



**PLANNING COMMISSION  
CODES AND ORDINANCES SUBCOMMITTEE MINUTES**

**REGULAR MEETING  
Tuesday, April 21, 2015**

**The Planning Commission Codes and Ordinances Subcommittee convened in a regular meeting on Tuesday, April 21, 2015, at 301 W. 2<sup>nd</sup> Street, City Hall, Room #1027, in Austin, Texas.**

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

**Subcommittee Members in Attendance:**

Stephen Oliver  
Jeff Jack – Ex-Officio  
James Nortey

Danette Chimenti  
Nuria Zaragoza

**City Staff in Attendance:**

Greg Dutton, Planning and Development Review  
Carol Gibbs, Planning and Development Review  
Christ Herrington, Watershed Protection Department  
Donelle Robinson, Watershed Protection Department  
Nathan Bendik, Watershed Protection Department

**Others in Attendance:**

David King  
Karen McGraw  
Frank Harren  
William Burkhardt  
Pinaki Ghosh

Steve Wood  
Antonio Gonzalez  
Bryan King  
Gavin Moreland  
Jennie Moreland

**1. CITIZEN COMMUNICATION: GENERAL**

- a. William Burkhardt brought up the sidewalk fee-in-lieu payment and process, and asked that Commissioners look into possible changes to require more on-site sidewalks.
- b. David King expressed a desire for the subcommittee to re-look at the STR ordinance and the PUD ordinance.
- c. Frank Harren noted that Austin needed make a bigger commitment to affordability, with more density in the central-city zip codes.
- d. Pinaki Ghosh explained that he had been cited by Code for trying to salvage an old deck in his back yard. He asked that Commissioners be mindful of passing ordinances that restrict doing things that Austin wants to do, like recycling and reusing old materials.

**2. APPROVAL OF MINUTES**

- a. Approval of the March 17, 2015 minutes.

The minutes were not ready for approval, but Greg Dutton noted that they would be available for approval at the May 19, 2015 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. Eliza Springs SOS Amendment** – Consider a site-specific amendment to City Code Chapter 25-8, Article 12 (Save Our Springs Initiative) for the Eliza Springs outlet daylighting project located generally within Zilker Park. City Staff: Chris Herrington, Watershed Protection Department, 974-2840, [Chris.Herrington@austintexas.gov](mailto:Chris.Herrington@austintexas.gov); (Discussion and/or Possible Action).

Chris Herrington with WPD went over a proposed amendment that would allow Eliza Springs at Zilker Park to be restored to an open-air stream, as it was historically. Waivers to the Save Our Springs ordinance are not permitted, so a site-specific code amendment is needed to make any changes. This item is a part of the Barton Springs master plan.

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

- b. Subchapter F Carport and Garage Exemptions** – Consider an amendment to Title 25 of the City Code to change regulations related to Subchapter F gross floor area exemptions for garages and carports. 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 explained a proposed change to the exemptions that can be taken under Subchapter F for garages and carports, and that the Residential Design and Compatibility Commission had submitted a memo outlining the issue and proposed changes.

William Burkhardt and Karen McGraw, both with the RDCC, noted that they wanted a code change so that exemptions for garages and carports would be the same; this would avoid an ongoing issue where carports are enclosed and as a result the gross floor area exemption is reduced. This can sometimes push owners over the allowable impervious cover for their lot, and in turn results in a BOA case.

Commissioners discussed eliminating the exemption all together, and possibly changing the FAR, and clarifying what a garage is and what a carport is. They also asked that some visuals be provided when the item returns for adoption.

A motion was made to recommend the item to full Planning Commission by Commissioner Chimenti, seconded by Commissioner Zaragoza, with additional direction to staff to provide images of single family and duplexes when the item returns. Vote: 4-0 (Commissioner Stevens absent).

### **4. REGULAR AGENDA: Previously Initiated**

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

- a. NONE

## 5. OTHER BUSINESS

- a. **Commercial Uses on Residentially-Zoned Property** – Discussion of current regulations regarding commercial uses on residentially-zoned property. (Sponsor: Commissioner Nortey; Co-Sponsor: Commissioner Oliver) (Discussion).

Greg Dutton explained that there had been no update about certain commercial activities taking place in residentially-zoned areas. Members from the public and the Commissioners asked that staff be present next month for an update.

Tabled to the May subcommittee meeting without objection.

- b. **Subdivision Connectivity** – Discussion of current regulations regarding subdivision connectivity. (Sponsor: Commissioner Nortey; Co-Sponsor: Commissioner Chimenti) (Discussion).

Commissioners continued a discussion of subdivision connectivity and the discretion they felt Planning Commission had in the matter. All of the Commissioners present agreed that they felt they do have the authority, under the code as written, to be discretionary regarding connectivity. The Commissioners felt that the full Planning Commission needed to have a conversation, and asked staff to make sure an item was on the next PC agenda so that they could do so.

Commissioners also asked that staff look into any code provisions that might conflict with the subcommittee's view on PC discretion, and present these to the subcommittee at a future meeting. No action was taken.

- c. **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).

Jeff Jack and James Nortey outlined a memo they are working on to encourage a staff economist to be hired by the City so that more research can be done on how supply and density might help affordability.

No action was taken.

- d. **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 explained that a case summary update will be provided at the next meeting.

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.*

Commissioners asked that an item be placed on a future agenda regarding sidewalk fee-in-lieu (sponsor Commissioner Zaragoza, co-sponsor Commissioner Chimenti).

Commissioners asked that an item be placed on a future agenda regarding STR advertising and enforcement (sponsor Commissioner Zaragoza, co-sponsor Commissioner Chimenti).

## **ADJOURNMENT**

Commissioner Nortey adjourned the meeting without objection at 8:45 p.m.

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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)