



PLANNING
DEPARTMENT

Equitable Transit-Oriented Development Overlay Code Amendment

Planning Commission

April 30, 2024

C20-2023-004



Public Hearings & Engagement

Additional Open Houses
May 6, 2024 (West Austin)
May 8, 2024 (East Austin)

**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



Engagement Channels

- Mailed Notice and Media
 - ETOD Notice
 - News Coverage
 - Social Media
 - Advertising
- Website, Email, and Phone
- Open Houses



City of Austin
@austintexasgov

The first of three public hearings on the proposed Land Development Code amendments will be held at City Hall on 4/11 at 9am. 🏠 The amendments aim to provide more housing options + make our city more transit-supportive and environmentally friendly.



[SpeakUpAustin.org/LDCupdates](https://speakupaustin.org/LDCupdates)

**NOTICE OF PUBLIC HEARING
FOR AMENDMENT TO LAND DEVELOPMENT CODE
AND REZONING**

Mailing Date: March 28, 2024 Case Number: C20-2023-004

Este aviso le informa de una audiencia pública tratada de un cambio de zonificación dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al 512-974-7226.

This notice is to inform you that the City of Austin is holding public hearings to consider proposed amendments to the City of Austin's Land Development Code, and that the City of Austin is proposing to change the zoning (rezone) on property identified within the "Project Location" section of this notice. You are receiving this notice because you: (1) own one or more parcels of property located within the Project Location or within 500 feet of the area described in the Project Location; (2) are a City utility account holder for property within the Project Location or within 500 feet of the area within the Project Location; or (3) are an occupant of a building located within the Project Location. You must register in order to speak at the public hearing. Visit speakup.austintexas.gov/LDCupdates to learn more about the changes and how to register to speak, submit a written comment on the change to zoning, provide feedback, or participate in an open house about these changes.

The proposed amendment to the Land Development Code is described in the "Proposed Code Amendment" section of this notice, and the proposed zoning change is described in the "Proposed Zoning Change" section of this notice.

Project Location:	Certain non-Single Family zoned properties within 1/2 mile of the Project Corridor Austin Light Rail Phase 1 and Priority Extension identified as "subject tracts" on attached map and located generally along South Lamar Blvd., Guadalupe Street, South Congress Avenue, and south of U.S. Hwy 183 and north of Lightway Rd (Eastward St).
Applicant:	CITY OF AUSTIN PLANNING DEPARTMENT Javier Maldonado, Planning Director, 512-974-7226

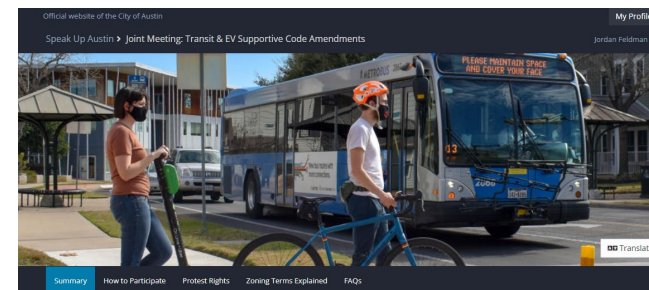
On February 1, 2024, City Council initiated amendments to City Code Title 25 (Land Development) to create an Equitable Transit-Oriented Development (ETOD) Overlay and authorize rezoning of properties into the ETOD Overlay that are located within generally a 1/2 mile of the Project Corridor Austin Light Rail Phase 1 project alignment and the Priority Extensions for Light Rail Transit under Foundation No. 2024021-004.

Note to property owners within the boundaries of the proposed ETOD Overlay Combining District: THE CITY OF AUSTIN IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY. Single-family uses will continue to be allowed.

Proposed Code Amendment
Amend City Code Title 25 (Land Development) to create an ETOD Overlay Combining District (ETOD) and ETOD Density Bonus Combining District (DB-ETOD).

- The ETOD Overlay Combining District (ETOD) is proposed to: Prohibit or make conditional certain non-residential supportive uses. (See list of uses below that may be prohibited or made conditional under the proposal. Prohibition will not include residential uses.)
- The ETOD Density Bonus Combining District (DB-ETOD) is proposed to: Create a density bonus program that allows residential uses, modify development regulations to increase maximum height to 120 feet, and modify various site development standards including compatibility standards. It will allow developments to participate in a density bonus program if they provide affordable rental or extended housing that meets certain requirements.

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Joint Meeting: Transit & EV Supportive Code Amendments

The City of Austin's Planning Department, at City Council's direction, is proposing several changes to the land development code. The goal is to make our city more walkable, transit-supportive, and environmentally friendly for all residents.

Equitable Transit-Oriented Development (ETOD), updated compatibility standards, and a smaller minimum lot size for a house will unlock opportunities for more housing, including affordable housing, throughout the city, especially along our busiest transit corridors. Developing regulations for where we put electric vehicle charging sites will help make this green mobility option more available while making sure we do so in a way that works for all of Austin.



ETOD Engagement by the Numbers (as of 4/25)

- Notices mailed out: **39,084** (ETOD only)
- Visits to www.SpeakUpAustin.org/TransitLDC: **5,221+**
(2,039+ visits to the [ETOD Overlay SpeakUp webpage](#))
- Phone calls/emails: **78** (ETOD only)
- Comments on speakupaustin.org: **35** (ETOD only)
- Speakers at April 11 Joint Meeting: **181**
(115 in favor, 58 against, 8 neutral)
- Attendees at 4/17 In-Person Open House: **88+**
- Attendees at 4/20 Virtual Open House: **75+**



Additional Open Houses

- **May 6, 2024**

6-8 PM

Anderson High School

8403 Mesa Drive

- **May 8, 2024**

6-8 PM

George Washington Carver Museum and Cultural Center

1165 Angelina Street



ETOD Overlay – Clarifications

- Rezoning to DBETOD will not require someone to redevelop
- Existing businesses do not have to stop operating
- DBETOD projects will be able to follow relaxed compatibility standards
- Future phases of work will:
 - Consider all Project Connect lines
 - Consider increased entitlements
 - Calibrate density bonus/consider additional community benefits
- ETOD/DBETOD could be added to properties within ½ mile of LRT and Priority Extensions through future rezoning requests



Schedule

- April 30 (today): Council Work Session
- April 30 (today): Planning Commission | ETOD Overlay
- May 6: Additional Open House (West Austin @ Anderson HS)
- May 8: Additional Open House (East Austin @ Carver Museum)
- May 14: Council Work Session
- May 16: City Council



For More Information

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



PLANNING
DEPARTMENT

Thank You



Council Direction

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



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

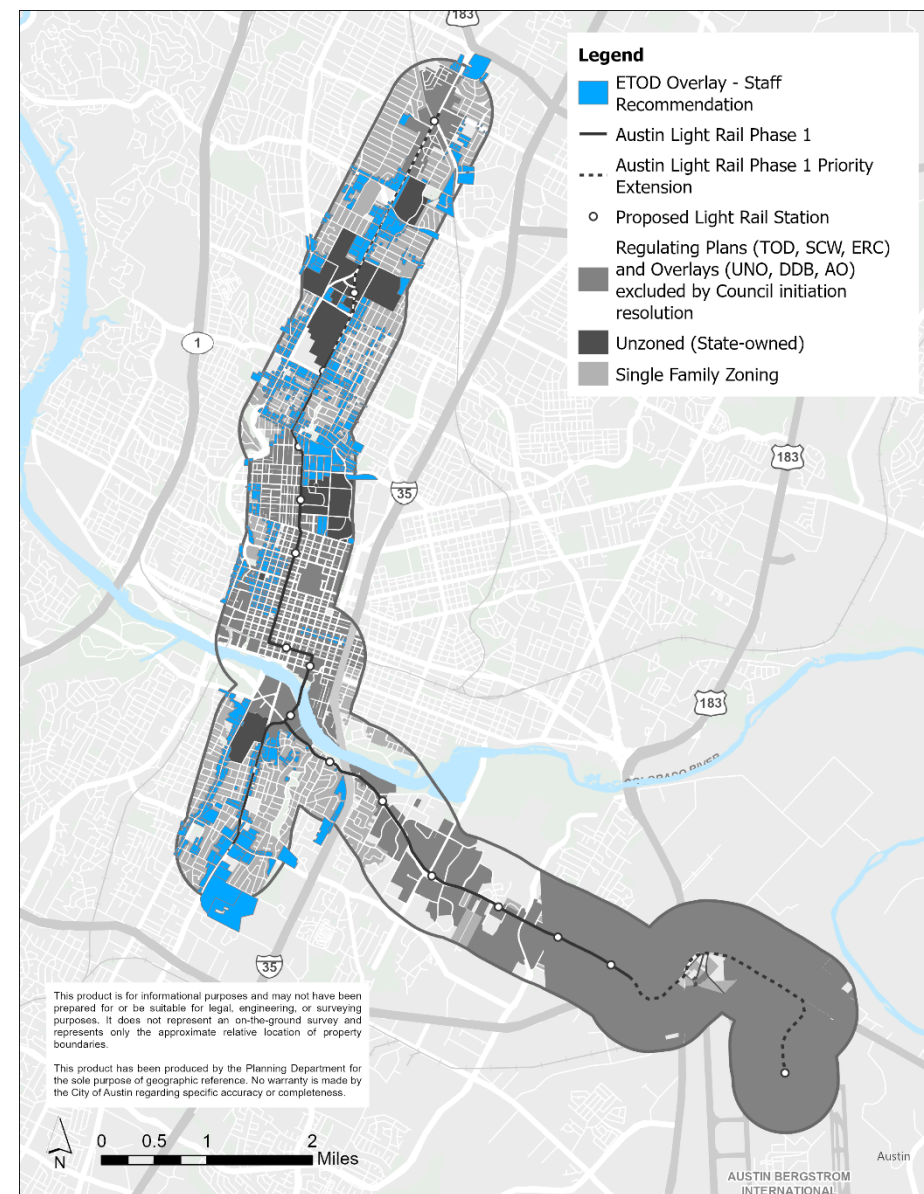
In the future, ETOD / DBETOD can also be applied with:

- 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



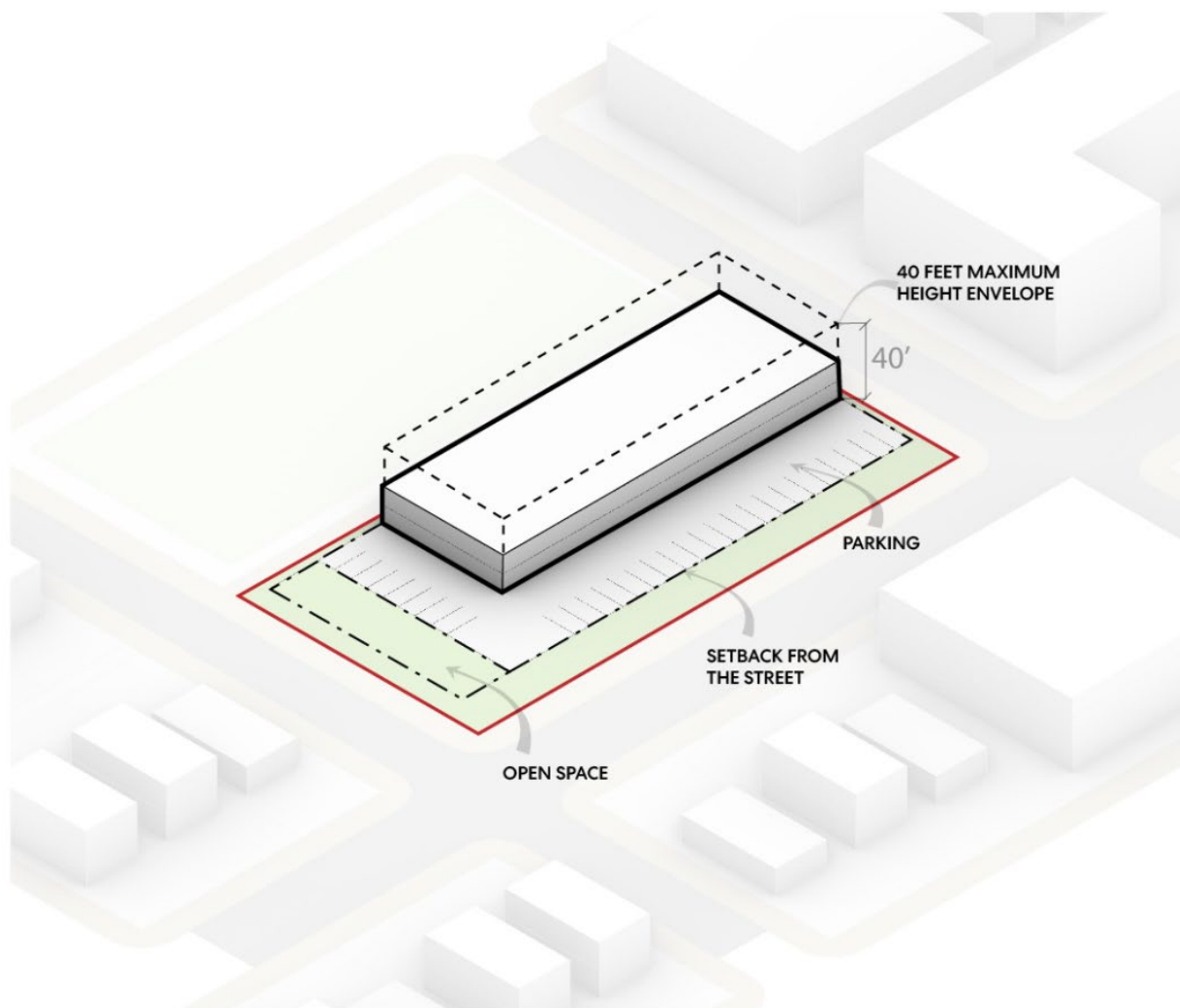
ETOD Overlay: Bonus Overview (cont.)

Additional Entitlements Available For Participating:

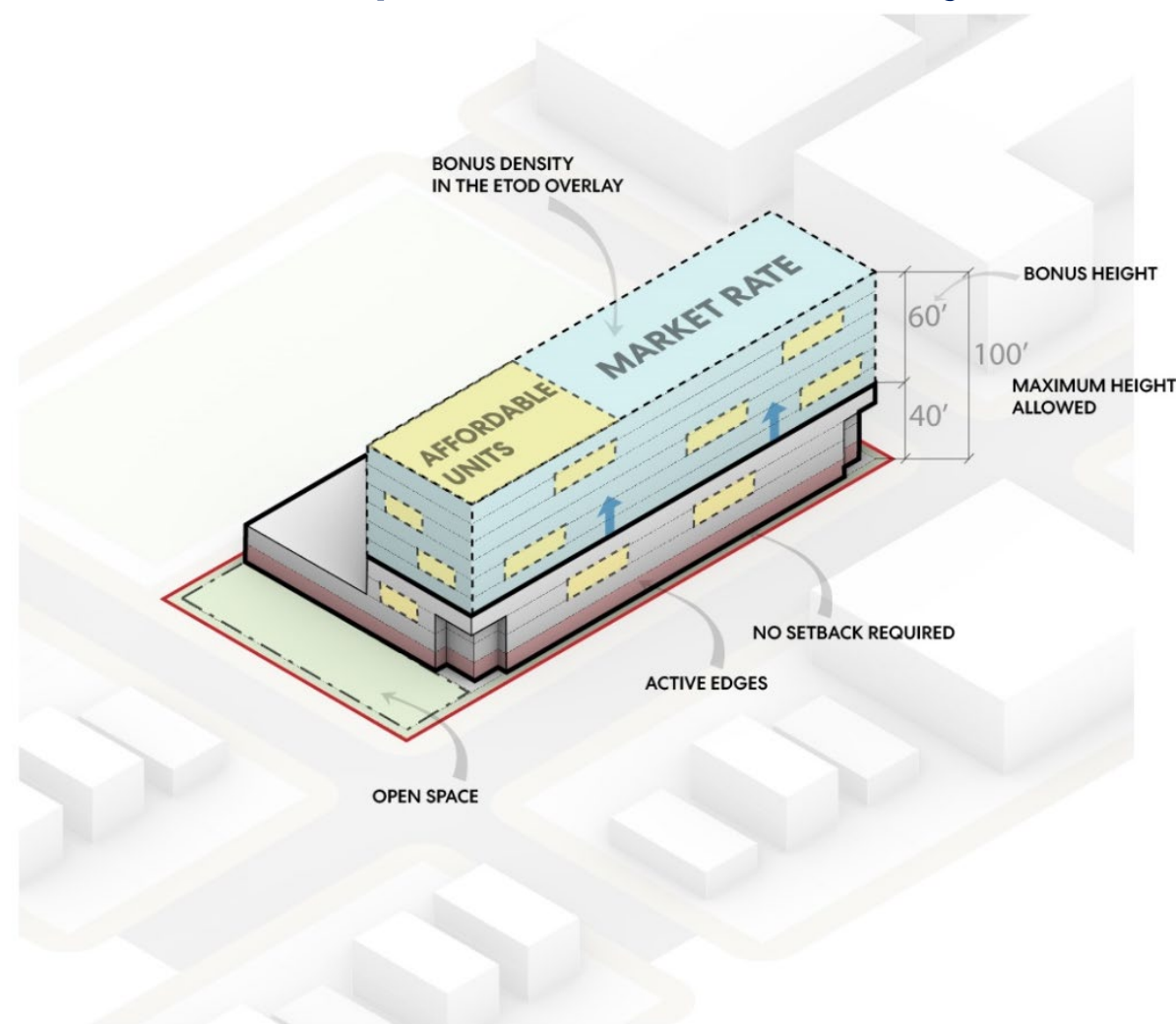
- Residential uses allowed in all base zones
- Up to 60 feet additional height, up to a total height of 120 feet
- Relaxation of some site development standards including compatibility
- May supersede certain more restrictive regulations



Existing L0 site

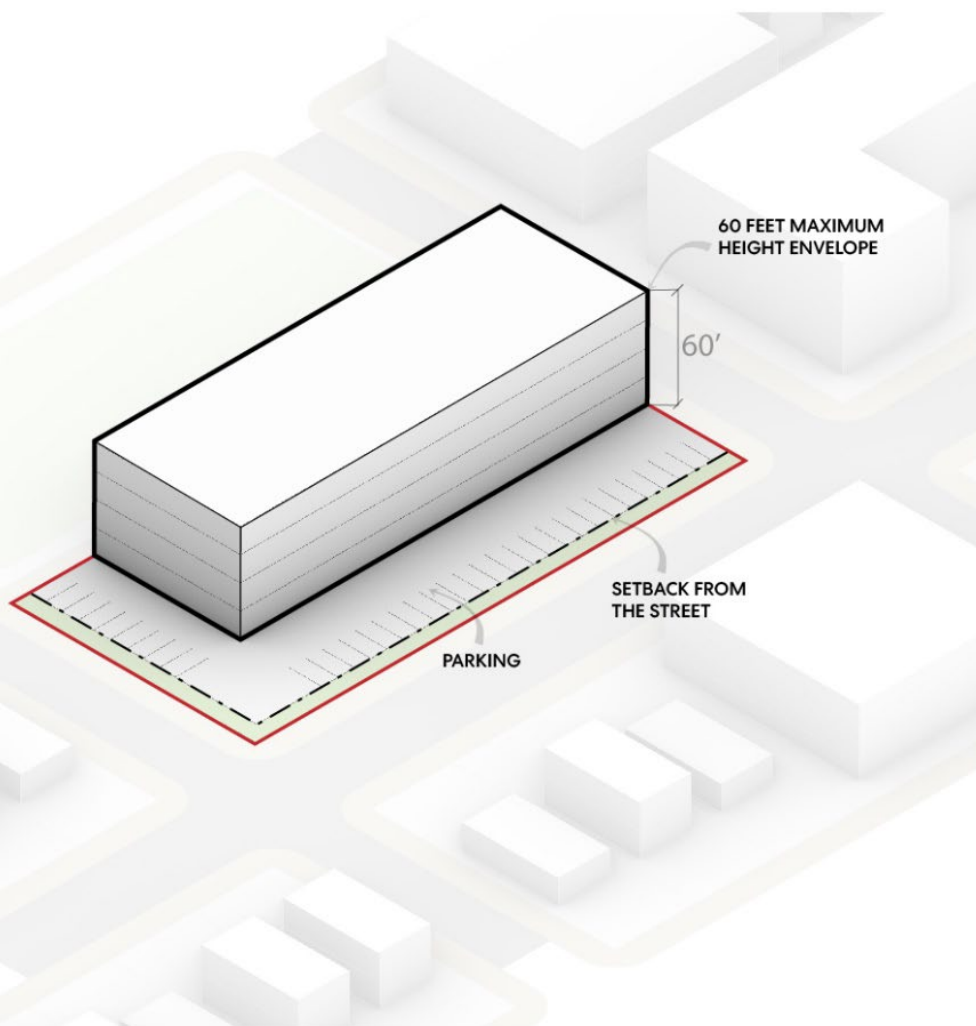


L0 site developed with ETOD Density Bonus

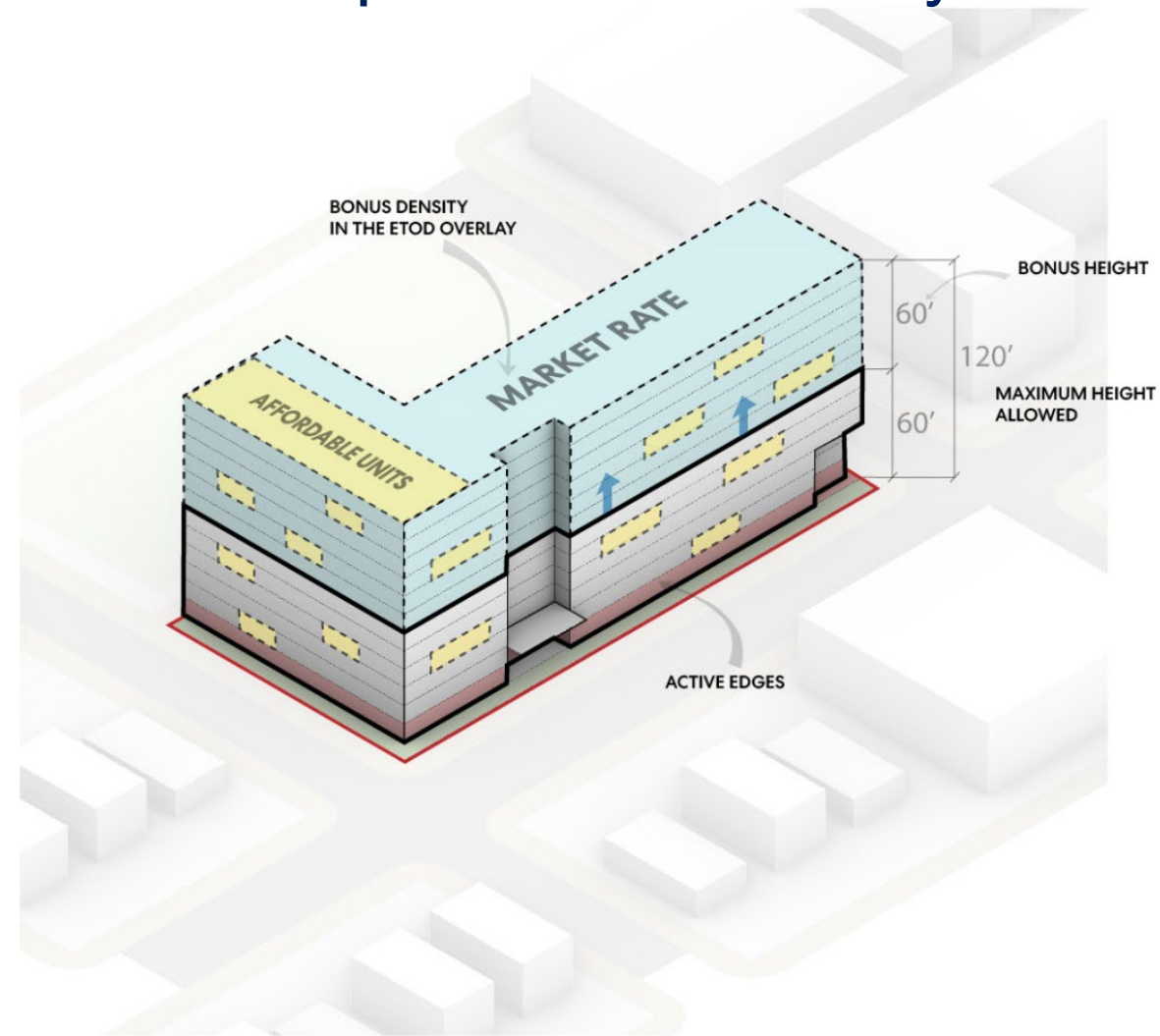




Existing CS site

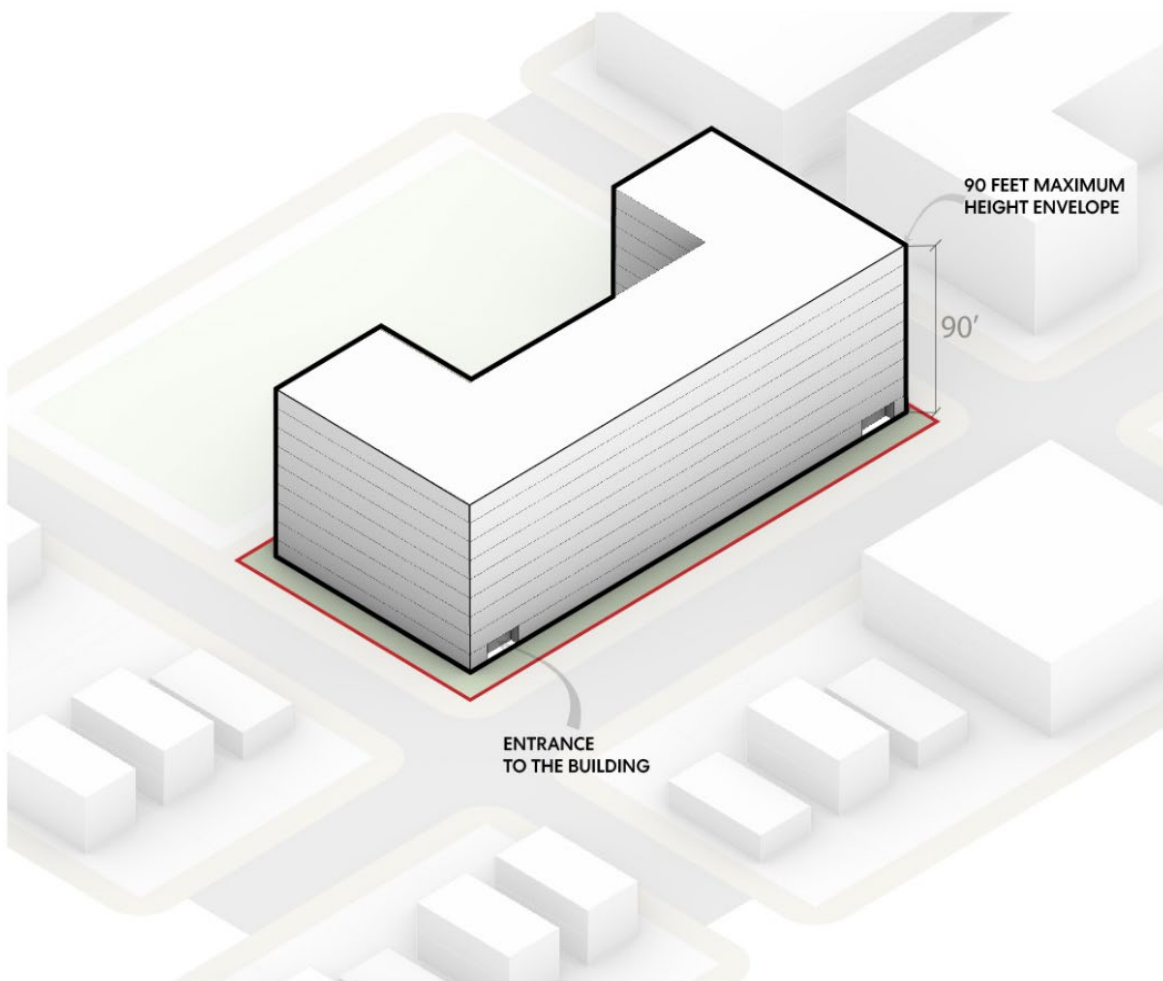


CS site developed with ETOD Density Bonus





Existing MF-6 site



MF-6 site developed with ETOD Density Bonus

