



September 24, 2019

## Update on Council Work Sessions 8/28 & 9/11

The following is a brief summary of some of CNC’s takeaways from the city staff’s Land Development Code presentations to the City Council on August 28 and September 11, 2019. It is not all-inclusive, especially regarding neighborhood conservation combining districts (NCCDs) and conditional overlays (COs).

**The Council continues to accept a timeline and process that involves only one public hearing before the Planning Commission on October 26<sup>th</sup>, with a first vote by Council on December 12<sup>th</sup>.** The timeline calls for the text and map to be released October 4<sup>th</sup>.

This is a summary of only their most current discussion and ideas. Their ideas are in constant flux, so the details are likely to change in the future. Please stay tuned.

### Transition Zones

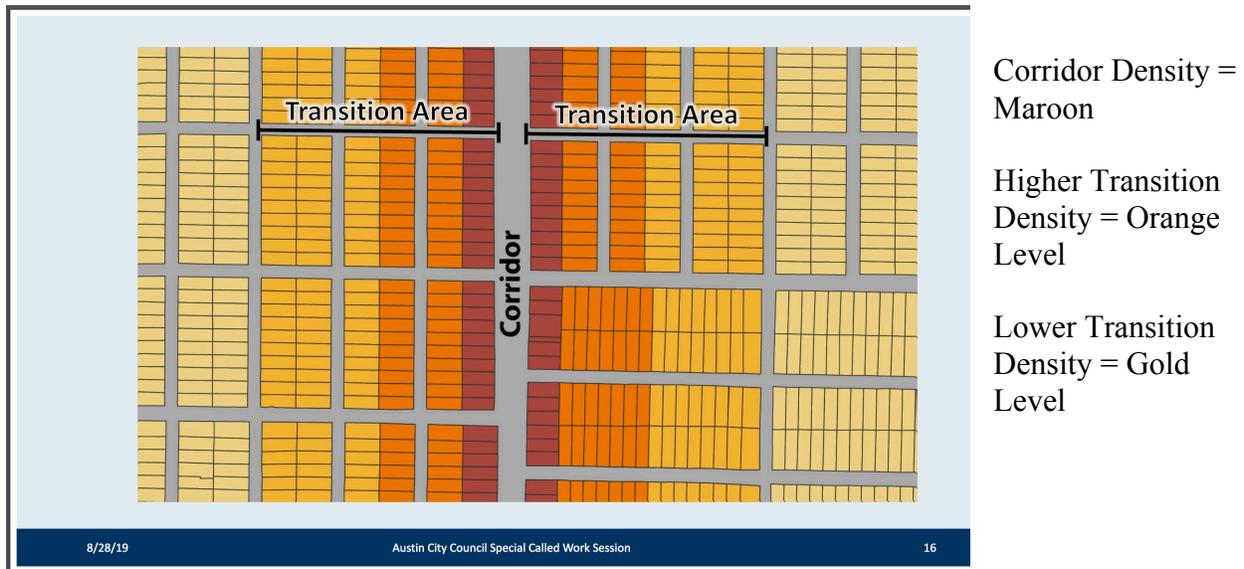
1. Transition zones have been rebranded as “transition areas”, sometimes being called “missing middle zones” – areas where single-family homes (and probably duplexes) would be rezoned to multifamily use at a density level of 4 to 10 units per lot with heights of 35-45ft with increased impervious cover and floor-to-area ratios. The city is proposing at this time two intensities in transition zones, one closer to the corridor or center that allows 45 feet in height, 60% impervious cover and 6 units plus a 4 unit bonus for affordable units, 0.8 to 1.2 floor-to-area ratio (FAR), not house scale; the second is 35 feet + 10-foot bonus, 4 units plus a 4 unit bonus, 50% impervious cover, FAR 0.4 to 0.8. The Council has not changed its earlier decision that if a home in a transition zone is demolished, it may not be replaced with a single-family home or with a duplex, but instead with only multifamily.

### Transition Zones – Two Zones

Orange Level (nearer corridor)	Yellow Level
6 unit by right + 4 unit bonus	4 unit by right + 4 unit bonus
60% impervious cover	50% impervious cover
45 feet tall	35 feet tall + 10 feet bonus (45' total)
Not residential house scale	0.4 FAR + 0.4 FAR bonus (0.8 FAR total)
0.8 FAR + 0.4 FAR bonus (1.2 FAR total)	Density Bonus affordability:
Density Bonus affordability:	some fraction of the +4 or
some fraction of the +4 or	fee-in lieu
fee-in lieu	

*In response to public pressure, in a September 19<sup>th</sup> blog update, the city staff appears to be reversing course about voluntary demolitions. Stay tuned.*

2. The City's illustration of what it intends: On August 28<sup>th</sup>, this slide 17 was presented to Council: (<https://www.austintexas.gov/edims/document.cfm?id=326067>) The transcript can be found at: <https://www.austintexas.gov/edims/document.cfm?id=326085>):



#### 4. Extent of Incursion:

The proposed incursion into neighborhoods could extend a distance of up to 850 feet from a corridor, center, or transit priority road or street. Staff's illustration shows these multifamily zones extending 2 to 15 lots deep (about one to two and one-half blocks) into the neighborhood depending on street and lot size and configuration and based on the four criteria in the Council Directive (Slide 5; Council Directive, page 12). Staff contends that in most cases the depth will be 500 to 700 ft. (Transcript. P. 6) Staff says they would follow the directive not to map missing middle zones on more than a majority of the single-family area." (Transcript p. 25, 26) They made no mention of how they would define "neighborhood" or implement this directive.

In study-identified vulnerable areas, the proposed transition zones would still be imposed but would be 2 lots deep at the less intense (Yellow) density. (Transcript p. 5) (Slide 14)

In looking at the third criteria in the Council Directive (Slide 5), "a well-connected street grid", the staff suggests "well-connected" is "a five-minute walk. They say 750 feet is "a three minute walk." (Transcript p. 27)

Staff says it is not putting these multifamily zones in flood plains but they have not yet committed to whether that applies to areas with drainage problems. (Transcript p. 20). Staff did not know at this meeting whether the flood data they have includes the impact of new rainfall data from Atlas 14. (Transcript p. 24)

## **Compatibility**

Compatibility standards would not be triggered by properties within transition/missing middle zones on other properties in that zone or on the corridor. (Transcript p. 7) Staff seems to say that property not in a transition zone could trigger compatibility on a property on a corridor (Transcript p. 6, Slide 18).

## **Eliminate Minimum Parking within ¼ mile of corridors and centers**

The Council's May Directive is to eliminate minimum parking requirements within ¼ mile of the corridors and centers with some parking required where elimination of parking requirements would be "particularly disruptive". Staff's proposed standard for "disruptive" is the adequacy of the sidewalk system without tying it to land use. (Transcript p.10, 22). If the "site is on an accessible route per our sidewalk system" no parking would be required. Staff uses "the Americans With Disabilities Act definition of accessible route". The staff proposes parking maximums at 150% on corridors and in centers and 200% citywide. The staff is working from the proposed reduced parking numbers in Draft 3 of CodeNext. (Transcript p. 21)

## **Up to 3 Units Per Lot Outside of Transition Zones**

At the September 11<sup>th</sup> council session, (Transcript at p.5 <https://www.austintexas.gov/edims/document.cfm?id=327358>) the staff discussed the intent to map areas outside transition zones to include a preservation incentive that would allow one unit beyond what would otherwise be allowed in the zone. Council has already directed staff to allow ADUs citywide, so the result will be up to 3 units on a lot.

## **Flooding**

Mayor Adler reaffirmed Council's earlier decision that so long as impervious cover is not increased citywide, it is agreed that impervious cover may be increased on a given lot. (9/11 Transcript at p. 37) This is not reassuring. If impervious cover is increased significantly in neighborhoods, then it may cause localized flooding of houses, regardless of whether there is less impervious cover overall in the City.

## **Housing Capacity Target of 405,000 Units**

Consultants stated that now that the Council has set as new housing capacity target of 405,000 units, they will be using the software tool (developed by Fregonese Associates) named Envision Tomorrow to map the city to reach the capacity target. (9/11 transcript at [3:40:12 PM] and [3:43:14 PM]) Fregonese Associates describes its tool as a "redevelopment" tool. Since the City Demographer states that the city's need for new housing over 10 years is 75,000 to 85,000 units, CNC will have a lot more to say about this topic at a later date.