



**PLANNING COMMISSION  
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING  
Thursday, February 5, 2015**

**The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Thursday, February 5, 2015, at 505 Barton Springs Rd, Room 500, One Texas Center, in Austin, Texas.**

Commissioner Nortey called the meeting to order at 6:00 p.m.

**Subcommittee Members in Attendance:**

Stephen Oliver  
Jeff Jack – Ex-Officio  
James Nortey

Danette Chimenti  
Jean Stevens  
Nuria Zaragoza

**City Staff in Attendance:**

Greg Dutton, Planning and Development Review  
Ming Chu, Planning and Development Review  
Carol Gibbs, Planning and Development Review

**Others in Attendance:**

David King  
Karen McGraw  
Bill Minor  
Tracy Witte  
Paula Reckson  
Lousia Brinsmade  
Christopher Hutchins  
Kara Nuzback  
Suzie Litz

Lorre Weidlich  
Charles Reckson  
Brennan Griffin  
Andrei Lubomudrov  
Julie Montgomery  
David Whitworth  
Alex Papavasiliou  
Mary Ingle  
Stuart Hersh

**1. CITIZEN COMMUNICATION: GENERAL**

- a. Bill Minor and Tracy Witte spoke about a property at 1307 Waller Street that is currently a single family house zoned SF-3. There are concerns that the property is being improperly used as a commercial enterprise and unlicensed STR. A related item will appear on a future agenda for discussion.

No action was taken.

**2. APPROVAL OF MINUTES**

- a. A motion was made to approve the November 18, 2014 minutes by Commissioner Stevens, seconded by Commissioner Zaragoza. Vote: 5-0.

### 3. 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 memo summarizing the Residential Over-Occupancy Working Group Recommendations and whether to make changes before recommending the item to Planning Commission. There were some concerns from the public about whether the recommendations would define what a family unit is, but it was explained that that discussion had taken place in 2014 when the occupancy reduction ordinance was passed. Commissioner Oliver expressed concern that lumping duplexes with 3+ unit buildings could mean a more expensive and extensive review process.

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

### 4. 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

### 5. REGULAR AGENDA: Previously Initiated

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

- a. **Accessory Dwelling Units** – Consider an ordinance amending 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 a summary report and update on accessory dwelling units (ADUs), recapping the discussion from the last subcommittee meeting.

Commissioners expressed concern that the proposed amendment might work well for some parts of Austin but not for others; different housing types and configurations might be better suited by different sets of regulations. Members of the public voiced concern that ADU requirements may conflict with deed restrictions, although the City does not enforce those. Some members of the public felt that an opt-in/opt-out process would work, although staff has not recommended this approach due to constrained resources and the possibility of such a process running concurrently with CodeNEXT. Some members of the public spoke in favor of revised ADU regulations, stating the need for additional housing options.

Commissioners discussed the idea of the amendment being integrated with CodeNEXT or at seeing if Opticos could lend support to the amendment.

A motion was made to table the item to a subsequent subcommittee meeting by Commissioner Oliver, seconded by Commissioner Chimenti, with the direction to engage Opticos to see if they would be willing to look at the ADU amendment using CodeNEXT zoning tools and/or

character maps. Also direction to staff to gather lot data, if available, to determine if lot typologies can be identified. Vote: 5-0.

- b. Small Lot Amnesty** – Consider an amendment to Title 25 of the City Code to limit the ability of using small lot amnesty to disaggregate contiguous substandard lots to create a site that is smaller than the minimum lot area requirement. 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 recapped previous discussions of this item, explaining that staff had looked into the opt-in/opt-out process would work, although staff has not recommended this approach due to constrained resources and the most appropriate venue for this item would be as a part of CodeNEXT. There was concern expressed that the item would be contrary to the direction of Imagine Austin. Although the preliminary Affordability Impact Statement recommended exempting SMART housing from the proposed amendment, the Commissioners recommended staff's recommendation without and exemptions.

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

## 6. OTHER BUSINESS

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

The item was not discussed and no action was taken.

- b. 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).

The item was not discussed and no action was taken.

## 7. 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 Nortey adjourned the meeting without objection at 9:15 p.m.

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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)

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