Item F-01

Amendments to Draft 3 of the CodeNEXT Passed by the City of Austin Planning Commission

Prepared by Conor Kenny, Vice Chair June 20, 2019

Notes:

- All amendments passed by the Planning Commission; failed motions omitted
- Amendments to motions have been incorporated into the motion text
- Split motions are recorded on separate rows, but have the same motion number for referring back to the original motion sheet
- Document contains staff responses to motions and PC member responses to staff response, if made
- Amendments have been re-ordered to generally correspond to the affected code sections and to group similar amendments together
- Individual commissioner notes of intent or references to exhibits made under the "Motion" column in brackets
- Text of motions obtained from staff document
- Compilation of transition zone motions and related exhibit at end of document

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|---|---|------------|--------------------|---------|--|
| | Gener | ral to Coo | le | | |
| 1 | General Policy Guidelines 1. Establish triage points after the Council adopts the codes such as quarterly check-ins as problems are found with code language. Problems first are revisited by Planning Commission and then Council. 2. Complete rework of the Plan to Plan including transitions, centers, TODs, and Neighborhood Plans. Following the adoption of CodeNEXT, Land Use Commission revisit the Imagine Austin Centers and Corridors. 3. Process to phase out F25 with stakeholder input regarding items such as Conditional Overlays, TODs, etc. Process to be revisited by Planning Commission and then Council. 4. Prior to the Code being enacted, test and model the code in a wide-range of development scenarios with stakeholder participation, and testing of the financial impacts of the Code, including additional staffing needs, development fee increases, Density Bonus Program resources, and a quantified effect of working in two codes. Staff and consultants to prepare a Report Card of the Planning Commission mapping recommendations. After the Code has been implemented, additional testing to help inform the triage process and measure if the added density is delivering, the anticipated affordable units. 5. Entire Code needs to be reviewed by a Master Editor prior to adoption 6. Planning Commission Recommendation is the starting point for Council Review. 7. Land Use Commission's recommendation is shown to Council by each Division. Prior to the Code adoption, Staff to show Council what major elements of Title 25 are not being included in CodeNEXT. 8. Performance mechanisms be identified by PC and staff to show the success and failures of the Code, particularly as it relates to Affordable Housing, displacement, demolition, review times/ permitting, and Imagine Austin Performance Indicators. 9. Staff and Council explore methods to capture the added value of the added density along corridors to help finance transit projects along corridors. | 11-0-0 | General to Code | Process | PAZ: 1. Staff anticipates that amendments will be needed after adoption. 2. Oppose 3. Oppose 4. Staff anticipates testing after the code is adopted (before it is effective). 5. Do not oppose 6. Do not oppose 7. Do not oppose 8. Do not oppose, but it will take many years of on-the-ground changes to make this evaluation. 9. Do not oppose Comm White response: These oppositions seem misleading since there are other motions that are related where PAZ is not in opposition, i.e.TODs & UNO. please clarify; DSD comments would be helpful here, especially in regards to the F25 |

Page **3** of **42**

| Tailing Commission Amendments 1 asset to CodeNEXT Draft 3, 2010 | | | | | | | | |
|---|--|--------|--|------------------------------|--|--|--|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response | | | |
| 5 | Reduce length of non 23-4 Sections by 30%. Identify a Master Editor who should identify measures in Non 23-4 Articles to reduce extreme length to assist in achieving CodeNEXT goal for code simplicity. | 12-0-0 | General to Code | Process | PAZ: Oppose. However, staff will look for ways to improve and simplify text between Council readings. DSD: Oppose. DSD drafted content has been consolidated and streamlined. WPD: Oppose. Staff has already worked to reorganize and streamline the watershed regulations by consolidating divisions. ATD: Concur with PAZ PWD: Concur with PAZ | | | |
| 100 | In Article 23-13: Definitions and Measurements, revise the definition of Microbrewery from 15,000 barrels to 5,000 barrels, and review Draft 3 for any terms that have been left undefined, using motions from Planning Commission CodeNEXT Draft 3 Deliberation Spreadsheet as guidance | 8-1-1 | Article 23-5 Article 23-7 Article 23-8 Article 23-9 Article 23- 10 Article 23-12 Article 23- 1323-13A- 1030 | Uses: Micro- breweries | PAZ: Do not oppose. However, by redefining microbreweries, which zones microbreweries and breweries are permitted in should be reviewed. | | | |

| Piaili | ning Commission Amendments Passed to CodeNEXT Draft 3, 2018 | Voto | Continu | Tania | Page 4 of 42 | | | | | |
|--------|---|-------|--------------------------------|---|---|--|--|--|--|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response | | | | | |
| | Article 23-1: Introduction | | | | | | | | | |
| 7 | Add language to 23-1A-6010 and 2301A-6020 regarding Minimum Development Potential as shown in Steven Oliver Exhibit 1. Amended: Exclude heritage trees (10-2-1) [See also Oliver Exhibit 1 - Minimum Development] [Intent: White: Intent should be clarified. If Oliver doesn't write up a clarification I will add one but I would prefer him to.] | 7-5-1 | 23-1A-6010 & 23-1A- 6020 | Site reqs: Exemptio ns for minimum developab le area | PAZ: Oppose. Amendments can be made, as needed, when conflicts are identified. DSD: This is a policy decision concerning the hierarchy of code requirements where the city's codes have conflicting provisions and impacts. This adds a layer of review, and is potentially more complicated and less predictable than the variance processes in Draft 3. DSD is supportive of the concept of a hierarchy of code to address regulatory conflicts that arise during the review process; | | | | | |
| | | | | | however, additional policy direction is needed to determine regulatory priorities. WPD: Oppose. As currently worded, the amendment undermines multiple existing regulations related to the environment, water quality, and drainage, including: Non-degradation standard of the Save Our Springs (SOS) ordinance Stormwater management for water quality and flood risk reduction Restrictions on development in the floodplain Waterway setbacks for creeks and lakes Setbacks for critical environmental features such as caves, wetlands, and springs Tree and urban forest protections (excluding heritage trees) Requirements for preserving floodplain health Steep slope protections Limitations on the depth of cut and fill Preservation of open space and natural areas Provision of landscape elements and | | | | | |

Page **5** of **42**

| T TOTAL | Motion | Vote | Section | Topic | Staff Response / PC Response |
|---------|--|-----------|---------------|-------------|--|
| | | | | | vegetated setbacks |
| | | | | | |
| | | | | | Many sites across the city are significantly |
| | | | | | constrained by natural features such as |
| | | | | | floodplains and steep topography. As worded, |
| | | | | | the amendment would allow for development to encroach on environmental setbacks and |
| | | | | | reduce the footprint of stormwater control |
| | | | | | measures in order to accommodate the |
| | | | | | entitled amount of impervious cover. Staff |
| | | | | | recommends upholding the current policy of |
| | | | | | reducing impervious cover entitlements as |
| | | | | | necessary to accommodate environmental |
| | | | | | features and protections. To the extent that the |
| | | | | | reasonable use of a property is eliminated, the existing variance process allows for |
| | | | | | adjustments to water quality and drainage |
| | | | | | regulations. |
| | Article 23-2: Adı | ministrat | ion and Proce | dures | - |
| 9 | Sections 23-2A-3030(B)(2) and 23-2A-3040(B)(2)Direct Staff to | 9-2-0 | 23-2A- | Site reqs: | Opposed |
| | look at on-site alternatives that could be applied without | | 3030(B)(2) | stormwat | |
| | triggering an engineer's letter and these should be directly | | | er on | DSD: DSD is does not recommend revisions to |
| | proportional to the size of the expansion or construction such as | | | small sites | this section that would result in a needed |
| | the following alternative language:(2) Provide an affidavit from both owner and applicant, agreeing to preserve or improve | | | | increase in the resources required for review but remains open to exploring options in |
| | existing drainage patterns and to provide an engineered grading | | | | partnership with WPD. |
| | plan and complete the work specified therein if it is determined | | | | parameters and the second seco |
| | by the Building Official that there has been an adverse impact to | | | | |
| | adjoining lots attributable to an as-built condition within one year | | | | |
| | from the date of the certificate of occupancy, if the construction, | | | | |
| | remodel or expansion is:(A) more than 300 square feet; and(B) | | | | |
| | Located on an unplatted tract or within a residential subdivision | | | | |
| | approved more than five years before the building permit application was submitted.[See also Sheih Exhibit 1 - Engineer's | | | | |
| | Letter 23-2A-3040(B)(2)] | | | | |
| | | <u> </u> | l | <u> </u> | |

| - Iuiii | ling Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 6 of 42 |
|---------|--|------------|----------------------|--------------------------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 10 | Where an existing single-family home has been made non-conforming by the new code, that home can be renovated or rebuilt under today's standards. Staff to adjust language to not penalize existing homes that do not conform to the new zoning. | 11-0-0 | 23-2G- 1060(D)(1) | Upzoning: Allowed SF use | Not opposed with the condition that the motion is limited to the zoning chapter. Water quality and drainage standards added for 1-6 units by 23-2A-3 should still apply. |
| | Article 23-3: Ger | neral Plan | ning Require | ments | |
| 12 | Recommend approval of Article 23-3E (Affordable Housing Bonus Program), but with direction for staff to develop revisions that will address the following concerns: 1. Establish as additional items of intent for the program to: | 10-0-1 | 23-3E | Affordable Housing | NHCD: Generally not opposed, but opposed to the following elements: 1 a) Remove goals - not appropriate for Code 5) Staff do not recommend requiring density bonus projects to comply with S.M.A.R.T. Housing requirements unless it can be evidenced that typical density bonus projects would be S.M.A.R.T. Housing compliant and that this would not deter participation in density bonus programs. DSD: Review turnaround times for SMART Housing projects are currently in a policy document and have been in effect since the program's inception. Staff adheres to these review times to the extent possible; however, turnaround times are impacted by application volume and available resources. DSD does not recommend reincorporating review times into the land development code. Review times are administrative and were removed from Title 25 and moved into the criteria manuals to be adopted via the rules process. Adopting review times by rule preserves the public stakeholder engagement component and provides staff with the flexibility to make adjustments based on the previously identified factors without having to initiate a code amendment. |

| Plann | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 7 of 42 |
|-------|--|-----------|--|--|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| | | 23-4A: In | troduction | | |
| 15 | Strike "that are intended to promote compatible land patterns" and instead reference back to the Comprehensive Plan as cited in 23-1A-1020. | 12-1-0 | 23-4A-1010 | Policy - goals | PAZ: Do not oppose |
| | Article 23-4B: Zonii | ng Admin | istration & Pro | ocedures | |
| 19 | 23-1020 Conditional Use Permit (F)(2) Late Hours Permit Move this section to Specific for Use for Restaurant and Bar | 12-0-1 | 23-4B- 1020(F)(2) 23-4E-6: Specific to Use | Allowed Uses/ Specific to Use | PAZ: Do not oppose DSD: Do not oppose |
| 20 | Reinstate LDC 25-5-150 to prevent revolving door for same CUP requests See WHITE_Exhibit_Conditional Use Permits (p15-19) | 7-6-0 | 23-4B-1020 | Allowed Uses/ Specific to Use | PAZ: Oppose. This requirement can already be found in 23-4B-1040 (G) |
| | Reinstate LDC 25-5-145(C)(4) to ensure Large Retail Uses do not adversely affect future redevelopment See WHITE_Exhibit_Conditional Use Permits (p15-19) | 12-1-0 | 23-4B-1020 | Allowed Uses/ Specific to Use | PAZ: Oppose. Large/big box retail is not permitted or is a CUP in: MU, MS, RC, and C/I zones. In addition, uses over 100k sq. ft must comply with additional building design standards (23-4E-8). |
| 22 | Section 23-4B-2040 (C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another responsible director to approve or disapprove a development application because of non-compliance with the zoning code may be appealed to the Board of Adjustment under Article 23-21 (Appeals). | 9-2-1 | 23-4B-2040 | Permitting Decisions | PAZ: Code currently reads: "(C) Permitting Decisions. Except as provided in Subsection (A), a decision by the Development Services Director or another responsible director to approve or disapprove a development application may be appealed to the Board of Adjustment under Article 23-21 (Appeals). DSD: Clarify that appeal should be aligned with Texas Local Govt Code regarding operations and duties of the Board of Adjustment. |
| 23 | Change the word "Applicant" to "Owner" in Section 23-4B-3040 | 12-0-1 | 23-4B-3040 | Zoning Map Amendme nt Initiation | PAZ: Do not oppose |

Page **8** of **42**

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|---|------------|---|---|--|
| 24 | Change the word "standards" to "regulations" in Section 23-4B-4010(A) and (B) | 13-0-0 | 23-4B- 4010(A) and (B) | Variances | PAZ: Do not oppose |
| 25 | Change the word "standards" to "regulations" in Section 23-4B-4020(B)(1)(c)(iii) | 13-0-0 | 23-4B- 4020(B)(1)(c)(iii) | Variances | PAZ: Do not oppose |
| 26 | Change the word "may" to "shall" in Section 23-4B-4030(C) | 13-0-0 | 23-4B- 4030(C) | Variances | PAZ: Do not oppose |
| | Article 23-4C: (| General to | All Develop | nent | |
| 27 | In Section 23-4C-1010, create (B)(1) and (2) instead of (C) and (D), add "and that have a zone that requires it", and strike "four acres" and replace with "eight acres." In 23-4C-1040(B)(3), replace "eight acres" with "twelve acres" | 7-6-0 | 23-4C- 1010(B)(1) and (2)23- 4C- 1040(B)(3) | Site reqs: open space | PAZ: Oppose. Will reduce opportunities for civic open space. PARD: Oppose, the combination of this and #29 mean that no open space is required on projects 8 acres and greater.WPD: Oppose. Will reduce the enhanced natural function provided by larger, contiguous pervious areas. The Green Infrastructure Working Group supported the creation of contiguous areas of pervious cover that also enhance connectivity between sites and serve as desirable public and private open spaces. |
| 28 | Instead of completely deleting 1020(M)(2), move this standard to the zone districts where the Code lists parking maximums, and if the applicant wishes to exceed the parking maximum of the zoning district then the site must incorporate at least three of the items listed in Table 23-4C-1020(A). | 9-4-0 | 23-4C- 1020(M)(2) 23-4D | Site reqs: Parking on large sites | PAZ: Oppose. Simpler and easier to understand as-is. ATD: ATD does not support providing 2x the minimum parking requirements and would rather suggest promoting on-site TDM programs to encourage non single-occupancy vehicle trips and the need for excessive on-site parking. |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|---|--------|----------------------|--|---|
| 29 | Remove Section 23-4C-1030 Common Open Space, eliminating the Common Open Space requirement | 7-6-0 | 23-4C-1030 | Site reqs: Common Open Space on Large Sites | PAZ: Zones that currently have *only* common open space requirements should have common open space replaced with personal open space. DSD: For those projects that have no other open space requirement, common open space has provided a benefit not otherwise found since it was expanded in the 2013 amendments to Subchapter E (Design Standards). Concur with PAZ. PARD: The combination of this item and #27 mean that no common open space is required on projects less than 8 acres in size. WPD: Oppose. Will reduce the enhanced natural function provided by larger, contiguous pervious areas. The Green Infrastructure Working Group supported the creation of contiguous areas of pervious cover that also enhance connectivity between sites and serve as desirable public and private open spaces. |
| 31 | Replace language in Section 23-4C-1040(B)(4) with: An applicant shall locate each residential lot within: (a) one-quarter mile of a safe pedestrian travel distance from existing or proposed civic open space if the development is located within the urban core; and (b) a half mile of a safe pedestrian travel distance from existing or proposed civic open space if the development is located outside of the urban coreAdd a definition of "safe pedestrian travel" | 11-0-2 | 23-4C- 1040(B)(4) | Site reqs: Common Open Space on Large Sites | PAZ: Oppose. Redundant with existing civic open space access requirements. Comm. Shaw response: PAZ misunderstood motion based on their comment. This approved motion was not meant to be added to the section but to clarify that 1/4 and 1/8 mile distances from parkland is measured as a route that safe for pedestrians to walk and asks staff to add a definition for "safe pedestrian travel distance." After all this is the intent of the distance. It does not do any good to have a park 1/4 mile or 1/8 mile away if it is not safe to walk or bike there. |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|--|------------|--------------------|--|---|
| 34 | Strike Section 23-4C-2050(D) | 7-6-0 | 23-4C- 2050(D) | Site reqs: Civic open space | Staff response pending |
| 35 | Where appropriate for the nature of the Civic Open Space, the design shall make shade an integral feature for people utilizing the civic space. | 8-4-1 | 23-4C- 2050(E) | Site reqs: Civic open space | WPD: Oppose. The integration of shade into open space, especially through tree plantings, helps reduce urban heat island impacts and integrates nature into the city. |
| 36 | Add the following language from current code on CBD/DMU Parking: Except for a use occupying a designated historic landmark or an existing building in a designated historic district, off-street motor vehicle parking for persons with disabilities must be provided for a use that occupies 6,000 square feet or more of floor space under the requirements of this paragraph. (a) The following requirements apply if no parking is provided for a use, other than parking for persons with disabilities: (i) the minimum number of accessible parking spaces is calculated by taking 20 percent of the parking required for the use under Appendix A (Tables of Off-Street Parking and Loading Requirements) and using that result to determine the number of accessible spaces required under the Building Code. The accessible spaces may be provided on- or off-site, within 250 feet of the use. (ii) The director may waive or reduce the number of accessible spaces required under Paragraph (2)(a)(i) if the applicant pays a fee in-lieu to be used by the city to construct and maintain accessible parking in the vicinity of the use. | 9-3-0 | General to Code | Site reqs: Parking | PAZ: Do not oppose. staff would need to amend each TOD plan to change the parking reduction from 40% max to 100% max. Not an item that can be addressed with D3. ATD: ATD is in favor of requiring adequate ADA parking spaces, however off-site and/or fees in lieu will need to be addressed within the TCM. |
| | Article 23-4D: Specific to Zones | s - Applie | s to Entire/Va | rious Parts of | Article |
| 38 | List "Live Music Venue" as a separate use that is permitted in all the same use tables with the same permission standards as "Performance Venue/ Theater," but without the requirements for alcohol sales. Define in Definitions | 13-0-0 | 23-4D | Allowed Uses/ Specific to Use | PAZ: Oppose. This would allow live music venues to function as a bar and would be permitted in districts where Performance Venue/Theater is allowed (more permissive than a bar). |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|---|--------|---------|--|---|
| 41 | Change Cooperative Housing to Permitted in MH, MS1A, MU3B, MU5 | 13-0-0 | | Allowed Uses/ Specific to Use | Staff recommends the proposed Co-Housing land use. |
| 41 | Change Cooperative Housing to Permitted in R3B-C, R4C,R4A-C, RM1A-B; | 7-3-2 | 23-4D | Allowed Uses/ Specific to Use | Staff recommends the proposed Co-Housing land use. |
| 42 | Daycares with less than 7 children permitted in R zones, Daycares with 7-20 children require a MUP in all R zones, Daycares with 7-20 children permitted in all RM zones; Commercial Daycares require a CUP in R zones; Commercial Daycares in RM zones stay the same as D3. | 7-6-0 | 23-4D | Allowed Uses/ Specific to Use | PAZ: Do not oppose |
| 50 | Require a CUP for all Bars/ Nightclubs (Level 2 only) within 200 feet of a Residential zone rather than permitting by-right. Beyond 200 feet remains permitted by-right. Add specific language in Specific to Use section for Bars and Nightclubs Amdt: Allow any non-permitted alcohol uses in Draft 3 (Level 1 or Level 2) as a CUP within the MS zones, except MS1A and MS2A | 8-3-2 | 23-4D | Allowed Uses/ Specific to Use | PAZ: Do not oppose. DSD: Do not oppose. |
| 59 | Add clarifying/ symbolic language to the Use Tables regarding the allowance and permitted timeframes of STRs | 12-1-0 | 23-4D | Allowed Uses/ Specific to Use: STRs | PAZ: STR use is already shown in the use tables. Specifics on timeframes is not appropriate in the use tables (it can already be found in specific to use). |
| 85 | Require a CUP for all Adult Entertainment in all applicable zones | 11-0-0 | 23-4D | Allowed Uses/ Specific to Use | PAZ: Opposed; a use cannot be exclusively CUP |
| 92 | Where appropriate, add a note detailing that other state or local laws may prohibit alcohol within certain distances, and clarify where to find those specific alcohol distances | 12-0-1 | 23-4D | Allowed Uses/ Specific to Use | PAZ: Do not oppose. |
| 40 | See Shaw Exhibit 1 - Part 1 (Pages 7 & 9) for replacement compatibility standards [For info on original motion, see Shaw Exhibit - Part 1 (Page 7 and 9); White Revised Compatibility Exhibit.] | 8-3-2 | 23-4D | Compatibi lity | PAZ: Pending review by Frego to determine impact on housing numbers |

| Haiiii | ing Commission Amendments Passed to CodeNEX1 Draft 3, 2018 | Page 12 of 42 | | | |
|--------|---|---------------|---------|-------------------|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 40 | Between 25-50 feet from the triggering lot line: 35 foot height limit 50-100 feet: 45 foot height limit 100-150 feet: 65 foot height limit 150-225 feet: 75 foot height limit 225-300 feet: 90 foot height limit Full height at 300 feet Affordable bonuses are exempt at 100 feet [For info on original motion, see Shaw Exhibit - Part 1 (Page 7 and 9); White Revised Compatibility Exhibit.] | 9-3-1 | 23-4D | Compatibi | PAZ: Pending review by Frego to determine impact on housing numbers |
| 39 | Whatever the compatibility trigger is, stepbacks start at the triggering property's lot line | 13-0-0 | 23-4D | Compatibi lity | PAZ: Do not oppose |
| 39 | Whatever the compatibility trigger is, setbacks start at the triggering property's lot line (regardless of an alley) | 13-0-0 | 23-4D | Compatibi lity | PAZ: Do not oppose |
| 45 | Allow pools and fountains in required yards as currently allowed, without new setback or restrictions. [Exhibit: White Exhibit 1 - Page 40 of 48] | 13-0-0 | 23-4D | Setbacks | DSD : Do not oppose. Minimum fence height will need to be revised to 4'-0" to align with pool barrier req'ts of the technical code. |
| 84 | Change all front yard setbacks from 5 feet to 0 feet in commercial zones (RM4A and up) | 13-0-0 | 23-4D | Setbacks | Opposed. DSD: Eliminating front setbacks would create conflicts with utility placements. DSD concurs with PWD's response, specifically with regard to street trees this impacts our ability to provide adequate soil volume, increases conflict with tree canopy, potential ADA and tree conflicts, and site distance. ATD: ATD concurs with PWD response; specifically with regards to street trees, utilities, and ADA infrastructure. PWD: On behalf of the cross-departmental, multi-year Utility Alignment & Street Tree |

| | Motion | Vote | Section | Tonic | Stoff Despense / DC Despense |
|----|---|--------|---------|--|---|
| | | Vote | Section | Topic | Standards working group: 5' setbacks or greater are needed unless there are adjacent alleys that carry utilities. Conflicts with 0 foot setbacks include: impact ADA accessibility if there are architectural details or other encroachments into the sidewalk clear zone; interfere with placement & access to water meters; likely violate safety clearances for overhead power lines and utility poles; interfere with placement and access to customer water cutoffs & wastewater cleanouts on the private lot; and may preclude frontage landscaping such as street trees (as per the City's Complete Streets Policy and Great Streets standards). An illustration of values in conflict with 0 setbacks is available. |
| 70 | Amend the height of all accessory structures to 15 feet instead of 12 feet, as applicable | 13-0-0 | 23-4D | Form requireme nts: Accessory structures | PAZ: Do not oppose. DSD: Do not oppose. |
| 75 | Increase units per acre by 20% in all multi-unit zones for base and bonus units and always round the numbers up | 8-5-0 | 23-4D | Lot Size/ Intensity for multiple- unit | PAZ: Need to understand effect on affordable housing bonus program NHCD: Oppose increased base entitlements. Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs. |
| 93 | Where applicable, amend the language to allow engaged porches to only be open on one side, instead of requiring two sides as is currently written | 11-0-0 | 23-4D | Form reqs: Porches | PAZ: Do not oppose. DSD: Do not oppose. |

| ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 14 of 42 |
|--|---|--|--|--|
| Motion | Vote | Section | Topic | Staff Response / PC Response |
| Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety. | 9-3-0 | General to Code | Parking | Staff response pending. |
| Amdt: Incorporate Vision Zero and Transportation Safety Improvement Program into consideration [of reduction in parking minimums] | | | | |
| Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration. | 9-2-1 | General to Code | Parking - near schools | PAZ: Outside the scope of CodeNEXT.ATD: ATD suggests reviewing AISD parking requirements to include school-specific TDM policies for staff, parents, and students to include Vision Zero goals and to enhance pedestrian and bicycle infrastructure to/from school sites during the site plan phase. |
| In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables | 12-0-1 | 23-4D | Parking | PAZ: Do not oppose. |
| Article 23-4D-2: Specific to | Zones - I | Residential Ho | ouse-Scale Zo | nes |
| Make one new zone (staff to determine which zoning base [R, RM, etc.]) for the Small Lot Single-Family Use with the following development standards: min. lot size: 2500 sf. / max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max | 7-6-0 | 23-4D-2 | New R Zone | PAZ: Opposed. This is virtually identical to R2D and R2E already in D3. DSD: Opposed. Concur with PAZ. WPD: Agree with PAZ/DSD. |
| | Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety. Amdt: Incorporate Vision Zero and Transportation Safety Improvement Program into consideration [of reduction in parking minimums] Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration. In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Make one new zone (staff to determine which zoning base [R, RM, etc.]) for the Small Lot Single-Family Use with the following development standards: min. lot size: 2500 sf. / max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear 10'. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, | Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety. Amdt: Incorporate Vision Zero and Transportation Safety Improvement Program into consideration [of reduction in parking minimums] Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration. In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Make one new zone (staff to determine which zoning base [R, RM, etc.]) for the Small Lot Single-Family Use with the following development standards: min. lot size: 2500 sf. / max lot size: 4999sf min. lot width: 25′ Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15′, Side St. 10′, Side 3.5′ or 0 when adjacent to Small Lot Uses, Rear 10′. Building Form (1) Building Articulation New Construction add "Building Articulation is not required for Small Lot uses." Impervious Cover add "(2) Small Lot Impervious Cover 65% max, 55% building cover max | Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety. Amdt: Incorporate Vision Zero and Transportation Safety Improvement Program into consideration [of reduction in parking minimums] Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration. In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses" that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential He ("Other Allowed Uses") that reference back to the Pe | Direct staff to get as close to no parking requirements as possible while balancing ADA accessibility, and finding ways for neighborhoods to use residential parking and metered parking as a solution, RPP, and parking benefit districts. Excludes the areas that have already been voted on to have no parking requirements. Methods to be vetted through the Fire Department and Public Safety. Amdt: Incorporate Vision Zero and Transportation Safety Improvement Program into consideration [of reduction in parking minimums] Direct Staff to find a solution to preserve parking at specific sites near schools, of any type or district, where parking is an identified problem, utilizing school permit parking systems or other street parking restrictions. Staff to take pedestrian and bicycle safety into consideration. In the Parking Tables in all zones, add clarifying notes to the term "Other Allowed Uses" that reference back to the Permitted Use Tables Article 23-4D-2: Specific to Zones - Residential House-Scale Zo Make one new zone (staff to determine which zoning base [R, RM, etc.]) for the Small Lot Single-Family Use with the following development standards: min. lot size: 2500 sf. / max lot size: 4999sf min. lot width: 25' Building Size (max) for all Small Lot uses: the greater of .4 FAR or 1500 sf Building Placement add Small Lot Setbacks: Front 15', Side St. 10', Side 3.5' or 0 when adjacent to Small Lot Uses, Rear 10'. Building Porcement and "(2) Small Lot Impervious Cover 65% max, 55% building cover max |

Planning Commission Amendments Passed to CodeNEXT Draft 3, 2018 Page 15 of 42

| | Motion | Voto | Continu | Tonic | Staff Page 20142 |
|-----|--|--------|---------|-------------|--|
| 6.0 | | Vote | Section | Topic | Staff Response / PC Response |
| 60 | Add a "Small Lot Single-Family Use" as a permitted use in R2D | 9-4-0 | 23-4D- | Small Lot | PAZ: Opposed. This is virtually identical to R2D |
| | and R2E with the following development standards. R2C remains | | 2130 | SF use in R | and R2E already in D3. |
| | the same. | | 23-4D- | zone | |
| | min. lot size: 2500 sf. | | 2140 | | DSD : Opposed. Concur with PAZ. |
| | max lot size: 4999sf | | | | |
| | min. lot width: 36' | | | | WPD: Agree with PAZ/DSD. |
| | Building Size (max) for all Small Lot uses: the greater of .4 FAR or | | | | |
| | 1500 sf | | | | |
| | Building Placement add Small Lot Setbacks: Front 15', Side St. 10', | | | | |
| | Side 3.5', Rear 10'. | | | | |
| | Building Form (1) Building Articulation New Construction add | | | | |
| | "Building Articulation is not required for Small Lot uses." | | | | |
| | Impervious Cover add "(2) Small Lot Impervious Cover 65% max, | | | | |
| | 55% building cover max" | | | | |
| 55 | Create comparable R zones in R1 and R2 that maintain the 5750 | 7-6-0 | 23-4D-2 | New R | PAZ: Opposed. Creating more zones with |
| | sf minimum lot size and a minimum 50' lot width. Number of | | | Zones | slightly different min. lot sizes and lot widths |
| | zones to be created is to be determined by staff. | | | | will cause confusion and add complexity. |
| | [Original motion (divided), see White Exhibit 1 - Page 35 of 48, | | | | |
| | Item B] | | | | DSD : Opposed. Concur with PAZ. |
| 61 | In all R Zones, set the required lot size for an ADU to the | 11-1-1 | 23-4D-2 | ADUs | PAZ: Opposed. There are some zones where an |
| | minimum lot size for a single-family use. Retain all affordability | | | | ADU is allowed at a smaller min lot size than a |
| | requirements | | | | single-family (e.g. when combined with single- |
| | | | | | family attached) |
| | | | | | |
| | | | | | NHCD: NHCD recommends a fee-in-lieu, rather |
| | | | | | than on-site income-restricted affordable |
| | | | | | ADUs.NHCD supports ADUs in general. With |
| | | | | | regard to ADUs and the Affordable Housing |
| | | | | | Bonus Program, the Department's position is |
| | | | | | that property owners opting into the program |
| | | | | | through ADU development pay a fee-in-lieu |
| | | | | | into the Housing Trust Fund, rather than |
| | | | | | income-restrict the ADU on their sites. We take |
| | | | | | this position for many reasons, including the |
| | | | | | higher per-unit cost associated with monitoring |
| | | | | | these units and potential issues related to how |
| | | | | | tenants are selected. City Council has expressed |

Page **16** of **42**

| 1 Idilili | Motion | Vote | Costion | Tonio | Staff Passage / PC Passage |
|-----------|---|--------|---------|---|---|
| | Motion | Vote | Section | Topic | interest in creating a waitlist for affordable housing units that may include priorities for people with housing barriers (including criminal backgrounds, poor credit, or who are exiting homelessness). Employing this waitlist approach for ADUs may cause potential bonus program applicants to decide not to utilize the program at all. Other cities are grappling with how to enforce affordability in ADUs as well – Portland, OR decided not to require ADUs to be affordable after difficulties with their proposal were identified. [Comm White response: White: The intention was to expand the ADUs and use the minimum sizes that are already established. This isn't a measure to constrict their applicability as the PAZ comment seems to be interpreting. I hope you'll clarify your response to read "Not Opposed as long as"NHCD, I would recommend moving this comment to the motion where we established the affordable program for ADUs. I think it's confusing here] |
| 52 | For Residential Zones that allow an ADU Preservation Incentive, change the name to ADU "Streetscale Incentive," and change the word "preserved" to "conserved." Add the definition of the word "conserved" to the definitions section as follows: Conserve: to maintain the height, footprint and roof line of an existing building for the first 25' as measured from the building line toward the rear lot line. | 11-2-0 | 23-4D-2 | ADUs / Preservati on incentive | PAZ: Do not oppose. |
| 53 | Apply the Street Scale Incentive (formerly the Preservation Incentive) to all Residential zones | 12-1-0 | 23-4D-2 | ADUs/Pre servation incentive | PAZ : Do not oppose only makes sense for R zones that have FAR limit |
| 105 | Add Accessory Apartment as a permitted use in all R zones as shown in Sheih Exhibit 2 - Accessory Apartment | 8-3-1 | 23-4D-2 | Accessory Apartmen ts in R zones | DSD : Opposed. Adds additional review complexity, potential conflicts with the building code, and will increase review times. |

| - 101111 | ing Commission Amendments Passed to CodeNEXT Drait 5, 2016 | | G | - | Fage 17 01 42 |
|----------|--|--------|---|--|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 57 | Allow three attached dwelling units as a residential use in the R3 zones. Exact definition and alterations to Use Tables to be determined by staff. [Note: White: The intention was to allow triplexes, not just single family and ADUs] | 10-3-0 | Table 23- 4D- 2030(B)Tab le 23-4D- 2150(A)Tab le 23-4D- 2160(A)Tab le 23-4D- 2170(A)Tab le 23-4D- 2180(A) | Units in R3 | PAZ: Do not oppose.[Comm White: There's no mention of CUP in this motion???Comm Shaw: PAZ Staff response does not make sense] |
| 46 | Remove articulation from all R zones | 13-0-0 | 23-4D-2 | Form requireme nts | Do not oppose. |
| 48 | In 23-4E-6170(C), change the following: "A duplex must comply with the requirements in this subsection. (1) The two units must be attached or no greater than 12 feet apart; and (2) At least one of the two units must have a front entry that faces the front thoroughfare except each unit located on a corner lot must each have a front entry that faces a separate thoroughfare." In 23-13A-2, change the following: "DUPLEX. Two dwelling units on a single lot that are either attached or separated by no more than 12 feet A residential building containing two attached | 7-5-1 | 23-4E- 6170(C) 23-13A-2 | Form requireme nts for duplexes | PAZ: Opposed. Would prefer units to remain attached as defined by "attached' in D3. DSD: Opposed. Recommend keeping the units attached to avoid potential conflict with application of ADU provisions. |
| 47 | dwelling units on a single lot." Add a maximum FAR of 0.3 or 1800 sf to all R zones; Add a maximum FAR of 0.3 or 1150 sf for single-family attached (the intent is to reduce the available FAR to single-family by 25%) [Intent is to reduce by 0.1 FAR under future motions] | 12-1-0 | 23-4D-2 | FAR/ Height | PAZ: Oppose. Unnecessarily complicated. DSD: Oppose. Significantly increases complexity. |

| T TOTAL | ing Commission Amendments Passed to CodeNEXT Draft 5, 2018 | | | | Page 16 01 42 |
|---------|--|--------|---------|----------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 43 | Update each district to max height of "35 feet from top of slab to top of roof" and "slab height is limited to a maximum of 5' above finished grade and a maximum of 12" above highest finished grade." - Building Height is defined as height from top of slab to top of roof. - Slab Height is defined as height from ???? grade to top of slab. - Maximum building height is 35' from top of slab to top of roof. In McMansion Zones: - Maximum building height is 22' at 5' from the side lot line. | 13-0-0 | 23-4D-2 | FAR/ Height | DSD: Oppose. This further complicates how height is to be measured, will increase plan submittal requirements, and could have unintended consequences, particularly in the Urban Watershed where there are no no cut and fill limits. |
| | - Max Building Height increases by 1' for every 1' past 5' from the side lot line. So 23' at 6' from the side lot line and so on, up to the 35' max height limit. - Max Slab Height: 5' above finished grade at any point. - Max Slab Height can be no more than 12" above the highest finished grade, Pier and beam foundations are not subject to this limit. - Max Slab Height does not apply to portion(s) of building footprint over 10% or greater slope of natural gradeThe same Height Encroachments/Exemptions apply to this as apply to current McMansion tent. | | | | |
| | There is support from the slab up, and further study is needed from the slab down - staff to clarify and work out the details of this portion of the motion prior to Council review. Council to continue discussion. | | | | |
| | [Intent: White: In our motion we asked Staff to continue to work out the details for measuring for the FFE to the ground. The intention here is fix the measurement of height in D3. PC, AIA, HBA and many more organizations have said D3 doesn't work.] | | | | |
| 67 | Add a bonus of "+150sf for each three bedroom unit within 500' of public school" for Single-Family and Duplex uses in R2-R4 zones where McMansion applies | 8-1-3 | 23-4D-2 | FAR/ Height | DSD : Opposed. Proposal increases complexity and will extend review times. PAZ : Concur with DSD. |

| | Motion | Voto | Coction | Tonic | Staff Passages / DC Passages |
|----|---|--------|------------|-----------|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 69 | Staff to find a way to alter the development standards to make | | 23-4D- | FAR/ | PAZ: Do not oppose will require all depts to |
| | R4 more feasible and recommend those changes to Council, | | 2190 | Height | re-evaluate R4. |
| | particularly impervious cover | | 23-4D- | | |
| | | | 2200 | | WPD: WPD generally opposes increases in |
| | | | 23-4D- | | impervious cover limits without analysis of the |
| | | | 2210 | | potential impact. Would need to study the |
| | | | | | potential impacts on floodplains, erosion |
| | | | | | potential, etc., based on the mapping extent. |
| 44 | Delete Frontyard Impervious Cover Regulation in all R Zones | 13-0-0 | 23-4D-2 | Imperviou | PAZ: Oppose, deletion of this provision will |
| | | | | s Cover | allow paving of the entire front yard. |
| 66 | Add language to applicable zones regarding sideyard setbacks | 11-0-1 | 23-4D-2 | Setbacks | DSD: Opposed. Adding language regarding |
| | exemptions for Small Lot Single Family Attached, Single Family | | | | setbacks for these uses would create conflicts |
| | Attached, and Townhouse | | | | with the definitions of these uses. |
| | | | | | PAZ: Concur with DSD. |
| | | | | | |
| | | | | | [Comm White response: DSD did not |
| | | | | | understand intent of motion. Specific uses such |
| | | | | | as Single Family Attached and Townhomes do |
| | | | | | not have setbacks, so there needs to be |
| | | | | | language that exempts these uses from side |
| | | | | | setback requirements as the units are |
| | | | | | attached.] |
| 72 | Increase the base standard units of Cottage Court in the R4 zones | 11-0-1 | Table 23- | Lot Size/ | NHCD: Opposed, as it would impact ability to |
| | from 3 to 4 units6 to 8 units | | 4D- | Intensity | achieve affordable housing benefits.Generally, |
| | | | 2190(A)Tab | | for bonus programs any increase in base |
| | | | le 23-4D- | | entitlements will decrease the attractiveness of |
| | | | 2200(A)Tab | | bonus entitlements, and could lead to |
| | | | le 23-4D- | | decreased participation in the bonus program |
| | | | 2210(A) | | or a decreased number of affordable units. |
| | | | | | Increases in bonus entitlements without any |
| | | | | | increases in base entitlements can increase |
| | | | | | participation in bonus programs. |

| 1 1011111 | ing Commission Amendments Passed to CodeNEXT Drait 5, 2016 | | | | r age 20 01 42 |
|-----------|---|-------|---------|------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 87 | As stated in Kenny Exhibit 2 - ADU Bonus Amendments: | 7-4-0 | 23-4D-2 | Affordable | DSD : Do not oppose with exception of school |
| | Apply Changes to the Citywide Density Bonus Program | | | Housing | distance provision- increases complexity of |
| | Create a Corridor Density Bonus Program | | | bonus for | review and will increase review times. |
| | Create an NHCD Review after the implementation of the bonuses | | | R zones | |
| | Alter the ADU and R-scale compatibility restrictions | | | | NHCD: NHCD recommends a fee-in-lieu, rather |
| | | | | | than on-site ADUs. NHCD supports ADUs in |
| | Additional provisions not stated in Kenny Exhibit 2 | | | | general. With regard to ADUs and the |
| | NHCD review will be 18 months after implementation | | | | Affordable Housing Bonus Program, the |
| | LA and RR zones will have a by-right ADU and it will no longer | | | | Department's positions is that property owners |
| | have an affordability requirement | | | | opting into the program through ADU |
| | Within 1/8 of a mile of any school, the Corridor ADU Bonus will | | | | development pay a fee-in-lieu into the Housing |
| | apply | | | | Trust Fund, rather than income-restrict the |
| | | | | | ADU on their sites. We take this position for |
| | [Exhibit: Kenny Exhibit 2 - ADU Bonus Amendments] | | | | many reasons, including the higher per-unit |
| | | | | | cost associated with monitoring these units and |
| | | | | | potential issues related to how tenants are |
| | | | | | selected. City Council has expressed interest in |
| | | | | | creating a waitlist for affordable housing units |
| | | | | | that may include priorities for people with |
| | | | | | housing barriers (including criminal |
| | | | | | backgrounds, poor credit, or who are exiting |
| | | | | | homelessness). Employing this waitlist |
| | | | | | approach for ADUs may cause potential bonus |
| | | | | | program applicants to decide not to utilize the |
| | | | | | program at all. Other cities are grappling with |
| | | | | | how to enforce affordability in ADUs as well – |
| | | | | | Portland, OR decided not to require ADUs to be |
| | | | | | affordable after difficulties with their proposal |
| | | | | | were identified. Staff support evaluation and |
| | | | | | reporting on Affordable Housing Bonus |
| | | | | | Program (see Draft 3 23-3E-1070 and response |
| | | | | | to Item 12) |

Page **21** of **42**

| Piaiiii | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 21 of 42 |
|---------|---|-----------|---------------|-----------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 99 | Throughout the City (regardless of McMansion), set occupancy at | 10-2-1 | 23-4D-2 | Occupanc | PAZ: Do not oppose. proposal changes 2016 |
| | the following standards: | | | y limits in | Council occupancy policy, however this |
| | Single Family: 6 | | | R zones | proposal simplifies administration and |
| | Duplex: 3 + 3 | | | | enforcement of occupancy limits. Adding |
| | Single Family + ADU: 6 + 2 | | | | flexibility to occupancy limits would support the |
| | Duplex + ADU: 3 + 3 + 2 | | | | Strategic Housing Blueprint. |
| | ADU alone: 2 | | | | |
| | Cottage court leave as is, with direction to staff to recommend to | | | | NHCD: Adding flexibility to occupancy limits |
| | council additional occupancy limits where deemed appropriate | | | | would support the Strategic Housing Blueprint. |
| | Article 23-4D-3: Specific t | o Zones - | Residential N | /lulti-Unit Zor | nes |
| 76 | Add Parking Facility as a permitted use with a CUP in RM2 zones | 9-3-0 | 23-4D-3 | Parking | PAZ: Do not oppose. Currently a CUP in RM2B |
| | and greater when adjacent to a Main Street or Mixed Use zone | | | | and RM4A |
| | with the following design requirements to be stated in Specific to | | | | |
| | Use:(A) Screening: All areas used for parking, storage, waste | | | | |
| | receptacles or mechanical equipment shall be screened from a | | | | |
| | triggering property. Such screening may be a fence, berm or | | | | |
| | vegetation and shall be maintained by the property owner. | | | | |
| | Fences shall not exceed six feet in height.(B) Lighting: Exterior | | | | |
| | lighting shall be hooded or shielded so that it is not visible from a | | | | |
| | triggering property.(C) Noise: The noise level of mechanical | | | | |
| | equipment shall not exceed 70 db at the property line of a | | | | |
| | triggering property.(D) Waste: Waste receptacles, including | | | | |
| | dumpsters, shall not be located within 50 feet of a triggering | | | | |
| | property. The City shall review and approve the location of and | | | | |
| | access to each waste receptacle. Collection of such receptacles | | | | |
| | shall be prohibited between 10pm and 7am.(E) From a parking | | | | |
| | structure facing and located within 100 feet of a triggering | | | | |
| | property:(1) Vehicle headlights shall not be directly visible, and | | | | |
| | shall be shielded from view(2) Parked vehicles shall be screened | | | | |
| | from the view of any public right of way; and(3) All interior | | | | |
| | lighting shall be screened from the view of a triggering | | | | |
| | property.(F) No vehicle entrances or exits from parking accessible | | | | |
| | to a MS or MU property may be located within 100 feet of a | | | | |
| | triggering property. | | | | |

| - 10.1111 | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 22 01 42 |
|-----------|---|--------|----------------------------------|--|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 77 | Increase impervious cover in RM1A to 60% for all other uses beyond residential, unless the primary use is parking | 13-0-0 | Table 23- 4D-3050(F) | Imperviou s Cover | WPD: WPD generally opposes increases in impervious cover limits without analysis of the potential impact. Would need to study the potential impacts on floodplains, erosion potential, etc., based on the mapping extent. PC Response: White: Please elaborate whether these studies a/o reviews will be available for council's deliberations] |
| 78 | For RM1A and RM1B the following development standards be altered: McMansion tent (as McMansion is applied in Draft 3) apply Within 30 feet from a rear triggering property, height be limited to 2 stories Eliminate landscape buffer and articulation Side setback of 10 feet, as opposed to the 5 that is currently required in Draft 3 | 10-1-0 | 23-4D- 3050 23-4D- 3060 | Additional Developm ent Standards | Not opposed with the following conditions: Recommend adjusting landscape buffer to width of compatibility setback. Recommend keeping landscape buffer for environmental & aesthetic benefits. |
| 74 | For existing lots between ½ to 1 acre, create a new zone (RM1D) which has the same uses as R2C, but with a permitted density of 14 units per acre maximum.0.4 FAR limit for the siteR2C height limits, building form (mcmansion) and setback tables, 1 space per unit with additional proposed parking matrix reductions, Add Note to Table A: minimum 10' separation between buildings. No compatibility setbacks.No multi-unit buildingsAmdt: Staff to review proposed zone to ensure it does not have a negative impact on Density Bonus program[Intent note: Shieh: Understand the INTENT of this. If there is large plot of land in the middle of residential, rather than having to subdivide with flag lots or small lots, this allows a site planned product to the scale of the neighborhood. Decreases the cost to create same forms as surrounding, but different land ownership structure. Basically would be a detached homes in a condo regime. This is a specialized zoning category forms controls from typical lot lines will not work.] | 12-1-0 | 23-4D-3 | New RM Zone | PAZ: Do not oppose staff would like to evaluate furtherDSD: Conflicts with FAR limit in motion 47NHCD: Would need to review for any potential impact on Density Bonus program[PC response: White: NHCD, please elaborate whether these studies a/o reviews will be available for council's deliberations] |

| riaiiii | ing Commission Amendments Passed to CodeNEXT Drait 3, 2018 | | | | Page 23 01 42 |
|---------|--|-----------|-------------------------|--|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| | Article 23-4D-4&5: Specific to Z | ones - Mi | xed-Use Zones | & Main Stre | eet Zones |
| 80 | Change the bonus heights to those listed in the Kazi Exhibit MU/MS Heights (see Kazi Exhibit) Keep the base heights as D3 for all zones except: MS1A, MS1B: 35' to 40' MU1A, MU1B: 32' to 40' [Intent note: Please see Kazi Exhibit - MU/MS Heights White Revised Height Exhibit] | 8-4-0 | 23-4D-4&5 | Affordable Housing | PAZ: Defer to NHCD; need to understand effect on Affordable Housing Bonus Program NHCD: Oppose increased base entitlements. Need clarification on whether this motion included any increases in BASE heights, or if all height increases are achieved only through the affordable housing bonus program. Generally, for bonus programs any increase in base |
| | | | | | entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs. |
| | | | | | [PC Response: White: Please see the edited attachment for clarification to the passed motion. It seems to me that increasing from 35-40 would have a minimum effect on the density bonus in comparison to the huge increase in bonus heights that we approved as part of this motion. Please clarify] |
| 81 | Allow Senior Housing with less than 12 residents as a permitted use in all MU1 zones Allow Senior Housing with greater than 12 residents as a MUP in MU1 zones | 12-0-0 | Table 23- 4D-4030(A) | Allowed Uses/ Specific to Use | PAZ: Do not oppose. |
| | [Exhibit: White Exhibit 1 - Page 7 of 48] | | | 1 | |

Item F-01

| Page 2 | 24 o | t 4 | 2 |
|--------|-------------|-----|---|
|--------|-------------|-----|---|

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|---|--------|------------|-------------|---|
| 82 | Allow the following uses as a permitted use in all MU and MS | 10-1-1 | Table 23- | Allowed | PAZ: Do not oppose. |
| | zones except MU1A and MU1B: Residential Care Facilities, | | 4D- | Uses/ | |
| | Senior/Retirement Housing, Work/Live, Library, Museum, or | | 4030(A)Tab | Specific to | |
| | Public Art Gallery, Meeting Facility, Mobile Food Sales, General | | le 23-4D- | Use | |
| | Retail Under 5,000 SF, Performance Venue/Theater, Live Music, | | 4030(B)Tab | | |
| | Indoor Recreation (all sizes), Cooperative Housing, Group | | le 23- | | |
| | Residential, Manufactured Home, and all sizes of | | 4D05030(A | | |
| | Daycares[Exhibit: White Exhibit 1 - Page 7 and 8 of 48] | |) | | |
| 83 | For MS1A, MS1B, MU1A, and MU1B the following development | 12-0-1 | 23-4D- | Additional | PAZ: Do not oppose. |
| | standards be altered: | | 4060 | Developm | DSD : Concur with requiring landscape buffer |
| | Within 30 feet from a rear triggering property, height be limited | | 23-4D- | ent | |
| | to 1 stories | | 4070 | Standards | |
| | No parking deck on top | | 23-4D- | | |
| | No deck or patio for alcohol or food | | 5060 | | |
| | Eliminate articulation (landscape buffer is still required) | | 23-4D- | | |
| | Side setback of 10 feet | | 5070 | | |
| | McMansion tent (as McMansion is applied in Draft 3) apply | | | | |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|----|--|--------|----------------|-----------------------------|--|
| | Article 23-4D-6: Specif | | | | |
| 17 | Increase the base entitlements in DC per DAA recommendation, including: - Increase driveway width maximum to 30' to allow for 3 lanes of traffic flow - Frontage Requirements: Create exception for <1/2 block sites. Either significantly reduce the % gross frontage requirement or change requirement to "net" frontage or only require one block face of the site to comply. Or remove requirement in DC base zone and allow for a district planning process to dictate which streets and which uses are appropriate. And reduce requirements for many building support spaces (AE vault, fire pump, etc.) that must be located directly on ROW. The definition of active commercial uses (Commercial Group A in the Downtown Plan Overlay Zone) needs to be clarified or refined to allow for ground level office or multi-family lobbies. Additionally, revise the requirement that prohibits stairs/ramps in required setbacks to allow them in required setbacks. - (intent) Recalibrate the Downtown Density Program to maximize the yield of affordable housing units in a way that does not impede taking up of the bonus, particularly related to small lots - FAR and height for the PID area, not including Judge's Hill, be increased to unlimited for the Density Bonus Program | 12-0-1 | 23-4D- 6080 | Site reqs - Downtow n | NHCD: Do not support increased base FAR. Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or decreased numbers of affordable units. Increases in bonus entitlements without any increases in base entitlements can increase participation in bonus programs. Austin Energy: If intent is reduce frontage requirement because a certain amount will be taken up by necessary infrastructure, staff agrees. ATD: Driveway widths and standards are within the TCM and should not be within Code (see previous ATD comments on various drafts). "Support spaces" requirements are dictated by various utility agencies, many of which are protected by franchise agreements and by environmental laws at the State level - these requirements can change periodically and should not be specifically called out within Code (should be within the UCM). PWD: Driveway standards are in the Transportation Criteria Manual. Need to verify which building support spaces (AE vault, fire pump, etc.) are regulated by national, state & local standards and must go through the proper channels in order to be changed. The stairs/ramps are not allowed in required setbacks so that the City can meet ADA requirements within the ROW. |

Page **26** of **42**

| riaiiii | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 26 01 42 |
|---------|--|-------|---------|------------|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 18 | Change DC zone FAR max to 12:1. | 7-6-0 | 23-4D- | Entitleme | PAZ: Do not oppose. Does not carry forward |
| | | | 6080 | nts - | existing 8:1 FAR for CBD. Additional FAR by- |
| | | | | downtow | right may impact the AHBP. |
| | | | | n | |
| | | | | | NHCD : Do not support increased base FAR. |
| | | | | | Generally, for bonus programs any increase in |
| | | | | | base entitlements will decrease the |
| | | | | | attractiveness of bonus entitlements, and could |
| | | | | | lead to decreased participation in the bonus |
| | | | | | program or decreased numbers of affordable |
| | | | | | units. Increases in bonus entitlements without |
| | | | | | any increases in base entitlements can increase |
| | | | | | participation in bonus programs. |
| 86 | Increase heights in the CC zone to the following heights:Replace | 7-3-1 | 23-4D- | Additional | PAZ: This would conflict with the Downtown |
| | CC40 with CC50; Replace CC60 with CC75; Replace CC80 with | | 6060 | Developm | Austin Plan and may have an effect on the |
| | CC90.Replace CC40 with CC50 (50' overall max height); Replace | | | ent | Affordable Housing Bonus Program (defer to |
| | CC60 with CC75 (75' overall max height); Replace CC80 with CC90 | | | Standards | NHCD)NHCD: Oppose increased base |
| | (90' overall max height) | | | | entitlements. Generally, for bonus programs |
| | | | | | any increase in base entitlements will decrease |
| | | | | | the attractiveness of bonus entitlements, and |
| | | | | | could lead to decreased participation in the |
| | | | | | bonus program or a decreased number of |
| | | | | | affordable units. Increases in bonus |
| | | | | | entitlements without any increases in base |
| | | | | | entitlements can increase participation in |
| | | | | | bonus programs. |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|-----|---|--------|---------|------------|---|
| 86 | Change CC40, CC60, CC80 FAR max to 5:1 | 11-1-0 | 23-4D- | Additional | Opposed. |
| | Remove all minimum setbacks for all CC zones, and clarify | | 6060 | Developm | |
| | reference to easements. | | | ent | NHCD: Oppose increased base entitlements. |
| | Revise CC zones to increase heights & FAR. | | | Standards | Generally, for bonus programs any increase in |
| | Allow exceptions for small sites downtown such as: | | | | base entitlements will decrease the |
| | Create exception for <1/2 block sites. | | | | attractiveness of bonus entitlements, and could |
| | Either significantly reduce the % gross frontage requirement or | | | | lead to decreased participation in the bonus |
| | change requirement to "net" frontage or only require one block | | | | program or a decreased number of affordable |
| | face of the site to comply. Or remove requirement in CC base | | | | units. Increases in bonus entitlements without |
| | zone and allow for a district planning process to dictate which | | | | any increases in base entitlements can increase |
| | streets and which uses are appropriate. And reduce requirements | | | | participation in bonus programs. |
| | for many building support spaces (AE vault, fire pump, etc.) that | | | | |
| | must be located directly on ROW. | | | | Austin Energy: Reduce gross frontage % to |
| | Table G: For commercial buildings greater than or equal to one- | | | | accommodate presence of such items as AE |
| | half block width: | | | | vaults? Agree. If the intent is reduce the width |
| | Except for building support spaces (including as Austin Energy | | | | of vault doors, etc. that is based on the need to |
| | <u>vault, fire pump</u>), entries must be oriented to the street and | | | | bring equipment and people safely into the |
| | located at sidewalk level. No ramps or stairs allowed within public | | | | vault, then staff disagrees. Reference to |
| | right- of-way or front setback | | | | easements should also reference either |
| | For commercial buildings less than one-half block width: | | | | something like "technical manual |
| | The primary entry must be oriented to the street and located at | | | | requirements" or "utility safety clearances". |
| | the sidewalk level. | | | | DJL |
| | Increase impervious cover and building cover maximums to | | | | |
| 0.6 | 100%. | 44.0.4 | 22.45 | A 1 1111 | |
| 86 | Set setbacks to 0 feet unless stated otherwise in 23-4D-9070 | 11-0-1 | 23-4D- | Additional | PWD: On behalf of the cross-departmental, |
| | | | 6060 | Developm | multi-year Utility Alignment & Street Tree |
| | | | | ent | Standards working group: |
| | | | | Standards | 5' setbacks or greater are needed unless there |
| | | | | | are adjacent alleys that carry utilities. Conflicts |
| | | | | | with 0 foot setbacks include: impact ADA |
| | | | | | accessibility if there are architectural details or other encroachments into the sidewalk clear |
| | | | | | zone; interfere with placement & access to |
| | | | | | water meters; likely violate safety clearances |
| | | | | | for overhead power lines and utility poles; |
| | | | | | interfere with placement and access to |
| | | | | | customer water cutoffs & wastewater |

| Page | 28 | of | 42 |
|------|----|----|----|
|------|----|----|----|

| - 101111 | ing commission Amendments 1 asset to code(4EX1 Draft 3, 2016 | | | | 1 agc 20 01 42 |
|----------|--|------------|----------------|--------------------------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| | | | | | cleanouts on the private lot; and may preclude frontage landscaping such as street trees (as per the City's Complete Streets Policy and Great Streets standards). An illustration of values in conflict with 0 setbacks is available. |
| | Article 23-4D-8: S | pecific to | Zones - Othe | r Zones | |
| 89 | In Section 23-4D-8110(F) insert and renumber: (F)(8) exceed the minimum landscaping requirements of the City Code. In Section 23-4D-8110(G)(2)(c) Delete: Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by this Title. | 12-0-0 | 23-4D- 8110 | Landscapi ng | WPD: Do not oppose. The landscaping requirement reflects current code for Tier 1. The green stormwater option is no longer necessary since CodeNEXT is proposing making GSI a standard requirement.DSD: Concur with WPD response. |
| 89 | Direct staff to find a way to require superior standards for Tier 1 | 7-5-0 | 23-4D- | Landscapi | |
| | and Tier 2 PUDs apart from standard code | | 8110 | ng | |
| | Article 23-4D-9: Sp | ecific to | Zones - Overla | ay Zones | |
| 37 | 100% reduction of parking for properties located within UNO | 7-4-1 | 23-4D- 9130 | Site reqs: Parking - UNO | PAZ: Do not oppose |
| 91 | Staff to work with the University of Texas, UT student body, and the seven neighborhoods who originally crafted UNO and the Central Austin Neighborhood Plan for opportunities for housing around UT, and consider adding height within Uno and extending the boundary of UNO | 11-1-0 | 23-4D- 9130 | Policy | PAZ: Do not oppose. This is outside of the scope of CodeNEXT |

| I Idilli | Page 29 01 42 | | | | | | | | |
|----------|--|------|---------|----------|--|--|--|--|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response | | | | |
| | Article 23-4E-4: Supplemental to Zones - Landscape | | | | | | | | |
| 96 | | | | <u> </u> | DSD: In Section 23-4E-4020(A)(1)(c): Do not oppose. In Section 23-4E-4040(B): Do not oppose. In Section 23-4E-4050(C): Opposed. Foundation buffer is appropriate for non-house scale RM. Suggest revising to say "commercial and non-house scale multi-family." In Section 23-4E-4040: Opposed. Site without sufficient area for Front Yard Planting in CC and DC zones is probably going to use Functional Green; keeping applicability general allows building design to dictate landscape requirements. In Section 23-4E-4040 Table A: Opposed. In Section 23-4E-4050: Opposed. In Section 23-4E-4060(D): Opposed. In Section 23-4E-4060(F)(2): Opposed. Larger islands are necessary to support tree health and allow trees to grow to full size and shadegiving potential. WPD: Oppose reductions in the amount of | | | | |
| | | | | | required landscaping. The Green Infrastructure Working Group recommended providing as | | | | |
| | | | | | much nature as possible at a variety of scales. In addition, they recommended ensuring that greenery on the public and private side of the property line work together to form a cohesive and functional green space. | | | | |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|-----|--|------------|----------------|--------|--|
| | | | ıbdivision | | |
| 101 | Require a variance for all Flag Lots as is required in Title 25[Intent note: Seeger Intent of Motion. Return a public discussion process for Flag Lots] | 7-4-1 | 23-5C-2040 | Policy | DSD: Opposed. Flag lots are an important tool to address affordability, encourage infill and fight sprawl. The current code allows flag lots by-right for unplatted land, but requires a variance for platted lots when resubdividing. This is not a best practice. Staff's recommendation is to remove the variance requirement, but retain all other current standards. The following standards will remain: • Driveway/utility plan for residential lots. • Minimum lot width (20') with option for narrower width (15') with shared access. • Addresses for flag lots posted at closest point to street access. • The flag portion must meet minimum requirements of the applicable zone (size, width, etc). The pole does not count toward lot size. |
| | Artic | le 23-6: 9 | L Site Plan | | toward for size. |
| 102 | Recommend approval of Chapter 23-6 with amendments previously approved and the following additional changes: 1. Direct Staff to revisit Site Plan Lite and establish a process not to exceed 2 months that is administered by DAC with Watershed Protection review. | 8-3-0 | 23-6 | Policy | DSD: Site Plans are the tool that the City uses to demonstrate a project's compliance with all applicable regulations across multiple departments and disciplines, reviewing the building and development in context with the site work. All interconnected disciplines evaluate a proposed development in context and ensure a conflict free construction. The scope of review matches the scope of the regulations; therefore, regulations would need to be reduced for these projects in order for the required review (and review mechanism) to be condensed. Additional policy direction is required in order to determine which regulatory areas the City would be willing to relax to incentivize this project type. |

Page **31** of **42**

| <u>Plann</u> | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 31 of 42 |
|--------------|--|-----------|--------------|--------|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| | | | | | WPD: Open to working on this process with staff and policymakers. However, the Environmental Officer does not think 2 months is a reasonable timeframe for full environmental and drainage review. Austin Energy: The length of a site plan review is often determined by the applicant's original effort put into the design and subsequent efforts to address comments or not |
| | Article 23 | 3-11: Tec | hnical Codes | | |
| 104 | Recommend approval of Chapter 23-11 with amendments previously approved and the following additional changes:1. Technical Criteria Manuals go through a public process that are ultimately discussed at Planning Commission and possibly Council | 11-0-0 | 23-11 | Policy | PAZ: Not recommended for criteria manuals. Existing rules process allows public process for stakeholders of criteria manuals. DSD: Do not recommend. The Technical Criteria Manuals are administrative. The process for amending them includes a public stakeholder process.WPD: Need clarification of intent. 23-11 is the Technical Code (e.g., Building Code) and not the same as the Technical Criteria Manuals (e.g., Environmental Criteria Manual). The code establishes an administrative process for the adoption of rules and technical criteria. Austin Energy: Are technical criteria merely to be "discussed" at PC and Council or debated? Technical criteria should be based on sound engineering rather than political judgements PWD: There is an established Rules Posting Process to update Criteria Manuals. All notices are posted on the City's website: http://www.austintexas.gov/department/rule-postings-and-technical-criteria-manuals. Please contact the Rules Posting Manager to see if there are distribution lists for rules posting notices that individuals or groups can be added to. |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|-----|--|-------|-------------------------|---------------------------|---|
| | Article 23-13: De | | | | Starr Response / Te Response |
| 65 | Add/ amend the below definitions and place in correct location of the Code: Attached: When used with reference to two or more buildings units, means having one or more common walls or being joined by a roof, covered porch or covered passageway measured 20 feet in depth, perpendicular to the front property line Detached: Fully separated from any other building, or joined to another building by structural members not constituting an enclosed or covered space Staff to analyze intent of above language and recommend a definition that encompasses the intent of a clear definable difference | | 23-13A- 1030 | Terms/ Definition s | PAZ: Opposed regarding the 20' measurement and definition of detached (both are unnecessary). DSD: Opposed. 20' measurement is arbitrary and adds to impervious cover. The definition of "detached" should not allow attachment. Please define "units". |
| 106 | [Exhibit: White Item 1 - Page 41 of 48] Revise the definition of Residential Gross Floor Area (GFA) to reduce the number of exemptions as follows: RESIDENTIAL GROSS (GFA) The total enclosed area of all floors in a building with a clear height of more than five feet, measured to the outside surface of the exterior walls. The term excludes loading docks, 1st floor porches, stoops, basements, attics, stories below grade plane, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas. In exchange, in all Residential Zones, allow for an increase of 0.05 FAROnly applicable to R zones, not RM[Exhibit: See White Exhibit 1 - Page 36 of 48] | 8-5-0 | Article 23- 13A-1030 | Terms and Definition s | PAZ: Opposed. FAR needs to be consistent and coordinated with other proposals.DSD: Opposed. Concur with PAZ.NHCD: Generally, for bonus programs any increase in base entitlements will decrease the attractiveness of bonus entitlements, and could lead to decreased participation in the bonus program or a decreased number of affordable units. [Comm White response: PAZ, The intention is to reduce the complexity and confusion that currently exist in our code. The addition of more exemptions in D3 further muddies the waters. The intention is to have one clear definition of FAR, saving everyone time & moneyNHCD, This is not an increase in entitlements, it's a reduction in the number of exemptions that are allowed, to compensate the increased of that would be counted the allowable FAR is increased as a balance to achieve the current entitlements without all the added calculations and loop holes] |

| | Motion | Vote | Section | Topic | Staff Response / PC Response |
|-----|---|--------|--|--------------------------------|---|
| | | Mappir | | | |
| 107 | Map Imagine Austin Corridors as follows: 1) All commercial lots will be zoned as MS with the following rules: lots under 140 sq. ft. deep zoned as MS2B, and lots between 140-220 sq. ft. deep zoned as MS3B. Amdt: Revise the Impervious Cover in MS2B to 90%, and MS3B to 95% [Exhibit: Kenny Exhibit 1 - Eastern Crescent Gentrification Protection Zone (Page 28 of 29)] | 13-0-0 | Table 23- 4D-5080(H) Table 23- 4D-5120(H) | Mapping IA Corridors | PAZ: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. WPD: WPD generally opposes increases in impervious cover limits without analysis of the potential impact. Would need to study the potential impacts on floodplains, erosion potential, etc., based on the mapping extent. NHCD: Combined with the compatibility motion shown in Item 40, staff questions whether this recommendation would prevent the full bonus being allowed on these sites (also see recommendation regarding increased bonus heights in Item 80 and direction on permitting sites to utilize bonus entitlements in Item 12 section 1b). |
| 109 | Direct staff to remove the compatibility impacts to CC zoning in the Downtown area, particularly related to the two parcels zoned R2C-H near Judge's Hill and the property on the southern corner of 15th street with R zoning. This includes F-25 | 10-3-0 | 23-4D | Mapping Downtow n | PAZ: Do not oppose. The CC parcels that are affected by compatibility are under the Historic Landmark overlay. Impact of motion negligible. |
| 112 | Approve Downtown Map with Amendments and make no further motions regarding Downtown | 11-1-1 | | Mapping Downtow n | PAZ : Without understanding the impacts these amendments have on the AHBP staff remains neutral. |
| 113 | Amend Imagine Austin to reclassify South Park Meadows as a Regional Center. Map South Park Meadows as UC. | 13-0-0 | | Mapping Regional Centers | PAZ: N/A beyond scope of CodeNEXT and requires separate process to amend Imagine Austin NHCD: Oppose unless an Affordable Housing Bonus option is added to the zone. The Southpark Meadows area is currently proposed to be zoned MU3A-A. Staff believe this change could result in a loss of affordable housing bonus capacity, especially if zoned UC-Unlimited, which is not proposed to have an |

Page **34** of **42**

| Planning Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | | | Page 34 of 42 |
|---|--------|---------|--------------------------------|--|
| Motion | Vote | Section | Topic | Staff Response / PC Response |
| | | | | affordable housing bonus lever. If Council would like to pursue rezoning regional centers to a UC zone that has a bonus (UC80, UC120, or UC180), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize. Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced. |
| 114 Approve Regional Centers with Amendments | 13-0-0 | | Mapping Regional Centers | PAZ: Some Regional Centers fall partially or completely outside the City's zoning jurisdiction. Also, some have PUD designations that will need further review beyond this initial PC mapping amendment process. In reality, this motion mostly effects the Highland Mall/Airport Regional Center. Lastly, staff will need to fully compare CodeNEXT landscaping and transportation standards compare to UNO's streetscape standards.WPD: WPD is neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts.NHCD: Oppose unless an Affordable Housing Bonus option is added to the zone. The UC-Unlimited zone is currently designed without an affordable housing bonus lever. Staff believe this change would result in a loss of affordable housing bonus capacity in regional centers. If Council would like to pursue rezoning regional centers to a UC zone that has a bonus (UC80, UC120, or UC180), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize. Note that when |

Page **35** of **42**

| I Idili | ing Commission Amendments Passed to CodeNEXT Draft 3, 2018 | | - | | Page 35 of 42 |
|---------|--|------|-----------|------------------|---|
| 110 | Motion Map Imagine Austin Regional Centers as UC-Unlimited, unless | Vote | Section 4 | Topic Mapping | additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced. PAZ: Pending. Staff is still in the process of |
| | affected by compatibility. If affected by compatibility, zone to the highest attainable UC per the limit of the affecting compatibility Amdt: Direct staff to look at current projected yield of affordable units for the Regional Centers and ensure that the anticipated yield is not being diminished by the effect of the prescribed zoning Amdt: Establish a program for Regional Center that uses opt-in methods similar to UNO, requiring certain development features, such as streetscaping, large-site connectivity, and mobility in order to get maximum heights. | | | Regional Centers | reviewing this and will develop a response after mapping has been tested. WPD: WPD is neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts. NHCD: Oppose unless an Affordable Housing Bonus option is added to the zone. The UC-Unlimited zone is currently designed without an affordable housing bonus lever. Staff believe this change would result in a loss of affordable housing bonus capacity in regional centers. If Council would like to pursue rezoning regional centers to a UC zone that has a bonus (UC80, UC120, or UC180), staff would like to model projected yields under the UC zone and the Draft 3 zones assigned to each regional center and make a recommendation on which zones to utilize. Note that when additional community benefits (like streetscaping) are required to achieve a bonus, the amount of affordable housing that can be generated by a bonus program is reduced. [Comm White: Our motion inlcudes language directing Staff to "ensure that the anticipated yield is not being diminshed by the effect of the prescribed zone"] |

Page **36** of **42**

| 1 1011111 | ing Commission Amendments Passed to CodeNEXT Drait 3, 2018 | | | | rage 30 01 42 |
|-----------|--|--------|---------|------------|--|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 116 | Staff to establish a 3-year sunset process for F25, including | 12-0-0 | | Sunset | PAZ: Pending |
| | community participation - particularly those areas that have | | | process | |
| | already completed a small area planning process. New zones or | | | for F25 | NHCD: Staff support transitioning F25 zones to |
| | subzones may need to be created to accommodate the sunset | | | mapping | CodeNEXT zones where appropriate. |
| | process. For areas scheduled to undergo a Small Area Plan, F25 | | | | |
| | will get phased out as part of that review if it has not already | | | | |
| | been phased out. | | | | |
| 108 | Transition Zones: See compiled motions attached | 12-1-0 | | Mapping | PAZ: Pending. Staff is still in the process of |
| | | | Item 8 | Transition | reviewing this and will develop a response after |
| | [Exhibit: Kazi Corridor Transitions Directive - Original and Kenny Transition Exhibit; White Revised Transition Exhibit] | | | Zones | mapping has been tested. |
| | | | | | WPD: WPD is not opposed to extensive |
| | | | | | mapping changes without further analysis of |
| | | | | | the potential drainage and water quality |
| | | | | | impacts. |
| | | | | | |
| | | | | | [Comm White: White: WPD, neutral] |
| 111 | Map the areas adjacent to Imagine Austin corridors using the | 9-4-0 | | Mapping | PAZ: Pending. Staff is still in the process of |
| | new zoning tools in CodeNEXT such that compatibility is not | | | Transition | reviewing this and will develop a response after |
| | triggered on at least 90% of the properties along these corridors, | | | Zones | mapping has been tested. WPD: Neutral on |
| | while also taking into account lot size, localized flooding, existing | | | | extensive mapping changes without further |
| | infrastructure capabililites, connectivity / access to corridor, and | | | | analysis of the potential drainage and water |
| | gentrification in the applying zones. | | | | quality impacts. NHCD: Do not support |
| | | | | | increases to base entitlements, as it may |
| | | | | | impact the ability to achieve affordable housing |
| | | | | | benefits. Do support increases to entitlements |
| | | | | | through a bonus program.[Comm White: NHCD, |
| | | | | | All of these would be R and ineligible for the |
| | | | | | current density bonus. Where it's R4 we |
| | | | | | created an R4D that wouldn't trigger |
| | | | | | compatibility but would still allow for the |
| | | | | | AHDB] |

Page **37** of **42**

| riaiiii | ing Commission Amendments Passed to CodeNEXT Draft 5, 2018 | | | | Fage 37 01 42 |
|---------|--|-------|---------|--------------------------------|---|
| | Motion | Vote | Section | Topic | Staff Response / PC Response |
| 111 | Map the areas adjacent to core transit corridors and future core transit corridors using the new zoning tools in CodeNEXT such that compatibility is not triggered on at least 90% of the properties along these corridors, while also taking into account lot size, localized flooding, existing infrastructure capabililites, connectivity / access to corridor, and gentrification in the applying zones. | 8-5-0 | | Mapping Transition Zones | PAZ: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. WPD: Neutral on extensive mapping changes without further analysis of the potential drainage and water quality impacts. NHCD: Do not support increases to base entitlements, as it may impact the ability to achieve affordable housing benefits. Do support increases to entitlements through a bonus program. [Comm. White: NHCD, All of these would be R |
| | | | | | and ineligible for the current density bonus. Where it's R4 we created an R4D that wouldn't trigger compatibility but would still allow for the AHDB] |
| 111 | Exempt TODs from compatibility entirely, as appropriate and by either mapping or text as determined by Staff | 9-4-0 | | TOD compatibil ity | PAZ: Pending. Staff is still in the process of reviewing this and will develop a response after mapping has been tested. NHCD: Staff support updating TOD Regulating Plans |

Transition Zone Mapping

Compiled from all passed transition zone motions

General direction:

- Apply the mix of zone on the corridor based on its Kazi's Corridor Transition Directive Exhibit (as amended).
- No less than 1/3 of developable land area shall be the highest intensity T-type, and no more than 1/3 of developable land area shall be the lowest intensity T-type.
- Developable land area shall be exclusive of Critical Water Quality Zones, Floodplain, publicly owned land, parks, greenbelts, and other areas unsuitable for development or redevelopment.
- Don't decrease beyond the draft 3 entitlements. Use the appropriate zone based on the height above and the right zone based on amendments made to draft 3 at Planning Commission.

Context sensitivity:

Context sensitivity to the situation should always be applied, taking into consideration, but not limited to the following:

- 1) Orientation of blocks relative to corridor. (Does block run parallel, perpendicular or at an angle?)
- 2) Block form (i.e. cul de sac, non-linear block form, grid)
- 3) Residential blocks sided by MS or MU zoned lots
- 4) Vicinity to transit centers
- 5) Direct access to the IA corridor
- 6) Proximity to an IA center
- 7) Near other major thoroughfares extending from the corridor
- 8) Bound by other zones, uses or environmental features
- 9) Localized flooding
- 10) Existing infrastructure and utilities capabilities
- 11) Eastern Crescent Gentrification Protection Zone (Kenny Exhibit 1 Page 28 of 29)
- 12) Fire Safety as it applies to Wildland Urban Interface
- 13) Schools, civic uses, parks (neutral comment in regards to density)

Dividing tiers and corridors:

- Tier 6-8: "Regional Corridors". Tier 8 is reserved for IA corridors only.
- Tier 4-6: "Community Corridors." Tier 6 in Community Corridors is generally reserved for Imagine Austin corridors and Transit Corridors / are predominantly commercial.
- Tier 3-5: "Neighborhood Corridors." Tier 5 in Neighborhood Corridors is reserved for streets that are predominantly commercial. Tier 3 is for community or neighborhood streets on the first lot, if there is commercial <u>interspersed</u> on the street, the zone should be MU1A; if it is a residential block, use R4C zoning.

• Tier 2: "Gentrifying Corridors": [See Kenny exhibit]. Only Imagine Austin and transit corridors in gentrifying areas get upzoning treatment. Lots 1 and 2 behind the corridor are the only ones that get changes.

Process:

Direct Staff to continue to perform outreach and make contact with each of the Contact Teams of the neighborhoods. After the mapping amendments by Planning Commission are complete, give each Contact Team a list of all the zoning changes that were made, and give them the opportunity to object to any change. Those objections to be incorporated into the Planning Commission Map where they conflict with the formula changes made.

Council to decide the necessary level of public participation prior to acting on the map.

Actual Zones / FLUM: See exhibit, which is the minimum [intensity] standard for the Planning Commission.

- R4D is a new R4 zone that does not trigger compatibility.
- RM1C is new zone with base zoning of R2C with a 15 foot front setback and bonus entitlements of RM2A. This would be the default zone for lots behind corridors in the gentrification map.
- Note that R2 zoning on the exhibit is the assumed base zoning and is not intended to indicate a down-zoning or general change in zoning: essentially it's an "as-of-now equivalent" zone.
- Block 1 (or equivalent) is to be rezoned. Block 2 is direction on staff on how to develop a FLUM or for use in a future small area plan. Block 3 is also a FLUM and staff is directed to step down using R4,R3, or R2 zones to step-down from Block 2, as is appropriate.

Intent notes:

Shieh: When discussing this item, please be sure to emphasize the context sensitivity that we included as part of this motion. This is to create a tiered model for different categories of street types. If more street types and degrees of intensity need to be created, then create them. In addition, what is missing in this motion shown is the directive for the blocks that filter into the neighborhood to be part of a FLUM process. Our chart is deficting AN EXAMPLE of what it can be, NOT definitive. There are numerous caveats that are difficult to capture in our limited time in deliberations.

White: Please see White Revised Transitions Exhibit.



Revised Kazi Transition Zone Exhibit:

| | | C REC | | | | | MAF | NOV | V | | | | FUT | URE | LAI | ND US | SE MA | ۱P | | |
|------|----------|-----------|--------------|-------------|-------|----------|-----------------------------------|--------|---------|--------|---------|-------|--|----------------------|---------|-------|-------|-------|-------|-------|
| | | | | | | | | | | | | ← Dis | stance fro | om Corrio | dor → | | | | | |
| Tier | Regional | Community | Neighborhood | Gentrifying | Rural | | Bloo | ck 1 | | Blo | ck 2 | | Staff to ste with R4,R3 (below sho | & R2 ws possible) | | Blo | ck 4 | | Blo | ck 5 |
| | | | | | | | Lot 1 | Lot 2 | | Lot 1 | Lot 2 | | Lot 1 | Lot 2 | | Lot 1 | Lot 2 | | Lot 1 | Lot 2 |
| 8 | IA | | | | | | _I MS2B/3B ₎ | MS2B) | | RM4A | RM2B | mile | R4 | R3 | | | | mile | | |
| 7 | | | | | | DOR | ıMS2B/3B) | RM4A | ROW | RM2B | RM1B/2A | | RR4 | R3 | ROW | | | -1/4 | | |
| 6 | | СОМ | | | | CORRIDOR | MS2B/3B | RM2B | 4 (09 F | R4B | R4B/R3 | ROW. | R3 | R3/R2 | < 60' F | | | ROW. | | |
| 5 | | | COM | | | | MS1B | RM1A | ľ | R4B/R3 | R3 | < 60' | R3/R2 | R2 | ľ | | | < 60' | | |
| 4 | | | | | | | RM2B | R4D | | R4 | R3 | | R3 | R2 | | | | | | |
| 3 | | | | | | | MU1A/R4C | R3 | | R2 | R2 | | R2 | R2 | | | | | | |
| 2 | | | | | | | MS2B/3B | RM1C | | R2 | R2 | | R2 | ĪR2 | | | | | | |
| 1 | | | ΝO | TUS | ΕD | | RM1C = | | | | | | | F | | | | | | |

Staff to use the assigned spectrum of Corridor Zones applicable to each corridor type to develop maps based on the following criteria:

1 Using the Corridor type tab identify the corridor as Regional Community or Neighborhood

Corridor Typology Used in Transition Zone Planning:

| | | GENTRIFYING |
|-----------------------------------|--------------|-------------|
| Corridors | TYPE | SEGMENTS |
| Latta Dr | communicy | |
| Loyola | Community | X |
| Manchaca | Community | |
| Manor (East) | Community | Х |
| Manor (West) | Neighborhood | |
| McCallen Pass | Community | |
| McKinney Falls | Community | X |
| McNeil | Kegional | 4 |
| Medic | Community | Y |
| MLM | Community | Y |
| North Lamar | Negional | ٧ |
| Mortal Loop | Neighborhood | Å |
| Oltoré (East) | Community | × |
| Oltorf (West) | Neighborhood | × |
| Parkfield | Neighborhood | X |
| Parmer | Regional | |
| Payton Gin | Neighborhood | X |
| Pearce Ln | Rural | |
| Pleasant Valley | Regional | Х |
| Pond Springs | Community | |
| Red Bud Trail | Neighborhood | |
| Riverside | Regional | Х |
| RM 620 | Regional | |
| Rosewood/Oak Springs | Neighborhood | X |
| Rundberg | Community | X |
| Kundberg Extension Putland (Past) | Weighborhood | * |
| Rutland (West) | Community | × × |
| S. 1st (North) | Neighborhood | |
| S, 1st (South) | Community | X |
| S. Congress | Regional | X |
| Slaughter Lane | Regional | Х |
| South Lamar | Regional | |
| Southwest Parkway | Regional | |
| Spicewood Springs | Neighborhood | |
| Springdale | Neighborhood | X |
| Springdale Extension | | Y X |
| Or Lamb | Neighborhood | × × |
| Stassney (Central) | Regional | |
| Stassney (East) | Neighborhood | X |
| Stassney (West) | Neighborhood | X |
| Steck | Neighborhood | |
| Taylor Ln | Rural | |
| Thaxton | Rural | |
| Todd Lane | Community | |
| Tuscany Way | Community | |
| | Neighborhood | |
| ton | Noinbouhood | |
| Well Branch Extension | поощоопЯни | |
| Wells Branch | Community | |
| West Gate | Neighborhood | |
| Westlake Dr. | Neighborhood | |
| William Cannon | Regional | X |
| Woodward | Majahhorhood | |

Added since May 2nd

| 45th (West of Triangle Ave.) W Mary (Between 5 Congress and 5 Lamar) Neighborhood Mesa Dr. Neighborhood | 45th (East of Triangle Ave.) | Community | |
|---|------------------------------|--------------|--|
| ΰο | of Triang | Community | |
| Mesa Dr. Neighborhood | ű | Neighborhood | |
| | Mesa Dr. | Neighborhood | |

| Counidans | TVDE | GENTRIFTING |
|-------------------------|--------------|-------------|
| 15th/Enfield | Regional | CINTING |
| 24th/Windsor | Neighborhood | |
| 38th/35th | Neighborhood | |
| Sist | Community | X |
| 7th | Community | X |
| Airport (East) | Regional | X |
| Airport (West) | Community | |
| Anderson Lane | Community | |
| Anderson Mill | Community | |
| Avery Ranch | Neighborhood | |
| Barton Springs | Community | |
| Beckett Rd | Neighborhood | |
| Berkman | Neighborhood | X |
| Blake Manor Road | Rural | |
| Blocker Ln | Rural | |
| Blue Goose Rd. | Rural | |
| Braker | Regional | |
| Braker Extension | | |
| Brodie Lane | Community | |
| Brush Country | Neighborhood | |
| Burleson (North) | Neighborhood | X |
| Burleson (South) | Regional | X |
| Burnet | Regional | X |
| Cameron (North) | Regional | X |
| Cameron (South) | Community | X |
| Cesar Chavez (East) | Community | X |
| Cesar Chavez (West) | Neighborhood | X |
| Chicon | Neighborhood | X |
| Convict Hill | Neighborhood | |
| Davis Lane | Neighborhood | |
| Dean Keaton | Neighborhood | |
| Decker | Community | X |
| Denson | Neighborhood | |
| Dessau | Community | X |
| Duval Road | Neighborhood | |
| East 12th | Neighborhood | X |
| Elroy Rd | Rural | |
| Escarpment | Community | |
| Exposition | Neighborhood | |
| Far West (East) | Community | |
| Far West (West) | Neighborhood | |
| Ferguson | Community | X |
| FM 1625 | Rural | |
| FM 1825 | Community | |
| FM 3177 (Decker) | Community | X |
| FM 812 | Rural | |
| FM 973 | Rural | |
| FM1626 | Community | |
| Grand Ave Parkway | Community | |
| Great Hills | Community | |
| Greenlawn (North) | Neighborhood | |
| Greenlawn (South) | Community | |
| Guadalupe | Community | |
| Harris Branch | Neighborhood | |
| Heatherwilde | Community | |
| Howard (East) | Regional | |
| Howard (West) | Community | |
| Johnny Morris | Community | X |
| Jollyville | Community | |
| Justin Lane | Neighborhood | |
| Koenig/Allandale (East) | Community | |
| Koenig/Allandale (West) | Neighborhood | |
| Lake Austin | Regional | |
| Lake Creek (East) | Community | |
| Lake Creek (West) | Neighborhood | |
| | | |

CORRIDOR TYPES

Kenny Gentrification Protection Exhibit:

