



ENVIRONMENTAL COMMISSION MOTION 20170517 007c

Date: May 17, 2017

Subject: CodeNEXT initial Environmental Commission Recommendations as of May 17, 2017

Motion by: Hank Smith

Seconded by: Mary Ann Neely

RATIONALE:

Whereas, there is a deadline of June 7, 2017 for submitting comments on the first draft of the code text; and

Whereas, the Environmental Commission has been directed to provide comments periodically during the review and implementation of CodeNEXT.

Therefore, the Environmental Commission recommends the following:

- More time is needed to fully review, comprehend and evaluate the environmental aspects of the CodeNEXT document particularly since: Watershed Capacity Modeling will not be completed until sometime between June 30, 2017 and the end of the Summer; the density bonus program cannot be fully evaluated at this time, the envision tomorrow model has not been fully completed and an equity analysis has not been completed. However, the following comments are provided based on the limited review time and incomplete status of the code;
- The Environmental Commission recommends that fully developed comments from this Commission should be completed and made available to the Land Use Commissions prior to their formal review and final recommendation;
- We formally request that draft 2 of the proposed code be released in a “redline or legislative” format in order to better track changes;
- More robust efforts for community engagement including multi-language to overcome language barriers to Austin citizens;
- Special efforts in those areas that have been affected by historic flooding and buyouts to educate those residents on the CodeNEXT initiatives;

With Regard to Draft 1 we offer the Following:

- Section 23-10E-3010(A)(5)(f) The requirement that redevelopment, like new development, mitigate for its contribution to downstream flood impacts should be included and how this is accomplished to achieve successful redevelopment should be further evaluated;
- Section 23-3D-6030(C) the requirement that subdivision and site plans retain a portion of the storm water onsite for beneficial use is supported and strongly encouraged;
- Section 23-3C-1030 We support the new class of regulated trees;
- 23-3D-2060 Land Use variance – The LUC may grant a variance from a standard of section 23-3D-4040 – the Environmental Commission needs to review and comment on these variances;
- 23-3C-2010 Development Application Requirements – If a regulated tree is permitted for removal, the City shall require mitigation. Mitigation is a requirement unless certain conditions are met;
- 23-3C-3030 Heritage Trees – Restore 3. May not be issued until the applicant has satisfied the mitigation conditions required under the subsection B (2) or posted fiscal security adequate to ensure performance of the mitigation conditions not later than one year after issuance of the variance;
- 23-3C-3070 Action on Application – 1) not later than the 15th working day after the complete application is filed. List special circumstances for more time, such as lack of staff or challenging decisions. 2) If associated with development activities that have prescribed timelines then deference is given to those timelines—this item is unclear on meaning;
- 23-4D-4060 and 4150 – landscaping is not required in parking lots and between buildings and street and lots less than 75'. This needs to be evaluated and could lead to heat island problems. The Environmental Commission suggests consideration of moving landscape requirements to 23-3;
- 23-4D-6131 PUDs – the new code should eliminate the need for this kind of zoning;
- Sections 23-3D-4040(A), 23-3D-4050(C), 23-3D-2070(D)(3) – the improvements for critical water quality zones with a presumption that design requirements for crossings have better development standards are supported;
- Sections 23-3D-5010(C)(2), 23-3D-5030(C)(6-7) includes better protections for special features and critical environmental features are supported;
- The Environmental Commission supports decompaction requirements for disturbed areas with particular regard to beneficial reuse areas and believe these requirements need further evaluation in these rules;
- In general, the Environmental Commission supports further evaluation of front setbacks, rear setbacks, compatibility setbacks, street yard trees with regard to green infrastructure, landscape and open space goals;

- At a minimum, the Environmental Commission supports environmental and drainage review of standards for the 3-9 unit (residential heavy) areas be evaluated;
- Section 25-3B-3010(A)(2) in certain areas the Environmental Commission believes the fee-in-lieu for parkland dedication should be minimized in favor of the establishment of pocket parks in park deficient areas and near Transit Corridors; and
- With the anticipated reduction in parking requirements, the Environmental Commission supports more discussion and evaluation of increasing green space in parking areas.

VOTE 10-0

For: B. Smith, Thompson, Neely, H. Smith, Perales, Maceo, Kitchin, Creel, Guerrero, Gordon

Against: None

Abstain: None

Recuse: None

Absent: None

Approved By:

A handwritten signature in black ink, appearing to read "Marisa Perales", is written over a light blue rectangular background.

Marisa Perales, Environmental Commission Chair