAFF BRIEFING: Accessory Dwelling Units** – Update from staff on amendment to Title 25 of the City Code related to accessory dwelling units. City Staff: Ming Chu, Planning and Development Review, 974-6413, [Ming-ru.Chu@austintexas.gov](mailto:Ming-ru.Chu@austintexas.gov); (Discussion and/or Possible Action).

Ming Chu gave an overview of the Council resolution directing staff to potentially amend the code regarding accessory dwelling units (secondary units, granny flats). Although no recommendations have yet been made and no public meetings have been held to discuss the item, the Council resolution indicates that potential amendments could make it easier to build an accessory unit on a single family lot, possibly by allowing them in more places across the city or by reducing the parking requirement.

Commissioners expressed concern that a change to how secondary units are permitted could circumvent the neighborhood planning process, and that more data was needed to show how secondary units might improve affordability. There were also concerns that a reduction in required parking would exacerbate overflow parking in neighborhoods, and that more secondary units would mean more STRs.

No action was taken.

- c. Temporary School Signs** – Consider an ordinance to amend Title 25 of the City Code to allow independent school districts to install and modify temporary, non-electronic, signs without a sign permit. City Staff: Viktor Auzenne, Planning and Development Review Department, 974-2941, [Viktor.Auzenne@austintexas.gov](mailto:Viktor.Auzenne@austintexas.gov); (Discussion and/or Possible Action).

Viktor Auzenne presented a code amendment that would allow schools to display signage temporarily (150 days, approximately the length of a semester), without the need for a sign permit.

A motion was made to recommend the item to the full Planning Commission by Commissioner Oliver, seconded by Commissioner Chimenti, on a 5-0 vote.

- d. 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](mailto:Viktor.Auzenne@austintexas.gov); (Discussion and/or Possible Action).

Viktor Auzenne went over a code amendment that would allow sponsorship logos and advertisements to be placed on bike kiosks and other right-of-way installations, which is currently not permitted.

A motion was made to recommend the item to the full Planning Commission by Commissioner Stevens, seconded by Commissioner Chimenti, on a 4-0 vote (Commissioner Oliver off the dais), with the following amendment:

- Change the maximum square footage of the sign from 6sq ft to 4sq ft.

- e. Sidewalk Signs and Sales** – Consider an ordinance to amend Title 25 of the City Code to remove the permit requirement for a sidewalk sign. City Staff: Viktor Auzenne, Planning and Development Review Department, 974-2941, [Viktor.Auzenne@austintexas.gov](mailto:Viktor.Auzenne@austintexas.gov); (Discussion and/or Possible Action).

Jason Redfern and Viktor Auzenne presented an amendment that would allow sidewalk signs to be placed in front of businesses without the need to get a permit. The sidewalk would still need a clear zone of 6 feet in width.

A motion was made to recommend the item to the full Planning Commission by Commissioner Chimenti, seconded by Commissioner Oliver, on a 5-0 vote, with the following amendment:

- Change the clear zone from 10 feet to 6 feet in width.

- f. Temporary Staging** – Consider an ordinance amending Title 25 of the City Code to allow temporary staging of equipment, for City of Austin and utility projects, on non-City-owned property. City Staff: Andy Linseisen, Planning and Development Review Department, 974-2239, [Andy.Linseisen@austintexas.gov](mailto:Andy.Linseisen@austintexas.gov) (Discussion and/or Possible Action)

Postponed without objection to the September subcommittee meeting.

- g. 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](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

Postponed without objection to the September subcommittee meeting.

## 7. OTHER BUSINESS

- a. Educational Impact Statement** – Discuss potential recommendations to change the requirements for an Educational Impact Statement. (Sponsor: Commissioner Chimenti; Co-Sponsor: Commissioner Zaragoza) (Discussion and/or Possible Action).

Postponed without objection to a future subcommittee meeting.

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

The item was not discussed and 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](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

Greg Dutton briefly updated the subcommittee on current code amendments. No action was taken.

## **8. 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 8:30 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](mailto:greg.dutton@austintexas.gov)