

February 21, 2017

A Community, Not a Commodity

HOW WILL CODENEXT IMPACT YOUR NEIGHBORHOOD?

“CodeNEXT” is the name given by the City of Austin to the ongoing total rewrite of the City’s land use and building rules, known as the Land Development Code. It will rezone every parcel of land in the city, including allowing uses not previously allowed in many neighborhoods. It will address what can be built, where it can be built, how much can be built, and how it can be used. Our concern, which should be yours, is that the new code not change what Mayor Adler calls the soul and spirit of Austin.

The initial draft was released January 30th. The City staff and consultants have conducted three years of public meetings with individuals and have accepted position papers from organized groups; however, the process did not result in meaningful engagement with neighborhoods or their representatives.

The new code will give new zoning designations to all of Austin, but just where these new zones will be applied is still unknown. Draft zoning maps won’t be released until April 18th. There is no process yet for neighborhood input into the mapping process.

In addition to changing the zoning rules, the new code will address a variety of other important rules, such as limits on impervious cover, drainage, landscaping, and tree protection, all of which could have dramatic effects on the safety and quality of life in your neighborhood.

The Planning Department calls the new code “Draft 1”. It will be considered first by the Planning Commission and the Zoning and Platting Commission, and there will be citizen comment and input pathways before the Council takes it up later this year. We need to use them to communicate our concerns.

Draft 1 creates two different zoning systems. One creates Transect Zones, and the other creates Non-Transect Zones. There will no longer be SF2 or SF3 lots. Transect lots will have design criteria focusing on the form of buildings. This is called “form-based zoning”. The theory is that what a building looks like is more important than what it is used for. Non-Transect lots will not be subject to the design criteria. Both types of zoning will have specific use tables that apply to specific categories.

When the maps are released, it is likely that the suburban lots that are not now “walkable” will have Non-Transect Zoning. Apparently, Draft 1 does not define “walkable” but it is a criteria that the mapping teams will apply in deciding how to zone your property. Except for lots having at least 10,000 square feet, Draft 1 is calling for auxiliary dwelling units to be approved uses in all

Non-Transect zones. Some Non-Transect zones will allow duplexes. Today's SF2 zoning allows neither duplexes nor auxiliary dwelling units. SF3 zoning allows both. The closer a neighborhood is to downtown, the greater the chance that it will have Transect zones. If so, allowed uses in some residential zones may include not only duplexes and auxiliary dwelling units, but also cottages, multifamily, and businesses. In all Transect categories, required on-site parking is just one space per dwelling unit.

Why does the City want to change the Code? Austin's Code is over 30 years old, and many sections have been added. It has become cumbersome and difficult to apply to a specific site, and it needs to be updated to conform to the City's master plan (*Imagine Austin*) adopted in 2012. The draft's new organizational structure is a good improvement, and it carries forward some of Austin's neighborhood and environmental protections such as neighborhood plans, historic zoning, and the Barton Creek ordinance. However, depending on the mapping, it poses a threat of radically altering the face of our neighborhoods. Also on the negative side, Draft 1 has no separate chapter dealing with compatibility standards that protect neighborhoods from commercial development on corridors, nor does it carry forward the section on the so-called McMansion design rules. The City staff says that these missing chapters have been "baked" into Draft 1. We need to analyze the new provisions to see how these substantive rules have changed. There are additional issues that need to be assessed, such as the affect on affordable housing, displacement of working families, small businesses, renters, the environment, safety, and infrastructure.

The City Council has set out a schedule for public comment on the draft code. It can be found, along with other information, on the City's website by searching for "CodeNEXT" or by going here: <http://austintexas.gov/department/codenext-community-engagement>

The Planning Department has already released a survey for citizen input. We caution you to read it critically. The better way to give your input is to attend the scheduled citizen forums, comment online on sections of Draft 1, and after the maps are released, attend the office hours held by Planning Department staff.

The whole of Draft 1 is over 1,000 pages, so, if you want to dive in, start with the Zoning Code which you can locate from the table of contents of the entire Draft 1, which you can find here: https://codenext.civicomment.org/?mc_cid=1ad67109ae&mc_eid=36c655775c Draft 1 uses terms that do not have the same definitions as in the current code. You will find definitions in the Administrative and Procedures chapter. The search feature in Draft 1 works well. If you have time only to look at the drawings of streetscapes in the Zoning Code, do so, and ask yourself the questions, "Why do they not show parked cars on the streets in Transect Zones? and why is it that smaller lots have more allowed uses than larger lots?" In addition to the new parking rules, focus close attention on the use tables in all of Transect categories, and make note of provisions that increase allowed uses and discretionary authority of the City staff.

We need to inform ourselves, come together, and take collective action to persuade a majority of our City Council to update the Code in a reasonable and responsible manner. You and our neighbors need to get involved.