



PLANNING  
DEPARTMENT

# ETOD, HOME Phase 2, Compatibility, and EV Charging Code Amendments

Council Work Session

April 30, 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

**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

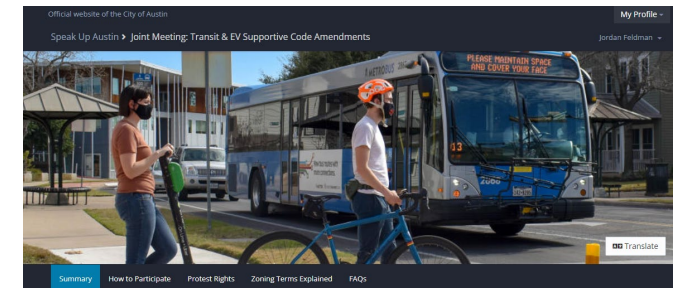
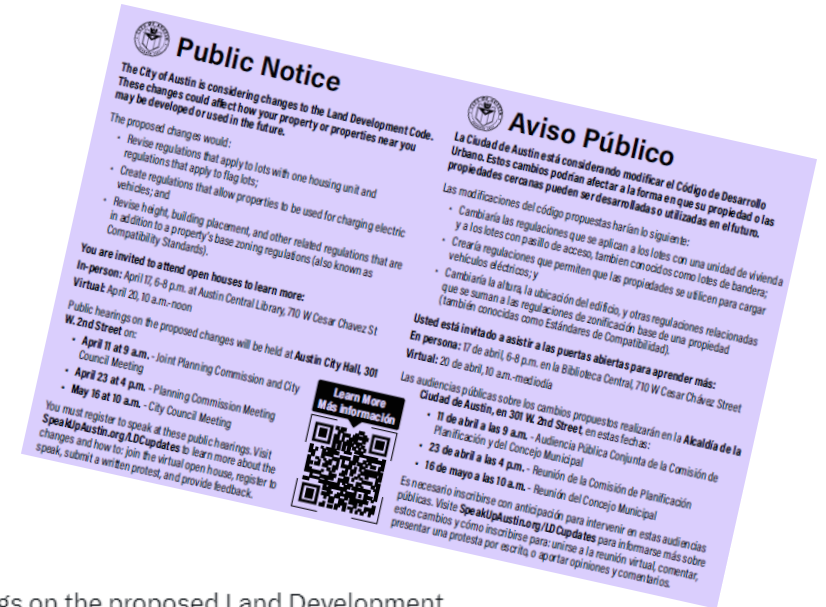
- Mailed Notice and Media
  - Purple Postcard
  - ETOD Notice
  - News Coverage
  - Social Media
  - Advertising
- Website, Email, and Phone
- Open Houses



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)



## 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.



# Engagement by the Numbers (as of 4/22)

- Notices mailed out: **671,912 + 39,084 (ETOD)**
- Visits to [www.SpeakUpAustin.org/TransitLDC](http://www.SpeakUpAustin.org/TransitLDC): **4,990+**
- Phone calls/emails: **202+**
- Comments on [speakupaustin.org](http://speakupaustin.org): **150+**
- 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



# EV Charging Use – Clarifications

- **EV Charging Use prohibited underground because:**
  - EV vehicle fires generate a great deal of smoke and burn very hot. Underground prohibition will assist with smoke removal should an incident occur.
  - Smoke removal could take days if the EV incident is below the first level below grade, and any access to the garage or vehicles in the garage would be prohibited during that time.
- **No changes to EV Charging as part of accessory parking**
  - The proposed regulations only apply when EV Charging is the principal use on the site.



# EV Charging Use – Planning Commission Action

PC Amendment / Recommendation		Staff Response
1	Account for future additional roadway types	Support
2	Permit EV Charging one level below grade	Under review
3	Make EV Charging a conditional use within 1,000 feet of highway caps and stitches	Support





# HOME Phase 2– Clarifications

- **45% Impervious Cover Requirement**
  - The 45% impervious cover limit helps ensure there is space for rainwater to be absorbed or directed to a storm drainage system so it does not negatively affect neighboring properties.
  - In residential subdivisions, drainage systems are designed assuming 45% impervious cover for residential lots.
- **Emergency Access**
  - The current practice of requiring a fire lane or sprinkler system for structures out of reach of the fire hose from the street would be continued.



# HOME Phase 2– Planning Commission Action

PC Amendment / Recommendation		Staff Response
1	Amend lot area and impervious cover measurements to exclude “flagpole” (consistent with current code)	Under review
2	Reduce minimum lot size to 1500 sq ft	Under review*
3	Increase minimum unit size to 1650 sq ft	Under review*
4	Reduce minimum lot width to 15 feet	Support with changes

\*Staff would support similar changes if Amendment 1, lot area measurement, is adopted



# HOME Phase 2– Planning Commission Action

PC Amendment / Recommendation		Staff Response
5	Reduce minimum front setback to 10 ft	Does not support
6	Reduce “internal” setbacks to 0 ft	Under review
7	Reduce setbacks adjacent to “small lot residential single-family” use to 0 ft	Under review
8	Allow encroachments in setbacks for architectural features and porches	No change needed
9	Amend front yard impervious cover to only apply to driveways and parking	Does not support



# HOME Phase 2– Planning Commission Action

PC Amendment / Recommendation		Staff Response
10	Reduce minimum flag lot width to 5' in some cases	Does not support
11	Allow landlocked “back lots” that do not have street access	Under review
12	Add “flagpole” clarifying language to lot width requirements	Support with changes
13	Add replat definition	Does not support



# HOME Phase 2– Planning Commission Direction

PC Amendment / Recommendation	
1	Develop a new replatting process specific to HOME Phase 2 projects with appropriate fees
2	Create preservation bonus related to HOME Phase 2 and adjust the existing HOME Phase 1 bonus program
3	Modify standards for certain geographies to reduce displacement and gentrification
4	Tailor changes to meet the racial and environmental needs of individual areas



## HOME Phase 2– Planning Commission Direction

PC Amendment / Recommendation	
5	Amend the HOME Annual Impact Study to focus on the displacement of historically marginalized groups
6	Explore reporting on impacts of both phases of HOME via a publicly accessible online dashboard on an ongoing basis
7	Develop plain-language, publicly available educational materials related to both phases of HOME
8	For at least one year after implementation, prioritize meeting with community groups to offer more information about HOME Phase 2 and related programs



## HOME Phase 2– Planning Commission Direction

PC Amendment / Recommendation	
9	Make ADUs more accessible for low- and middle-income residents and streamline permitting
10	Establish a low-income financial assistance program for homeowners
11	Strengthen relocation programs and protections
12	Establish a legal support program for homeowners at risk of displacement



# Compatibility – Clarifications

- **25' Compatibility Buffer is much more flexible than current 25' "No-Build" Setback**
  - Compatibility Buffer requires vegetative screening and allows low-impact structures, including stormwater infrastructure, retaining walls, driveways, parking, landscaping, fences, trails, or sidewalks. With very limited exceptions, the current "no build" setback does not allow anything to be built.
  - Standards for the Compatibility Buffer are in § 25-8-700.
- **Proposed changes would reduce the overall area subject to compatibility by nearly 94%**





# Compatibility – Planning Commission Action

PC Amendment / Recommendation		Staff Response
1	Remove 40 ft height limit in compatibility buffer exemption for sites zoned NO, LO, or LR	Does not support
2	Allow a narrower 15 ft compatibility buffer for sites 75 ft or less in width	Support with changes
3	Exclude multifamily residential use up to 16 units from compatibility buffers	Support
4	Allow site-specific amendments to the compatibility height limits and compatibility buffer requirements	Under review



# Compatibility – Planning Commission Action

PC Amendment / Recommendation		Staff Response
5	Allow a 15 ft compatibility buffer for a structure that is 40 ft or less and contains a residential use	Under review
6	Ensure both Planning Commission or City Council can initiate site-specific amendments	Support
7	Recommend noise requirements for mechanical equipment	Under review



# Compatibility – Planning Commission Direction

PC Amendment / Recommendation	
1	Make compatibility buffer requirements more flexible
2	Provide a summary of compatibility regulations on the city website and at libraries, community centers, development offices, and city hall. Make summary available upon request
3	Prioritize meetings with neighborhood and community groups to summarize compatibility requirements
4	Limit the applicability of compatibility changes to certain areas to study equity, displacement, and gentrification impacts
5	Ensure that the requirements for all DB programs match the requirements for the new DB programs being considered in 2024



# 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: Council Work Session
- April 30: 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](https://SpeakUpAustin.org/LDCupdates)
- Email: [LDCupdates@austintexas.gov](mailto:LDCupdates@austintexas.gov)
- Phone: (512) 974-7220



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Thank You