

**Direction in Response to City Manager's March 15, 2019 Memo re:
Land Development Code Revision Policy Guidance**

Each of the City Manager's five questions is restated below and followed by specific direction.

Question 1. Scope of Code Revision. To what extent should the Land Development Code be revised?

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.

In response to Question 1, the City Council selects Option A.i. and provides the following additional direction:

1. **Overall Scope.** The code revision process should use the staff-recommended Draft 3 (text and map) as a baseline, with revisions made to implement policy direction provided below and in response to Questions 2-5.
2. **Timeline.** The manager should have a revised Land Development Code (text) and Zoning Map ready for Council action on First Reading in October of this year (the Planning Commission having already issued its report on the new Code and Map).
3. **Communication.** The Manager should establish and communicate clearly the public input process for Council's adoption of the revised Land Development Code, including timelines and opportunities for public input.
4. **Code Text.** The revised Land Development Code should be sufficiently clear and unambiguous that administrative criteria manuals are not relied upon to establish policy, except in circumstances where Council has directed that particular requirements be established administratively.
5. **Zoning Map.** The revised zoning map should limit the Former Title 25 (F25) zoning classification to unique zoning districts (e.g., NCCDs and PDAs) for which no similar district exists under the revised Land Development Code. Specialized zoning districts that exist today and are of a type contained in the new Code, such as Planned Unit Developments and regulating plans, should be carried over and not be classified as F25.

Question 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*?

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

In response to Question 2, the City Council selects Option C and provides the following additional direction:

1. **Objective.** The revised Land Development Code should provide a greater level of housing capacity than Draft 3, and the City Manager should consider this goal in developing proposed revisions to the Code text and zoning map.
 - a. The new code and map should allow for housing capacity equivalent to two to three times the Austin Strategic Housing Blueprint (ASHB) goal of 135,000 new housing units, including the as well as for ASHB goals of 60,000 affordable housing units, and 30% Missing Middle Housing, and be achieved in a manner consistent with direction provided throughout this document.
 - b. In general, additional by-right entitlements achieved through mapping and code revisions should be provided only with the intent to increase the supply of income-restricted affordable housing alongside market-rate units in activity centers, along activity corridors, and in transition areas, ~~and of missing middle housing.~~
 - i. By-right entitlements should only be granted where that entitlement carries with it the requirement to provide additional income restricted affordable housing units ~~or missing middle housing.~~
 - ii. [Option: By-right entitlements should be granted where it provides for additional affordable housing bonus opportunities.]
 - iii. The granting of new entitlements —especially in areas currently or susceptible to gentrification — should be limited so as to reduce displacement and dis-incentivize the redevelopment of existing housing, especially older, multi-family residential development, unless substantial increases in long-term affordable housing will be otherwise achieved.
2. **Code Text.** Code revisions to provide additional housing capacity should include:

- a. Non-zoning regulations will be applied so as to allow for higher unit yields for parcels within activity centers and fronting activity corridors. Subject thereto, the prioritization of non-zoning regulations will be for transportation [Option: and utility] right-of-way acquisition, traffic mitigation and transportation demand management, drainage, water quality, [Option: Parkland dedication, heritage tree preservation];
 - b. A city-led testing process to assess the impact of revised regulations ~~which that~~ includes participation by design and technical professionals and the substantial involvement of the public. The testing should examine how the proposed zoning and non-zoning code provisions perform when applied to various types and scales of development, and staff should complete this testing prior to City Council approval.
 - c. Measures to dis-incentivize the demolition and replacement of an existing housing unit(s) with a single, larger housing unit.
3. Zoning Map. Map revisions to provide additional housing capacity should include broader use of zones that allow for affordable housing density bonuses than in Draft 3.

Question 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?

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

In response to Question 3, the City Council selects Option C and provides the following additional direction:

1. Code Text. Code revisions to increase the supply of missing middle housing should include:
 - a. Allowing accessory dwelling units (ADUs), both external and internal/attached, to be permitted and more easily developed in all residential zones;
 - b. Where appropriate, allowing new housing types to qualify as ADUs, including tiny homes on wheels, Airstream-style trailers, modular homes, and 3D-printed homes; and
 - c. Reduced site development standards [SUCH AS?] for missing middle housing options such as duplexes, multiplexes, townhomes, and cottage courts in order to facilitate development of additional units.
2. Zoning Map. The goal of providing additional missing middle housing should inform the mapping of transition zones, consistent with the direction provided throughout this document.

Question 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?

Option A Maintain compatibility standards comparable to those in the current Land Development Code;

Option B Reduce the impact of compatibility standards on development to a degree consistent with changes proposed in Draft 3; or

Option C Reduce the impact of compatibility standards on development to a greater degree than Draft 3.

In response to Question 4, the City Council selects Option C and provides the following additional direction:

1. Objective. The code revision should reduce the impact of compatibility standards on development within activity centers and activity corridors to a greater extent than Draft 3.
2. Code Text. Maintain Draft 3's no-build and vegetative buffers between residential and commercial uses, as well as compatibility triggers and standards for properties adjacent to a Residential House-Scale zone.
3. Zoning Map. Compatibility standards and initial mapping should work together in a way that maximizes housing capacity on parcels fronting activity corridors and within activity centers, consistent with applicable base zoning regulations and with any Affordable Housing Bonus otherwise available.
 - a. The revised zoning map should include a transition zone that will eliminate the impact of compatibility for parcels along all activity corridors and within activity centers.
 - i. Lot(s) adjacent to parcels fronting an activity corridor will be mapped with a zone (RM1 and above) that does not trigger compatibility and is in scale with any adjacent residential house-scale zones.
 1. Such mapping of this minimal transition zone may not occur in some situations, if Council can craft specific, context-sensitive general criteria that provide staff with sufficient mapping direction. [Such criteria, if any, would need to be provided by Council.] including in such instances wherever as market affordable housing is adjacent to a corridor, in alignment with the goal of achieving the preservation of 10,000K affordable units.
 - 1.
 2. The revised zoning map may include additional transition depth, if Council can craft specific, context-sensitive general criteria that provide staff with

sufficient mapping direction. [Such criteria, if any, would need to be provided by Council.]

Question 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?

Option A Maintain minimum parking requirements comparable to those established in the current Land Development Code;

Option B Reduce the impact of minimum parking requirements on development to the same degree as Draft 3; or

Option C Reduce the impact of minimum parking requirements on development to a greater than Draft 3.

In response to Question 5, the City Council selects Option C and provides the following additional direction:

1. Objective. The code revision should seek to reduce the impact of minimum parking requirements on development to a greater degree than Draft 3.
2. Code Text.
 - a. Minimum parking requirements should be eliminated in areas that are within the ¼ mile of activity centers, activity corridors, and transit stations with high-frequency service, except for areas where reductions in parking would be particularly disruptive (e.g., neighborhoods with narrow streets and no sidewalks, areas near urban schools).
 - b. ADA-compliant parking should be required for certain larger scale developments, even if no minimum parking is otherwise required.
 - c. Code revisions should provide that parking structures are able to evolve over time as transportation patterns change, including design standards for structured parking that will facilitate eventual conversion to residential or commercial uses.

Addition 1. Planning.

[In addition to the areas covered by the Managers five questions, Council can consider adding additional areas. One such area that Council considered on postings and at the work session was Planning. We will post an additional Planning section on the message board the first day or two of next week.]

Addition 2:

Water Forward Draft Amendment:

To ensure that the Land Development Codes and permitting process are streamlined to the greatest extent possible upon adoption of any revision to the Land Development Code, the regulatory requirements adopted as part of Water Forward, Austin's 100-year integrated water resource plan, should be codified and implemented as part of this comprehensive land development code revision process.