

TRANSITION ZONE MAPPING CRITERIA

1 mi = 5280 ft; 1/4 mile = 1320 ft; 1/8 mi = 660 ft; 1/13 mi = ~400 ft; Assuming standard lot size = 50 ft x 115 ft = 5750 sqft

Lots Facing Parallel Streets																				
Tier	Criteria: - Transit, Centers, Corridors - Urban Core - Street Connectivity - High Opportunity			High % Neighborhood Impact	Valuable (If rezoned)	230 ft - 400 ft		1/8 mile		1/4 mile										
						Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8	Lot 9	Lot 10					
4	✓	✓	✓	✓	✓	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM
3	✓			✓	✓	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM
2	✓	✓		✓	✓	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM
1	✓			✓	✓	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM
0					✓	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM	MM

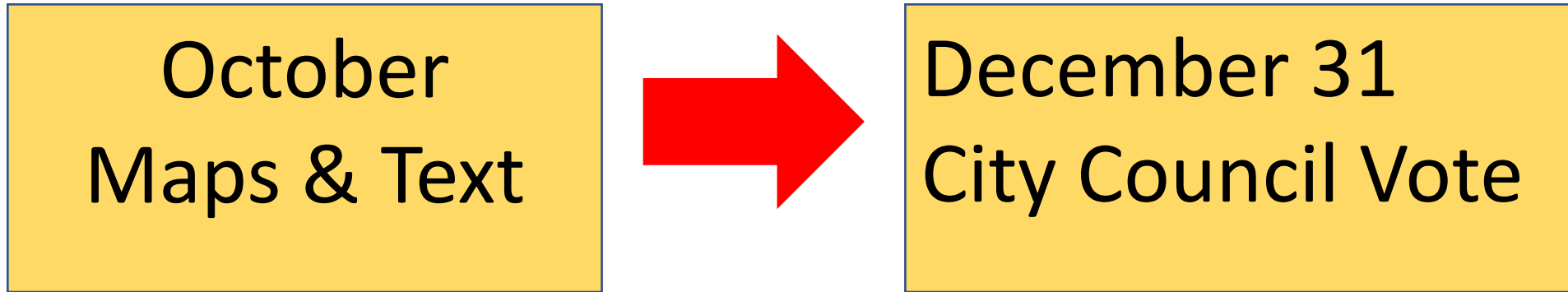
CodeNEXT 4 Policy Direction

June 2019

- "Corridor Zone" refers to lots facing Imagine Austin activity corridors. If the transition zone is not on an Imagine Austin corridor, the transition zone should generally begin at "Lot 2" for residential lots.

- The shades of yellow for Missing Middle (MM) represent steadily decreasing entitlements per lot. For example, a Tier 4 transition zone could be: RM3, RM2, RM1, R4, R4, R3, R3 and a Tier 2 transition zone could be: RM1, R4, R3.

2019 Timeline



- Have any neighborhoods in ANC heard from city staff/Cronk to give input?
- Have any neighborhoods in ANC heard from their council members to give input?
- How about meetings with Adler – have neighborhoods received any commitments on the mapping?

Housing Capacity

“The new code and map should allow for housing capacity equivalent to at least three times the Austin Strategic Housing Blueprint (ASHB) goal of 135,000 new housing units”

10 year housing units to plan for



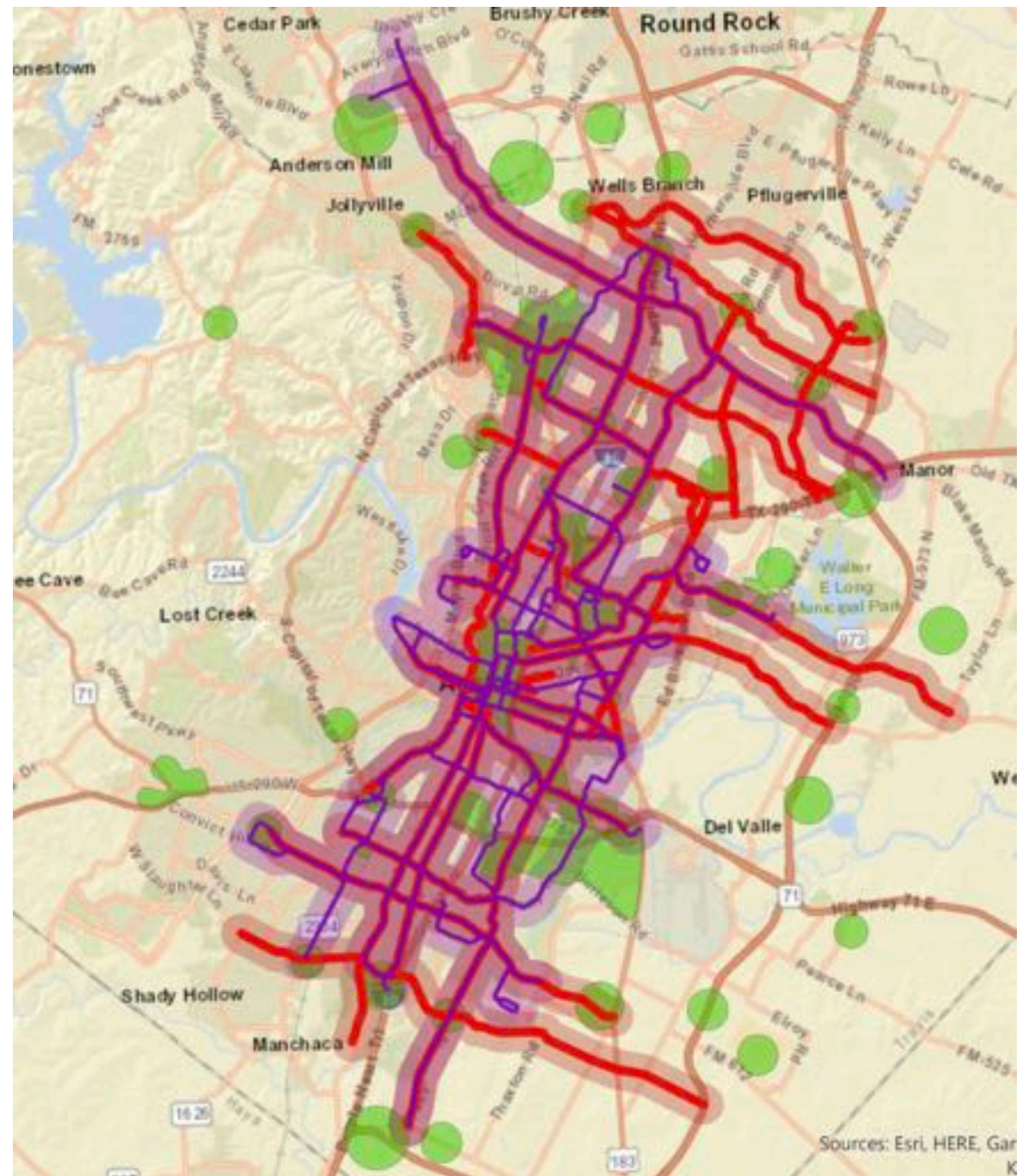
Should a target that high be considered planning?

If they run “models” to see if the upzoning are hitting their target there will be an easy excuse to upzone more

Where?

“75% of new housing capacity should be within ½ mile of transit priority networks as identified by the Austin Strategic Mobility Plan and Imagine Austin activity centers and corridors. Staff should update the growth maps for Imagine Austin including both corridors and centers”

City Council calls for upzoning to provide a capacity for 303,750 new units (10 year goal) in the highlighted areas



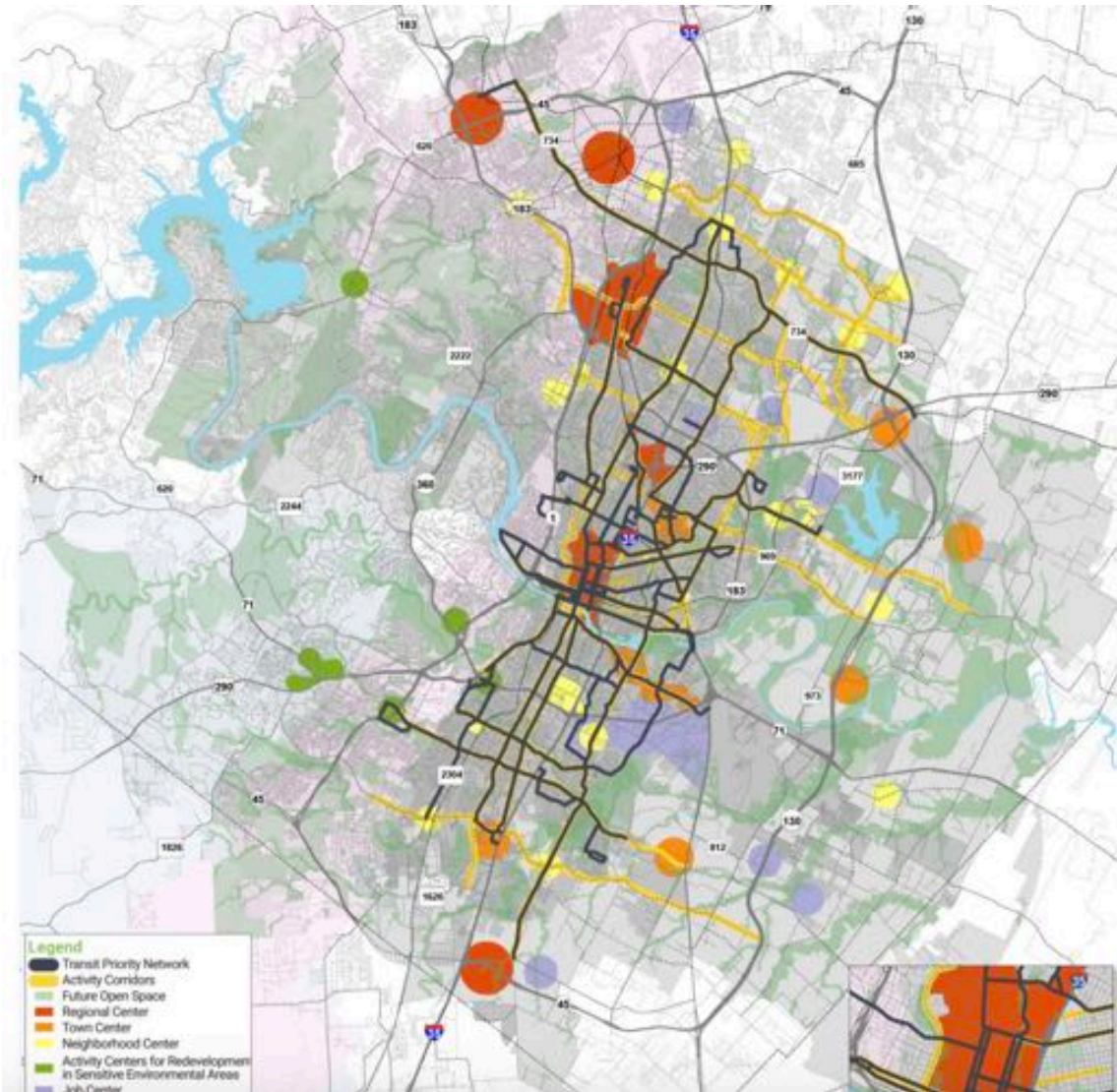
What is Missing Middle?

“The term “missing middle” generally refers to the variety of building types that fall between detached, single-family homes, and large apartment buildings. As shown below, in Figure C-1, duplexes, multiplexes (i.e., small-scale multifamily uses), townhomes, cottage courts, and accessory dwelling units (“ADUs”) are all examples of missing middle housing”: (Source: Cronk 3/15/19 memo to council)



FIGURE C-1 (Source: Staff presentation at PC/ZAP Joint Session, November 28, 2017)

Transition Zones – Where?



- Neighborhoods adjoining all roadways designated as 'corridors' by the 2012 amended Imagine Austin
- Neighborhoods adjoining all areas designated as "activity centers" by Imagine Austin
- Neighborhoods along Transit Priority Networks (essentially Cap Metro routes where buses run at intervals of 15 minutes or less).

[<http://austin.maps.arcgis.com/apps/View/index.html?appid=3b83b4c6184343ed99eb42f22cf093c1>]

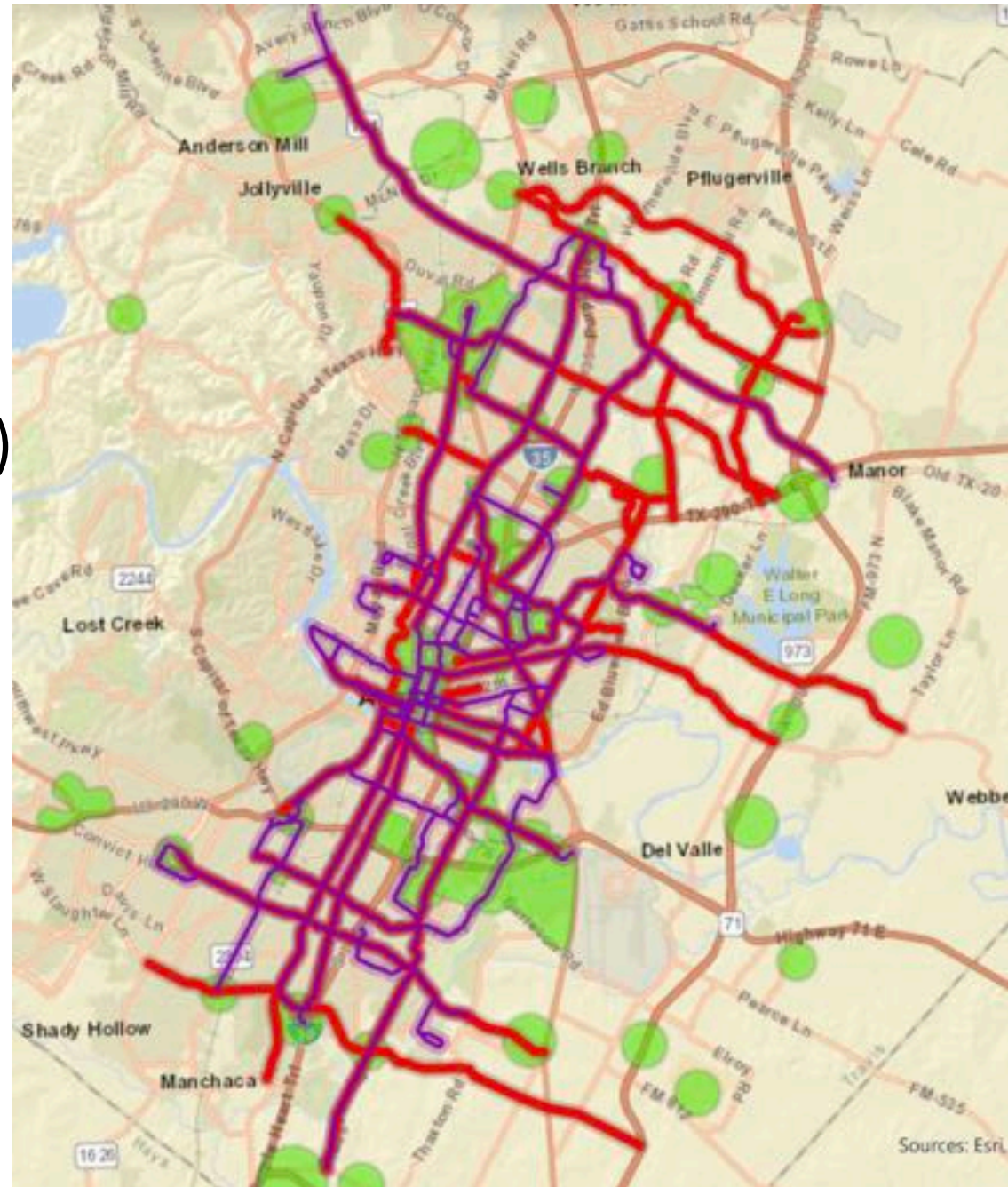
Transition Zones Map

Map Showing estimated 2-5 lot transition zones (400 feet to ¼ mile)

Red = Imagine Austin Corridors

Green = Imagine Austin Centers

Purple = Transit Priority Network



Transition Zones

<https://communitynotcommodity.com/do-you-live-in-a-transition-zone/>

Do You Live in a Transition Zone?

If so, you could face higher taxes and displacement. Enter your address to find out!



Transition Zones – Key Numbers

2-5 lots

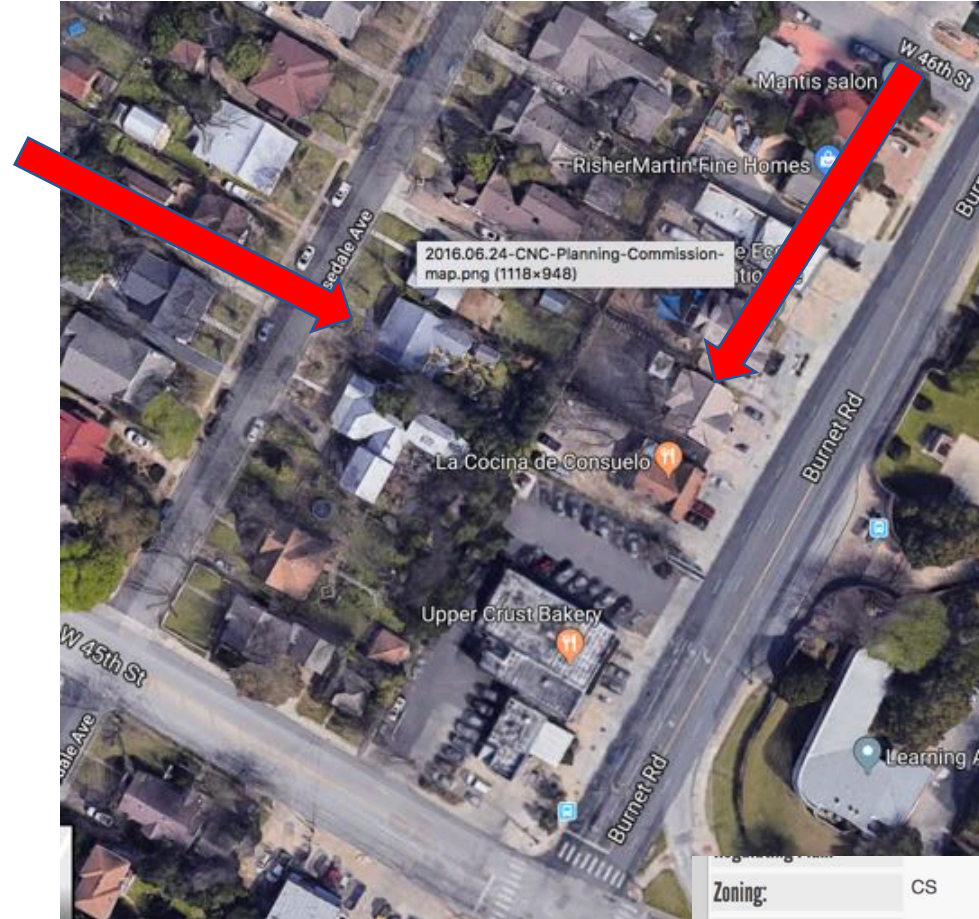
4 units

*“Generally, the transition area should be **two (2) to (5) lots deep beyond the corridor lot... Four units within a house scale should be the **least intense zone** within a transition area, subject to staff’s consideration of what is appropriate.”***

Transition Zones – Adjoining Lot

“For a shallow lot on a corridor, consideration will be given to maintaining the zoning of the corridor-fronting lot to the adjoining rear lot, if appropriate.”

This could also push the transition zone further into the neighborhood.



Zoning:	CS
Zoning Case:	C14-2008-0004
Zoning Ordinance (Mostly after 2000):	99-0225-70(b)
Zoning Overlays:	NEIGHBORHOOD PLANNING AREA ■ ROSEDALE

Transition Zones – Parallel Street Table

Casar's table showing mapping of transition zones

TRANSITION ZONE MAPPING CRITERIA

1 mi = 5280 ft; 1/4 mile = 1320 ft; 1/8 mi = 660 ft; 1/13 mi = ~400 ft; Assuming standard lot size = 50 ft x 115 ft = 5750 sqft

Lots Facing Parallel Streets																				
Tier	Criteria:				High % Neighborhood Impact	Vulnerable (Upstreet)	CORRIDOR													
	- Transit Centers, Corridors	- Urban Core	- Street Connectivity	- High Opportunity			230 ft - 400 ft		1/8 mile		1/4 mile									
	✓	✓	✓	✓	✓		Lot 1	Lot 2	Parallel Neighborhood Street	Lot 3	Lot 4	Parallel Neighborhood Street	Lot 5	Lot 6	Parallel Neighborhood Street	Lot 7	Lot 8	Parallel Neighborhood Street	Lot 9	Lot 10
4	✓	✓	✓	✓	✓		Corridor Zone	MM		MM	MM		MM	MM		MM	MM		RM	RM
3	✓	✓	✓		✓		Corridor Zone	MM		MM	MM		MM	MM		RM	RM		RM	RM
2	✓	✓			✓		Corridor Zone	MM		MM	MM		RM	RM		RM	RM		RM	RM
1	✓				✓		Corridor Zone	MM		MM	MM		RM	RM		RM	RM		RM	RM
0						✓	Corridor Zone	MM		MM	RM		RM	RM		RM	RM		RM	RM

Perpendicular Neighborhood Street

- "Corridor Zone" refers to lots facing Imagine Austin activity corridors. If the transition zone is not on an Imagine Austin corridor, the transition zone should generally begin at "Lot 2" for residential lots.

- The shades of yellow for Missing Middle (MM) represent steadily decreasing entitlements per lot. For example, a Tier 4 transition zone could be: RM3, RM2, RM1, R4, R4, R3, R3 and a Tier 2 transition zone could be: RM1, R4, R3.

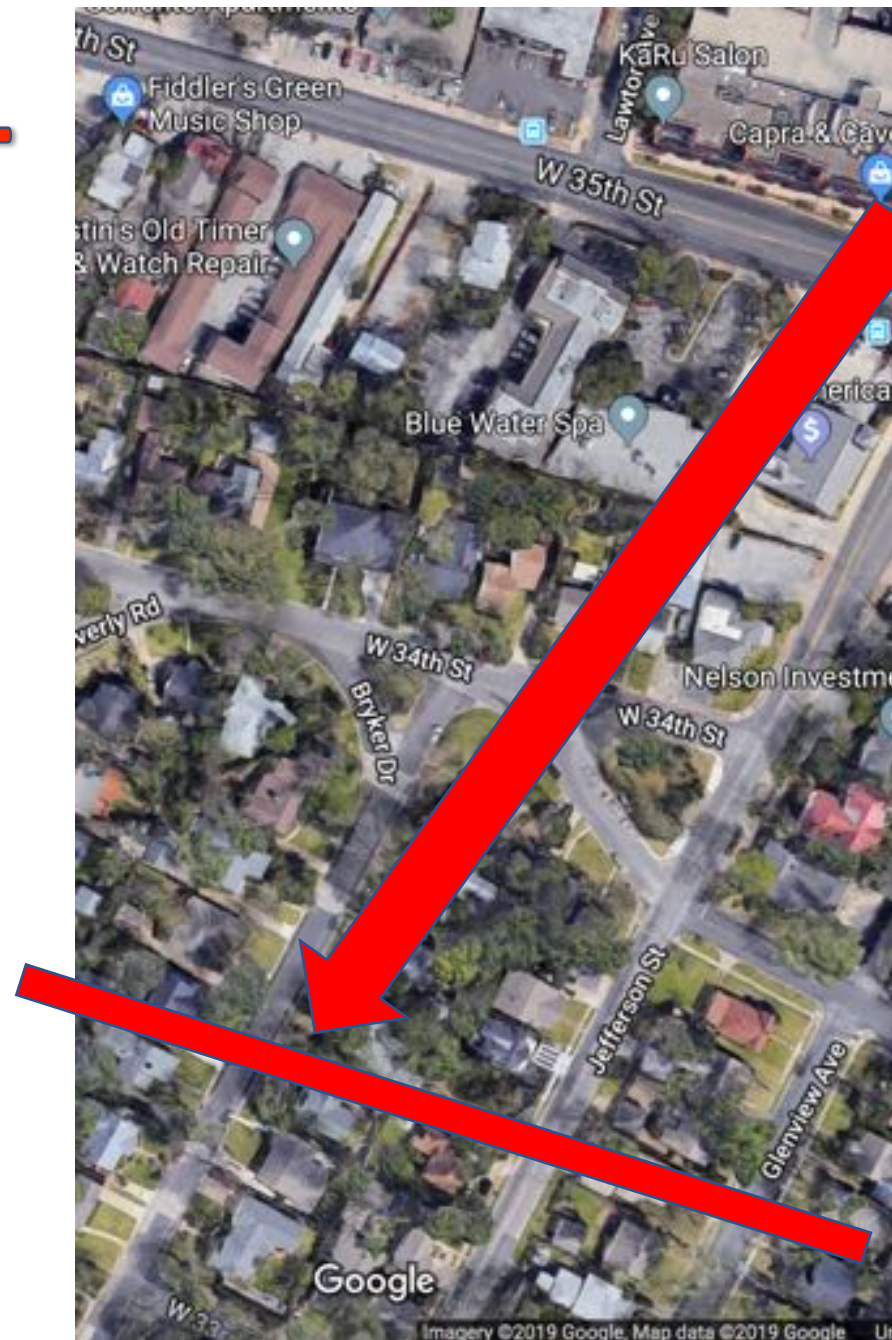
Transition Zones – Parallel Streets

In Residential Neighborhoods with streets parallel to corridor Transition Zone could extend 2 ½ blocks



Transition Zones – Perpendicular Streets

In Residential
Neighborhoods with
streets perpendicular to
corridor Transition Zone
could extend $\frac{1}{2}$ block or
more



Transition Zones - Perpendicular Streets Table

Casar's table showing mapping of transition zones

TRANSITION ZONE MAPPING CRITERIA

1 mi = 5280 ft; 1/4 mile = 1320 ft; 1/8 mi = 660 ft; 1/13 mi = ~400 ft (8 street facing lots); Assuming standard lot size = 50 ft x 115 ft = 5750 sqft

Lots Facing Perpendicular Streets																				
Tier	Criteria: - Transit, Centers, Corridors - Urban Core - Street Connectivity - High Opportunity				High % Neighborhood Impact	Vulnerable (Hydrostatic)	-													
							~1/13 mile				1/8 mile									
							Lot 1 - 100-808	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7	Lot 8	Lot 9	Lot 10	Lot 11	Lot 12	Lot 13	
4	✓	✓	✓	✓	1		Corridor Zone	MM	MM	MM	MM	MM	MM	MM	R2	R2	R2	R2	R2	
											Perpendicular Neighborhood Street									
1	✓	✓	✓		1		Corridor Zone	MM	MM	MM	MM	MM	R2	R2	R2	R2	R2	R2	R2	
2	✓	✓			1		Corridor Zone	MM	MM	MM	R2	R2	R2	R2	R2	R2	R2	R2	R2	
											Perpendicular Neighborhood Street									
1	✓				1		Corridor Zone	MM	MM	MM	R2	R2	R2	R2	R2	R2	R2	R2	R2	
2						✓	Corridor Zone	MM	MM	R2	R2	R2	R2	R2	R2	R2	R2	R2	R2	
											Perpendicular Neighborhood Street									

- "Corridor Zone" refers to lots facing Imagine Austin activity corridors. If the transition zone is not on an Imagine Austin corridor, the transition zone should generally begin at "Lot 2" for residential lots.
 - The shades of yellow for Missing Middle (MM) represent steadily decreasing entitlements per lot. For example, a Tier 4 transition zone could be: RM3, RM2, RM1, R4, R4, R3, R3 and a Tier 2 transition zone could be: RM1, R4, R3.

Transition Zones – No Five Lot Cap

The (2) to (5) lot depth is a “general” rule. The Mayor (and Council majority) refused to cap it at five lots.

Alter: I have some questions for you. So, could you please clarify your intention by ingav [using] the language that the transition zone should generally by two to five lots deep, was meant to cap the zone at no me [no more] than five lots

.....

Alter: So it doesn't cap it at five.

Mayor Adler: I'm sorry, what?

[Alter] Er a (sic) so it doesn't cap it at five.

Mayor Adler: Except for a rare situation, that's correct.

Alter: So can we cap it five and have staff provide circumstances to us where they might want to exceed that and call those out for us, and then we could make decision?

Mayor Adler: I think that I'm comfortable with language that says generally the area should be two to five lots deep.

Transition Zones – Criteria for Mapping

“d. The LDC Revisions should map properties for missing middle housing in transition areas that meet some or all of the following criteria. Entitlements and length of transition areas should be relatively more or less intense for areas that meet more or fewer of the criteria listed below, respectively:

*i. Located on **Transit Priority Network**, or **Imagine Austin Centers or Corridors***

[<http://austin.maps.arcgis.com/apps/View/index.html?appid=3b83b4c6184343ed99eb42f22cf093c1>]

*ii. Located within the **Urban Core** as defined by the Residential Design and Compatibility Standards Area (McMansion Ordinance)*

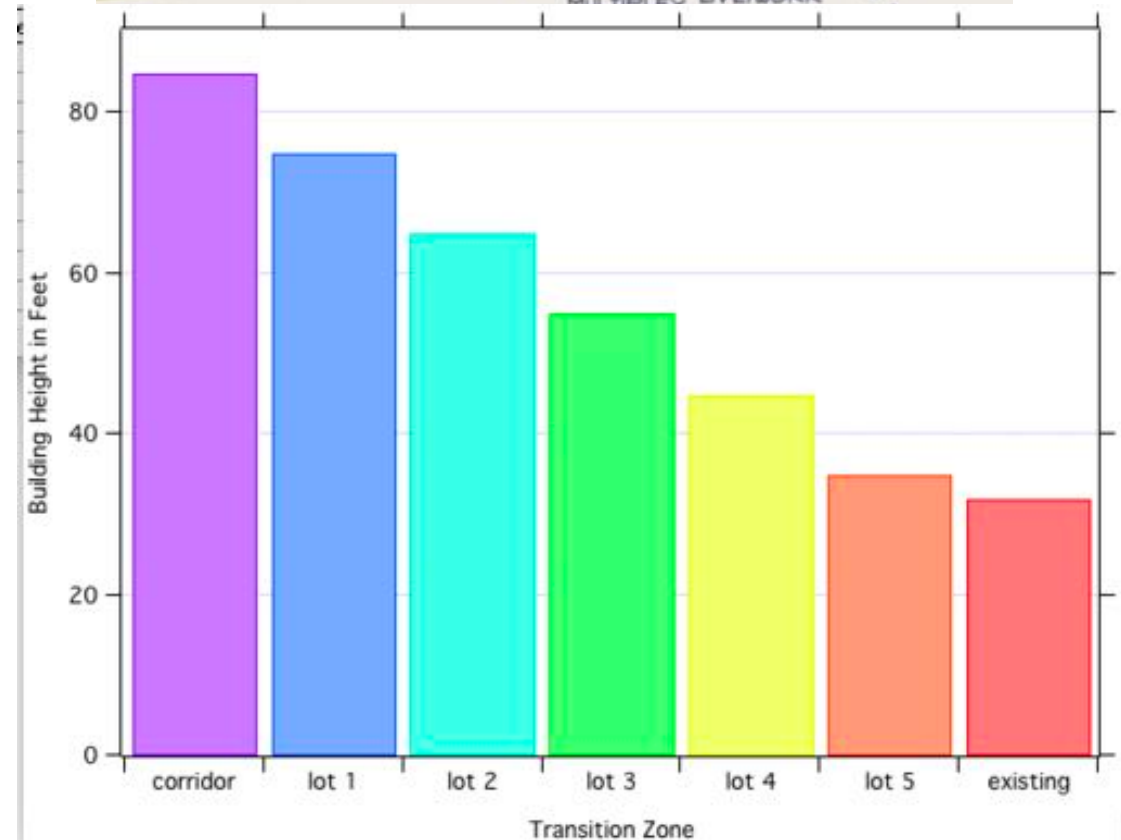
*iii. Has a well-connected street **grid***

*iv. Located in a **high opportunity area** as defined in the Enterprise Opportunity360 Index”* (<https://www.austintexas.gov/edims/document.cfm?id=318779>)

Transition Zones – Step-down

Define the maximum height allowed by-right (75') plus affordable housing bonus (85' total), establish regulations that create a step-down effect in the transition zones into the neighborhoods.

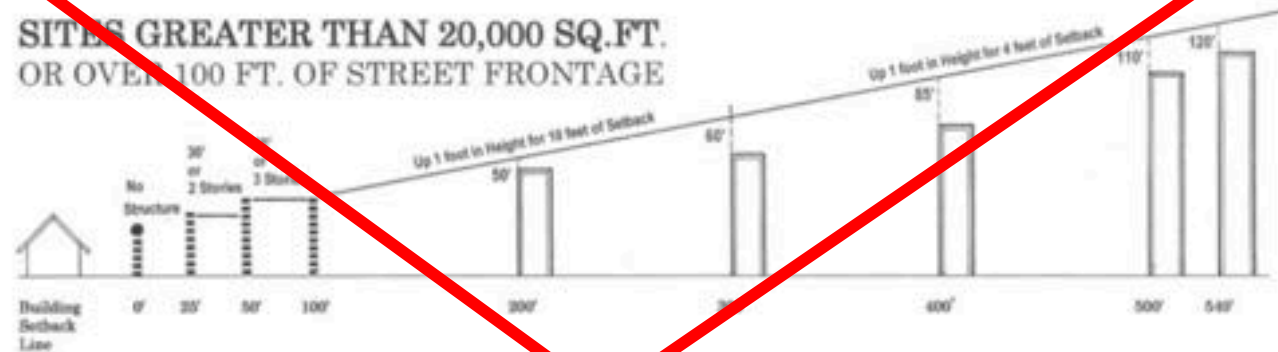
“Lot(s) adjacent to parcels fronting an activity corridor will be mapped with a zone that does not trigger compatibility and that could provide a step-down in scale from the zone of the parcel fronting an activity corridor.”



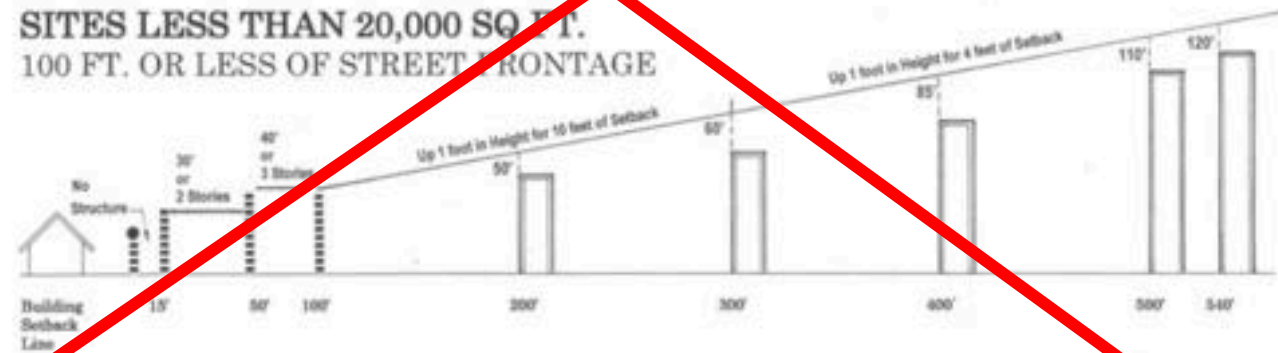
Compatibility Standards

COMPATIBILITY: HEIGHT + SETBACKS

SITES GREATER THAN 20,000 SQ. FT.
OR OVER 100 FT. OF STREET FRONTAGE



SITES LESS THAN 20,000 SQ. FT.
100 FT. OR LESS OF STREET FRONTAGE



Notes:

Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive or within 540 feet from a lot zoned SF-5 or more restrictive.

Compatibility includes:

- (1) Height
- (2) Setback Provisions
- (3) Scale & Clustering
- (4) Buffering
- (5) Recognition of passive uses within flood plain
- (6) Design of Signs
- (7) Noise of Mechanical Equipment
- (8) Lighting
- (9) Parking & Driveways.

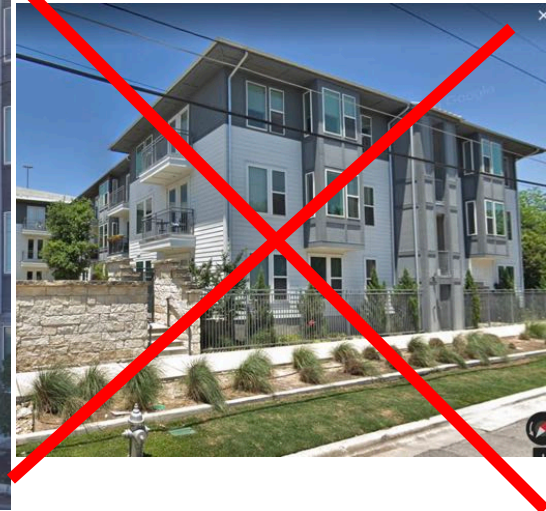
Compatibility Standards

Instead of altering compatibility standards, council wants to remove them from corridors, upzoning surrounding residential property

Mayor Adler: “It *unlocks the corridor*. The compatibility is achieved *W* you zone the adjoining properties to ensure compatibility, except for the factors with respect to buffering and all those kinds of things.”



Corridor Front



Compatible? Rear



Transition Zones – Highest Multiplex Zoning

From footnote of Casar Chart on Transition Zones:

- "Corridor Zone" refers to lots facing Imagine Austin activity corridors. If the transition zone is not on an Imagine Austin corridor, the transition zone should generally begin at "Lot 2" for residential lots.

- The shades of yellow for Missing Middle (MM) represent steadily decreasing entitlements per lot. For example, a Tier 4 transition zone could be: RM3, RM2, RM1, R4, R4, R3, R3 and a Tier 2 transition zone could be: RM1, R4, R3.

23-4D-3090

Residential Multi-Unit 3A (RM3A) Zone

Intensity	Base Standard	AHBP Bonus ¹
Dwelling Units per Acre (max.)	36	+40
FAR (max.)	0.75	+0

E. Height		
Primary Building		
Overall (max.)	60'	E
Accessory Building		

I. Impervious Cover	
Impervious Cover	% (max.)
Impervious Cover	70% ¹
Building Cover	60%

Transition Zones – Non-conforming Use & Structure of Homes

The current land development code allows single-family housing in multifamily zones. The new policy direction would make upzoned single-family homes in transition zones nonconforming properties. If a home within a transition zone is demolished, its replacement would have to conform to the new zoning —and only multifamily housing could be built in its place.

23-2G-1050 Continuation of Nonconformity

- (B) **Continuation of Nonconforming Use and Structures.** A nonconforming use or structure may continue to be used, operated, or occupied in compliance with the regulations under which it was established, but may not be expanded or converted except in compliance with the requirements of this Subsection.
 - (1) **Expansion of Use Prohibited.** A nonconforming use may not be expanded or extended beyond the floor area or lot area that it occupied on the date it became a nonconforming use, except as otherwise provided by this Article.

Transition Zones- Dis-incentives

*“To the greatest extent possible, include code restrictions that provide properties zoned for multi-family will develop with multi-family and not single-family structures. At the same time, however, make allowances for existing single-family structures that become non-conforming to be maintained, remodeled, and potentially expanded, so long as they are not demolished or substantially rebuilt. Staff should provide options for **minimum unit yield based on the zone.**”*

*“Code revisions to provide additional housing capacity should include: ...f. Measures to **dis-incentivize the demolition and replacement of an existing housing unit(s) with a single, larger housing unit.** “*

*“Provide options to revise McMansion ordinance that provide for ability to add a room or limited remodel but **constrain ability to demolish existing home and replace with another larger single family home.**”*

Transition Zones – Demolished or Vacant house

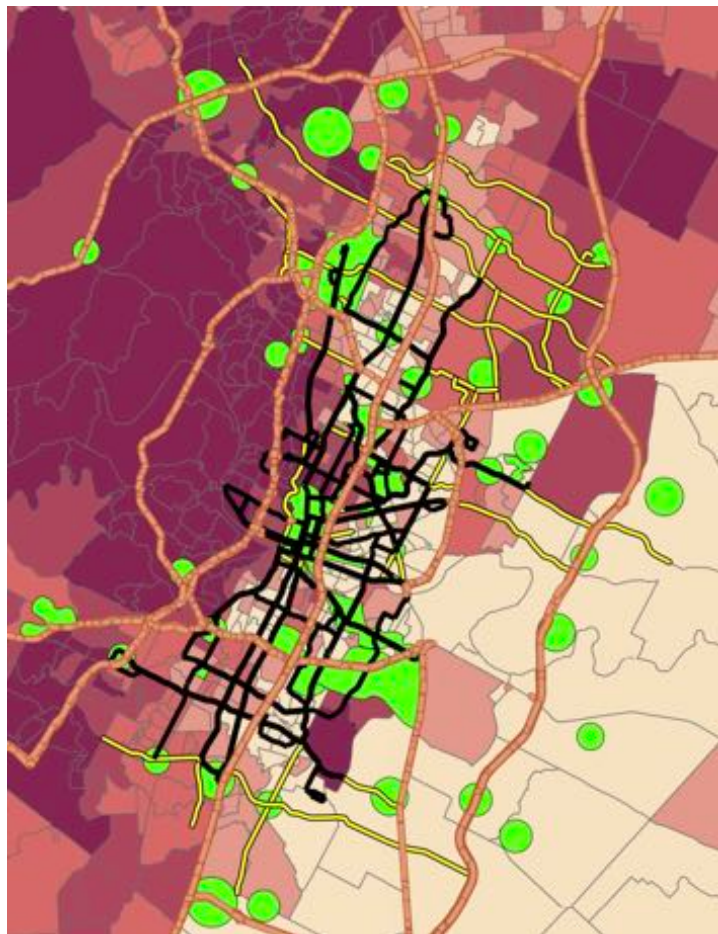
>> Harper-Madison: So if you were -- what you're saying, if you were to demolish the house or substantially rebuild it and you were in a zone that's been upzoned, the only thing can do, as opposed to rebuilding your single-family home, is do multifamily.

>> Kitchen: Yes, that's what it says. ...

Adler>>... [Brent Lloyd, staff's chief code editor]: So once you demolish that with -- that property and you want to rebuild, it would have to be multifamily...[Adler:] "I think we're okay. Move on to the next item"

Transition Zones

High Opportunity Areas

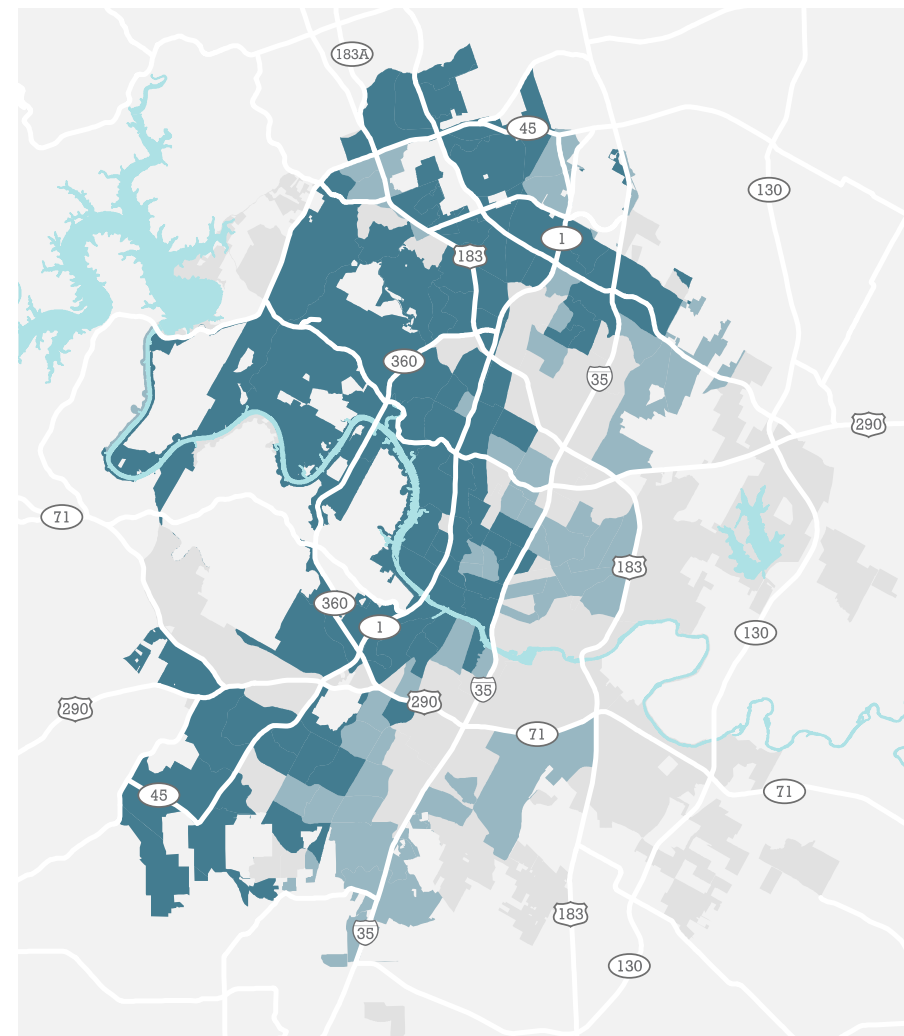


“Staff will consider mapping missing middle areas in high opportunity areas not impacted by environmental concerns in order to help achieve goals related to housing throughout the city”

Kirwan Institute Opportunity Map Data updated September 21, 2017

<https://data.austintexas.gov/Building-and-Development/Kirwan-Institute-Opportunity-Map-Data/f4c7-5ivui>

High-Opportunity Areas in Austin



■ Current High Opportunity Areas
■ Emerging Opportunity Areas

N 0 5
Miles

Source: Enterprise Opportunity360 Index, Downloaded March 28, 2018.

[Opportunity360 Map March 2018](https://www.austintexas.gov/edims/document.cfm?id=318779)

<https://www.austintexas.gov/edims/document.cfm?id=318779>

DRAFT: November 19, 2018

Transition Zones - Adler Message

- **From:** Mayor Steve Adler
- **Subject:** An update from Mayor Adler on the future land development code in Austin
- **Date:** May 20, 2019 at 5:11:40 PM CDT.....
-
- **What about in neighborhoods? Will there be new development entitlements given there?**
-
- Yes. In addition to more allowances for ADUs (see above), there will **be more opportunity for Missing Middle housing (like duplexes, triplexes and quads)** that are built in the same form and scale as a single-family home. There will **also be Transition Areas** located between the commercial uses on corridors and centers and the adjoining neighborhoods.

Transition Zones – Beyond the new maps

“Staff to provide options for timelines and methods for implementation of the new code and map and to achieve additional housing capacity and affordable housing goals beyond those contained in the new code and map.”

Transition Zones – Not the whole neighborhood

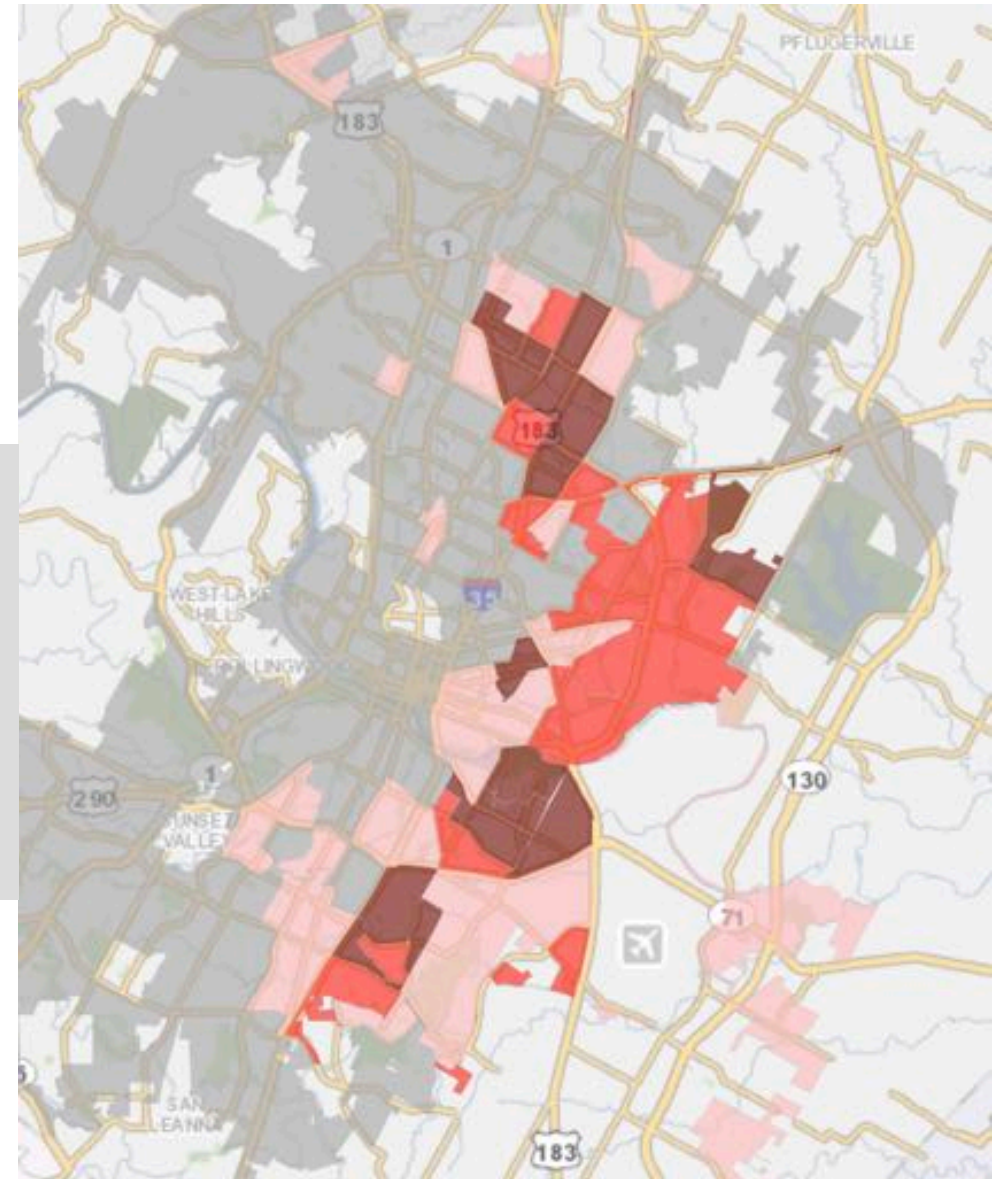
“The depth and scale of transition zones should be reduced so that the transition zone(s) do not overlap with the majority of the existing single-family neighborhood area.”

How will city staff define neighborhoods to meet this criteria?

Transition Zones – Vulnerable Communities

“The length and level of entitlement in transition zones should be substantially reduced in “Vulnerable” areas identified in the UT Gentrification Study, regardless of the number of criteria met above.”

There will be transition zones in vulnerable areas.



<http://austin.maps.arcgis.com/apps/MapSeries/index.html?appid=2287ef7c16dc476ca0c7d4a10ae690ce>

Transition Zones- Separate Water Quality rules for Accelerating Missing Middle

“Require developments where total of new and redeveloped impervious cover is 5,000 sq. ft. and greater to treat water quality. Through the land development code process, this provision should be tested, and staff should potentially **create separate requirements for missing middle housing if such separate requirements are needed to achieve the goals of producing more small and missing middle housing types**, while improving water quality in the city and the region overall.”

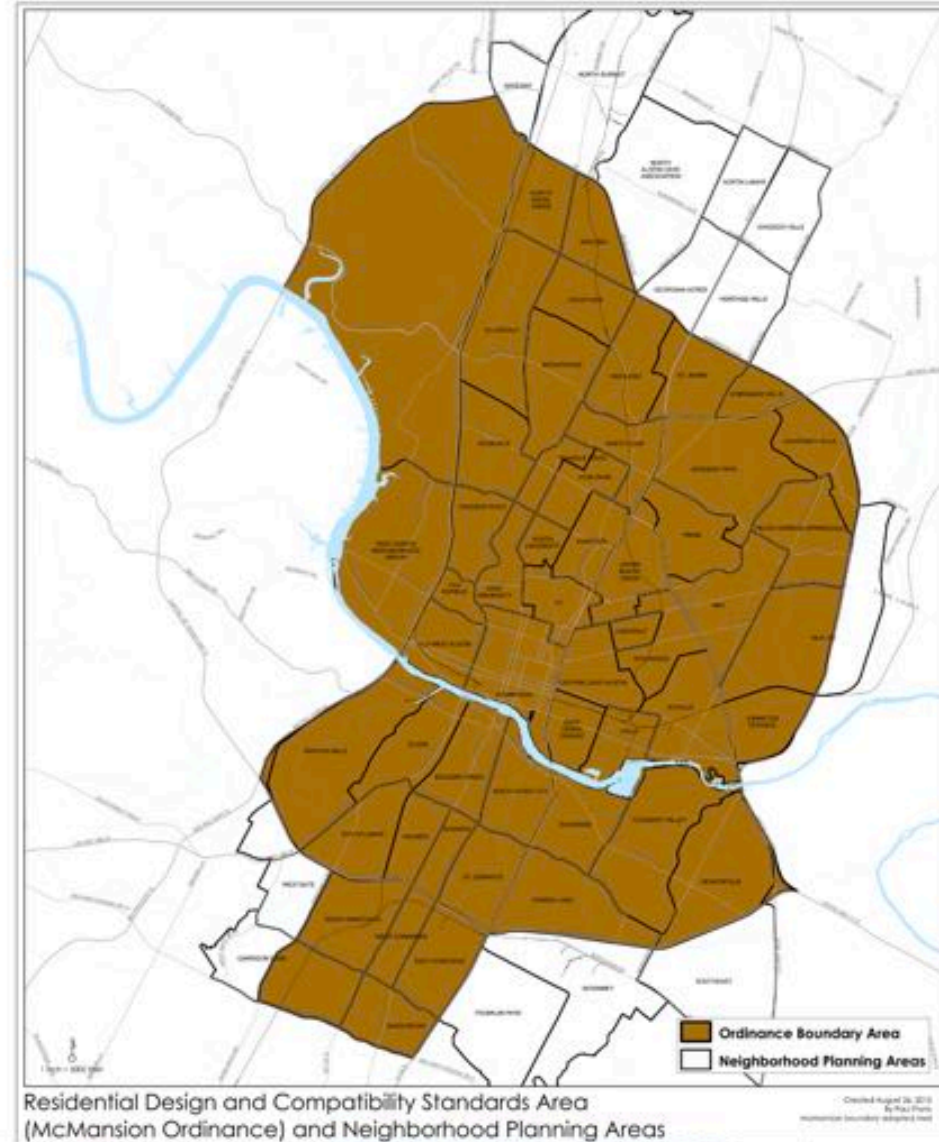
Preservation Incentive

*“Preservation incentives should be expanded **City-wide**, so that **an additional unit, beyond what would otherwise be allowed**, is allowed with the preservation of an existing structure. Remodeling or adding units should be very simple, so it is much easier to preserve an existing home than to tear down and replace it with another larger structure.....If an existing affordable home is preserved, the balance of the lot’s entitlements can be used to add more dwelling units.”*

**A single family home on a large lot zoned for duplexes (SF-3) would be able to add a full duplex or house & ADU if the existing house remains.
Can the existing structure that is preserved by a garage apartment?**

Preservation Incentive - McMansion

“Provide options to revise McMansion ordinance that provide for ability to add a room or limited remodel but constrain ability to demolish existing home and replace with another larger single family home.”



Infrastructure

Transition Zones or Areas (and infrastructure):

Mayor Adler: *“So here -- tell me if I understand this correctly because I -- in answer to your question, councilmember kitchen, in answer to the question where we map things, I know people have said don't map the transition zone here because we don't have, say, the utility infrastructure top something. Andy sense is that that's not -- it's really important to make sure that we don't let somebody build if there's insufficient utility structure or something to be ae to do that, but the to handle that is in the site plan, as opposed to the mapping. **So seems to me that the better thing to do is to map the use where the U are appropriate and if somebody can't or it's unsafe for someone to Bui that use or tie into that use, then it can't get past the site pla stage,** seems that's the more appropriate place to handle that.”*

Technical Criteria based on Policy

“Code Text. The revised Land Development Code should be sufficiently clear and unambiguous that administrative criteria manuals are not relied upon to establish policy, except in circumstances where Council has directed that particular requirements be established administratively.”

Citizen Notice or Hearing?

Before the City involuntarily upzones homes in transition areas, will citizens have the customary notice and hearing with the statutory right to file a valid petition?

NO

"This is the City's legal position, but many legal experts disagree."

Citizen Petition or Notice Rights

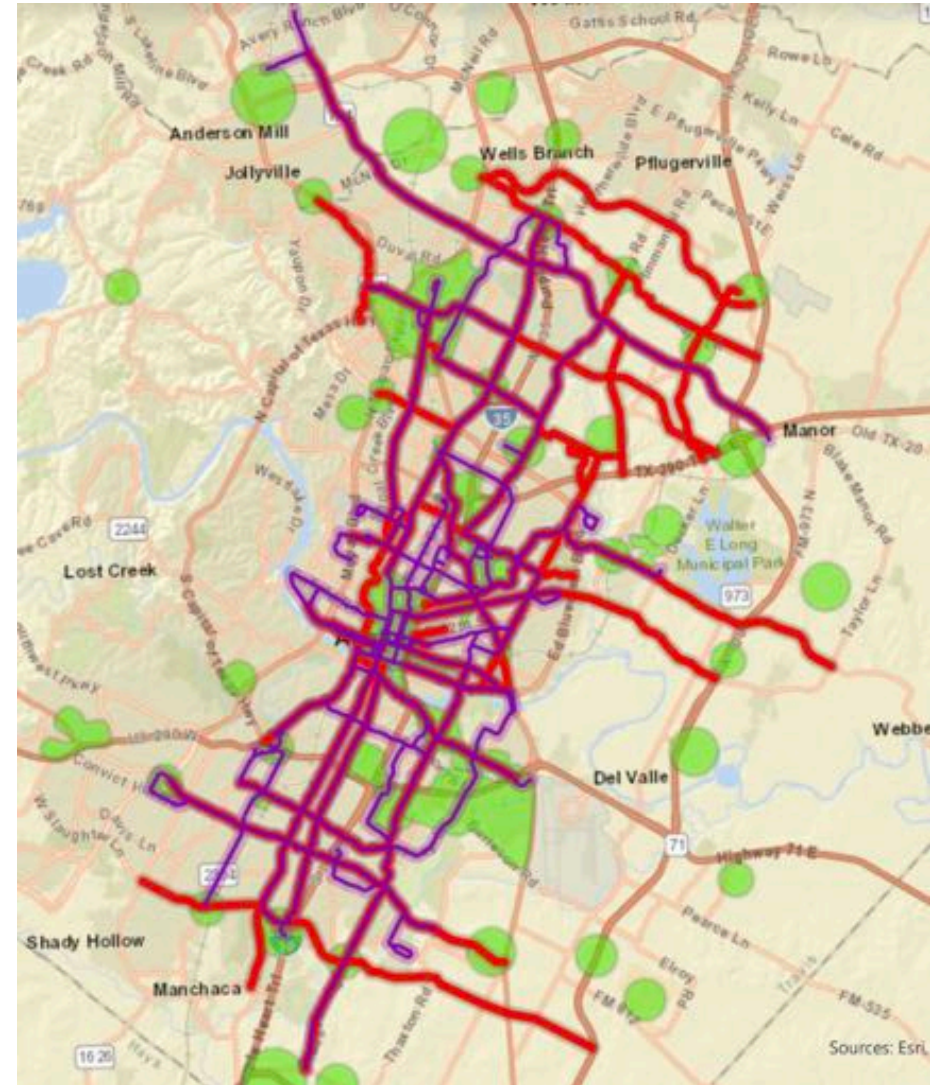
Brent Lloyd, development officer, dsd >>> ...So we will be bringing you back an entirely new zoning map. And to mayor pro tem Garza's point, it will not require mailed notice like a rezone does, when we're aingpt (sic) and law has advised revi psly,(sic) publicly, that when we're adopting a whole new code and a new map, that can be done through published notice. City Council Regular Meeting Session Transcript – 04/25/2019 pp. 140-141.

Tovo>> Before we move on to the additional section, I had a question that I posed ... And I did give our city attorney a heads up about it. I've been asked -- and I think we all got asked this question during the code next conversation as well, **whether property owners would have valid petition rights once the council takes action on the map and land development code.**

[Response]>> **Council, they would not.** City Council Special Called Meeting Transcript – 05/02/2019 p. 148

Parking Requirements

“Minimum parking requirements should be generally eliminated in areas that are within the ¼ mile of activity centers, activity corridors, and transit priority network, except that some parking requirements may be maintained for areas where elimination of parking requirements would be particularly disruptive (conditions to be proposed by staff).”



Conditional Overlays not Carried Forward

“COs that are generally incorporated into the new code are not to be carried forward; other, unique COs are carried forward and are subject to change with any future rezoning”

Conditional Overlays are combined with base zoning districts on specific properties to further restrict a zoning classification or land use.

- Prohibit permitted, conditional and/or accessory uses otherwise allowed in a base district
- Make a permitted use a conditional use
- Decrease the density that may be constructed
- Decrease building heights
- Increase minimum setback requirements
- Decrease maximum impervious or building cover requirements
- Restrict access to adjacent roads and require specific design features to minimize the effects of traffic.

NCCDs

*“Existing NCCDs should be preserved and carried forward in the new code and map, however, Code and Zoning **Map changes related to ADUs, Parking, Preservation Bonuses, Affordability Bonuses, lot size, and Transition Area mapping** (consistent with Council direction provided below and in response to Questions 2-5) **should be applied to those NCCDs.** Unique zoning districts (e.g., NCCDs) should be reevaluated in the current context of Austin’s housing and transportation needs in addition to analyzing the extent to which NCCDs provide missing middle housing.”*

The purpose of an Neighborhood Conservation Combining (NCC) District is to establish development regulations for unique neighborhoods in order to preserve their traditional character while allowing for controlled growth to occur. Includes: East 11th, East 12th, Hyde Park, North Hyde Park, North University, Fairview Park

Housing First

“It does establish a priority, it does establish the top priority beihe G tater housing unit yields. [7:34:02 PM] So to my mind that was giving direction that in all cases you were going to -- in all cases the direction would be to give greater priority to the potential housing unit yields over protecting the environment, over sustainability, over public safety, over transportation, over all of that.” -

Anne Kitchen Austin City Council minutes, 4/24/2019 pg 111

“Housing is first priority” so maybe reconsider things that get in the way:

- the environment, impervious cover and heritage trees

Lot Size

“Options for reducing minimum lot size and width to achieve the goals elsewhere in this document, including preservation goals, while also considering public safety concerns.”

Smallest residential lot sizes in CodeNEXT V3 were 1800 square feet.

Form Based Focus

*‘The new LDC should focus on the **size and scale** of the built environment and regulate uses through context-sensitive policies that are clearly identified in the code and apply equitably throughout the City instead of through by-lot zoning regulations’*

Information Sources

Blue Text is from :Austin City Council LDC Revision Policy Direction –As adopted 5/2/19 Council Meeting

[http://www.austintexas.gov/sites/default/files/files/Communications/Council Adopted LDC Policy Direction 5.2.19.pdf](http://www.austintexas.gov/sites/default/files/files/Communications/Council%20Adopted%20LDC%20Policy%20Direction%205.2.19.pdf)

Purple Text extracted from City Council Regular Meeting Session Transcript

04/25/2019 & 5/02/2019

<https://www.austintexas.gov/edims/document.cfm?id=318524>

<https://www.austintexas.gov/edims/document.cfm?id=318850>