



**HOUSING &
PLANNING**

Code Amendment: Residential in Commercial

Housing and Planning Committee
November 10, 2022

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Background

- Residential in commercial is a new concept for the draft LDC
- Basic concept is to allow residential in commercially zoned property to add housing capacity
- Draft LDC is suspended (March 2020)



Council Resolution 12/9/21

- *WHEREAS, under the Land Development Code, residential development is not currently allowed in many of the commercial zoning districts in Austin; and*
- *WHEREAS, City Council adopted the Austin Housing Strategic Blueprint (the Blueprint) in 2017 which called for 135,000 housing units by 2028, with 60,000 of those units at or below 80 percent of the median family income (MFI);*



Council Resolution 12/9/21

- *WHEREAS, in the proposed Land Development Code Revision, residential uses were allowed in more zoning districts than in current city code; and*
- *WHEREAS, allowing housing in more places provides the opportunity for increased housing supply in Austin; and*
- *WHEREAS, in its 2018 report, the Planning Commission Mapping Working Group indicated that allowing mixed use in commercial zoning could lead to about 46,324 housing units in new capacity;*



Council Resolution 12/9/21

- Allow residential development in:
 - CS, CS-1, GR, LR, GO, LO
 - Affordable housing required
 - Right to return for creative spaces:
 - uses as defined in the Land Development Code, including but not limited to libraries, museums, public art galleries; performance venues/theaters; art, dance, martial arts, and studios for performing art, music and visual art; art workshops; live music venues; and artist live/work spaces.

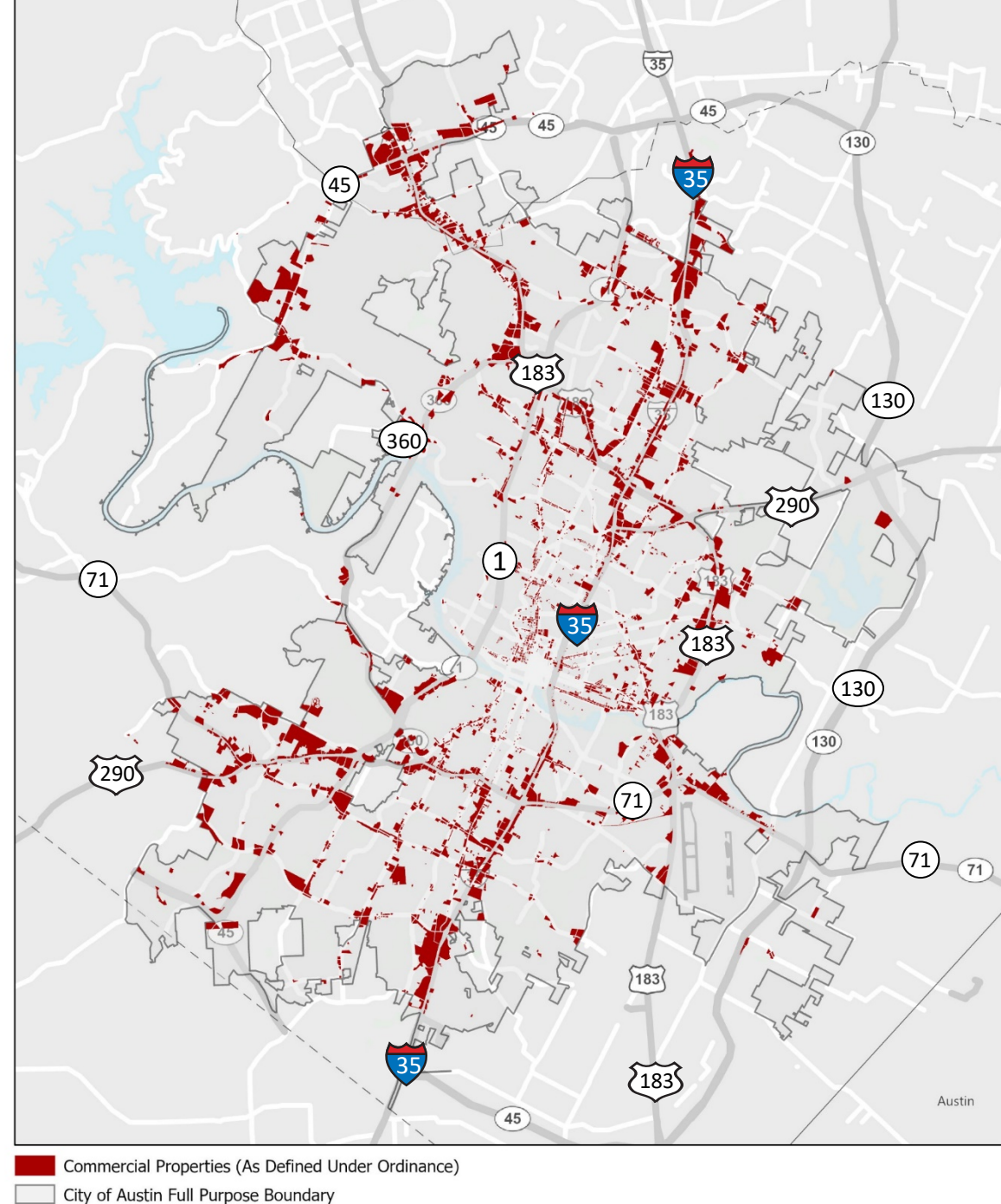


Proposed draft changes

- Affordable housing required for residential entitlement:
 - Rental: 10% @ 60% MFI, 40 years
 - Owner: 10% @ 80% MFI, 99 years
 - Fee-in-lieu not allowed



Proposed draft changes: Applicability



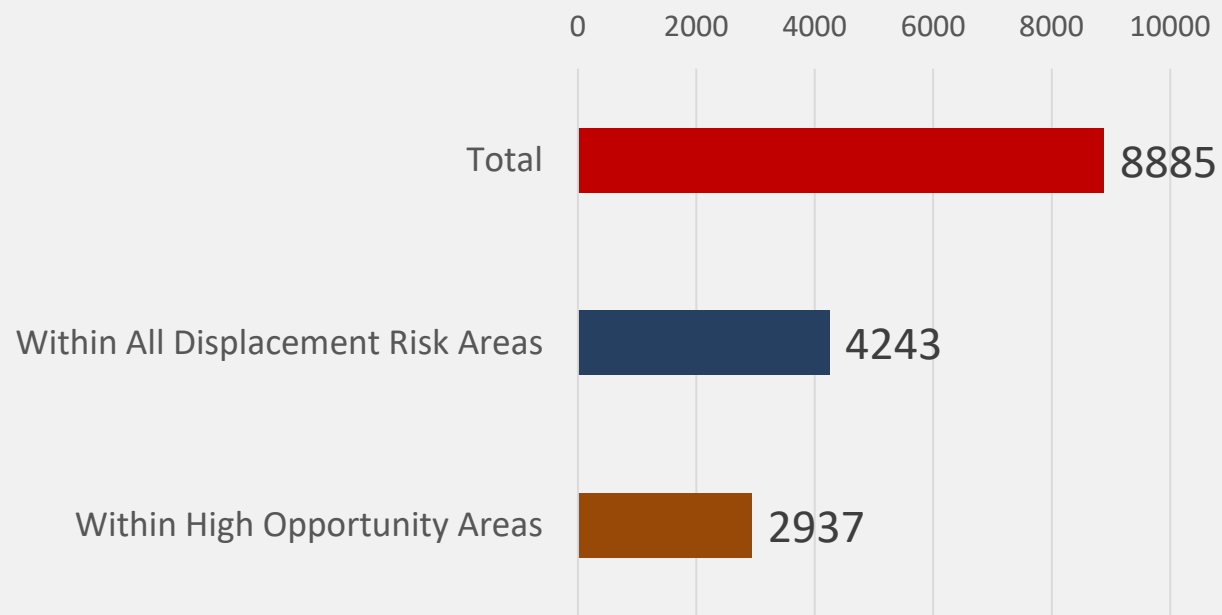


Proposed draft changes

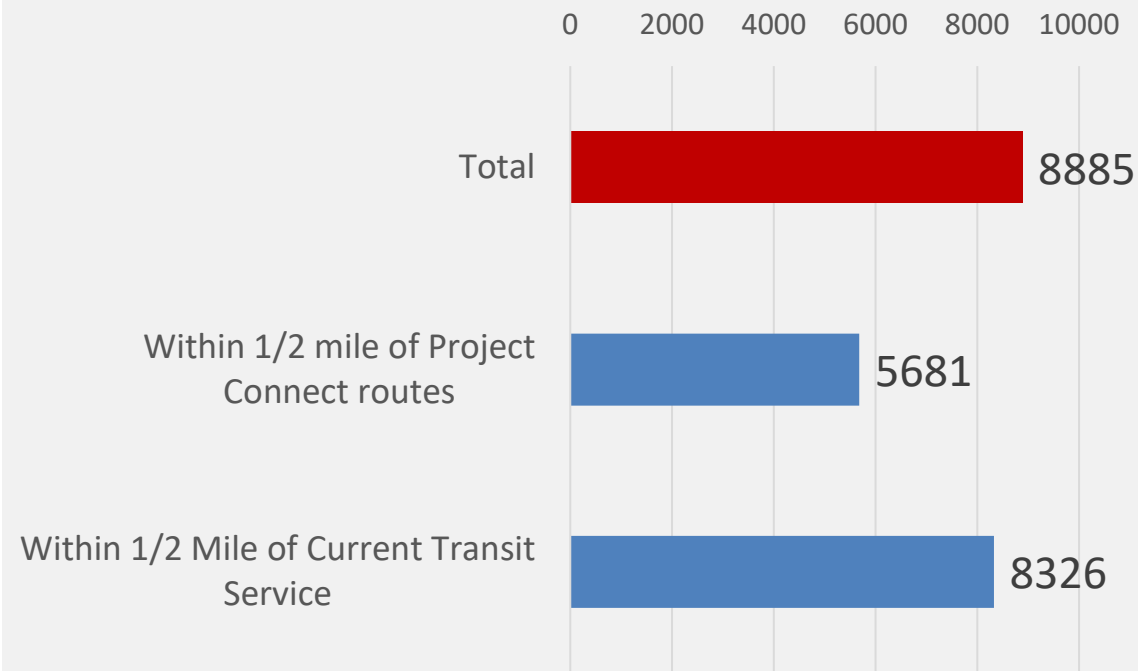
- Effectively grants MU zoning administratively when affordable housing is provided
- No other changes to site development standards: height, impervious cover, floor area ratio, parking



Eligible Commercial Parcels by Displacement Risk Area & High Opportunity Area



Eligible Commercial Parcels



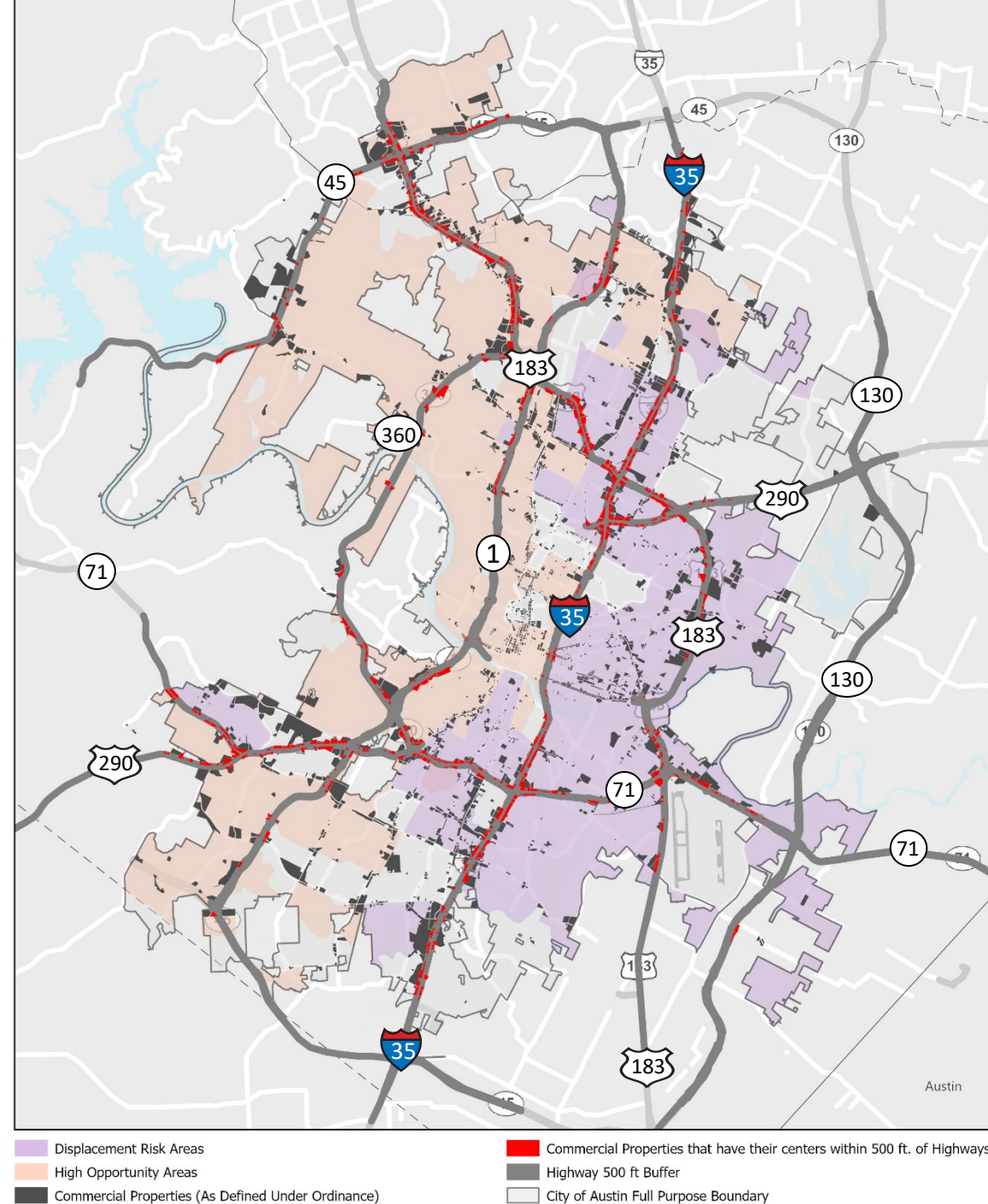


Staff's recommendation

- Recommended with changes:
 - Modify to exclude properties within 500' of a level 5 highway
 - Modify to exclude residential uses near more intense manufacturing and/or noxious uses

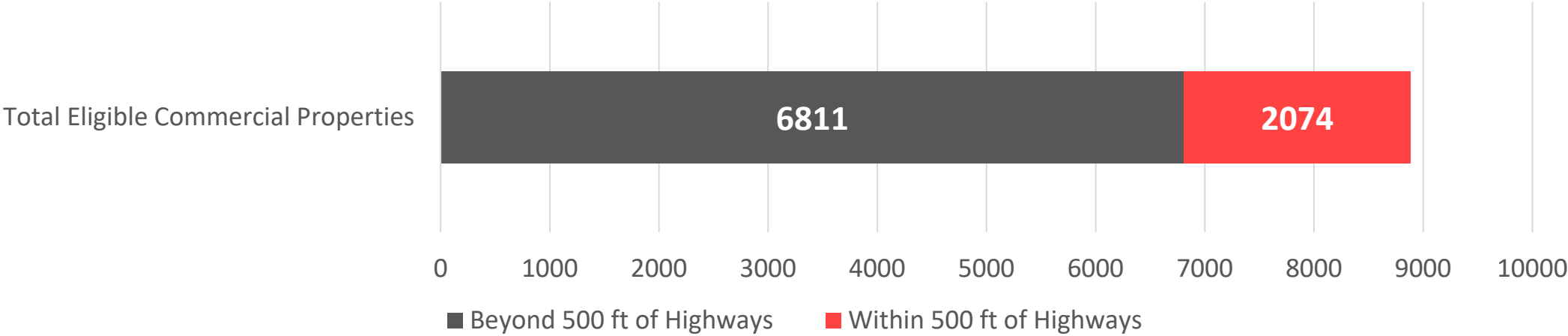


Staff's recommendation: 500' highway buffer

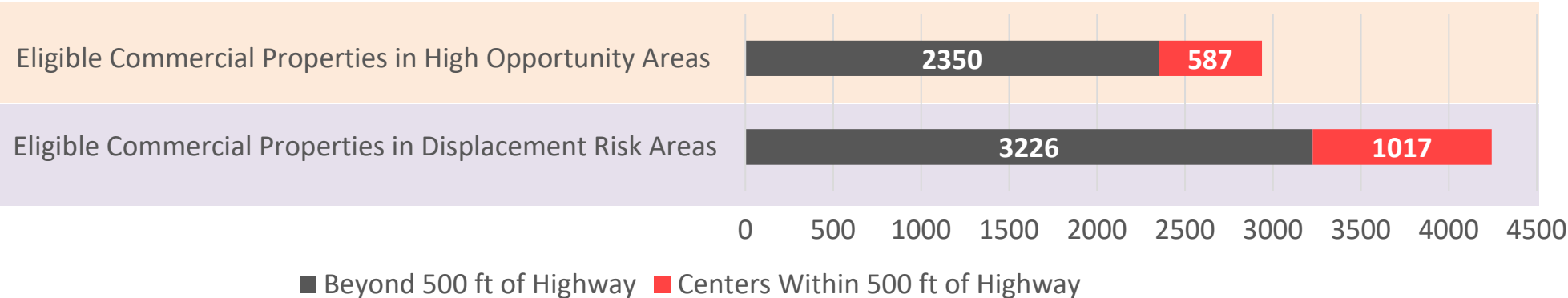




Eligible Commercial Properties by Distance From Highway



Eligible Commercial Properties and Distance From Highway by Displacement Risk & High Opportunity Areas





Staff's recommendation

- Recommended with changes:
 - Modify to exclude properties within 500' of a level 5 highway
 - Modify to exclude residential uses near more intense manufacturing and/or noxious uses:
 - Adult-oriented businesses
 - Agricultural sales and services
 - Automotive repair services
 - Building maintenance and services
 - Commercial blood plasma center
 - Construction sales and services
 - Drop-off recycling collection facility
 - Equipment repair services
 - Equipment sales
 - Exterminating services
 - Kennels
 - Limited warehousing and distribution
 - Maintenance and service facilities
 - Monument retail sales
 - Outdoor entertainment
 - Vehicle storage
 - Basic industry
 - General warehousing and distribution
 - Limited warehousing and distribution
 - Recycling center
 - Resource extraction
 - Scrap and salvage



Timeline

- 10/19/22: Codes and Ordinances Joint Committee
- 10/25/22: Planning Commission
- 11/2/22: Environmental Commission
- 11/8/22: Planning Commission
- 11/10/22: Council Housing and Planning Committee
- 12/1/22: Council