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LAND  
DEVELOPMENT  
CODE REVISION

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# What's a Land Development Code?

The Land Development Code...

- is a tool that determines how land can be used throughout Austin
- is a tool that can help guide growth to where it can do the most good
- Needs to be updated to meet the needs and priorities of Austin today

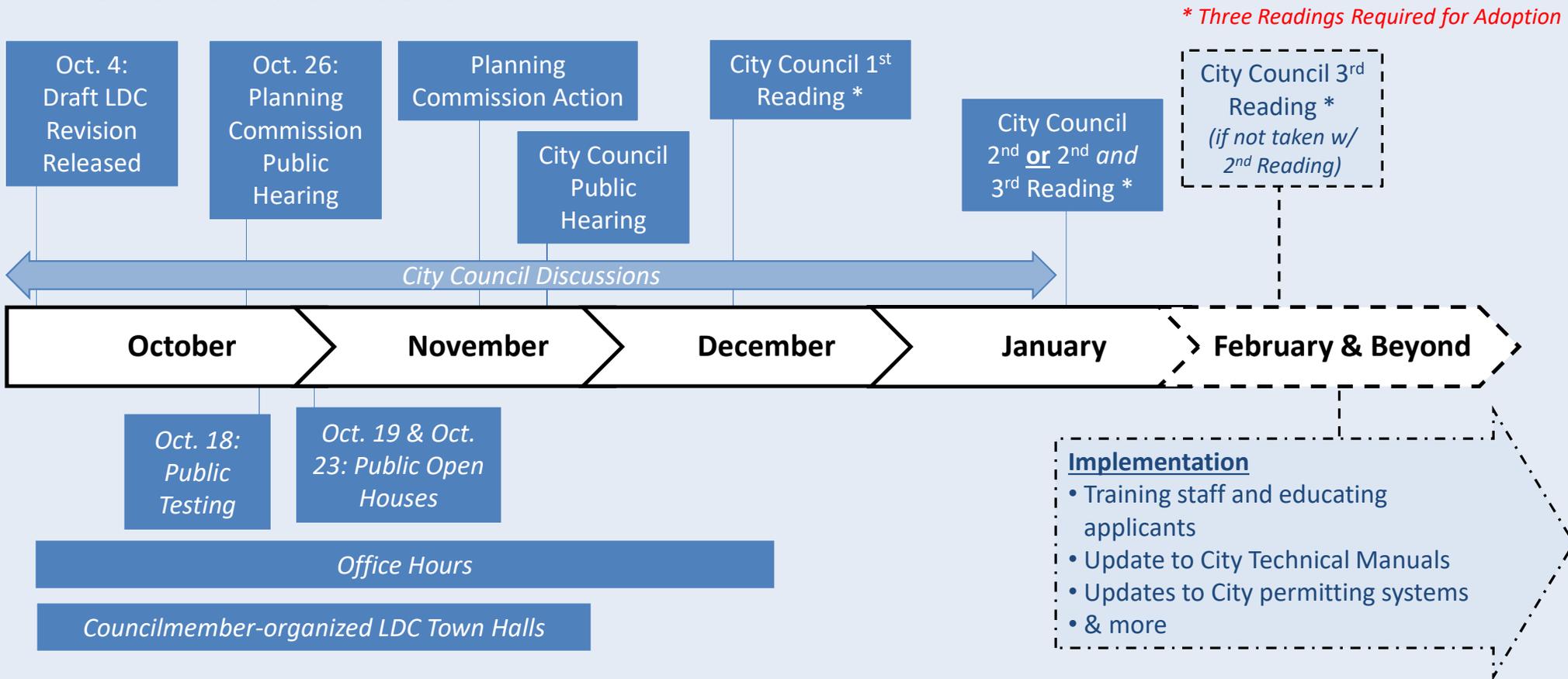
The Land Development Code is not...

- Funding for a City program or service
- A Capital Improvement Plan or program
- The only solution to addressing community challenges

# What Happened on Oct. 4?

- **Staff published the *Draft Land Development Code Revision*, including...**
  - **Maps** – draft citywide maps showing proposed zoning by parcel
  - **Text** – a draft comprehensive rewrite of the regulatory document
  - **Staff report** – a “quick guide” to staff’s application of the Council Direction and recommendations in the draft Code
  - **Responses to Boards and Commissions Recommendations** – a review actions taken by Boards and Commissions as part of CodeNEXT and a response about whether or not its included in the Oct. 4 draft
- **Since then...**
  - **Report Card** – document showing how the draft Code performs regarding a variety of metrics and indicators
  - **Supplemental Staff Report No. 1** –proposes several revisions to the October 4 draft and highlights issues that staff believe warrant further consideration

# What's next?



# HOUSING CAPACITY & YIELD

## *Council Direction*

*“The new code and map should allow for housing capacity equivalent to at least three times the Austin Strategic Housing Blueprint (ASHB) goal of 135,000 new housing units, as well as for ASHB goals of 60,000 affordable housing units, preservation of 10,000 affordable housing units, production of sufficient numbers of Permanent Supportive Housing (PSH) units each year sufficient to address needs and 30% Missing Middle Housing, and be achieved in a manner consistent with direction provided throughout this document.”*

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"> <li>• Yield goal: 135k and with 60k units affordable at 80% MFI</li> <li>• Capacity: 145k (~1x)</li> </ul>	<ul style="list-style-type: none"> <li>• Yield goal: 135k and with 60k units affordable at 80% MFI</li> <li>• Capacity – Council goal: 405k (3x)</li> </ul>	<ul style="list-style-type: none"> <li>• By planning for 3x capacity we’re more likely to reach our yield goal</li> <li>• Greater yield of market-rate units will facilitate more affordable units</li> <li>• 397K housing capacity</li> </ul>

# MISSING MIDDLE HOUSING

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"> <li>• Difficult to have house scale multiunit housing for various reasons ranging from zoning districts to parking</li> </ul>	<ul style="list-style-type: none"> <li>• Increase unit cap to 10 and max. impervious cover</li> <li>• Apply to missing middle citywide</li> <li>• Remove requirement for engineer’s certification; enforce existing Plumbing Code provision</li> <li>• Streamline requirement for waterway setbacks; remove requirement for construction on slopes</li> <li>• <i>SOS amendment for Barton Springs Zone</i></li> </ul>	<ul style="list-style-type: none"> <li>• Streamlined regulations facilitate development of house scale missing middle housing</li> <li>• Establishes regulatory parity; ensures that projects of very similar scale, with the same potential for environmental and drainage impacts, are subject to the same requirements</li> </ul>

# TRANSITION AREA

## *Council Direction*

*“Map new Missing Middle housing in transition areas adjacent to activity centers, activity corridors, or the transit priority network.”*

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"><li>• Transition areas do not exist in many places</li><li>• Does not provide sufficient opportunities for missing middle housing</li><li>• No affordability bonus in most neighborhoods</li></ul>	<ul style="list-style-type: none"><li>• Apply missing middle zones in transition areas based on Council criteria through data-driven and context sensitive considerations</li></ul>	<ul style="list-style-type: none"><li>• Increase missing middle housing capacity near corridors</li><li>• Missing middle housing provides transition</li><li>• Expand housing diversity and affordability</li><li>• Support a 50/50 mode share goal</li></ul>

# TRANSITION AREA CRITERIA

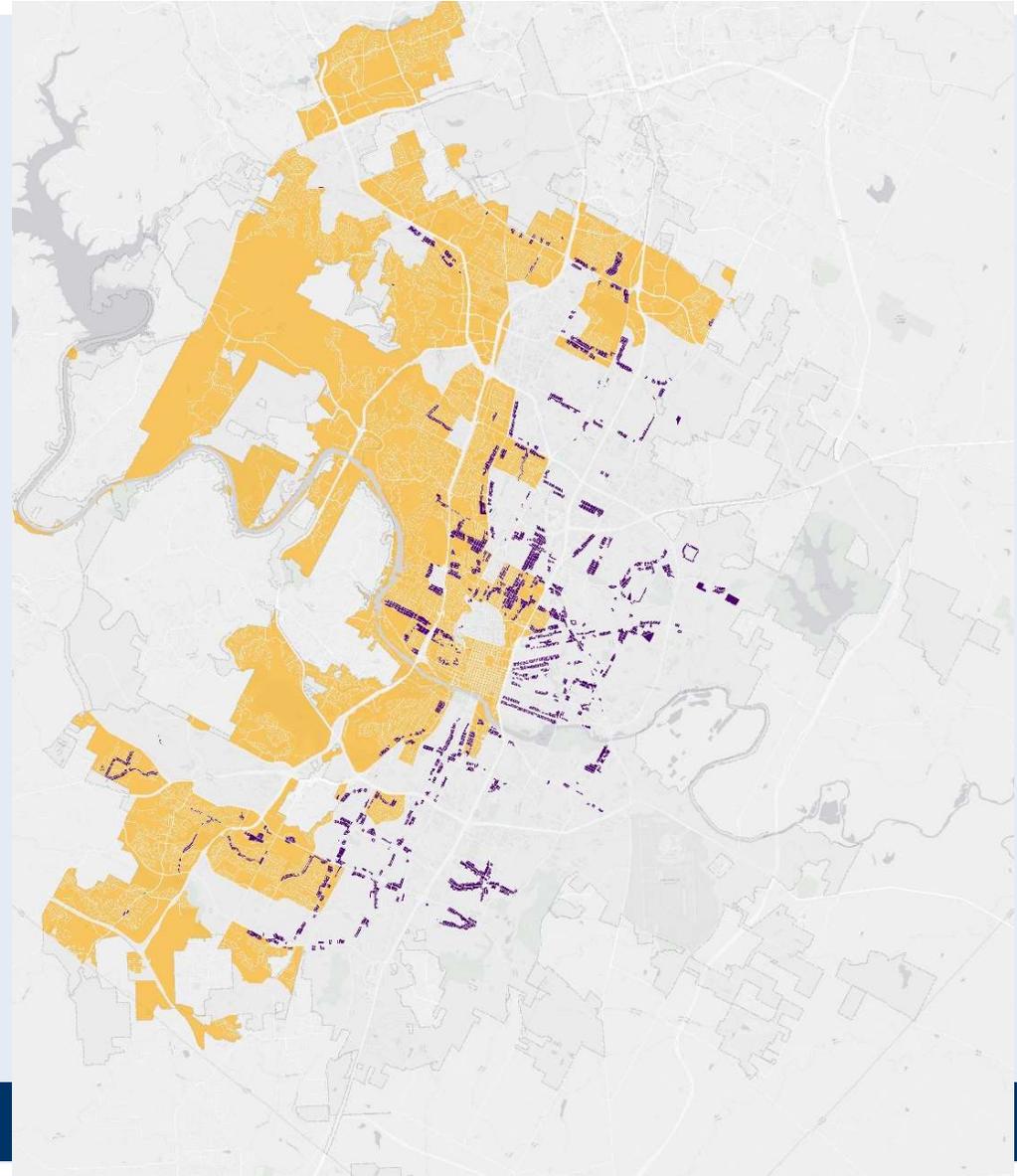
## Criteria:

1. Corridors and Centers
2. Urban Centers
3. Well-Connected Streets and Transit Connectivity
4. High-Opportunity Areas
5. Areas vulnerable to displacement (Uprooted Study)

*Where more of these criteria overlap, the higher likelihood transition area were mapped and maximized. Unless the area was identified by Uprooted, then the transition area was minimized.*

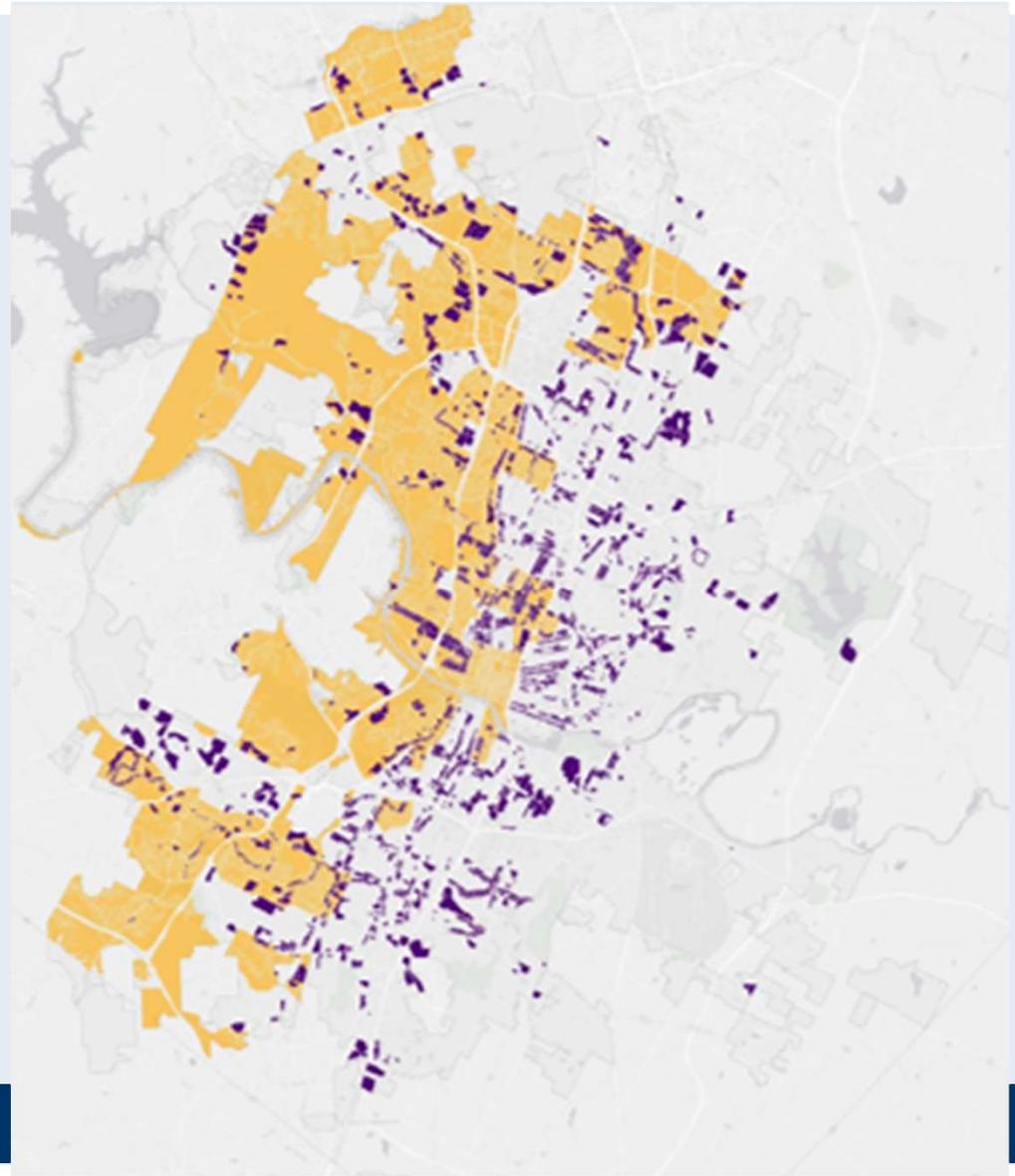
# INCREASES CAPACITY FOR MISSING MIDDLE HOUSING IN TRANSITION AREAS AND HIGH OPPORTUNITY AREAS

- Transition Areas & High Opportunity Missing Middle
- Transition areas shallower along corridors in areas vulnerable to displacement



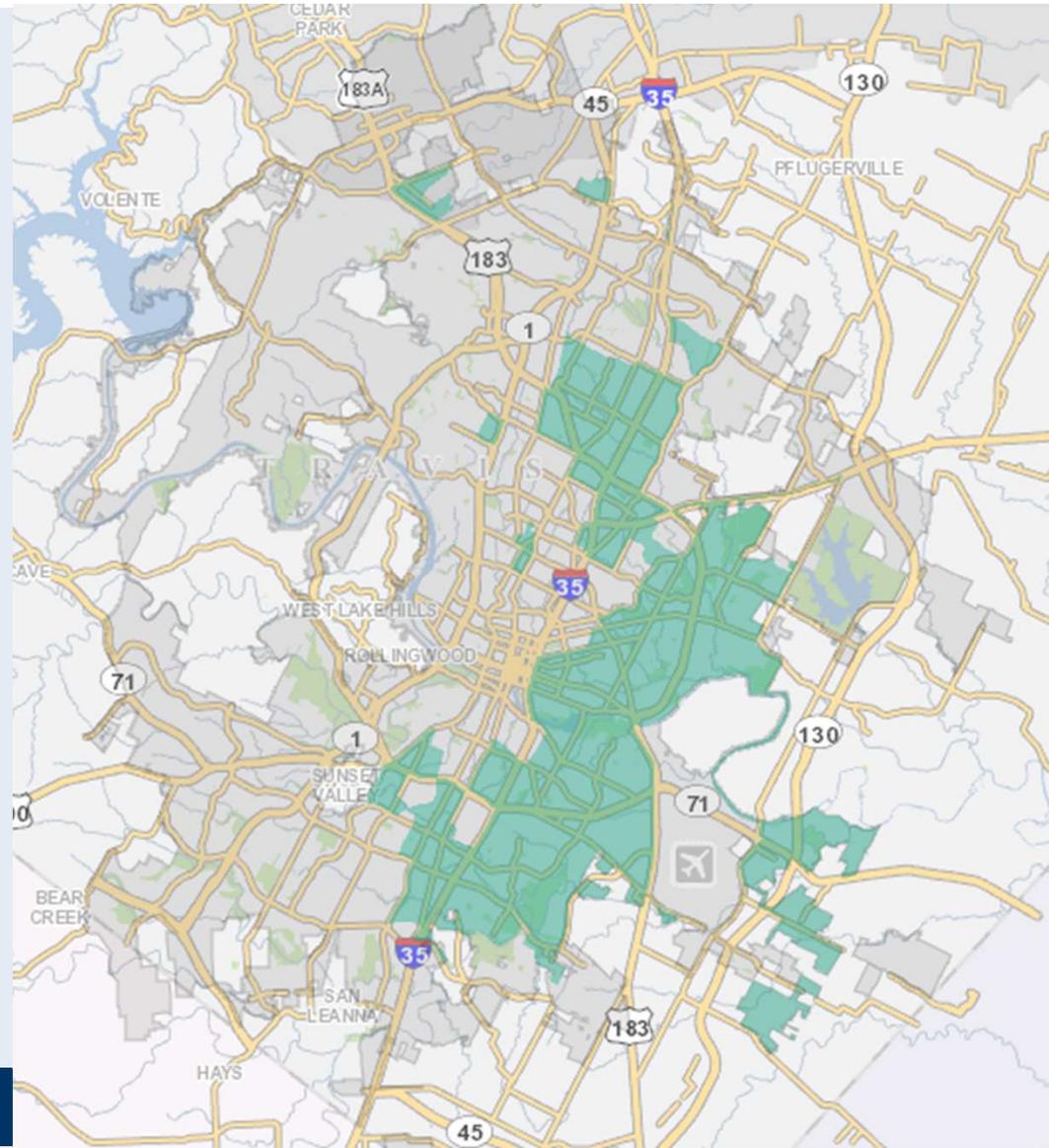
# HIGH OPPORTUNITY AREAS, MISSING MIDDLE/HOUSE SCALE MULTI UNIT, AND MULTIFAMILY

- All transition areas, high opportunity missing middle (multi-unit), and multi-family zoning



# REDUCE TRANSITION MAPPING IN AREAS VULNERABLE TO DISPLACEMENT

Council directed staff look at areas identified as “vulnerable” in the University of Texas *Uprooted* Gentrification Study and reduce the length and level of entitlement of the transition application in these areas. As described by the study, these areas “have a concentration of residents who are the most vulnerable to displacement in the face of rising housing costs” (page 3). The areas are identified and mapped in the study [Uprooted](#) (page 30)



# MARKET RATE AFFORDABLE MULTIFAMILY

## *Council Direction*

*“The granting of new entitlements in areas currently or susceptible to gentrification should be limited so as to reduce displacement and dis-incentivize the redevelopment of multi-family residential development, unless substantial increases in long-term affordable housing will be otherwise achieved.”*

*“Existing market rate affordable multifamily shall not be mapped to be upzoned.”*

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"><li>Market rate affordable multifamily properties exist in a variety of zones</li></ul>	<ul style="list-style-type: none"><li>Market rate affordable multifamily properties mapped with zones comparable to current zones</li><li>If comparable zone is R4 or higher intensity, an affordable housing bonus option is available</li></ul>	<ul style="list-style-type: none"><li>No by-right increase or decrease to entitlements</li><li>Retains non-conformities where they exist today</li></ul>

# NON-TRANSITION AREA MAPPING

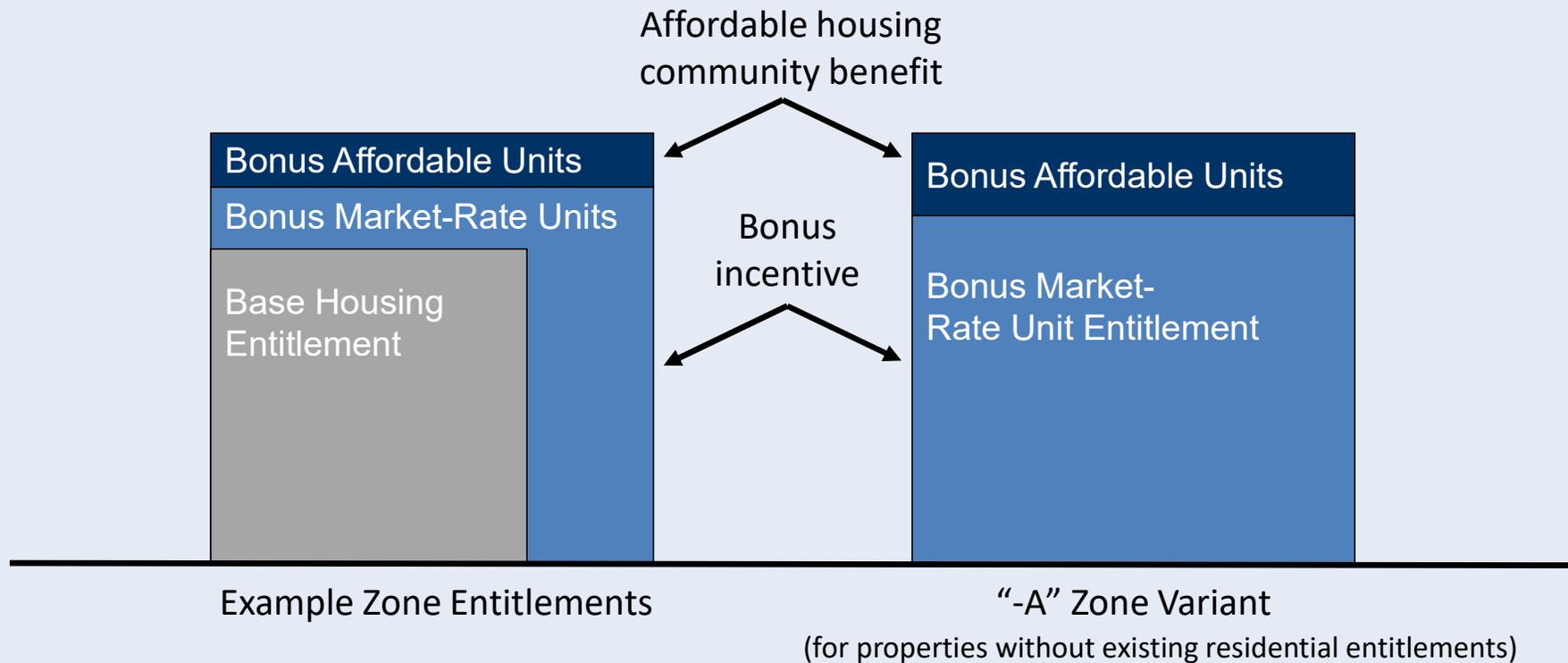
Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"><li>• 400+ zoning combinations (e.g. CS-V-MU-CO)</li><li>• Limited amount of zones provide for affordable housing bonus</li><li>• Lack of clarity that residential zones allow for 2 units</li></ul>	<ul style="list-style-type: none"><li>• New bonus for certain zones</li><li>• Bonus expanded in some zones</li><li>• Residential zones allow 2 units and up to 3 with preservation incentive</li></ul>	<ul style="list-style-type: none"><li>• Most new units provided through a bonus: market rate and income-restricted units</li></ul>

# AFFORDABLE HOUSING BONUS PROGRAM

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"> <li>• Affordability Unlocked is the only citywide bonus program</li> <li>• About a dozen different bonus programs tied to specific parts of city</li> </ul>	<ul style="list-style-type: none"> <li>• New bonus for certain zones</li> <li>• Bonus expanded in some zones</li> <li>• New processes for strengthening compliance</li> <li>• Simplify affordable unit set-aside maps</li> </ul>	<ul style="list-style-type: none"> <li>• Increased bonuses incentivize participation, resulting in more housing units (including affordable units) overall</li> <li>• More zones with bonuses mapped in more places increases opportunities to achieve more affordable units</li> <li>• New compliance processes improve enforcement</li> <li>• Simplified set-aside maps make implementation clearer and easier</li> </ul>

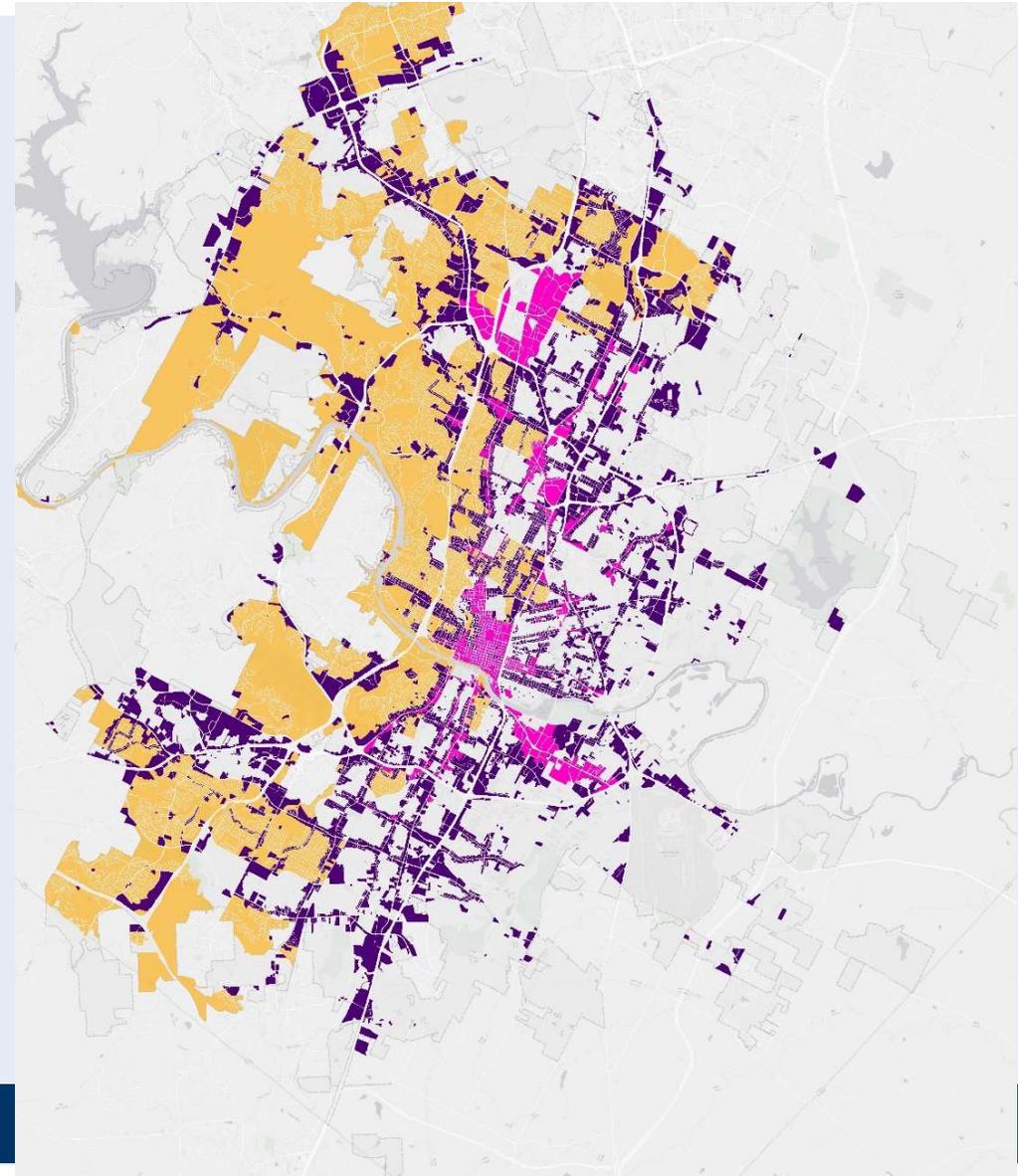
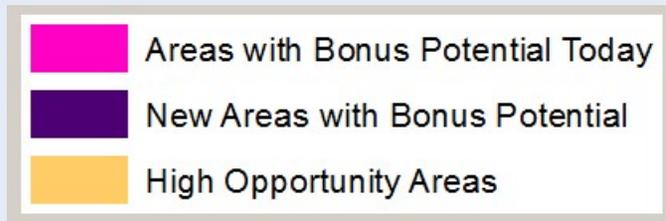
# AFFORDABLE HOUSING BONUS PROGRAM

## How Does a Bonus Program Work?



# MORE AREAS WITH BONUS POTENTIAL

- Existing and expanded areas with affordable housing bonus programs
- Current Code: 5,600 acres
- LDC Revision: 30,600 acres



# AHBP Affordability Requirements

## For Rent Units

For income-restricted units offered for rent, the monthly rent must be affordable (not exceed 30% of the gross monthly income) of a household earning at or below 60% of the Austin area Median Family Income (MFI). Rental units must remain affordable for 40 years.

2019 Austin MSA HUD Income Limits	1 person HH	2 person HH	3 person HH	4 person HH
60% MFI	\$39,780	\$45,420	\$51,120	\$56,760
80% MFI	\$52,850	\$60,400	\$67,950	\$75,500
<b>2019 MFI</b>	\$67,150	\$76,700	\$86,300	\$95,900

## For Sale Units

For income-restricted units offered for sale, the monthly rent must be affordable (not exceed 30% of the gross income) of a household earning at or below 80% of the Austin area Median Family Income (MFI). For sale units must remain affordable for 99 years and are subject to an equity cap.

2019 NHCD Income-Restricted Rents	1 bedroom	2 bedroom	3 bedroom
Monthly rent affordable to 60% MFI	\$994	\$1,135	\$1,278
2019 NHCD Income-Restricted Sale Prices	1 bedroom	2 bedroom	3 bedroom
Max home sales price affordable to 80% MFI	\$158,550	\$181,200	\$203,850

# Helpful AHBP Documents are on LDC Revision Website

[austintexas.gov/lcd](http://austintexas.gov/lcd)

Zoning map  
and Code text

Affordable Housing Bonus  
Program guide

## Land Development Code Revision

Home What, Why, & How Learn & Ask Meet the Team **Code Draft & Map** Participate Resources

### Resources

We've compiled a list of internal and external resources to provide Austinites with the information needed to help stay updated on the Land Development Code Revision process.



#### Corresponding plans

These are plans that outline a variety of goals for the City. The revised Land Development Code will align Austin development with those goals.

- [Imagine Austin Comprehensive Plan](#)
- [Strategic Housing Blueprint](#)
- [Watershed Protection Master Plan](#)
- [Austin Strategic Mobility Plan](#)
- [Austin Community Climate Plan](#)
- [Austin Strategic Direction 2023 Plan](#)



#### Additional Resources

These are supplemental documents related to the Land Development Code Revision.

- [Proposed Land Development Code Revision Timeline PDF](#)
- [Land Development Code E-Newsletter Archive](#)
- [Affordability Impact Statement PDF](#)
- [Affordable Housing Bonus Program Guide PDF](#)
- [May 2nd Policy Guidance Task Tracker PDF \(Oct. 4, 2019\)](#)
- [Boards & Commissions Recommendations and Responses PDF \(Oct. 4, 2019\)](#)
- [LDC Text Revisions and Relevant Documents PDF \(Oct. 4, 2019\)](#)
- [Land Development Code Report Card PDF](#)

Share



Home What, Why, & How Learn & Ask Meet the Team **Code Draft & Map** Participate Resources

#### Top Content

- [Land Development Code Draft & Map](#)
- [Participate](#)
- [What, Why, & How](#)
- [Resources](#)
- [Learn & Ask](#)

#### Upcoming Events

- [Dist. 8 Office Hours](#)  
Oct. 28, 2019
- [Dist. 6 Office Hours](#)  
Oct. 28, 2019
- [Dist. 6 Town Hall](#)  
Oct. 28, 2019
- [Dist. 5 Town Hall](#)  
Oct. 29, 2019
- [Dist. 1 Town Hall](#)

# PARKING

## **Council Direction**

*“Minimum parking requirements should be generally eliminated in areas that are within the ¼ mile of activity centers, activity corridors, and transit priority network, except that some parking requirements may be maintained for areas where elimination of parking requirements would be particularly disruptive (conditions to be proposed by staff).”*

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"><li>• Sidewalks required at residential review, building permit, subdivision, and site plan</li><li>• Sidewalk fee-in-lieu is granted with high frequency</li><li>• No requirement for sidewalk rehabilitation</li><li>• Mitigation includes sidewalk construction</li></ul>	<ul style="list-style-type: none"><li>• Parking not required within ¼ mile of centers, corridors, or TPN if on an accessible route</li><li>• Some parking or other sidewalk mitigation may be required if not on an accessible route</li></ul>	<ul style="list-style-type: none"><li>• Parking reductions applied in areas conducive to multi-modal transportation options</li><li>• Integrated land use regulations and mobility infrastructure</li></ul>

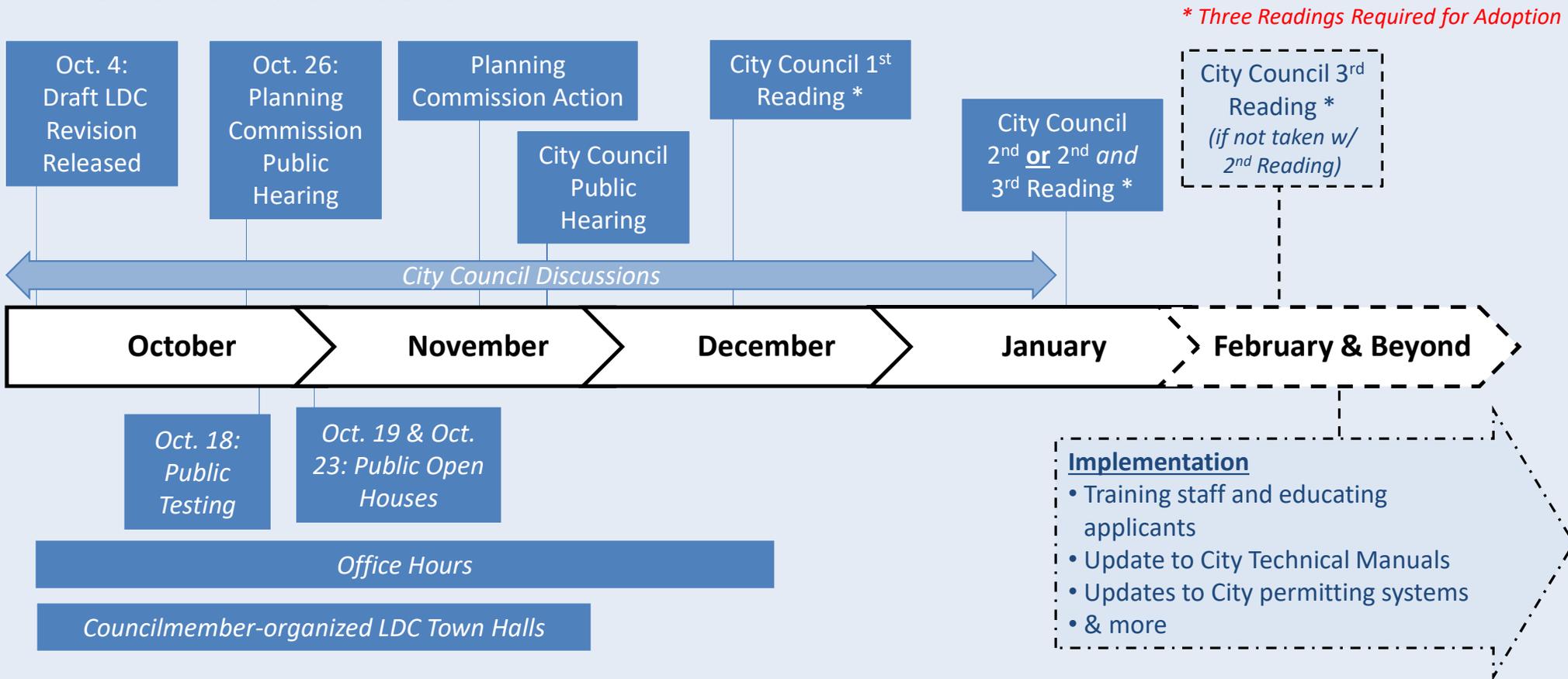
# PARKING MAXIMUMS

## **Council Direction**

*“The Manager should...Explore options for adopting parking maximums or...in areas necessary to ensure sufficient transit-supportive development (e.g., TODs).”*

Current Code	LDC Draft Revisions	Effect of Change
<ul style="list-style-type: none"><li>• Parking maximums exist only in CBD and some regulating plans</li></ul>	<ul style="list-style-type: none"><li>• 175% Citywide</li><li>• 125% for Centers, Corridors, or TPN</li><li>• 100% Downtown</li></ul>	<ul style="list-style-type: none"><li>• Supports a TDM-first approach to transportation mitigation</li><li>• Supports a reliable, high-frequency transit system</li><li>• Allows for development to focus on housing people versus housing cars</li></ul>

# What's next?

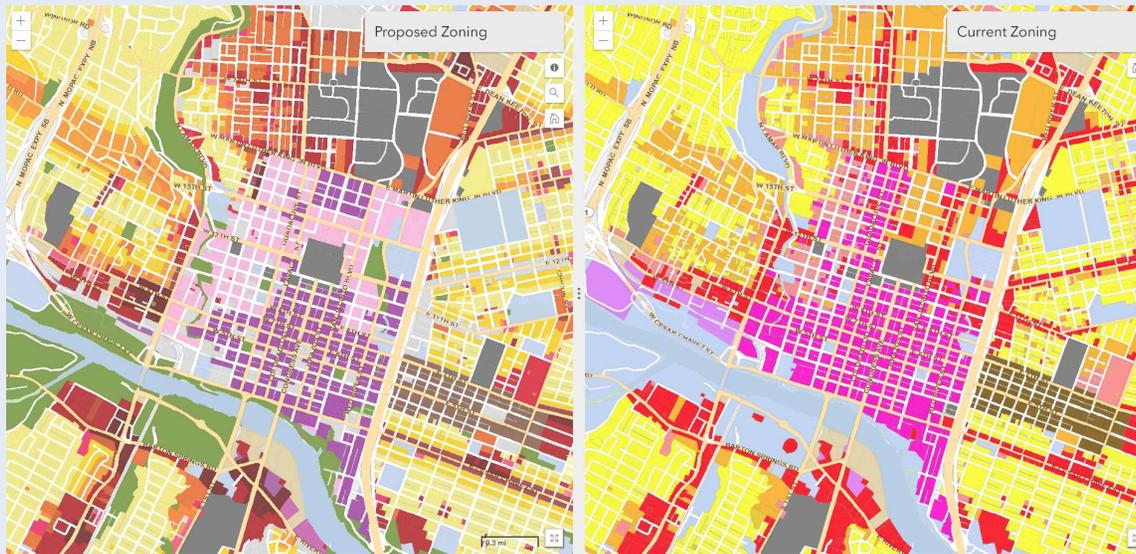


# Public Activities

**Purpose:** Inform and educate members of the community about staff's application of Council Policy Direction, impacts to their property/neighborhood, and how and where to provide feedback on the draft LDC revision

- **LDC Revision Open Houses**
  - October 19 & October 23
- **Community Office Hours**
  - October-November
  - *At least one location per Council District*
  - Online sign up available now
- **Public Testing Event**
  - Technical exercise where members of the community will be able to apply the draft Code to specific parcels
  - October 18
- **Town Halls & events organized by City Council members**
- **Neighborhood Map Submittals**
  - Maps must meet parameters provided by staff, in alignment w/ Council Direction
  - Staff will review and provide to Council for their consideration
- **Public Hearings**
  - Planning Commission – Oct. 26
  - City Council – December 7

# Map and Text Overview



[www.austintexas.gov/ldc](http://www.austintexas.gov/ldc)

23-9C-0090 Residential 2A (R2A) Zone Residential House-Scale Zones

(1) Allowed Use	Lot			Building
	Principal Dwelling Units per lot (max.)	Width (min.)	Area (min.)	Size (max.)
Single-Family	1	45'	5,000 sf	0.4 FAR
Single-Family Attached	1	25'	2,500 sf	0.4 FAR
Duplex	2	45'	5,000 sf	0.6 FAR
Other Allowed Uses	—	45'	5,000 sf	0.4 FAR

Table 23-3C-3090(B) Building Placement

(1) Setback (Distance from ROW / Lot Line)	Front	Side St.	Side	Rear
Minimum	25'	15'	5'	10'

(a) See Section 23-9D-10070 (Setback Exceptions) for front and side street setback exceptions.  
 (b) The rear setback is 5 feet for an accessory structure with a maximum height of 15 feet.

Table 23-3C-3090(C) Height

(1) All Buildings	Height
To Top Plate (maximum)	25'
Overall (maximum)	35'

Table 23-3C-3090(D) Encroachments

(1) Encroachment Type	Front (max.)	Side St. (max.)	Side (max.)	Rear (max.)
Architectural Features	2'	2'	2'	2'
Porch, Stoop, or Uncovered Steps <sup>1,2,3</sup>	8'	8'	3'	5'

<sup>1</sup> The maximum height of a porch, stoop, or uncovered step is 3 feet.  
<sup>2</sup> A porch encroaching into a required setback is limited to 1-story.  
<sup>3</sup> An engaged porch is not permitted to project into a required setback.

Table 23-3C-3090(E) Parking

(1) Parking Requirements	Requirement
(a) See Section 23-9C-9040 (Parking Requirements) for standards.	

Table 23-3C-3090(F) Impervious Cover

(1) Impervious Cover	% (max.)
Impervious Cover	45%

(a) See Division 23-4D-3 (Impervious Cover) for additional standards.

Key for Tables A = Allowed — = Not Allowed N/R = No Requirement  
 3C-9 pg. 22 LDC Revision 2019 | City of Austin

# Questions?

[www.austintexas.gov/lcd](http://www.austintexas.gov/lcd)