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PLANNING  
DEPARTMENT

# Joint City Council & Planning Commission Public Hearing

April 11, 2024



# April 11 Joint Meeting Items

- Electric Vehicle Charging Use
- HOME Phase 2 (Smaller Lot Size for One Unit)
- Citywide Compatibility Changes
- Equitable Transit Oriented Development (ETOD) Overlay



# Public Hearings & Engagement

**Joint City Council &  
Planning Commission  
Meeting**  
April 11, 2024

**Open Houses**  
April 17, 2024  
+  
April 20, 2024 (Virtual)

**Planning Commission  
Meetings**  
April 23, 2024  
+  
April 30, 2024

**City Council  
Meeting**  
May 16, 2024



# Council Direction

Electric Vehicle Charging	<a href="#"><u>Resolution No. 20230608-082</u></a> provided direction to create a new land use for Electric Vehicle charging and define where EV charging facilities could be located.
HOME Phase 2	<a href="#"><u>Resolution No. 20230720-126</u></a> provided direction to reduce minimum lot sizes for single-family zoning districts.
Citywide Compatibility Changes	<a href="#"><u>Resolution No. 20230608-045</u></a> provided direction to simplify citywide compatibility standards and make them less restrictive.
ETOD Overlay	<a href="#"><u>Resolution No. 20240201-054</u></a> provided direction to create and apply a new zoning district to support the Phase 1 Austin Light Rail alignment and Priority Extensions



# Electric Vehicle Charging Use



# Electric Vehicle Charging Use

- Resolution No. 20230608-082 directed staff to create a land use for Electric Vehicle Charging with the following considerations:
  - Prevent the use from becoming concentrated within activated or residential areas.
  - Allow the use through the conditional use permit process.
  - Limit the use to General Commercial Services (CS) or less restrictive zoning districts.
- Proposed use balances environmental benefits with land use considerations.



# Electric Vehicle Charging Use

Amend Subchapter A, Article 1 to define the new commercial use:

Electric Vehicle Charging use is the use of a site for the charging of an electric vehicle (EV), including battery charging stations and rapid charging stations, each as defined by the United States Department of Energy.



# Electric Vehicle (EV) Charging Use

- Permitted, conditional, or prohibited use depending on the following factors:
  - Existing and Previous Land Use
  - Zoning Districts
  - Roadway Types
  - Site Area and Location





# EV Charging Use

- Permitted use when the previous or existing land use is service station, if:
  - The base zoning district is commercial or industrial; and
  - The previous service station use was not converted to a residential or restaurant use.
- The use is prohibited underground.



# EV Charging Use - Zoning Districts

- Permitted use if CS/less restrictive zoning district and site abuts specific roadway types.
- CS/less restrictive zoning districts are:
  - General Commercial Services (CS)
  - Commercial Liquor Sales (CS-1)
  - Commercial Highway (CH)
  - Industrial Park (IP)
  - Major Industry (MI)
  - Limited Industrial Services (LI)
  - Research and Development (R&D)



# EV Charging Use - Roadway Types

- Permitted use if site abuts:
  - Highway Roadway
  - Hill Country Roadway
  - Suburban Roadway
  - Internal Circulation Route



# EV Charging Use - Roadway Types

- If site abuts:
  - Core Transit Corridor
  - Future Core Transit Corridor
  - Urban Roadway
- Then:
  - Permitted use if 25,000 sq ft or less and at least 1,000 ft from another EV Charging Use
  - Conditional use if greater than 25,000 sq ft or less than 1,000 ft from another EV Charging Use



# HOME Phase 2



# HOME Phase 2

## Goals:

- Create more housing options attainable for middle-income earners
- Increase housing supply
- Create walkable neighborhoods with a variety of housing types in line with *Imagine Austin* goals
- Support Project Connect transit investment



# HOME Phase 2

## Phase 1: Adopted December 7, 2023

- Allow up to three homes on a single-family lot, including tiny homes

## Phase 2:

- Reduce the minimum lot size required to build one unit to **2,000 sq ft** to facilitate fee-simple ownership







# HOME Phase 2

## Overview of Proposed Changes:

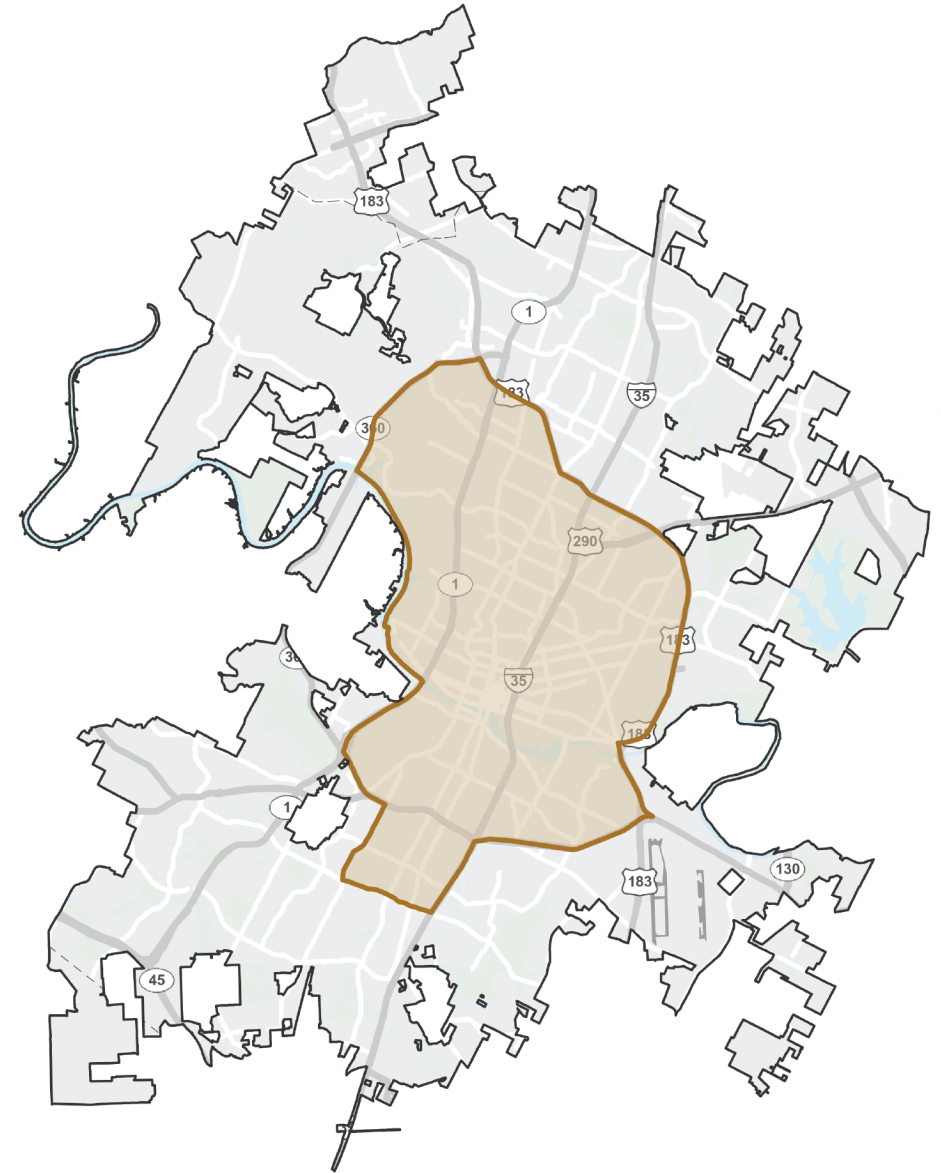
- All proposed changes apply to one unit on a small lot in SF-1, SF-2, and SF-3 zoning
- Height and general unit sizes are comparable to those allowed under HOME Phase 1
- Development standards such as lot size, lot width, and setbacks are reduced to provide flexibility for a variety of housing types

# HOME Phase 2

## Unit Size Limit within McMansion Boundary:

- The greater of 1450 sq ft or 0.55 FAR
- Maximum unit size 2300 sq ft

## No unit size limit outside of McMansion Boundary



Residential Design & Compatibility  
"McMansion" Standards Boundary

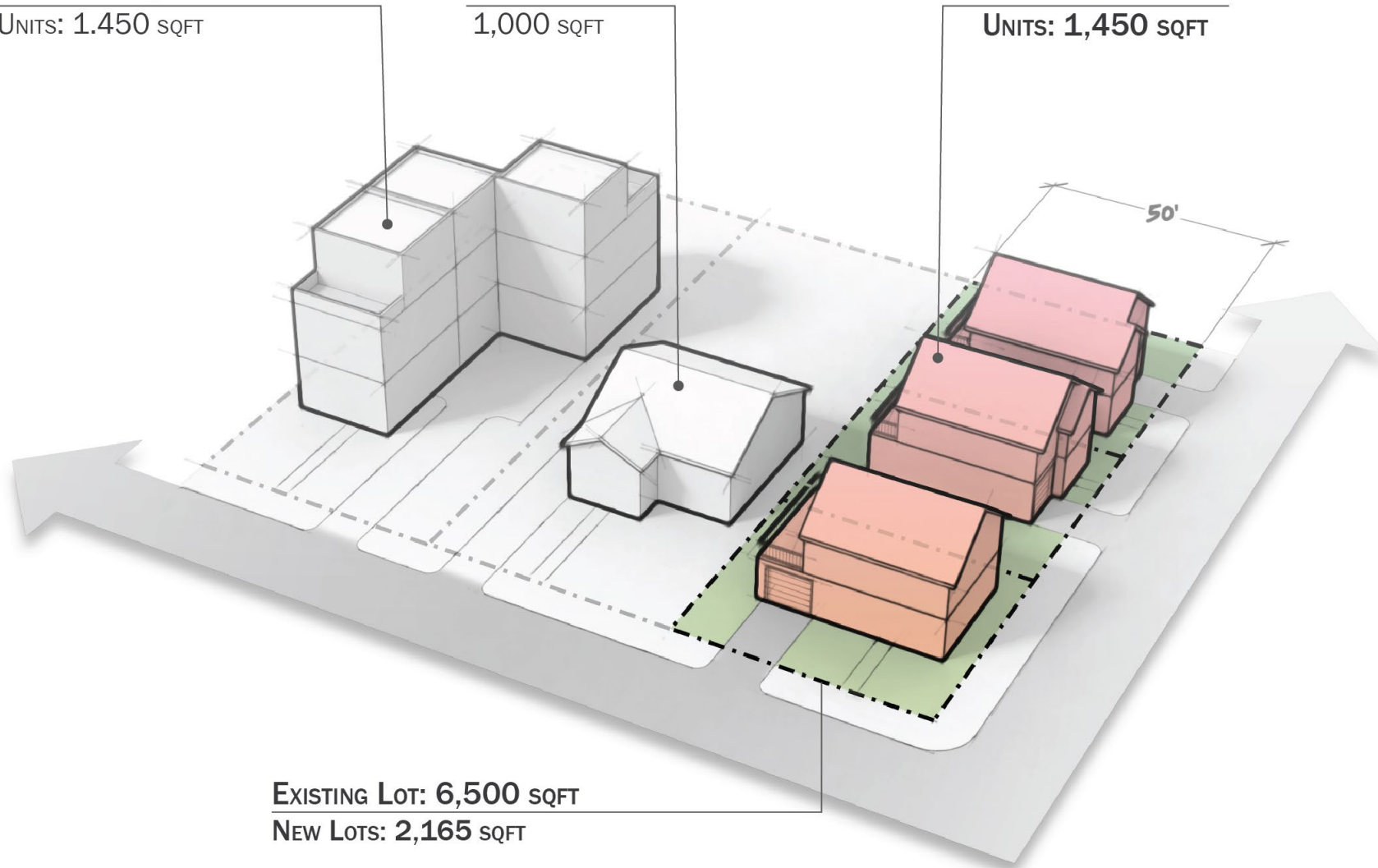


# HOME Phase 2

**PERMITTED HOME 1**  
UNITS: 1,450 sqft

**TYPICAL EXISTING**  
1,000 sqft

**PROPOSED HOME 2**  
UNITS: 1,450 sqft



**EXISTING LOT: 6,500 sqft**  
**NEW LOTS: 2,165 sqft**



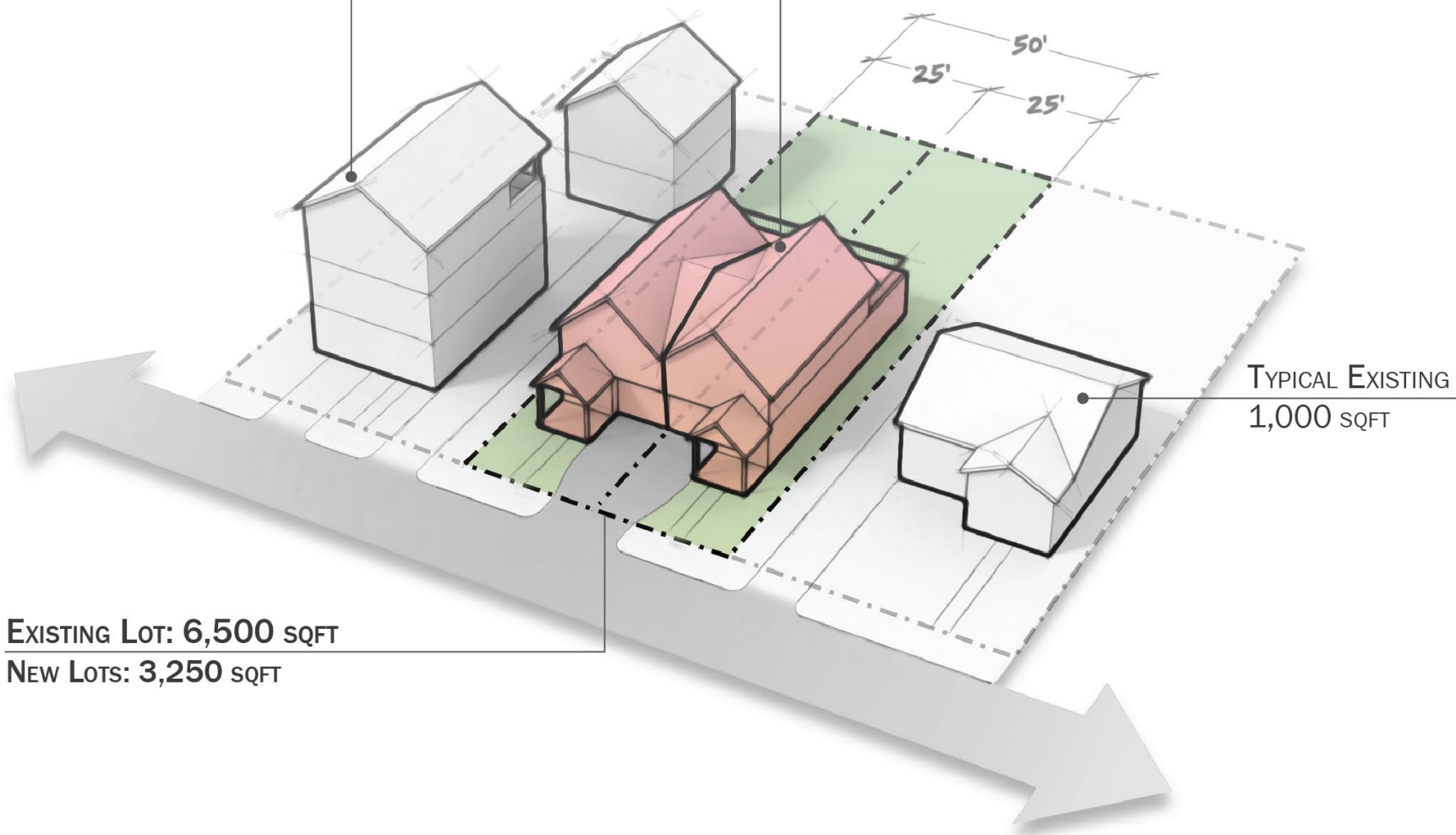
## PERMITTED HOME 1

UNIT 1: 2,375 SQFT

UNIT 2: 1,200 SQFT

## PROPOSED HOME 2

UNITS: 1,785 SQFT





# HOME Phase 2

## Design Standards:

- Required street-facing entrance
- Restrictions on garages and carports that are not set back behind the facade
- Front yard impervious cover limited to 50%

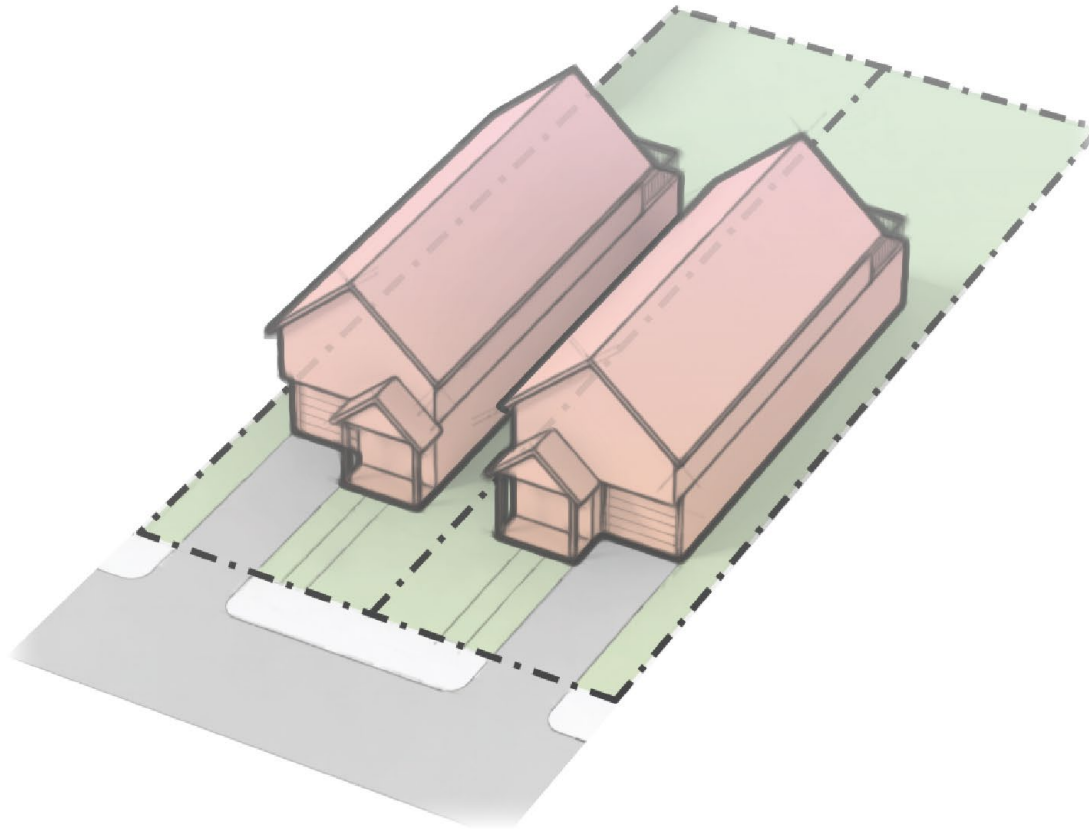
## Lot Width:

- 30 ft minimum for lots with an individual driveway
- 20 ft minimum for lots with a shared driveway, alley or side street access, or no driveway



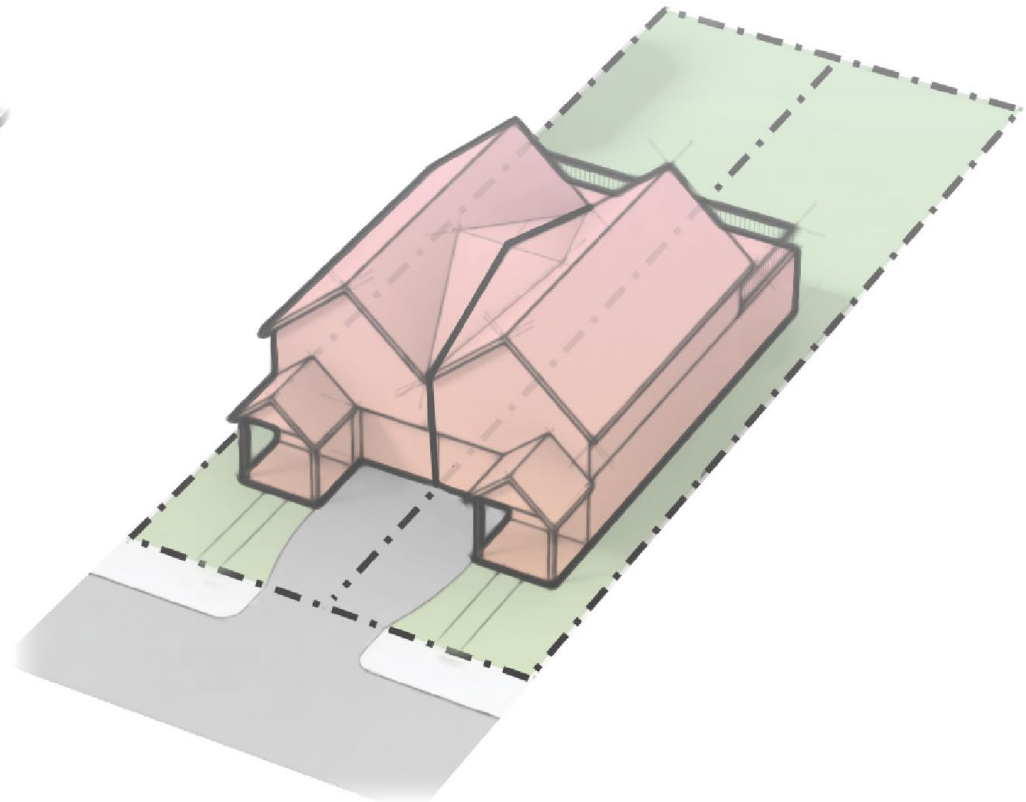
## LOTS WITH ONE DRIVEWAY EACH

30' lot width min.



## LOTS WITH A SHARED DRIVEWAY

20' lot width min.

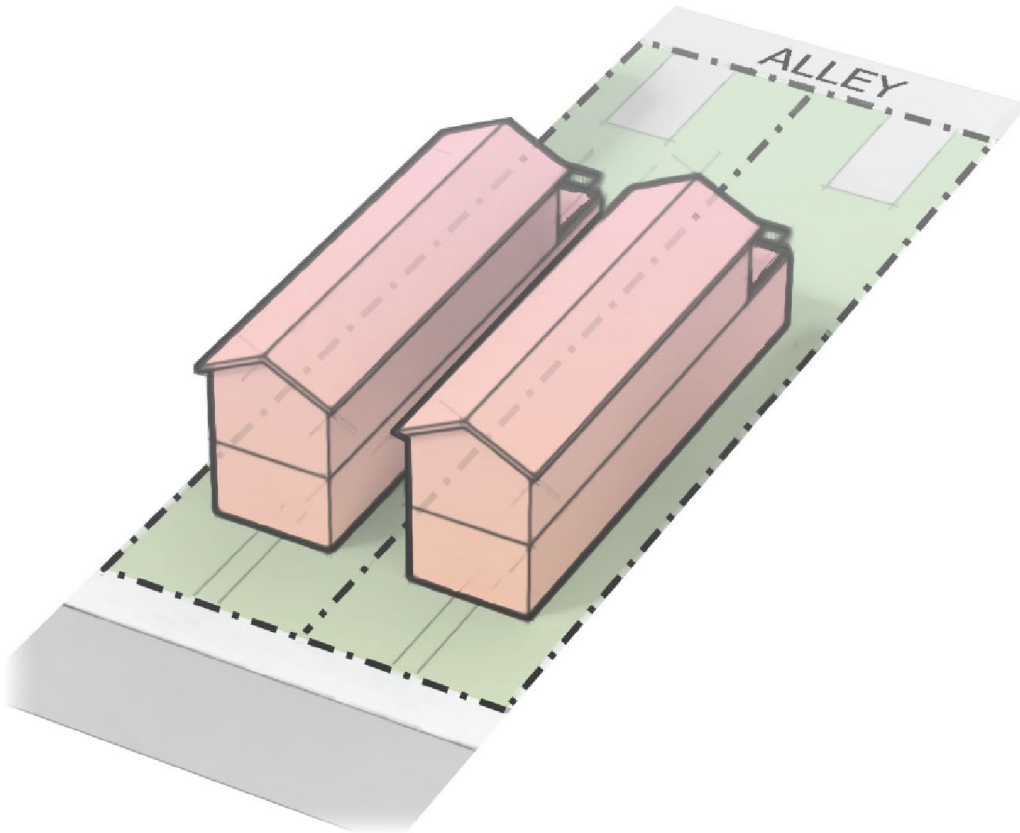






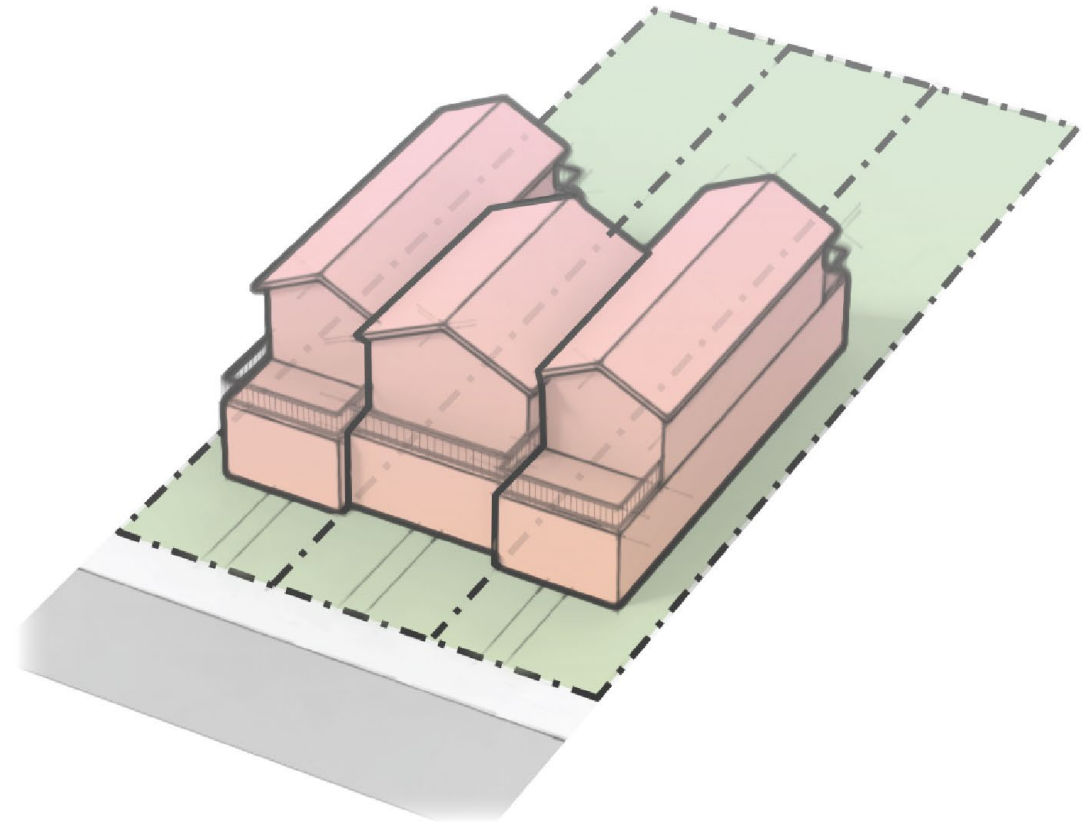
## LOTS WITH ALLEY ACCESS

20' lot width min.



## LOTS WITH NO PARKING

20' lot width min.

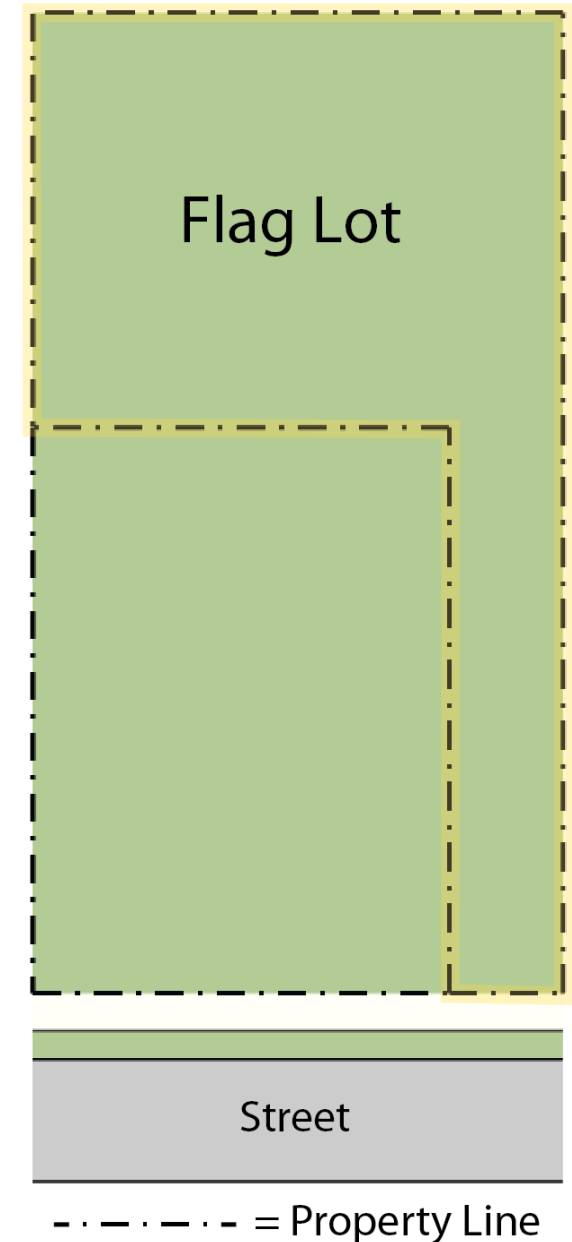




# HOME Phase 2

## Flag Lots

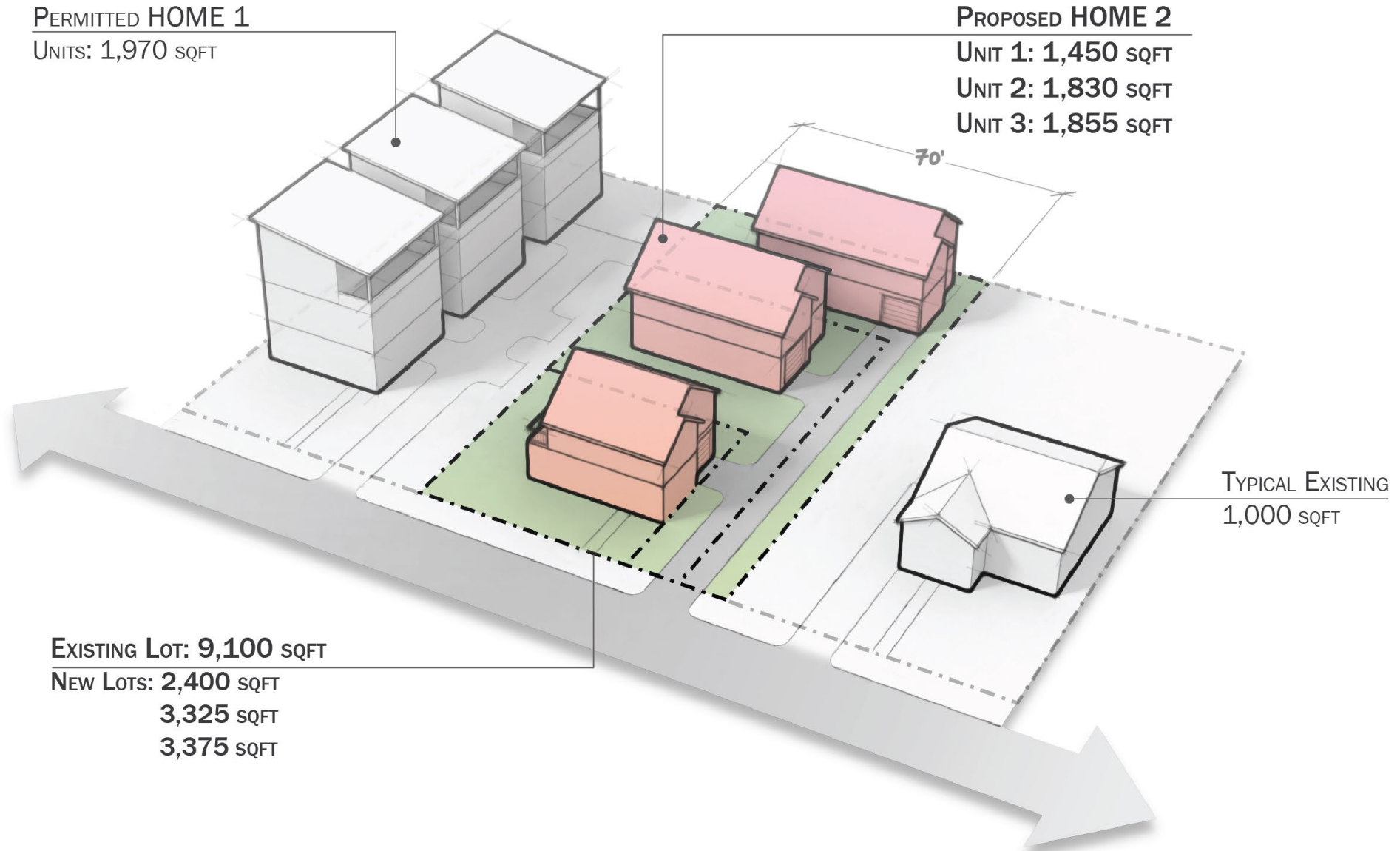
- Reducing the minimum lot size will result in more flag lots
- The required width of the "flagpole" is reduced to allow for easier subdivision
- Impervious cover in the "flagpole" is counted, a change from current code, to ensure sites do not exceed 45%







# HOME Phase 2





# HOME Phase 2

## What is not being changed:

- Impervious cover 45% maximum remains
- Regulations for one unit on a lot of 5,750 sq ft or greater will remain the same
- Two-unit and three-unit uses will still require a minimum lot area of 5,750 sq ft



# Citywide Compatibility Changes



# Citywide Compatibility Changes

## What is compatibility?

- Zoning regulation created in 1984 to “preserve and protect single-family residential neighborhoods”
- Sets height limits for properties near single-family homes



# Citywide Compatibility Changes

## Goals

- Increase the number of homes that could be built
- Create more walkable, transit-oriented neighborhoods
- Simplify complex regulations and align with peer cities



# Citywide Compatibility Changes

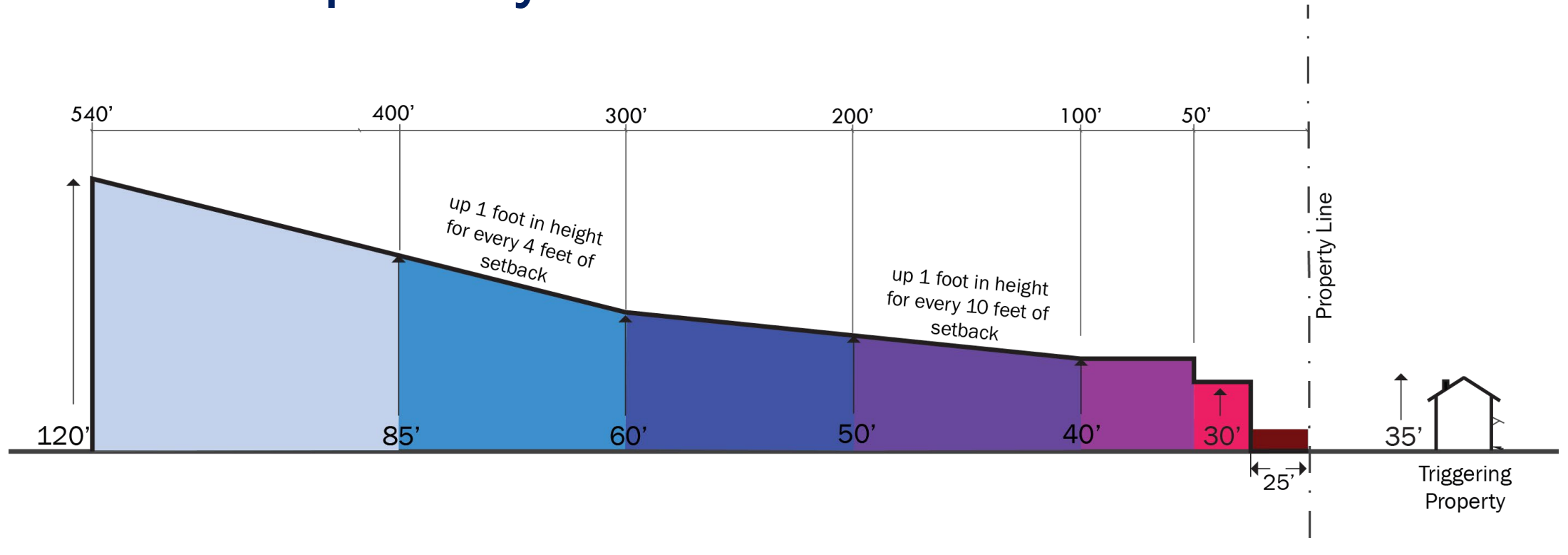
## Overview of Proposed Changes

- End compatibility at 75'
- Limit applicability
- Simplify regulations



# Citywide Compatibility Changes

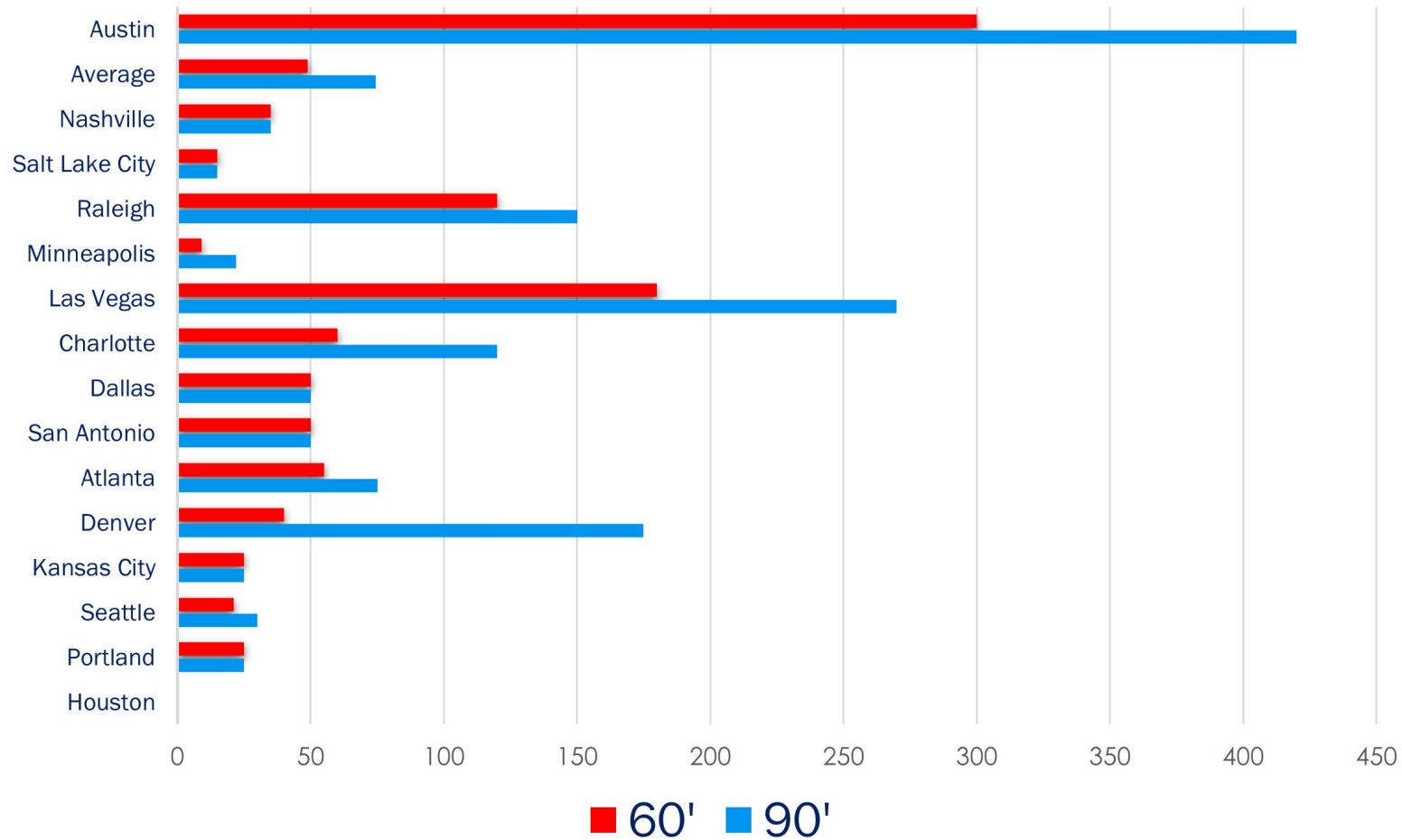
## Current Compatibility





# Citywide Compatibility Changes

## Peer City Comparison: Distance to Reach Maximum Height of 60' and 90'

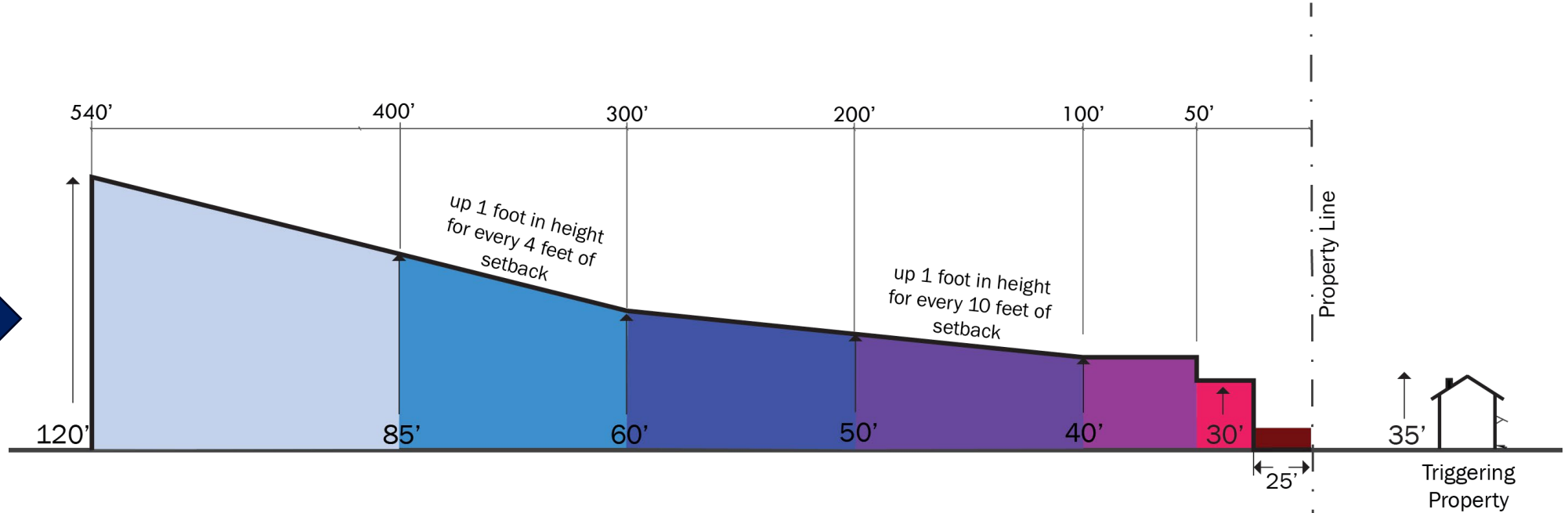




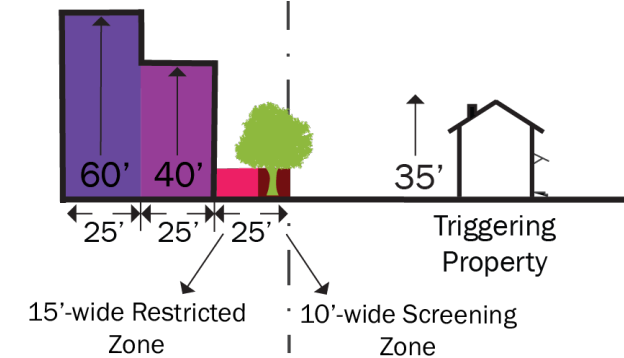


# Citywide Compatibility Changes

Current →

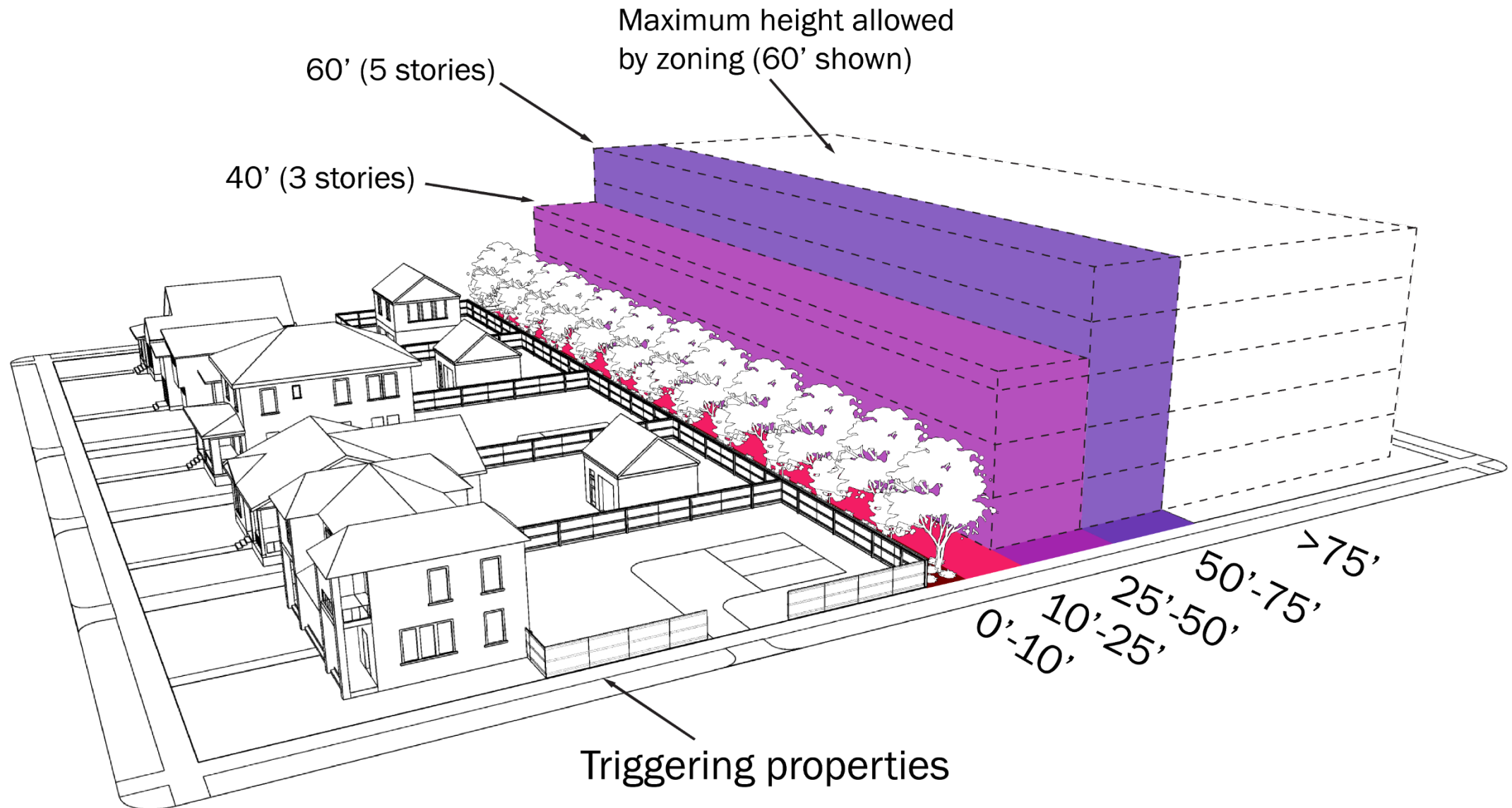


Proposed →





# Citywide Compatibility Changes



# Citywide Compatibility Changes

## Compatibility Buffer

- 25'-wide Compatibility Buffer required along a property line shared with a single-family home.



← Single-family home

Large or medium trees,  
small trees, and large  
shrubs required

10'-wide  
Screening  
Zone

15'-wide  
Restricted  
Zone

→ Low-intensity uses such  
as trails, driveways and  
fire lanes allowed



# Citywide Compatibility Changes

## Other Proposed Requirements

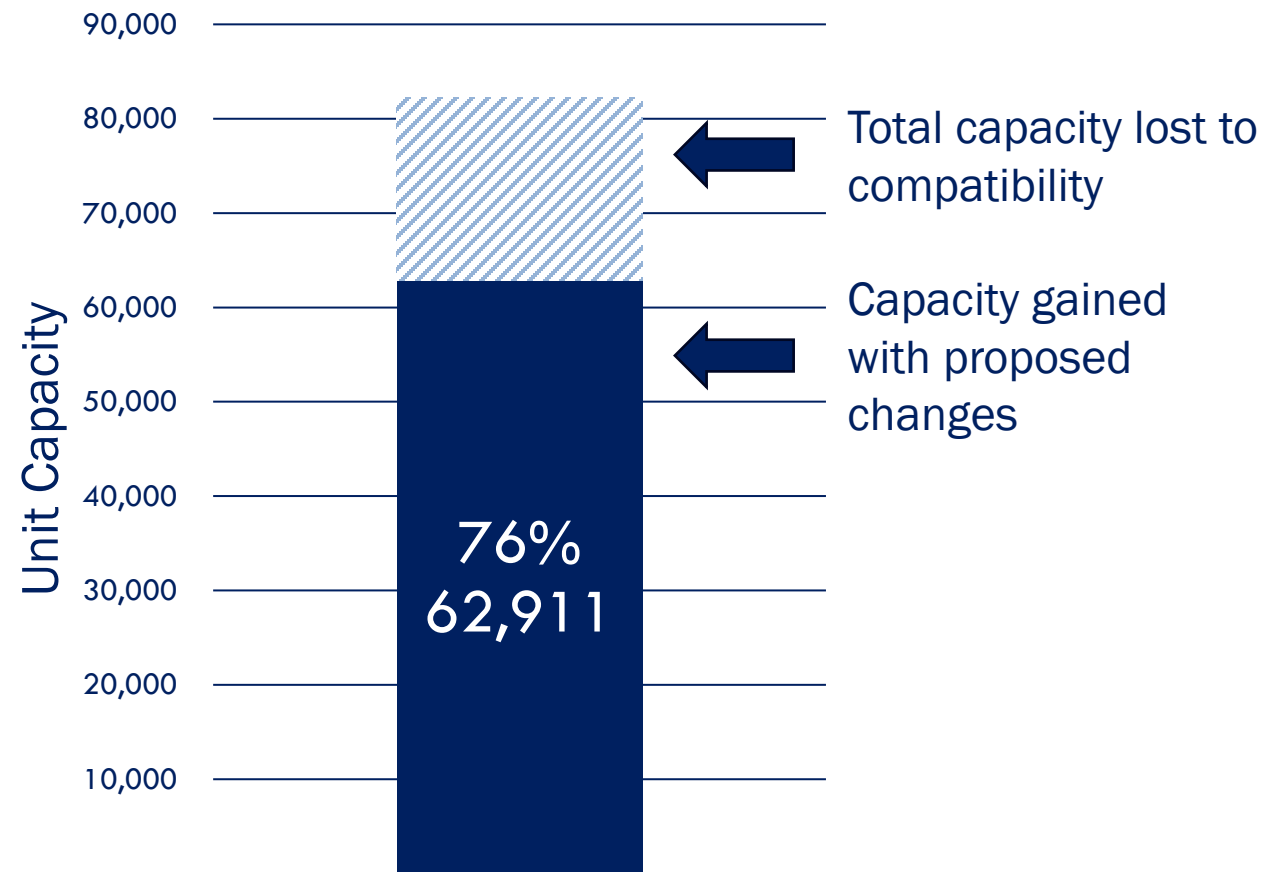
- Screening
  - Vehicle lights, dumpsters, mechanical equipment, storage, common spaces
- Noise
  - Mechanical equipment cannot exceed 70db at property line
- Design
  - Exterior lighting must be hooded or shielded



# Citywide Compatibility Changes

## Housing Capacity

- Current rules limit housing capacity by ~82,000 units
- Capacity for ~63,000 units gained back with proposed changes





# ETOD Overlay



# ETOD Overlay Goals

- Increase opportunities to live and work near transit
- Provide for more affordable, income-restricted housing opportunities near transit
- Preserve existing affordable housing and priority businesses/services
- Prevent increase in uses that limit transit effectiveness
- Maximize Austin's transit investments by pairing them with supportive land use regulations



# ETOD Overlay: Proposed Code Amendment

Proposed amendment creates two combining districts:

- ETOD Overlay combining district (ETOD) restricts certain non-transit-supportive uses
- ETOD Density Bonus district (DBETOD) creates a density bonus program that allows residential uses, modifies development regulations to increase maximum height (up to 120 feet total), and modifies various site development standards including compatibility





# ETOD Overlay: Proposed Rezoning

Proposed rezoning applies ETOD and DBETOD to certain lots within ½ mile of the Phase 1 Austin Light Rail alignment and Priority Extensions

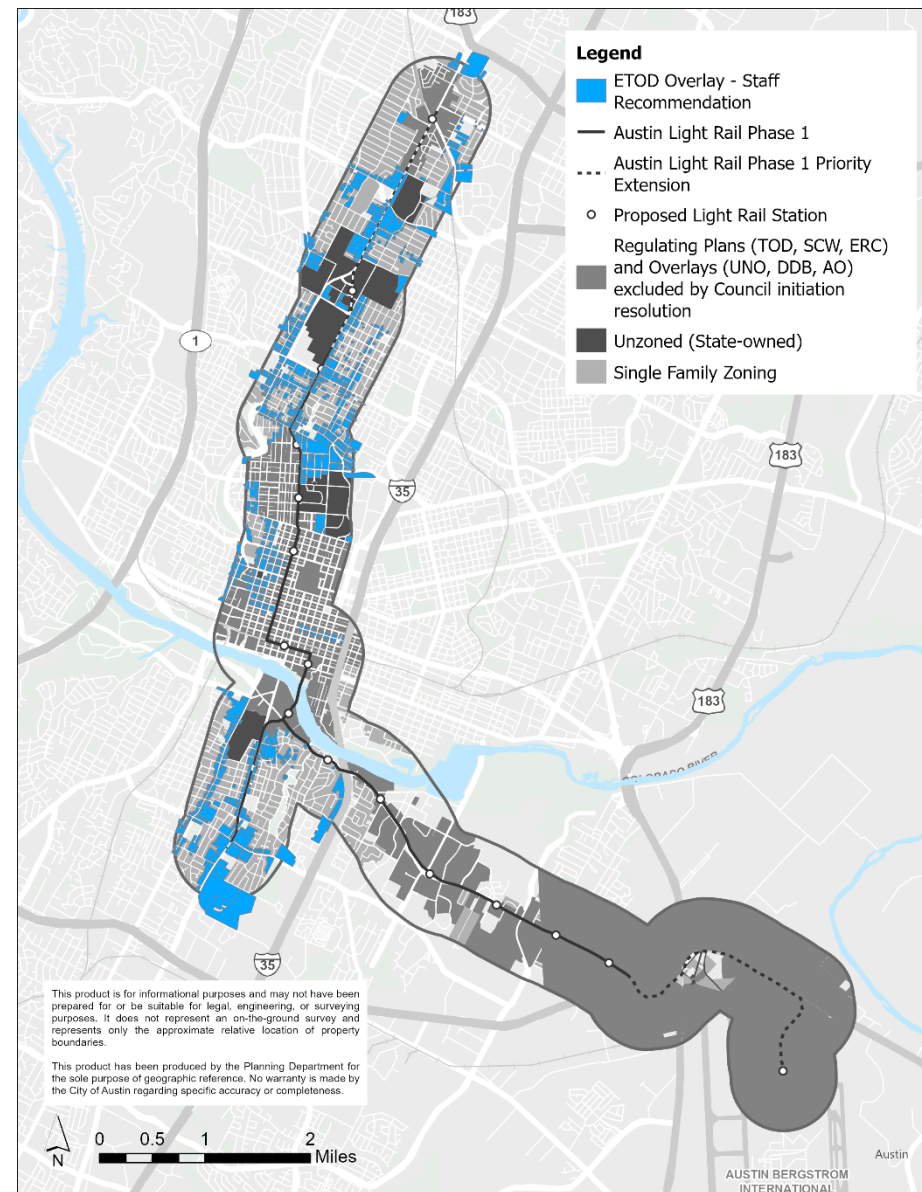
In the future, ETOD / DBETOD can also be applied with:

- Individual property-owner initiated rezoning application
- Additional Council-directed rezonings

*Properties must have ETOD district applied to have DBETOD district applied (and access the bonus program)*

# ETOD Overlay Applicability

- Parcels within a ½ mile of Phase I Austin Light Rail Alignment and Priority Extensions except:
  - Airport Overlay, ERC Regulating Plan, South Central Waterfront, Downtown Density Bonus, University Neighborhood Overlay, existing TODs
  - SF, MH, LA, RR, AV, DR, P, L, -PDA, PUD, and Unzoned parcels
  - Geographically separated areas
  - Parcels near East Riverside Corridor (ERC)
  - Any remaining parkland





# ETOD Overlay: Use Restrictions

**ETOD district will restrict uses by making them conditional or prohibited.**

- No residential uses are further restricted in the proposal
- Code generally allows existing uses to continue as nonconforming uses

**If a site is subject to existing use restrictions, the more restrictive of the two (existing regulations OR ETOD district) would control.**



# ETOD Overlay: Use Restrictions (cont.)

## Prohibited Uses

### Commercial

- Automotive Sales
- Agricultural Sale and Services
- Automotive Rentals
- Automotive Repair Services
- Building Maintenance Services
- Campground
- Carriage Stable
- Convenience Storage
- Drop-off Recycling Collection Facility
- Electronic Prototype Assembly
- Electronic Testing
- Equipment Repair Services

### Commercial (cont.)

- Equipment Sales
- Exterminating Services
- Funeral Services
- Marina
- Recreational Equipment Maintenance & Storage
- Recreational Equipment Sales
- Research Assembly Services
- Research Testing Services
- Research Warehousing Services
- Scrap and Salvage
- Service Station
- Stables
- Vehicle Storage

### Industrial

- Basic Industry
- General Warehousing and Distribution
- Limited Warehousing and Distribution
- Recycling Center
- Resource Extraction

### Agricultural

- Animal Production
- Crop Production
- Horticulture
- Indoor Crop Production

## Conditional Uses

### Commercial

- Alternative Financial Services
- Automotive Washing
- Bail Bond Services
- Commercial Blood Plasma Center
- Commercial Off-Street Parking
- Communications Services
- Construction Sales and Services
- *Electric Vehicle Charging (New use)*
- Kennels
- Monument Retail Sales
- Off-Site Accessory Parking
- Pawn Shop Services
- Pedicab Storage and Dispatch
- Special Use Historic

### Industrial

- Custom Manufacturing
- Light Manufacturing



# ETOD Overlay: Bonus Overview

## Requirements / Restrictions:

- Affordable housing requirements
- Protections when certain properties redevelop:
  - For existing tenants of affordable housing
  - For certain small businesses, creative spaces, childcare and adult care, grocery, medical offices, etc.
- Vertical Mixed Use (VMU) style design standards



# ETOD Overlay: Bonus Overview (cont.)

## Affordable Housing Requirements:

- Ownership Projects:
  - 12% of total units affordable to households at 80% MFI and below
    - May be satisfied through fee-in-lieu
- Rental Projects:
  - 15% of total units affordable to households at 60% MFI and below
  - OR**
  - 12% of total units affordable to households at 50% MFI and below



# ETOD Overlay: Bonus Overview (cont.)

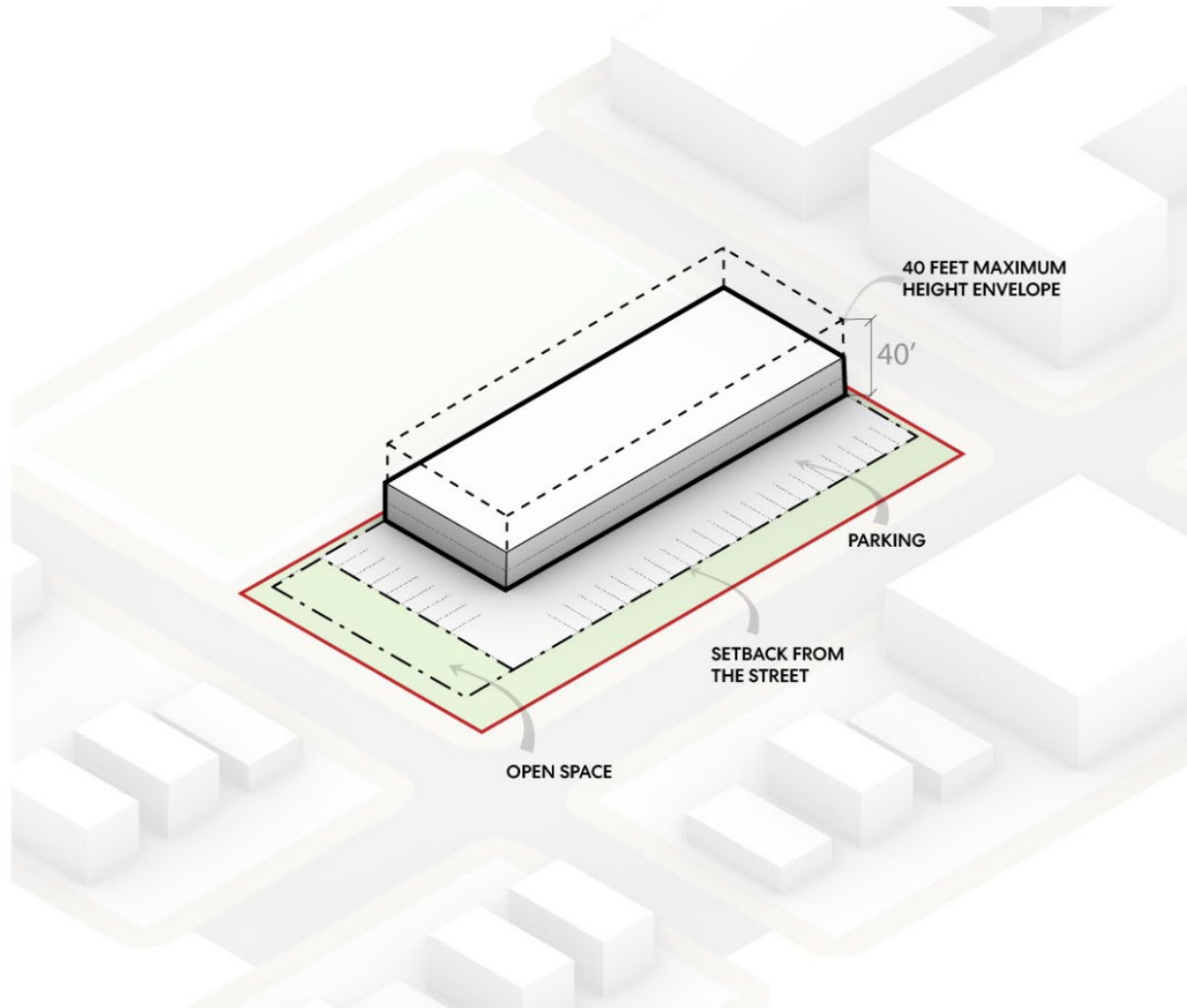
## Additional Entitlements Available For Participating:

- Residential uses allowed in all base zones
- Up to 60 feet additional height, up to a total height of 120 feet
- Relaxation of some site development standards including compatibility
- May supersede certain more restrictive regulations

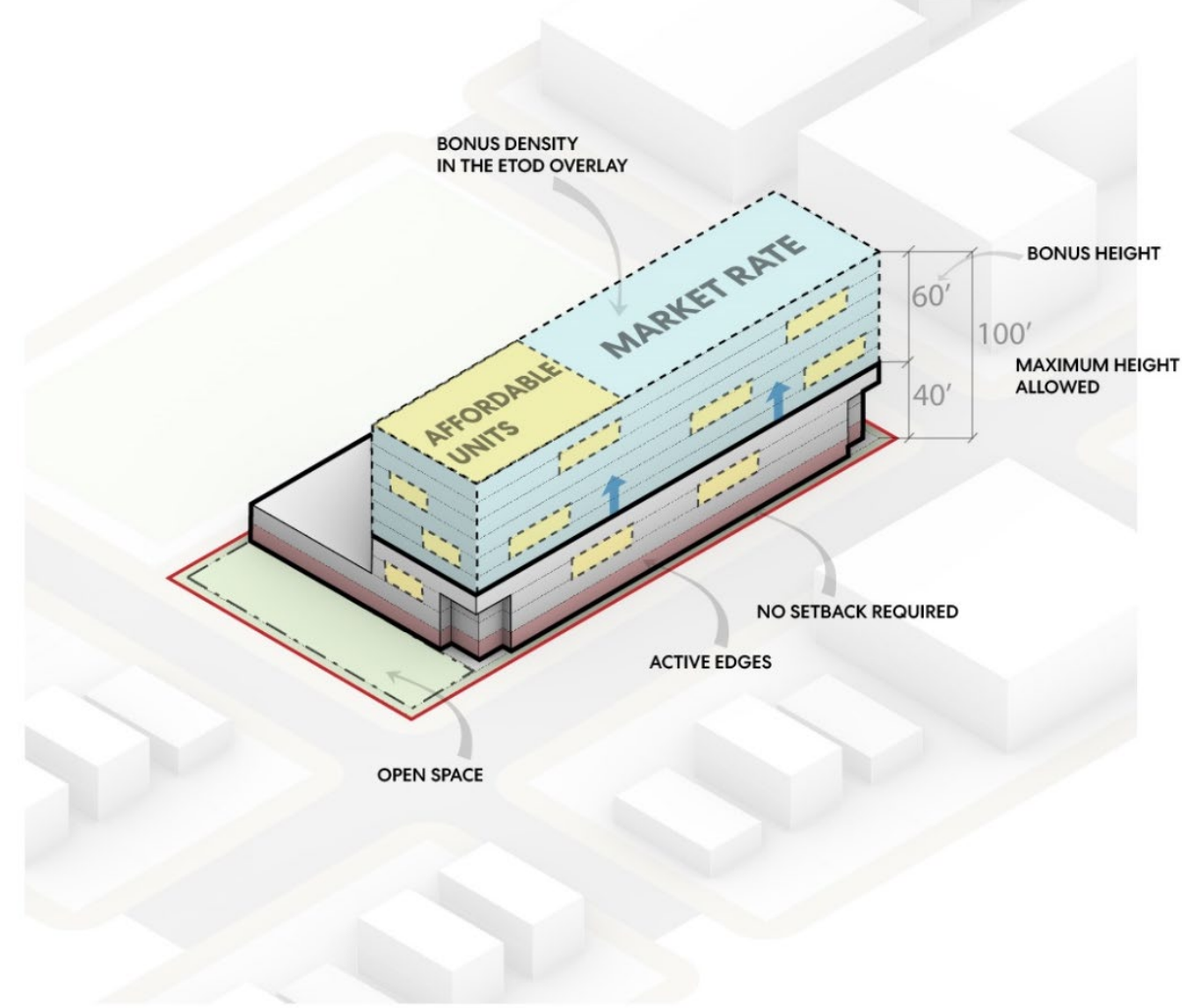




## Existing L0 site



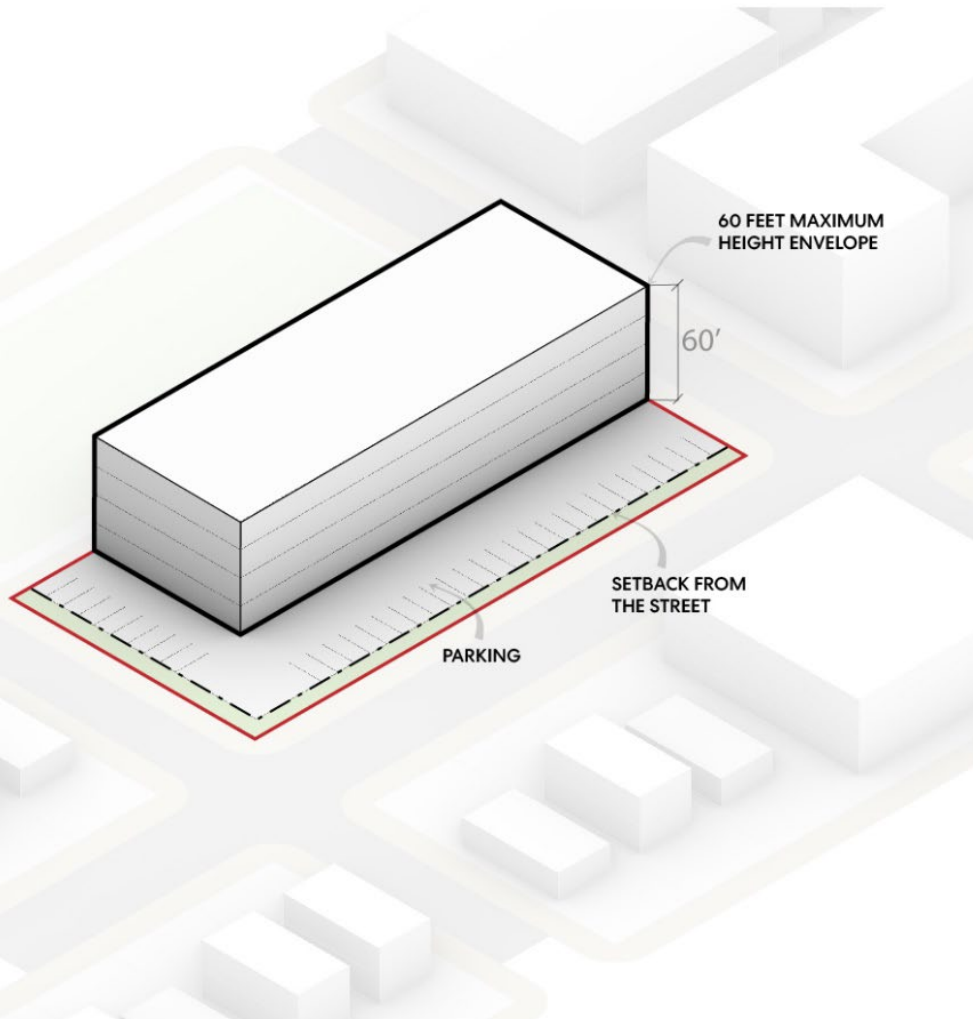
## L0 site developed with ETOD Density Bonus



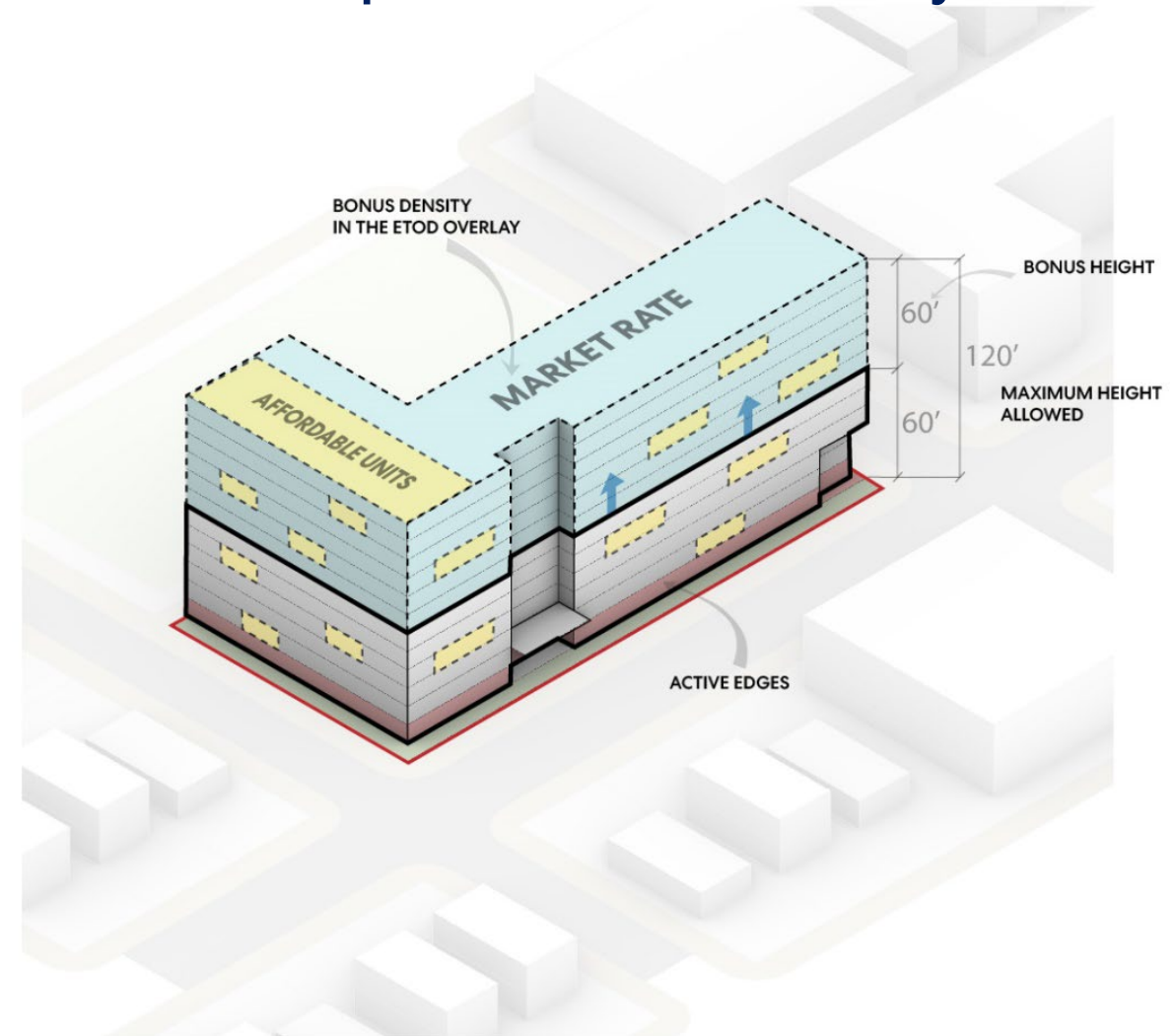




## Existing CS site

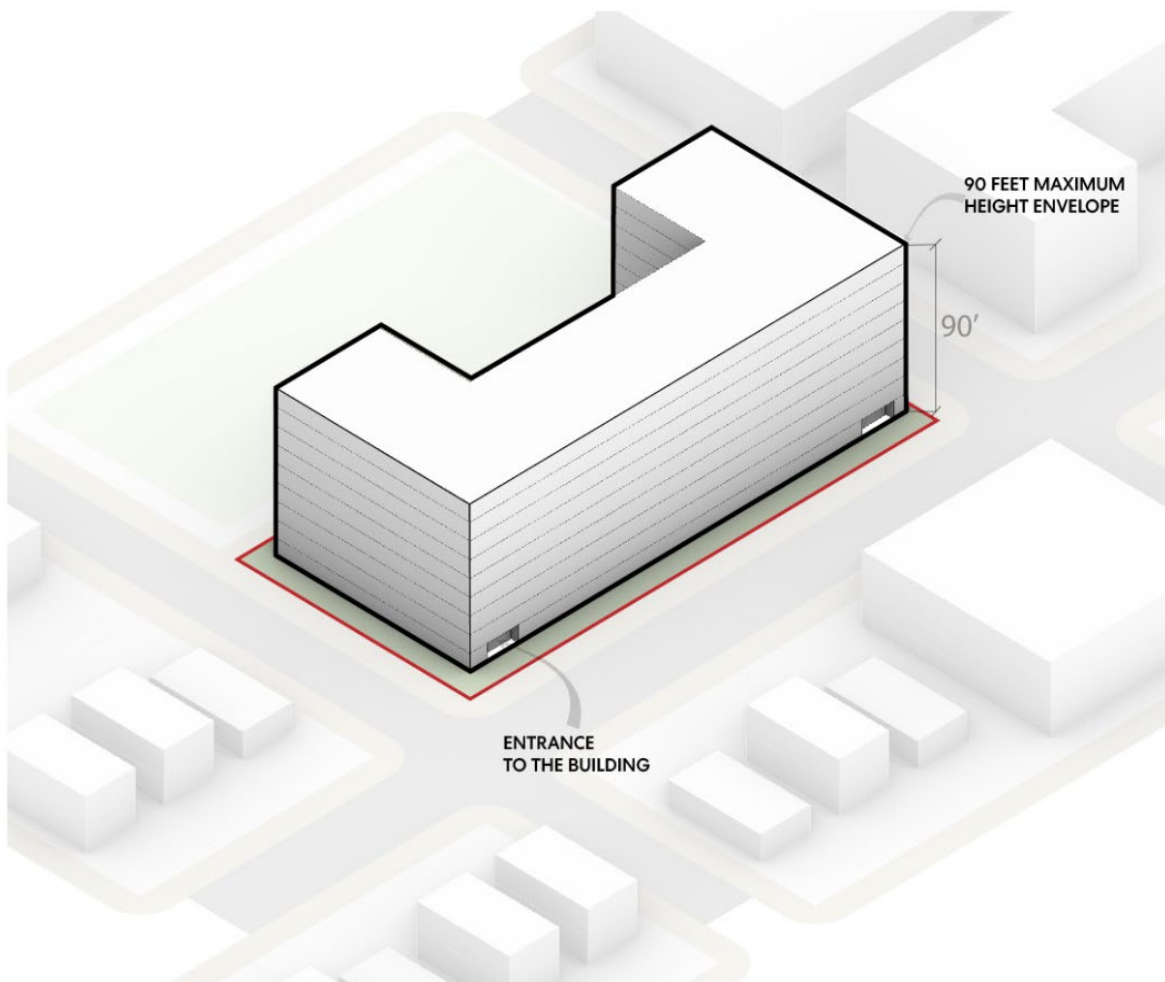


## CS site developed with ETOD Density Bonus

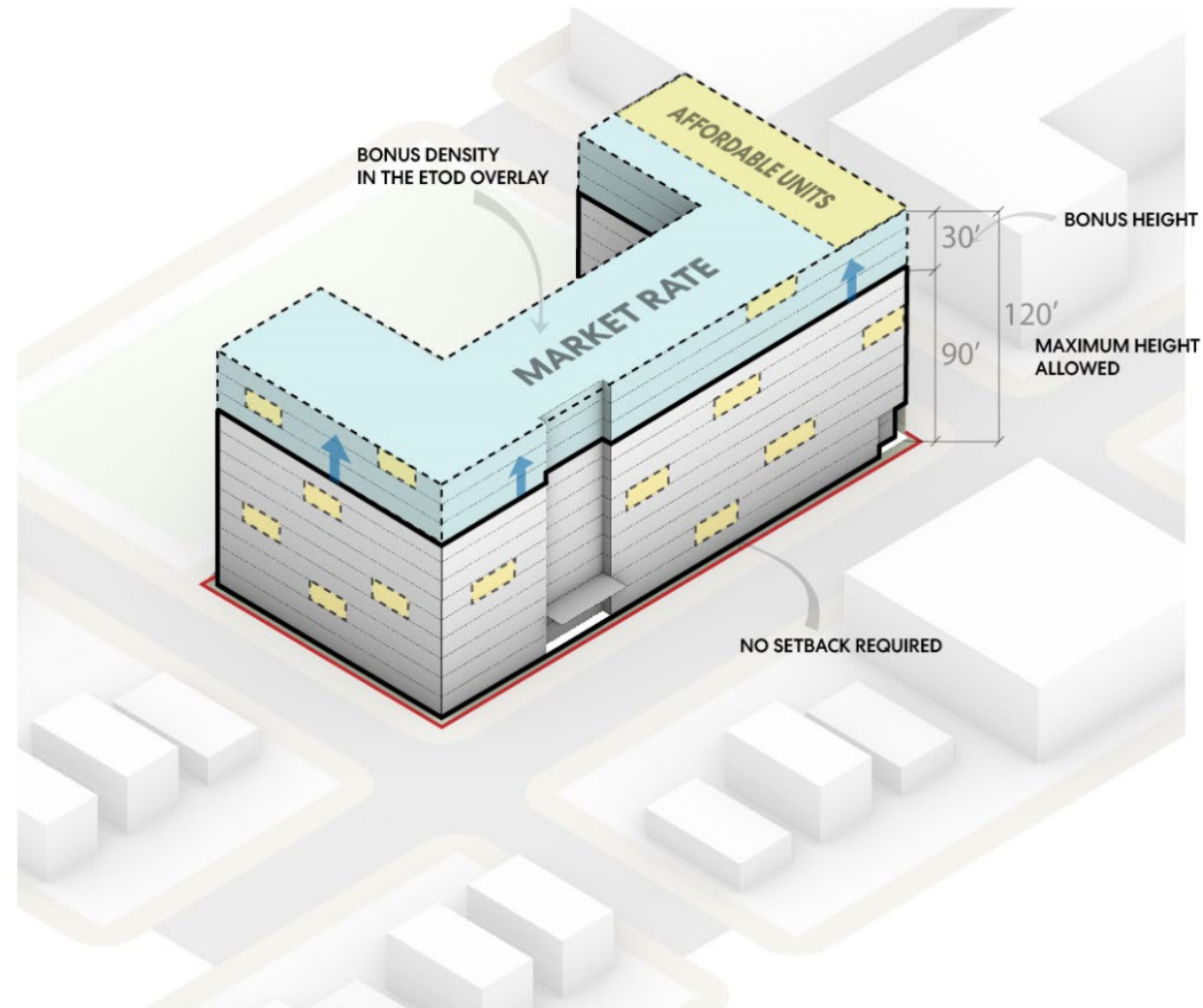




## Existing MF-6 site



## MF-6 site developed with ETOD Density Bonus





# Schedule

- Spring 2024 LDC Amendments Open Houses
  - April 17: In Person, Central Library, 6 p.m. – 8 p.m.
  - April 20: Virtual, 10 a.m. - noon
- April 23: Planning Commission | HOME Phase 2, Compatibility, and EV Charging
- April 30: Planning Commission | ETOD Overlay
- May 16: City Council



## For More Information

- Website: [SpeakUpAustin.org/LDCupdates](http://SpeakUpAustin.org/LDCupdates)
- Email: [LDCupdates@austintexas.gov](mailto:LDCupdates@austintexas.gov)
- Phone: (512) 974-7220



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Thank You