

MEMORANDUM

TO: City Council Members

FROM: Lauren Middleton-Pratt, Director, Planning Department

THROUGH: Veronica Briseño, Assistant City Manager

DATE: July 13, 2023

SUBJECT: Updates to the Schedule of Land Development Code Amendments

This memo is an update to staff's recommended timeline to draft and adopt all active Land Development Code (LDC) amendments. Staff understands the urgency of these amendments, particularly those that have the potential to increase housing supply and income-restricted housing for the Austin community and is committed to compressing timelines to adoption where feasible and as additional resources are identified.

At the May 23, 2023, City Council Housing and Planning Committee meeting, committee members presented a prioritization chart that grouped existing code amendments by high, medium, low, and other priority. Following the Housing and Planning Committee meeting, staff created a schedule of active code amendments that reflects staff's estimate of the timing of code amendment processes based on anticipated staffing and financial resources and the priorities as expressed by the Housing and Planning Committee. Staff shared the schedule in a memo and presented the schedule at the June 6, 2023, Council Work Session. Council voted on June 8, 2023, to have the City Manager proceed with the prioritization as outlined in the June 5 memo, and continue to work with the City Council Housing and Planning Committee on prioritizing and organizing current and future potential Land Development Code amendments for the greatest impact on housing. The schedule was also discussed during the June 13, 2023, City Council Housing and Planning Committee meeting and the June 13, 2023, Planning Commission meeting.

The Schedule of Active Code Amendments chart will be updated and provided for each City Council Housing and Planning Committee meeting. The updated Schedule of Active Code Amendments chart is included as Attachment A to this memo. Recent updates to the Schedule of Active Code Amendments chart include the following:

- 1) Codes and Ordinances Joint Committee meetings were added to the schedule for the timelines in the review and adoption stage.
- 2) The C20-2021-015 Safe Fencing Regulations timeline shifted one month later as ordinance adoption was postponed at the June 8 City Council Meeting to the July 20 City Council meeting.
- 3) C20-2022-009 Sixth Street Height Exception was postponed at the June 27 Planning Commission

- meeting to the July 11 Planning Commission Meeting.
- 4) C20-2022-022 Live Music Venue and Creative Space Bonus was postponed at the June 27 Planning Commission meeting to the July 25 Planning Commission Meeting, which shifted the City Council estimated adoption to September 14.
- 5) Review and adoption dates were estimated for the following code amendments:
 - a. C20-2023-015 Eliminate NPA Filing Deadlines
 - b. C20-2023-001A Childcare Services Part 1
 - c. C20-2023-012 Eliminate Non-Related Adult Occupancy Limits
 - d. C20-2023-013 Butler Trail Amendments
 - e. C20-2021-011 ADU Expansion
- 6) The recently initiated code amendment C20-2023-020 Zoning Application Processes and Deadlines was added to the schedule.
- 7) C20-2022-004A Compatibility on Corridors Correction ordinance was adopted at the June 8, 2023, City Council meeting and the timeline has been removed from the schedule.
- 8) The timeline for C20-2023-010 Eliminate Parking Requirements code amendment was shifted to ordinance adoption by December 31, 2023.
- 9) Lead departments for each amendment were added to the schedule.

The estimated timeline for C20-2023-010 Eliminate Parking Requirements was shifted from the previous schedule presented to City Council to adoption by December 31, 2023. Transportation and Public Works staff have commenced working on the proposed parking requirements amendment. The removal of vehicle parking minimums will require a public process through hearings at Planning Commission and City Council. Considering these hearings as well as the current vacancies, the proposed timeline originally presented to City Council was April of 2024. However, hearing from City Council as well as the Housing and Planning Committee, staff re-assessed and reprioritized resources to this proposed code amendment. With this, staff is committed to bring a draft ordinance for Council's consideration by December 31, 2023. This timeline assumes no additional public engagement aside from the hearings at Planning Commission and City Council.

Attachment B: Active Code Amendments table provides further detail about each active code amendment on the chart, including a description of the amendment, the stage within the code amendment process (initiation, development & engagement, or review and adoption), current status, and the lead department.

The timing presented is subject to change based on future changes to priorities, resources, commission and community bandwidth, and additional analysis related to the complexity of certain amendments. With additional staffing and approval of additional resources, staff will look for opportunities to expedite code amendment timelines.

The City is currently receiving assistance from ECO Northwest, an outside consultant, in analyzing and fine-tuning the proposed density bonus program for the South Central Waterfront Regulating Plan code amendments. It is anticipated that consultant support will also be needed for the ETOD Amendments, Density Bonuses (Comprehensive Approach), and New Zoning Districts (Comprehensive Approach) code amendments, while the Citywide Compatibility (Comprehensive Approach) code amendments may also require consultant assistance.

Description of Attachment A: Schedule of Active Code Amendments

Each active code amendment includes a timeline that is color-coded based on the Land Development Code amendment process:

- The yellow marker indicates the initiation stage by Planning Commission or City Council. In instances where the initiation stage is not featured, it occurred prior to June 2023.
- The blue marker indicates the development stage based on complexity, stakeholder engagement, and staff capacity.
- The green marker indicates the review and adoption stage by Boards, Commissions, and Council.
- The arrow marker acknowledges the code amendments that have been scheduled or for which specific dates for review and adoption have been estimated. The active code amendments without the arrow marker have been initiated, development has begun or will begin eminently, but specific review and adoption dates have not yet been scheduled or estimated. The development start date and timeline for these code amendments are projected based on the Housing and Planning Committee's recommendation, amendment complexity, and staff capacity.

The purple house icon indicates that the amendment will have a substantial benefit to housing capacity or cost within the City.

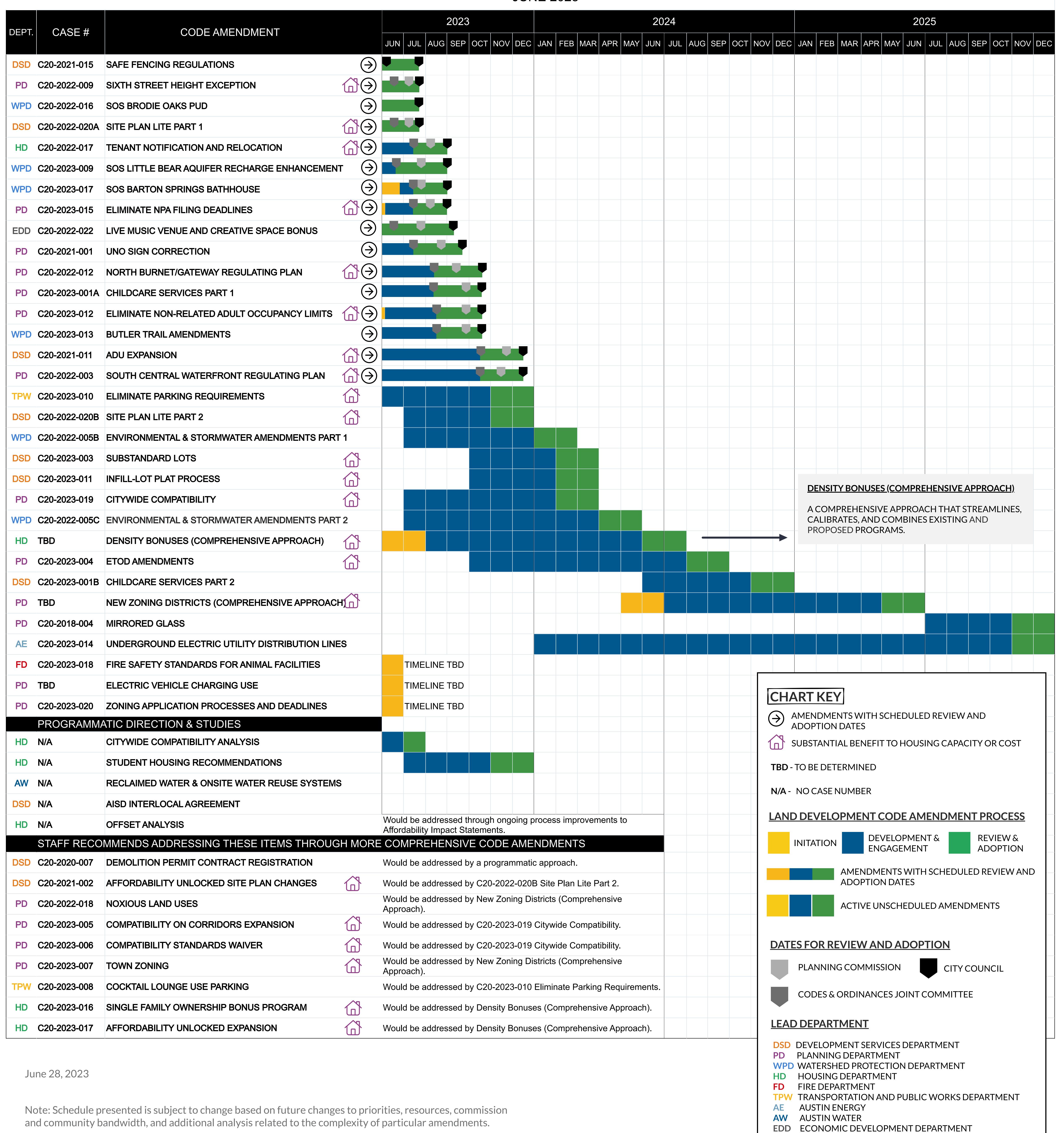
The chart also includes a list of code-related studies and other major analysis underway, as well as a list of amendments that staff recommends addressing through more comprehensive code amendments or another method such as programmatic or informational campaigns.

We appreciate the opportunity to update the City Council regarding changes to the Schedule of Active Code Amendments and to effectively deliver land development solutions to the Austin community moving forward.

If you have any questions, please contact Andrea Bates, Assistant Director, Planning Department at 512-974-2291 or andrea.bates@austintexas.gov or Erica Leak, Development Officer, Planning Department, at 512-974-9375 or erica.leak@austintexas.gov.

cc: Jesús Garza, Interim City Manager Veronica Briseño, Assistant City Manager

SCHEDULE OF ACTIVE CODE AMENDMENTS JUNE 2023



Active Code Amendment Cases - June 2023

Case Number	Name	Description	Initiated By	Resolution Deadline	Stage	Status	Lead Department	Sub Departmen
C20-2023-022	SOS Site Specific Barton Springs Bathhouse	Site specific amendments to SOS (Save our Springs) Ordinance as necessary for the Barton Springs Bath House capital improvements. This site is in the Barton Springs Zone.	Planning Commission	8/31/2023	Development and Engagement	Initiated at Planning Commission 6/27. → Codes & Ordinances 7/19/2023 → Planning Commission 7/25/2023 → City Council 8/31/2023	WPD	Begar tilen
C20-2023-021	Electric Vehicle Charging	Amendments to create a new land use for "Electrical Vehicle Parking" and to consider options and recommendations regarding application of the land use.	City Council	None Specified	Initiation	Pending Code Cabinet determination of timeline.	Planning	DSD, TPW
C20-2023-020	Zoning Application Processes and Deadlines	Amendments to Title 25 (Land Development) to authorize the City Manager, or designee, to establish days when zoning and rezoning applications will be accepted by the City and to the number of zoning applications accepted per day.	City Council	None Specified	Initiation	Pending Code Cabinet determination of timeline.	Planning	
C20-2023-019	Citywide Compatibility	Amendments to modify height and setbacks triggered by proximity to single-family zoning and uses (also known as "Compatibility Standards").	City Council	12/1/2023	Development and Engagement	Recommendations being developed through Compatibility Study mandated in Ordinance No. 20221201-056.	Planning	DSD
C20-2023-018	Fire Safety Standards for Animal Facilities	Amendments to provide minimum fire safety standards for facilities housing or holding animals on a 24-hour basis.	City Council	None Specified	Initiation	Pending Code Cabinet determination of timeline.	FIRE	DSD, Animal Proection
C20-2023-017	Affordability Unlocked Expansion	Amendments to create a new tier within the Affordability Unlocked Development Bonus Program ("Affordability Unlocked") for developments that do not utilize City of Austin housing development assistance programs.	City Council	10/19/2023	Initiation	Planned to be part of Density Bonuses (Comprehensive Approach). Anticipating review and adoption July 2024.	Housing	Planning
C20-2023-016	Single-Family Ownership Bonus Program	Amendments to create an affordable housing bonus program that achieves the following goals: 1. creates ownership units in single-family residence zoning; 2. allows for participation in additional bonus programs; 3. makes ownership units available to households with the lowest median family incomes possible; and 4. applies only to developments that do not rely on development assistance from the City (for purposes of this goal, the SMART Housing Program is not considered development assistance).	City Council	10/19/2023	Initiation	Planned to be part of Density Bonuses (Comprehensive Approach). Anticipating review and adoption July 2024.	Housing	Planning
C20-2023-015	Eliminate NPA Filing Deadlines	Amendment to allow applicants to request changes to Future Land Use Maps (FLUM) at any time.	City Council	7/20/2023	Development and Engagement	In Process - → Codes & Ordinances 7/19/2023 → Planning Commission 8/8/2023 → City Council 8/31/2023	Planning	
C20-2023-014	Underground Electric Utility Distribution Lines	Amendments to City Code Title 25 necessary to implement converting existing overhead electric distribution lines to underground electric utility distribution lines and advancing the development of underground electric utility infrastructure in new construction projects.	<u>City Council</u>	None Specified	Development and Engagement	Pending assignment of Case Manager.	AE	DSD
C20-2023-013	Butler Trail Amendments	Amendments to City Code Title 25 (Land Development) to allow the Butler Trail to remain within the setbacks applicable to Lady Bird Lake; and to allow capital improvements made to the Butler Trail to comply with the recommendations from the 2015 Butler Trail Urban Forestry and Natural Area Management Guidelines, maintenance standards of care listed in the Butler Trail POMA, and the recommendations provided in the Butler Trail Safety and Mobility Study.	City Council	10/1/2023	Development and Engagement	In Process - — Codes & Ordinances 8/16/2023 — Planning Commission 9/26/2023 — City Council 10/19/2023	WPD	PARD
C20-2023-012	Eliminate Non-related Adult Occupancy Limits	Amendment to eliminate the dwelling unit occupancy limit for residential uses.	City Council	10/19/2023	Development and Engagement	In Process - → Codes & Ordinances 8/16/2023 → Planning Commission 9/26/2023 → City Council 10/19/2023	Planning	DSD

Initiation Development & Engagement Review & Adoption

Case Number	Name	Description	Initiated By	Resolution Deadline	Stage	Status	Lead Department	Sub Departmen
C20-2023-011	Infill-Lot Plat Process	Amendment to Title 25 relating to the plat process to facilitate the creation of infill lots within existing residential subdivisions through a streamlined amended plat process and changes to the resubdivision process.	City Council	11/9/2023	Development and Engagement	In Process - Will move forward with Substandard Lots (C20-2023-003).	DSD	Planning
C20-2023-010	Eliminate Parking Requirements	Amendment to Title 25 to eliminate minimum off-street motor vehicle parking requirements in the City.	City Council	12/31/2023	Development and Engagement	Staff has re-assessed and reprioritized resources to this proposed code amendment. With this, staff is committed to bring a draft ordinance for Council's consideration eliminating off-street vehicle parking requirements for new developments by December 31, 2023. This timeline assumes no additional public engagement aside from the hearings at Planning Commission and City Council.		Planning, DSD
C20-2023-009	Little Bear Aquifer Recharge	Site-specific amendments to Title 25, including Chapter 25-8, Subchapter A,	City Council	None Specified	Review and	In Process -	WPD	
	Enhancement Site Specific SOS Amendment	Article 13 (Save Our Springs Initiative), as necessary to allow for completion of the Little Bear Aquifer Recharge Enhancement Project, located within the Barton Springs Zone.			Adoption	 → Codes & Ordinances 6/21/2023 (Meeting voided) → Planning Commission 7/25/2023 → City Council 8/31/2023 		
C20-2023-008	Cocktail Lounge Use Parking Requirements	Amendment to Title 25 to eliminate non-accessible parking requirements for cocktail lounge use.	City Council	10/19/2023	Development and Engagement	Will move forward with Eliminate Parking Requirements (C20-2023-010).	TPW	Planning, DSD
C20-2023-007	Town Zoning	Amendment to Title 25-2 to create a new zoning overlay.	Planning Commission	None Specified	Development and Engagement	Anticipated to be included in New Zoning Districts (Comprehensive Approach).	Planning	
C20-2023-006	Compatibility Standards Waiver	Amendment to Title 25-2 relating to waivers for compatibility standards.	Planning_ Commission	None Specified	Development and Engagement	Recommendations being developed through Compatibility Study mandated in Ordinance No. 20221201-056.	Planning	DSD
C20-2023-005	Compatibility on Corridors Expansion	Amendment to Title 25-2 Corridor Overlay Combining District to add additional corridors.	Planning Commission	None Specified	Development and Engagement	Recommendations being developed through Compatibility Study mandated in Ordinance No. 20221201-056.	Planning	Housing
C20-2023-004	ETOD Amendments	Amendments to Title 25 to implement the ETOD Policy Plan including development and application of an ETOD Overlay that would include a bonus program in the vicinity of ETOD stations.	City Council	None Specified	Development and Engagement	In Process - Scoping and procurement underway; anticipate presentation to Council September 2024.	Planning	Housing
C20-2023-003	Substandard Lots	Amendment to Title 25 to allow the disaggregation of substandard lots and lots that qualify for small-lot amnesty.	City Council	None Specified	Development and Engagement	In Process - Will move forward with Infill Plat Process (C20-2023-011).	DSD	
C20-2023-001B	Childcare Services Part 2	Amendments or programs related to the development process for childcare services to increase opportunities for childcare services around the city.	City Council	7/20/2023	Development and Engagement	Providing memo to City Council at 7/20 City Council meeting. Anticipating review and adoption December 2024.	Planning	DSD
C20-2023-001A	Childcare Services Part 1	Amendment to Title 25 to create separate zoning use classifications and modify definitions pertaining to childcare and daycare services to increase opportunities for childcare services around the city.	<u>City Council</u>	7/20/2023	Development and Engagement	In Process - → Early Childhood Council 8/12/2023 → Codes & Ordinances 8/16/2023 → Planning Commission 9/26/2023 → City Council 10/19/2023	Planning	DSD
C20-2022-022	Live Music Venue and Creative Space Bonus (Definitions)	Amendment to Title 25 of the City Code to modify land use definitions related to live music venue, theater, personal improvement services, creative spaces, and live/work unit as well as creating the Performance Venue combining district (PV) to enhance the development and preservation of performance venues in response to City Council Resolutions 20220728-094 and 20220901-089.	City Council	None Specified	Review and Adoption	In Process - Codes & Ordinances 4/19/2023 (Postponed with recommendations) Codes & Ordinances 6/21/2023 (Meeting voided) Planning Commission 6/27/2023 (Postponed) Planning Commission 7/25/2023 City Council 9/14/2023	EDD	

Initiation

Development & Engagement



Case Number	Name	Description	Initiated By	Resolution Deadline	Stage	Status	Lead Department	Sub Departmen
C20-2022-020B	Site Plan Lite Part 2	Amendment to Title 25 that developments of five to sixteen residential units, create a site plan review process that is tailored appropriately for missing middle housing, with fewer requirements than that of full site plan review.	City Council	6/1/2023	Development and Engagement	Proposed response to second directive, which requires developing a revised process for larger missing-middle projects, requires further interdepartmental review and coordination, with review and adoption anticipated December 2024.	DSD	Planning
C20-2022-020A	Site Plan Lite Part 1	Amendment to Title 25 to establish that development of three or four residential units on a site will be permitted in the same manner as the City reviews one or two residential units, through the residential permitting process with no site plan submittal required.	City Council	3/9/2023	Review and Adoption	In Process - This is a response to the first directive in the resolution related to residential review for triplexes and fourplexes. — Codes & Ordinances 6/21/2023 (Meeting voided) — Planning Commission 7/11/2023 — City Council 7/20/2023	DSD	Planning
C20-2022-018	Noxious Land Uses	Amendments to Title 25 to create new land uses or conditional uses for certain zoning districts	Planning Commission	None Specified	Development and Engagement	Will be addressed with the New Zoning (Comprehensive Approach).	Planning	
C20-2022-017	Tenant Notification and Relocation	Amendment to Title 25 to create tenant notification and relocation protections.	City Council	4/1/2023	Review and Adoption	In Process - → Codes & Ordinances 7/19/2023 → Planning Commission 8/8/2023 → City Council 8/31/2023	Housing	Planning
C20-2022-016	SOS Site Specific Brodie Oaks PUD	Site-specific amendment to Title 25-8-514 (Save our Springs) necessary for the Brodie Oaks PUD.	City Council	None Specified	Review and Adoption	In Process - → City Council 7/20	WPD	Planning
C20-2022-012	North Burnet/Gateway Regulating Plan Amendments	Amendments to the North Burnet/Gateway Regulating Plan to implement the 9 recommendations in the resolution to provide cohesive alignment with the original Vision Plan, Imagine Austin, and Austin's Strategic Housing Blueprint.	City Council	10/19/2023	Development and Engagement	In Process - Potential for multiple amendments. → Codes & Ordinances 8/16/2023 → Planning Commission 9/12/2023 → City Council 10/19/2023	Planning	Housing
C20-2022-009	Sixth St Height Exception	Amendment to section 25-2-643 to allow a structure located on East Sixth Street and east of Neches Street and west of Sabine to have a maximum building height of 140 feet or that allowable under the Capitol View Corridor, whichever is less; and to create design standards, with specific guidelines for the preservation of facades on historic structures, to ensure any redevelopment is compatible with the character of the Sixth Street National Register Historic District.		None Specified	Review and Adoption	In Process - → Historic Landmark Commission 6/7/2023 (recommended as amended) → Codes & Ordinances Joint Committee 6/21/2023 (Meeting voided) → Planning Commission 6/27/2023 (Postponed) → Planning Commission 7/11/2023 → City Council 7/20/2023	Planning	Housing
C20-2022-005C	Environmental and Stormwater Management Amendments - Part 2	Amendments to Title 25 to provide increased stormwater management for redeveloping properties that do not have modern drainage infrastructure; previously referred to as "greenfields stormwater management."	City Council	11/1/2022	Development and Engagement	Pending additional analysis and stakeholder input. Went to Council on 10/27/2022 and was partially adopted with remainder of content postponed. Several individual ordinances likely. Anticipating review and adoption May 2024.	WPD	Planning
C20-2022-005B	Environmental and Stormwater Management Amendments - Part 1	Amendments to Title 25 to increase water quality and erosion protections along the Colorado River below Longhorn Dam and amendments to Title 25 to adopt new landscaping requirements for high-intensity development, with the goal of increasing health and well-being for people and the environment	City Council	11/1/2022	Development and Engagement	Pending additional analysis and stakeholder input. Went to Council on 10/27/2022 and was partially adopted with remainder of content postponed. Several individual ordinances likely. Anticipating review and adoption February 2024.	WPD	Planning

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Development & Engagement



Review & Adoption

Case Number	Name	Description	Initiated By	Resolution Deadline	Stage	Status	Lead Department	Sub Departmen
C20-2022-003	South Central Waterfront Regulating Plan	Amendment to Title 25 to implement the South Central Waterfront Regulating Plan to execute the Vision Plan and other applicable City of Austin goals and policies.	Planning Commission	12/1/2022	Development and Engagement	In Process - → Codes & Ordinances 10/18/2023 → Planning Commission 11/14/2023 → City Council 12/14/2023	Planning	Housing
C20-2021-015	Safe Fencing Regulations	Amendment to Title 25-12 Technical Codes to amend fence regulations to ensure safer fences.	City Council	None Specified	Review and Adoption	In Process - → Codes & Ordinances Joint Committee 4/19/2023 (recommended unanimously) → Planning Commission 5/23/2023 (Recommended unanimously) → City Council 6/8/2023 (postponed) → City Council 7/20/2023	DSD	
C20-2021-011	ADU Expansion	Amendment to Title 25 that clarifies and expands where ADUs can be allowed.	City Council	2/1/2022	Development and Engagement	In Process - → Codes & Ordinances 10/18/2023 → Planning Commission 11/28/2023 → City Council 12/14/2023	DSD	Planning
C20-2021-002	Affordability Unlocked Site Plan Changes	Amendment to Title 25 site plan regulations related to Affordability Unlocked.	Planning Commission	None Specified	Development and Engagement	Combining with Site Plan Lite 2 - Proposed response to this directive will be included in response to second directive under "Site Plan Lite."	DSD	
C20-2021-001	UNO Sign Correction	Amendment to Title 25 to correct an error in UNO sign code that prohibits all illuminated signs.	Planning Commission	None Specified	Review and Adoption	In Process - → Codes & Ordinances 7/19/2023 → Planning Commission 8/22/2023 → City Council 9/21/2023	Planning	
C20-2018-004	Mirrored Glass	Amendment to Title 25 to rewrite definition of mirrored glass to incorporate best practices.	Planning Commission	None Specified	Development and Engagement	Anticipating review and adoption December 2025.	Planning	

