

ETOD Overlay														
No.	Commissioner	Reference Document	Pg #/Section #	Proposed Amendment	Proposed Text Change (Underline added text/Strikethrough deleted text)	Text Change Included in Amendment (YES/NO)	References and Notes (if needed)	WG Vote Tally	Azhar Vote	Cox Vote	Haynes Vote	Johnson Vote	Maxwell Vote	Phillips Vote
1	Azhar	ETOD Ordinance Draft V1	Page 11 of 16 - § 25-2-654 (I)	Minimize the redevelopment of existing naturally occurring affordable housing by adding an adapted multi-family redevelopment requirement. For redevelopment with an existing multi-family structure, an applicant must: (1) replace all existing units that were affordable to a household earning 60 percent MFI or below in the previous 12 months and have at least as many bedrooms as those units; (2) provide current tenants with notice and information about the proposed development with a timeframe of 180 days consistent with requirements adopted under Section 25-1-711 (Purpose, Applicability, Exceptions And Definitions), Section 25-1-712 (Tenant Notification Required), Section 25-1-713 (Additional Notice Requirements), and Section 25-1-717 (Offenses) and allow tenants to terminate leases without penalty or prejudice during the period for which notification is provided; (3) pay a tenant relocation fee established by separate ordinance as a condition of approval. The Housing director shall deposit a fee imposed under this section into the Developer Fund for Tenant Relocation Assistance, which is established under this section. The director shall use the fund to provide tenant relocation assistance to eligible tenants at the development or site for which the payment was made, consistent with requirements adopted under Section 25-1-714 (Tenant Relocation Program); and (4) grant income-eligible current tenants the option to lease one of the affordable units a unit of comparable affordability and size following completion of redevelopment. Grant all other tenants the option to lease a unit of comparable affordability and size following completion of redevelopment.		No	Necessary Changes will need to be made in Chapter 4-18 to reflect these changes.	6/6	Yes	Yes	yes	Yes	Yes	Yes
2	Azhar	Azhar Amendment 1		Create a process by which some of the requirements in Subsection (I) can be waived or appealed in special circumstances, for example when the existing multi-family structure may pose a health hazard for existing tenants, requiring extensive repairs.		No	This is contingent on Azhar amendment 1 passing.	6/6	Yes	Yes	Yes	Yes	Yes	Yes
3	Johnson	ETOD	General recommendation	Provide a report on at least a bi-annual (every six months) basis, describing the usage/impact of the ETOD density bonus program, including yields of affordable housing (on-site and fee in lieu), usage of fee-in-lieu funds, number of total residential units created, commercial space developed or redeveloped, and other key metrics including equity impacts.				6/6	Yes	Yes	Yes	Yes	Yes	Yes
4	Haynes	ETOD Draft Ordinance	General	Once the final Austin Light Rail station selection has been made, review and revise this ordinance to ensure it is aligned fully with Project Connect		No		6/6	Yes	Yes	Yes	Yes	Yes	Yes
5	Maxwell	ETOD Draft Ordinance	Page 3 of 16 - § 25-2-653 (D-E)	Update certain prohibited and commercial uses.	Amend use cases as outlined.	No	<a href="#">See list below</a>	6/6	Yes	Yes	yes	Yes	Yes	Yes
6	Maxwell	ETOD Draft Ordinance	Page 7 of 16 - § 25-2-654 (F)	Remove ETOD redevelopment requirements	Strike lines 157 - 165	Yes		5/6	Yes	Yes	yes	Yes	Yes	
7	Azhar			General Amendment	Fully implement the ETOD Policy Plan, including programs requiring funding	No	ETOD Policy Plan: <a href="https://publicinput.com/Customer/File/Full/97a3315a-15ce-4dd2-b94c-0633abc49671">https://publicinput.com/Customer/File/Full/97a3315a-15ce-4dd2-b94c-0633abc49671</a>	6/6	Yes	Yes	yes	Yes	Yes	Yes
8	Cox	ETOD Draft Ordinance v1	Page 5 (E)(1)(b)	Consider holding fee-in-lieu to a higher bar	Staff to consider the following revision: At a minimum the fee-in-lieu shall be equivalent to <b>110% of the</b> required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of final site plan submission.	Yes	I believe we did something similar for South-Central Waterfront? Which is actually in the ETOD area (but regulated elsewhere).	6/6	Yes	Yes	Yes	Yes	Yes	Yes
9	Cox	ETOD Draft Ordinance v1	Page 10 (H)(6)	Matching noise level language recommended in the compatibility amendment	Staff to consider the following addition: Mechanical equipment may not produce sound in excess of 70 decibels measured at the site's property line that is shared with a triggering property. <b>Between the hours of 10 pm and 10 am, mechanical equipment may not produce sound in excess of 45 decibels measured at the site's property line that is shared with a triggering property.</b>	Yes	With compatibility reduced, large commercial-grade mechanical equipment is likely to be closer to existing residences that may not have the sound-insulating properties of modern construction. Ref EPA, CDC, WHO recommendations for evening noise levels.	6/6	Yes	Yes	yes	Yes	Yes	Yes

10	Cox	ETOD Draft Ordinance v1	N/A	In future ETOD efforts, staff shall evaluate the benefits and feasibility of zoning State property to bring these properties in line with desired development standards and regulations if the property were sold as surplus.		No	There is an enormous amount of State property within the ETOD area boundary. Applying the same development regulations rather than keeping them unzoned might provide efficiency/desirability to their redevelopment.	6/6	Yes	Yes	yes	Yes	Yes	Yes
11	Cox	ETOD Draft Ordinance v1	Page 9, (G)(6)(f)	Recommend that staff evaluate adding language to minimum front setback that allows for the City to require additional setback for properties immediately adjacent to proposed station areas to provide flexibility in station design and help avoid any conflicts with future light rail infrastructure and utilities/structures that don't exist already.		No	Since the design of the light rail is in such an early stage, ROW needs are yet to be determined based on the selected design concept for each station. To help minimize cost increases to the light rail project due to conflicts with structures, staff may want to consider giving the City more flexibility in the ETOD overlay to require a certain front-yard setback adjacent to station areas. This flexibility would likely expire (in practical terms or via code provision) once the stations are built.	5/6	Yes	Yes	yes	Yes	Yes	
12	Maxwell	ETOD Draft Ordinance	Page 3 of 16 -§ 25-2-653 (D-E)	General Amendment	Recommend that Commercial Off-Street Parking be recategorized as Prohibited Use	No	<a href="https://docs.google.com/document/d/1ZlRbxHnDEBL-MWqdt9XRFlEbEIM5ROsXFY_GwQGE_L-s/edit?usp=sharing">https://docs.google.com/document/d/1ZlRbxHnDEBL-MWqdt9XRFlEbEIM5ROsXFY_GwQGE_L-s/edit?usp=sharing</a>	6/6	Yes	Yes	Yes	Yes	Yes	Yes
13	Phillips			Assess risks for existing affordable housing in the ETOD area and include protections for those at-risk of demolition. Also, assess the enforcement of similar provisions previously used in Affordability Unlocked and close loopholes.			The Anti-Displacement Funds and other funding sources need to be used to acquire affordable housing before the ETOD Overlay is passed and triggers market values to increase and provisions must be added to prevent demolition of existing affordable housing with loop-holes for similar previous provisions closed. Affordable housing includes the Hidden Garden Apartments, the Guadalupe Macrohouse and LeMed Apartment Homes.	6/6	Yes	Yes	yes	Yes	yes	Yes
14	Phillips			Use Project Connect Anti-Displacement funds for acquisition of existing affordable housing and properties with the potential for developing affordable housing at or below 50% MFI.			The Anti-Displacement Funds and other funding sources need to be used to acquire affordable housing before the ETOD Overlay is passed and triggers market values to increase and provisions must be added to prevent demolition of existing affordable housing with loop-holes for similar previous provisions closed. Affordable housing includes the Hidden Garden Apartments, the Guadalupe Macrohouse and LeMed Apartment Homes.	5/6	Yes	Yes	yes	Abstain	yes	Yes
15	Phillips			Recalibrate to ensure it reflects increased market rate values and returns for developers. If units are below 60% MFI, fee-in-lieu should not be an option.			Fee in-lieu changes. When overall costs increase due to inflation and market conditions, the value of dollars gained through fee in-lieu decreases when fee in-lieu stays the same.	5/6	Yes	Yes	yes	No	yes	Yes
16	Phillips			Explore tax abatement or other programs for small businesses facing displacement due to property tax increases within the ETOD Overlay area.				6/6	Yes	Yes	yes	Yes	yes	Yes

## Prohibited Uses

### COMMERCIAL USES:

Agricultural Sale and Services  
Building Maintenance Services  
Campground  
Carriage Stable  
Commercial Off-Street Parking  
Convenience Storage  
Drop-off Recycling Collection Facility  
Electronic Prototype Assembly  
Electronic Testing  
Equipment Repair Services  
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 USES:

Basic Industry  
General Warehousing and Distribution

Recycling Center  
Resource Extraction

### AGRICULTURAL USES:

Animal Production

## CONDITIONAL USES

### COMMERCIAL

Alternative Financial Services

**Automotive Sales**

**Automotive Rentals**

**Automotive Repair Services**

*Automotive Washing*

Bail Bond Services Commercial

Blood Plasma Center

Communications Services Construction Sales and Services

\*Electric Vehicle Charging (new use)

Kennels

### COMMERCIAL

Monument Retail Sales

Off-Site Accessory Parking

Pawn Shop Services

Pedicab Storage and Dispatch

Special Use Historic

### INDUSTRIAL

Custom Manufacturing

Light Manufacturing

**Limited Warehousing and Distribution**

### AGRICULTURAL USES:

**Crop Production**

**Horticulture**

**Indoor Crop Production**