



AIA Austin

April 27, 2018

Honorable Mayor Adler
Honorable City Council Members
City of Austin Planning Commission
City of Austin Zoning & Platting Commission
City of Austin CodeNEXT Staff

Re: AIA Austin CodeNEXT Draft 3 Response

During the month of February, 2018, AIA Austin reconvened charrette team members from the first and second CodeNEXT drafts to review CodeNEXT Draft 3. The goal was to assess the degree to which Draft 3 implemented the recommendations in AIA Austin's second charrette report, and whether the "staff recommendation" draft was further in alignment with our city's comprehensive plan, Imagine Austin. As expected, there were mixed results for each charrette team. Several of the more common sense recommendations were directly implemented or partially addressed, while others were ignored or even moved in the opposite direction.

Among the positive updates in Draft 3, charrette teams found relaxed standards on locations of ADU's to include front, side, attached, and internal configurations. An improved version of the preservation incentive in residential zones helps add incremental density while maintaining older housing stock. The onerous height limitation beyond 80ft in residential zones was eliminated, along with numerous improvements to the formatting and legibility of the zoning code. Overall, the charrette teams saw at least some progress on nearly half the recommendations from the second report, which, if one focuses on percentages, is commendable.

However, the critical nature of the many unaddressed recommendations overshadowed the incremental progress found elsewhere. The following list represents AIA Austin's most pressing concerns found in CodeNEXT Draft 3, and a few recommended changes to the code that can help solve the problems (in no particular order). Reference the attached exhibit for a full list of recommended changes to the code.

1. Corridor transition zones, Compatibility and Missing Middle.

Page 31 of Imagine Austin acknowledges the need for dense redevelopment of centers and along major corridors, and explains that "harmonious transitions between adjacent neighborhoods is an important component of the development process". The Mayor indicated in spring of 2017 that "transition zones" would amount to 3 to 5% of the city. Early CodeNEXT working documents, including Draft 1, included the concept of a form-based transect to achieve this goal.



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A quick glance at any corridor in the Draft 3 map will reveal these transition zones are totally absent, opting instead to map low-density single-family zones directly behind a high-intensity mixed-use corridor. This carries forward the incompatible scales and intensities we find in today's code, and uses the blunt tool of compatibility triggered from residential zones to try to ensure some type of protection. These compatibility standards hinder development, sometimes creating unbuildable shallow sites, in the place where our policies have said we need it most.

AIA Austin believes this is an issue that can be solved through thoughtful mapping of the palette of available zones, but recommendations have been included to improve compatibility standards for the few areas that may need it.

Recommendation 1.1: Revise the zoning map to allow a natural and gradual transition between the high-intensity mixed-use corridors and the residential fabric of central neighborhoods. This will build in natural compatibility of adjacent land uses and forms, thus eliminating the need for compatibility setbacks and building height stepbacks. This transition zone should be respectful of local context, but in general should extend at least one quarter mile on each side of a corridor (an industry standard walk shed for public transit). Corridor frontage should allow zero-lot-line, fine grained, urban development patterns, with increased height found near transit stops (MS2 and MS3 zones). The blocks extending into the residential neighborhood should step down in height, bulk, and density, and allow a diversity of multifamily and small mixed-use projects (MU3/MU4, RM3/RM2). Rowhomes, multiplexes, and other Missing Middle housing types will eventually transition into single-family zones that allow ADU's and duplexes on standard lots (R4, R3).

Recommendation 1.2: Eliminate compatibility for shallow corridor properties (less than 200ft).

Recommendation 1.3: Recalibrate compatibility setbacks and stepbacks to coordinate with other regulations for the few cases where compatibility is needed.

- Increase stepback height tiers to allow industry-standard floor heights (22ft, 40ft, 50ft).
- Coordinate triggering distances for setbacks and stepbacks to work with each other, and account for natural buffers like alleys.
- Coordinate landscape buffer plant species with Austin Energy compliant trees.

2. Affordable Housing Bonus Program (AHBP) mapping.

Section 23-3E-1010 of the current draft describes a "Citywide Affordable Housing Bonus" [AHBP] which is intended to "implement the goals and policies of the Austin Comprehensive Plan and the Austin Strategic Housing Blueprint". The adopted Austin Strategic Housing Blueprint calls for 60,000 new housing units affordable to 80% MFI or less, much of which will come from expanded density bonus programs. The Housing Blueprint calls for at least 75% of

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the 135,000 total new housing units to be within a half-mile of Imagine Austin Centers and Corridors.

The need for affordable housing is truly citywide, but the proposed AHBP is nowhere close to being implemented citywide. Current maps exclude transit-rich corridors mapped with MS1 and MS2 zones (S.1st, South Congress, East 6th St., etc.). The maps also exclude high-opportunity central neighborhoods zoned R2 and R3.

An expansion of the AHBP is needed to fulfil the mandate of the Housing Blueprint and move towards a more progressive strategy of allowing affordable housing throughout the urban core, and especially in high-opportunity areas near jobs, education, and public transit.

Recommendation 2.1: Expand bonus entitlements, and/or mapping of zones, to include AHBP incentives for every parcel within the Urban Core.

- Expand bonuses in the R-zones to include an exemption of max. dwelling units per lot and minimum off-street parking spaces.
- Expand bonuses in MS-zones to include additional building height or exemptions from compatibility.

3. Detention regulations as a barrier to redevelopment.

City staff has consistently reduced the scope of this code rewrite to exclude any “policy changes”, but certain far-reaching regulations seem to be invincible to this interpretation. One of the most concerning is a change in the detention regulations that could have a chilling effect on the redevelopment of aging, underutilized, high-impervious-cover uses.

The current code provides exemptions from stormwater detention for any existing impervious cover on a property. This allows new projects to revitalize corridors without the burden of providing large on-site detention ponds and, in some cases, actually reduce impervious cover compared to previous conditions. Redevelopment barriers are especially high on smaller, Missing Middle projects which require careful planning of compact urban sites, and typically don't have the luxury of dedicating large areas to detention

Recommendation 3.1: Eliminate the requirement to design post-development peak flow rate to match the peak flow rate of undeveloped conditions. Match the current code's practice of crediting existing impervious cover.

Recommendation 3.2: Offer incentives to redevelopment projects that reduce impervious cover compared to existing conditions.

Recommendation 3.3: Outside of the CodeNEXT initiative, undertake a comprehensive approach to planning regional stormwater solutions for each watershed. This is primarily a regional issue that deserves a regional solution.



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4. Downtown density reductions.

Imagine Austin clearly states that downtown should be the place with the highest density of people and jobs and have the tallest buildings. Over the last 20 years, downtown has taken great strides towards becoming this vibrant, cultural center, thanks in part to a relaxed set of zoning regulations and a density bonus program that has leveraged private investment for community benefits.

However, the Draft 3 mapping and rezoning of downtown effectively reduces allowable density overall. It does not provide any additional height or FAR which would allow it to achieve the regional center goals in Imagine Austin. In all properties zoned CC, development entitlements have been reduced below what is allowed in current code. Many downtown sites are already limited by Capitol View Corridors and other overlays. Therefore, the base zoning should allow for zero lot line development. This is especially critical for the developable sites remaining in downtown, most of which are small sites (<1/2 block). It is difficult or sometime impossible for them to comply with all the new ground floor regulations in addition to the new open space, front-yard planting landscaping, curb cut and driveway width requirements which are required for both CC and DC zoning.

Recommendation 4.1: Revise the zoning map to rezone many of the downtown CC120 sites to DC, especially those along the Waller Creek corridor and north and east of the Capitol. Many of these sites are already limited by Capitol View Corridors and other overlays, and should not be subject to additional height restrictions that limit downtown density.

Recommendation 4.2: Revise CC zones to allow 100% impervious cover and remove minimum setbacks. The new CC zoning is intended to carry forward the entitlements of current DMU zoning. However, CC reduces impervious cover maximums to 95% and requires minimum building setbacks of at least 5ft. DMU allows for 100% impervious cover and no building setbacks.

Recommendation 4.3: Increase CC sub-zone height limits and FAR maximums to better match or exceed allowable density under existing code. Consider adjusting height limits to better accommodate common floor-to-floor heights: 40ft to 50ft (4 floors); 60ft to 75ft (6 floors), 80ft to 90ft. Height limits proposed do not align with common building heights based on standard floor-to-floor heights plus taller retail spaces on first floor. Regulating maximum number of floors may be more flexible to limiting building height without penalizing buildings providing generous floor-to-floor heights.

Recommendation 4.4: Reduce the amount of required "active use frontage" or create exceptions for small sites downtown. DC and CC zones are required to have a minimum of 60% (or 75% on designated streets per the Downtown Plan Overlay Zone) of their street frontage in approved active commercial or civic uses. Active frontage requirements are very difficult to achieve on small sites due to the amount of space taken up by parking and loading access, utilities and egress. If the intent is to provide more active pedestrian frontage, consider reducing the amount of required frontage, creating an exception for small sites, or allowing building support spaces (AE vault, fire pump, etc.) to be located directly on the ROW.



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5. Building design standards.

Charrette teams identified numerous issues with the regulations related to building design, ranging from how overall height is measured to where ADU's are allowed. The full list of recommendations expands on each item, but the list below represents the most critical items.

Recommendation 5.1: Eliminate building articulation for all commercial and multifamily buildings or make it an option to improve building design. This requirement is a shift in policy from what exists under today's code. The sizes and frequencies are onerous, add cost to the project due to additional exterior facade construction, and serve no guarantee the resulting voids will improve the public realm.

Recommendation 5.2: Establish a consistent building height definition for all zones. Replace the "top plate" measurement with "overall building height", which should be measured from the highest point of adjacent finished grade.

Recommendation 5.3: Remove tiered size regulations for ADU's based on lot size. This directly contradicts recent policy direction that established 1,100sf max. (or 0.15 FAR) across the board, and reduces flexibility for a housing type that must be part of the housing solution.

Recommendation 5.4: Increase allowable impervious cover for ADU's taking advantage of the preservation incentive. Many of the older homes in central neighborhoods are sprawling single-story structures, which leave plenty of FAR on the table, but may use close to the maximum allowable impervious cover.

AIA Austin looks forward to supporting the implementation of a future draft of CodeNEXT that has considered the above findings and recommendations, in addition to the more detailed recommendations in the following report. We are committed to being a key stakeholder among Austin's community leaders in shaping the code to align with the goals set forth in Imagine Austin, and we appreciate the opportunity to engage in the CodeNEXT process to this end.

Sincerely,

Wendy Dunnam Tita, FAIA
AIA Austin President