



**REGULAR MEETING CODES AND ORDINANCES JOINT COMMITTEE MINUTES**  
**Wednesday, November 17, 2021**

The Codes and Ordinances Joint Committee convened in a regular meeting on Wednesday, November 17, at 1000 E. 11<sup>th</sup> St, Street Jones Building, Room 400A, Austin, TX 78702.

Vice-Chair Hempel called the meeting to order at 6:09 pm.

**Subcommittee Members in Attendance:**

Awais Azhar  
Ann Denkler  
Todd Shaw

Claire Hempel (Vice-Chair)  
Joao Paulo Connolly

**City Staff in Attendance:**

Kevin Shunk, Watershed Protection Department  
Nick Kincaid, Watershed Protection Department  
Sam Tedford, Housing and Planning Department

**CALL TO ORDER**

**1. APPROVAL OF MINUTES**

- a. Approval of the October 20, 2021, meeting minutes.

A motion was made to approve the minutes by Commissioner Azhar, seconded by Commissioner Connolly. Vote: 5-0. (Commissioners Kiolbassa and Barrera-Ramirez absent).

**2. NEW BUSINESS**

- a. None.

**3. POTENTIAL CODE AMENDMENTS: Proposed for Discussion and/or Initiation**

*Potential amendments to the code are offered for discussion and/or possible recommendation for initiation. If initiated, Staff will research the proposal and report back to the subcommittee.*

- a. **Floodplain Regulations.** Discuss and consider initiation of amendments to Title 25 of the City Code related to floodplain regulations. City Staff: Kevin Shunk, Watershed Protection Department, (512) 974-9176, [Kevin.Shunk@austintexas.gov](mailto:Kevin.Shunk@austintexas.gov); (Discussion and/or Possible Action).

Kevin Shunk gives an overview of the proposed floodplain changes that are related to Atlas 14. This would be a commercial redevelopment exception, similar to how the residential changes worked for Atlas 14. This would be for commercial redevelopment, not new development. The factors that will be included will be related to use and square footage. VMU buildings will be treated as commercial for the purposes of the exception, as opposed to residential. The main factor for mitigating the flood risk is to raise the building 2 feet above floodplain level (freeboard). The exception would allow the redevelopment of the properties only if the occupant load and footprint remain the same. The height would have be redefined to allow for the freeboard so that it doesn't contribute to the height calculation. Multifamily was included in the residential exception because it's possible to get the review data easily for those projects, whereas the mixed use buildings are harder to determine what the commercial/residential mix is, and the first floor is typically commercial.

A motion was made to recommend the item to Planning Commission for initiation by Commissioner Azhar, seconded by Commissioner Denkler. Vote: 5-0. (Commissioners Kiolbassa and Barrera-Ramirez absent).

#### 4. **REGULAR AGENDA: Previously Initiated**

*Previously initiated amendments to the code are offered for discussion and possible recommendation to the full Planning Commission.*

- a. **Vertical Mixed Use Affordability Requirements.** Discuss and consider amendments to Title 25 of the City Code related to vertical mixed use (VMU) affordability requirements. City Staff: Sam Tedford, Housing and Planning Department, (512) 974-2613, [Sam.Tedford@austintexas.gov](mailto:Sam.Tedford@austintexas.gov); (Discussion and/or Possible Action).

Sam Tedford goes over the VMU changes that are being proposed, only impacts the depth of affordability. The changes are what were proposed by the PC when the item was initiated. Questions about deeper levels of affordability: can the levels of affordability be lower? Council may propose lower levels as part of a new VMU2 zoning district, but the standard VMU building is not using any kind of subsidy, and have to be supported entirely by market rate development, and so those units have to be supported by that market rate development. Current VMU doesn't have any recent modeling to show how the affordability levels are supported. The City has adopted policies that levels of affordability need to be at 60% for rental and 80% for ownership, which the change lines up with (market-based programs). Programs other than downtown and VMU are mostly at 60% and 80% already, such as ERC and NBG, and some neighborhood-tailored VMU overlays.

A motion was made to recommend the item to Planning Commission by Commissioner Azhar, seconded by Commissioner Hempel. Vote: 5-0. (Commissioners Kiolbassa and Barrera-Ramirez absent).

## 5. OTHER BUSINESS

- a. **Update on Potential Upcoming and Current Code Amendments** – City Staff: Greg Dutton, Housing and Planning and Department, (512) 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

The item was not discussed and no action was taken.

## 6. FUTURE AGENDA ITEMS

*Future agenda items will NOT be discussed at the current meeting, but will be offered for initiation, discussion, and/or possible recommendation to the full Planning Commission at a FUTURE meeting*

- a. A motion was made to place an item on a future agenda related to the meeting location for land use commissions, by Commission by Commissioner Azhar (sponsor) and Commissioner Hempel (co-sponsor).

## ADJOURNMENT

Vice-chair Hempel adjourned the meeting without objection at 7:10 pm.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Greg Dutton at Planning and Zoning Department, at 512-974-3509, for additional information; TTY users route through Relay Texas at 711.

For more information on the Codes and Ordinances Joint Committee, please contact Greg Dutton at (512) 974-3509 or at [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov)