

[CMs Kitchen] [Language in blue, underlined]

**1. Scope of Code Revision.** To what extent should the Land Development Code (“LDC”) be revised? Options include:

- Option A**      Adopt a new Land Development Code, consisting of:
- i.      A new Land Development Code (text) and Zoning Map, to take effect concurrently; or
  - ii.     A new Land Development Code (text) only, with the effective date deferred until Council adopts a new Zoning Map.
- Option B**      Adopt a limited set of amendments to the existing Land Development Code, targeting improvements in one or more policy areas.

**Answer:** Option A(i), with the adoption of the CodeNext Draft 3 Zoning Map and map adjustments to address district specific concerns. If more extensive Zoning Map modifications are needed to address policy direction from Council, those modifications would be adopted at a later date after allowing sufficient time to complete any associated planning and testing activities. [Kitchen]

Additional Direction to the City Manager:

1. Rewrite and remap the Land Development Code (LDC) as soon as possible. Complete concrete Code and Zoning Map changes in 2019, except to the extent that more extensive Zoning Map modifications are needed to address policy direction from Council. Those modifications would be adopted at a later date after allowing for planning and testing. [Casar/Garza][Kitchen]
2. Prioritize “all types of homes for all kinds of people in all parts of town” (Strategic Housing Blueprint goals) and a development pattern that supports 50/50 Transportation Mode Share by 2039. [Casar/Garza]
3. Ensure that the housing capacity for the City is significantly increased to meet the goals in the Austin Strategic Housing Blueprint and (draft) Austin Strategic Mobility Plan in the timelines detailed in these plans through a housing-focused approach. [Casar/Garza]
4. Meet the City’s goals for the Imagine Austin Growth Concept Map’s Activity Centers and Corridors, and for Missing Middle, and ADUs. [Casar/Garza]
5. Prepare the LDC Revision and Zoning Map for Council action on First Reading in October of this year (the Planning Commission having already issued its report). [Adler]
6. The new Zoning Map should start with the staff version of the third draft Zoning Map developed through the CodeNEXT process, with revisions consistent with new policy direction provided by the Council in this document. [Adler] In order to complete the mapping process in 2019, if more extensive Zoning Map modifications are needed to address policy direction from Council, those modifications would be adopted at a later date after allowing sufficient time to complete any associated planning and testing activities. [Kitchen]

**2. Housing Capacity.** To what extent should the Land Development Code provide for additional housing capacity in order to achieve the 135,000 additional housing units recommended by the Strategic Housing Blueprint? Options include:

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|-----------------|---|
| <b>Option A</b> | Maintain the level of housing capacity provided by current Code (i.e., approximately 145,000 new units);                        |
| <b>Option B</b> | Provide a level of housing capacity comparable to Draft 3 of CodeNEXT (i.e., approximately 287,000 new units); or               |
| <b>Option C</b> | Provide greater housing capacity than Draft 3, through enhanced measures to allow construction of additional residential units. |

**Answer: Option B with targeted C options [Kitchen]**

Additional Direction to the City Manager:

1. Draft the proposed LDC rewrite to meet the goals in the Austin Strategic Housing Blueprint. Key ASHB goals (pg.16) relevant to the LDC are:
  - 135,000 units in 10 years
  - 60,000 of those units at 80% or lower MFI [Kitchen]
  - At least 75% of new housing units should be within 1/2 mile of Imagine Austin Activity Centers and Corridors, focusing on the Transit Priority Network.
  - Preserve 10,000 affordable housing units over 10 years [Kitchen]
  - Produce 100 Permanent Supportive Housing (PSH) units each year, with half of those units (50) being Housing First [Kitchen]
  - At least 30% of new housing should be a range of housing types from small-lot single family to eight-plexes
  - At least 25% of new low-income/affordable housing should be in high opportunity areas [Casar/Garza]
2. Prioritize the City's goal of integration while also reducing gentrification and displacement. The LDC should be a tool for equity and fair housing. [Casar/Garza]
3. ~~Be more equitable and transit supportive than version 3. Housing capacity changes should be mapped to reduce sprawl and displacement, not accelerate either. [Casar/Garza] [Kitchen]~~  
[Deleted because I was not certain of meaning]
4. Draft the LDC rewrite and Zoning Map to make sufficient reforms to the rules to create enough housing capacity in Activity Centers, Corridors, and transition areas to allow the City to meet ASHB and ASMP goals, while maximizing income-restricted housing and mitigating for displacement and gentrification. Accurately model these changes to ensure ASHB and ASMP goals can be met. [Casar/Garza] [Kitchen]
5. Accurately and carefully model corridor and transition area regulations so that Council and community discussions can focus on achieving policy results. [Casar/Garza] [Kitchen]

6. Use UT's Gentrification Study map to carefully zone corridors and transition zones in areas that are gentrifying and are susceptible to gentrification to reduce further displacement. [Casar/Garza]
7. Implement the proposal in the Draft 3 process to not provide extra entitlements on existing, older multifamily properties unless substantial increases in long-term, income-restricted housing units can be achieved. [Adler] The Planning Commission began the process of using the Gentrification Study Map to create different intensities of corridors, and we support that effort. [Casar/Garza]
8. Attempt to create density bonuses to reach 15,000 new affordable units in higher opportunity areas; this requires more income restricted housing zoned capacity than 15,000 in capacity. [Casar/Garza]
9. Provide for greater housing capacity through code revisions to:
  - Reduce parking requirements (as suggested in the answer to question 5, below).
  - Reduce site development standards for missing middle housing options in order to facilitate development of additional units. Council will need to determine the appropriate criteria to achieve more affordable housing while protecting environment and sustainability, public safety, transportation, utility and right of way needs. [Kitchen]
  - Revise non-zoning regulations for parcels within Activity Centers or fronting corridors so as to allow higher housing unit yields by prioritizing among non-zoning regulations only right-of-way acquisition, traffic mitigation and transportation demand management, drainage, tree preservation and parkland, flood mitigation, and water quality. [Kitchen]
  - Map transition areas to provide additional missing middle housing consistent with policy direction for Compatibility (as suggested in the answer to question 4, below). [Adler]

**Key Goals** (<http://assets.austintexas.gov/austincouncilforum/E3-20180209183337.pdf>):

- Page 2, Bullet Points 1, 6, 7, and 9;
- Page 3, Bullet Point 2;
- Page 4, Bullet Points 6 and 10; and
- Page 5, Bullet Point 6. [Adler]

**3. Missing Middle Housing Types.** To what extent should the Land Development Code encourage more "missing-middle" housing types, such as duplexes, multiplexes, townhomes, cottage courts, and accessory dwelling units? Options include:

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|-----------------|--|
| <b>Option A</b> | Maintain the range of housing types provided for by the current Land Development Code; |
| <b>Option B</b> | Provide for a range of housing types comparable to Draft 3; or                         |
| <b>Option C</b> | Provide for a greater range of housing types than Draft 3.                             |

**Answer:** Option B with targeted C options. [Kitchen]

Additional Direction to the City Manager:

1. Change regulations to create transition zones that set Austin up to achieve the ASHB 10-year goal of 30% of new housing units built being missing middle housing, especially near community resources, such as schools (to create diverse school populations), health facilities, parks, transit, etc. [Casar/Garza]
2. Allow external and internal/attached ADUs of all types to be more easily created in all residential zones, as stated in the ASHB. Liberalize the types of housing that are acceptable as ADUs, potentially including tiny homes on wheels, Airstreams, modular homes, 3D-printed homes, and other options. [Casar/Garza]
3. The proposed LDC and Zoning Map should provide for greater missing middle housing capacity through revisions that: [Adler]
  - Reduce parking requirements (as suggested in the answer to question 5, below).
  - Reduce site development standards for missing middle housing options in order to facilitate development of additional units. Council will need to determine the appropriate criteria to achieve more affordable housing while protecting environment and sustainability, public safety, transportation, utility and right of way needs. [Kitchen]
  - Map transition areas to provide additional missing middle housing consistent with policy direction for Compatibility (as suggested in the answer to question 4, below).
  - Map additional parcels for missing middle housing, including creating larger transition zones, after completing district level planning processes with Council approved context sensitive criteria that provides sufficient direction to staff. Increasing opportunities for missing middle housing will be a continuing goal for future district level planning projects as suggested at the end of this document. [Kitchen]

Key Goals (<http://assets.austintexas.gov/austincouncilforum/E3-20180209183337.pdf>):

- Page 2, Bullet Points 1, 2, 3, 6, 7, and 9;
- Page 3, Bullet Point 3;
- Page 5, Bullet Point 6.

**4. Compatibility Standards.** To what extent should the City's "compatibility standards" (i.e., rules limiting development near residential properties) be modified to provide additional opportunities for development?

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|-----------------|---|
| <b>Option A</b> | Maintain compatibility standards comparable to those in the current Land Development Code;                              |
| <b>Option B</b> | Reduce the impact of compatibility standards on development to a degree consistent with changes proposed in Draft 3; or |

<b>Option C</b> Reduce the impact of compatibility standards on development to a greater degree than Draft 3.
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**Answer: Enhanced Option B [Kitchen]**

Additional Direction to the City Manager:

1. See answers to Questions 2 and 3. Compatibility standards in the Code should be set to enable the City to reach its housing and mobility goals. The effects of compatibility standards on housing capacity should be accurately measured. These metrics could be reached through remapping or through code modifications, or both. We are open to our colleagues continued input on how to make sure compatibility rules help us reach our collective goals.  
[Casar/Garza]

2. Compatibility standards and initial mapping should work together in a way that maximizes the amount of potential housing units achievable for parcels on transportation corridors and within activity centers under those parcels' base zoning and with any Affordable Housing Bonus otherwise available. [Adler]

- Maintain compatibility standards, as in Draft 3 of the code developed through the CodeNEXT process, triggered by a Residential House-Scale zoning district of an adjacent property or a property located directly across an alley or narrow neighborhood street (60 feet or less).
- Require Density Bonus program participation to unlock additional height above 65'. Draft 3 allowed 120' height at 100' distance by right. Planning Commission proposed same height/distance but required participation in density bonus program for height added above 65'. [Kitchen]
- Require sufficient no-build zones and vegetative buffers, as in the Draft 3 of the code developed through the CodeNEXT process, between residential and commercial uses so as to minimize the impact of noise and light pollution, deliveries and trash collection, as well as providing ecological services for trees, habitat, and green storm water controls.
- Include in the LDC rewrite the community identified parts of the East Riverside Corridor Regulating Plan's (ERC) compatibility requirements that are not part of the current LDC or Draft 3, such as dumpster requirements. The ERC has adopted compatibility code, such as dumpster requirements and other equipment and utility screening, that offer improved approaches to mitigate friction between developments and residents. [Kitchen]
- Maximize housing capacity on transportation corridors through mapping to eliminate the impact of compatibility on the corridor-facing property as follows unless impacted by Council approved context sensitive criteria [Kitchen]:
  - If the housing unit yield of a deep lot located directly on a transportation corridor is significantly impacted by compatibility, then the back portion of the lot should be initially mapped with a zone (e.g., RM1 and above) that does not trigger compatibility for the front portion

- A shallow lot located directly on a transportation corridor should have the lot located directly behind or across an alley or narrow neighborhood street initially mapped with a zone (RM1 and above) that does not trigger compatibility for the shallow lot and is in scale with any adjacent residential house-scale zones.
- Mapping of additional parcels for missing middle housing and larger transition zones should be provided for in a new map, after completing district level planning processes with Council approved context sensitive criteria that provides sufficient direction to staff. Increasing opportunities for missing middle housing, will be a continuing goal for future district level planning projects as suggested at the end of this document. [Kitchen]

Key Goals (<http://assets.austintexas.gov/austincouncilforum/E3-20180209183337.pdf>):

- Page 2, Bullet Points 1, 5, and 7;
- Page 3, Bullet Point 11;
- Page 4, Bullet Point 6; and
- Page 5, Bullet Point 6.

**5. Parking Requirements.** To what extent should the City's minimum parking requirements be modified to provide additional opportunities for development and/or encourage transit options consistent with the Imagine Austin comprehensive plan?

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|-----------------|---|
| <b>Option A</b> | Maintain minimum parking requirements comparable to those established in the current Land Development Code; |
| <b>Option B</b> | Reduce the impact of minimum parking requirements on development to the same degree as Draft 3; or          |
| <b>Option C</b> | Reduce the impact of minimum parking requirements on development to a greater degree than Draft 3.          |

**Answer: Option C.**

Additional Direction to the City Manager:

1. Create a more transit-supportive, multimodal, and accessible Austin. This includes right-sizing future parking supply, but also many other Austin Strategic Mobility Plan goals that will support transit options. As laid out in the memo, excess parking harms housing affordability, transit, and the environment. Key ASMP goals relevant to the land development code are: [Casar/Garza]
  - Support shift to 50/50 Transportation Mode Share by 2039

- Promote transit-supportive densities along the Transit Priority Network, especially near bus stops. Persons per acre goals on corridors should be set to achieve transit goals.
  - Increase the number of people living and working within a ½-mile of All Ages and Abilities bicycle facilities
  - Create complete and connected communities
  - Decrease vehicle miles traveled
  - Right-size future parking supply
2. Reduce the impact of minimum parking requirements on development to a greater degree than in the third draft developed through the CodeNEXT process in areas that are within ¼ mile of activity centers, corridors, and transit stations with high frequency service, subject to context sensitive provisions to address public safety concerns. [Adler] [Kitchen]
  3. Recognize, if possible, that one size may not best fit all when it comes to parking and apply different standards for areas that may have contextual factors that suggest different parking standards, such as areas with narrow streets and no sidewalks, and areas around urban schools. Given the timelines suggested in the answer to question 1 above, general context sensitive standards may need to be broad at this time with refinement determined through future district level planning efforts as suggested at the end of this document. [Adler]
  4. Consider requirements and standards for parking that allow parking structures to evolve over time as transportation patterns change, including designs for structured parking that allow conversion to residential or commercial uses as parking needs change.
  5. Require ADA parking spaces for residential and commercial projects that meet a determined threshold of scale or size. Require some number of dedicated parking spaces, based on number of units and/or square footage, to ensure those who have permanent disabilities, temporary illnesses, or injury are afforded a place to park near where they live, shop, or visit others. This is particularly important with an aging population and generational housing. [Kitchen]

Key Goals <http://assets.austintexas.gov/austincouncilforum/E3-20180209183337.pdf>:

- Page 2, Bullet Point 7;
- Page 4, Bullet Points 3 and 7; and
- Page 5, Bullet Points 4 and 6.

Additional Direction for the City Manager: [Kitchen]

1. Establish and communicate clearly and transparently the public input process for Council's adoption of the LDC rewrite and Zoning Map, including timelines and feedback mechanisms for public input. Include a transparent and educational public process under which stakeholders are informed how and are confident that their input has been received and is being evaluated
2. Include city-led community stakeholder testing of the proposed non-zoning regulations as directed by City Council Resolution No. 20180628-125.

3. Obtain specific policy direction from Council on additional key priorities reflected in the LDC rewrite, including:
  - affordable housing, flood mitigation, green infrastructure, age friendly policies, and creative spaces; and
  - a balanced approach to determine public processes and administrative changes and mapping and land use categories to ensure we achieve housing and transit supportive uses on transportation corridors and in Activity Centers and not undesirable uses such as self-storage or similarly inappropriate uses in Activity Centers and on transportation corridors.
4. Establish a district scale planning process in response to City Council Resolution No. 20170928-101
5. Council must consider that our process should move forward at the speed of trust, and ensure that we reduce rather than exacerbate public anxiety which often grows when there is uncertainty or ambiguity in policy direction. To that end, we should strive to clearly demonstrate our policy goals and direction and confirm that questions that continue to not have clear policy direction should be pursued through ongoing and ambitious public planning processes.

#### **Additional Direction for Future Planning Efforts**

The Manager should layout a more robust and intentional planning process going forward to meet the goals of Imagine Austin, the ASHB and ASMP, and other strategic priorities.

Not all of the work that is necessary to meet our goals can be accomplished this year nor can all our goals be met through the land development code alone. It is not necessary to achieve all our goals this year since development will take place over a longer time-frame.

In order to plan for additional housing capacity that is not initially achieved by adopting an initial new code and zoning map, the Manager should develop recommendations to the Council for accelerating the development of district-level plans (on a geographic scale such as East Riverside Corridor, North Burnet Gateway, or Station Area Plans, etc) for areas in our city susceptible to change, such as Imagine Austin Activity Centers and Corridors, with specific goals for each plan related to the ASMP and ASHB.

Planning for all Activity Centers and Corridors should be completed (and/or existing district plans updated) within 5 years, so as to ensure that ASMP and ASHB goals are able to be met. The Council recognizes that additional resources will be required to achieve this scale of planning in this time frame, and the use of consultants should be considered to allow for multiple district-level plans to be developed concurrently in order to meet this timeline.



Planning should not only seek to achieve ASHB and ASMP goals, but other Council priorities, such as regional storm water and water quality planning, parkland accessibility, utility infrastructure, walkability and connectivity, and other policy priorities associated with complete communities.

Planning should include robust engagement of adjacent stakeholders, but also include participation from across our city, as all parts of Austin have an interest in each part of Austin contributing equitably to our goals being met.

A new Land Development Code alone cannot stop gentrification and displacement, so the Council and the Manager should continue to advance and expedite implementation of the most constructive and impactful recommendations outside of the land development code that have been recommended by the Anti-Displacement Task Force and other similar efforts.

Key Goals (<http://assets.austintexas.gov/austincouncilforum/E3-20180209183337.pdf>):

- Page 2, Bullet Points 1 and 8;
- Page 3, Bullet Points 7, 8, and 9;
- Page 4, Bullet Points 5 and 7; and
- Page 5, Bullet Point 6. [Adler]

#### **Additional Directions for the City Manager [Pool/Kitchen]**

Expanding on the Mayor and CM Kitchen's additional directions to the City Manager:

Develop a proposed district level (e.g., ERC, North Burnet/Gateway Neighborhood Plan) planning process to be codified in the Land Development Code, that will:

- Identify geographic areas along corridors throughout the city where district level planning will have maximum public benefit, paying particular attention to corridors (including streets and arterials) identified in the ASMP, Project Connect, and where construction, planning, and land acquisition with bond dollars will be applied and can be leveraged;
- Establish criteria for determining when district-level planning for an area is needed to align with our adopted city goals and plans, including Imagine Austin, ASHB, ASMP, Age Friendly Austin Action Plan, the upcoming Parks Master Plan, and other relevant plans.

The criteria should include, but not be limited to, the following information resources:

- Planned transportation investments, including corridors with transportation bonds and public transit investments;
- Affordable housing investments;
- Significant number or scale of private development;
- Market force indicators expressing need and opportunity to leverage an area's potential or significant public investment via facilities or other infrastructure;
- Areas of vulnerability identified using the mapping tool from the UT Gentrification & Displacement Study, "Uprooted," and

- Include consideration for inhibiting displacement, preserving cultural and historic assets, promoting multi-generational housing, and support neighborhood schools, particularly schools with under-enrollment or in areas of rapid displacement.

**SUMMARY:** In 2019, we need to vote to change our overall policies so that our corridors, centers, and transition zones, missing middle housing, and ADU policies put us on track to meet our housing and transportation goals listed above. This will help us create a more affordable, equitable, transit-friendly, and sustainable city.