

## Austin City Council Direction on the Land Development Code Revision

### ULI Code Rewrite Workgroup Comments

September 10, 2019

#### WHO

The Urban Land Institute (ULI) is a member driven organization providing leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. As the preeminent, interdisciplinary real estate forum, ULI facilitates the open exchange of ideas, information and experience among local, national and international industry leaders and policy makers who are dedicated to creating better places. ULI has long been recognized as one of the world's most respected and widely quoted sources of objective information on urban planning, growth, and development.

Established locally in 1994, ULI Austin is a district council of the Urban Land Institute where real estate professionals from across Central Texas exchange ideas and best practices to serve community needs. ULI Austin brings together leaders from both private and public sectors who share a common interest in responsible land use strategies and a commitment to excellence in development practice. ULI Austin does not advocate; we offer fact-based information through research, education and publishing. ULI Austin collaborates with other industry-leading organizations on many land use initiatives, including but not limited to workforce housing, high-capacity transit and roadways, the reuse of existing infrastructure, and planning healthier environments.

#### WHAT

Members of the ULI Austin Code Rewrite Workgroup (ULI Workgroup) took time to review the Austin City Council *Direction in Response to City Manager's March 15, 2019 Memo re: Land Development Code Revision Policy Guidance* (Council Direction) and offer comments. The Council Direction was divided amongst ULI Workgroup's members to review the content sections in small groups and report to the full workgroup for similarities and themes. This work and the comments contained within are provided to work with the city and other stakeholders toward a Land Development Code (LDC) that aligns with ULI's mission with special emphasis on affordability and multi-modal transportation connectivity.

#### RESPONSE TO COUNCIL DIRECTION

Overall, ULI Austin's Code Rewrite Workgroup is encouraged by the Council Direction, especially the effort to increase affordability through additional housing capacity and increased housing options and the opportunity for improved multi-modal transportation. ULI Workgroup encourages utilizing the content goals and priorities included in the Council Direction as a lens when reviewing departmental and community requests. These goals should also be used to help shape development procedures to facilitate realization of the goals.

ULI Workgroup is concerned that the Council Direction does not include specific goals except for the housing capacity goal. The ULI Workgroup is concerned the code rewrite draft will be difficult to measure for effectiveness related to the Council Direction without having such metrics in place. Setting metrics for goals now will provide guidelines and expectations when reviewing the draft and, upon adoption of a new Land Development Code, these metrics can be used to analyze the new code's effectiveness.

## **Housing Capacity**

To increase housing capacity, one of the main focuses is increasing zoning capacity. Zoning Capacity is the maximum number of units allowed to be built per zoning regulations, and housing capacity is the number of units that will actually be built, given all other considerations and regulations. The Council Direction goal is to “[p]rovide greater housing capacity than CodeNext Draft 3 through enhanced measures to allow construction of additional residential units,” specifically three times the Austin Strategic Housing Blueprint (the “ASHB”) goal of 135,000 new housing units, plus 60,000 affordable housing units and preservation of 10,000 affordable housing units.

The challenge in setting the goal in terms of housing capacity versus zoning capacity is that housing capacity is more difficult to project—there are a variety of reasons why a property may not be built to its maximum zoning capacity, including soft land use restrictions, such as tree preservation and water quality regulations, as well as individual property owners’ intentions, market conditions, and the cost of development of the final lots that have yet to be developed. In other words, capacity is limited by regulations and economics. The cost and time to comply with the non-zoning sections of the code can limit the ability to increase housing capacity as much as by the zoning itself. This is part of why the vast majority of single-family homes in central Austin have not been redeveloped into duplexes even though they are permitted to with SF-3 zoning.

The Council Direction provides some broad concepts for increasing housing capacity, and to assist in the development of more concrete strategies for increasing housing capacity, the following tactics are provided for your consideration.

### **1) Increased Density within Activity Centers, Along Activity Corridors, along the Transit Priority Network, and in Transition Areas**

Increasing density along the above areas provides a method to increase housing capacity with less disruption to existing neighborhoods.

- **Flexible housing types to transition to neighborhoods:** Allowing housing types that are compatible with a neighborhood feel while increasing allowable housing units per building will increase density along the above areas without disrupting the neighborhood vibe. For example, multiplexes, row homes, live/work buildings result in increased density but still feel compatible with the edges of single-family neighborhoods.
- **Units Per Acre:** It takes a minimum of 16 units per acre to support mass transit with a preference of 20 or more units. Austin has an average of 5-10 units per acre, citywide. Allowing residential buildings taller than three floors is a recommended consideration along corridors in order to maximize land use and increase housing capacity that will support mass transit.

### **2) Thoughtful Interaction of Building Form Regulations with Community-Values Regulations**

Since there are instances where building regulation can conflict, having a clear understanding and documentation of regulation goals and prioritization of those regulations can provide clarity for lot development and facilitate increasing housing capacity. Increasing housing capacity in theory through zoning, while also having more requirements on the type of structures that can be built, can result in lowered housing capacity in practice.

- **Definition and prioritization of regulations:** There are instances where the compilation of building regulations makes a lot unable to be developed. In the upcoming section on Compatibility Standards, detail is given on the interaction of setbacks and tree preservation, which is an example of such possible conflicting regulations causing lots to not be able to be developed. When conflicts in regulations occur during permitting and inspections, projects often see unexpected cost increases and delays. By having clear goals and prioritizations for regulations, project affordability can be maintained and the housing capacity within the city can increase faster.
- **Facilitate infill development:** By providing regulations that facilitate infill development, the city's housing capacity can increase closer to transit and minimize sprawl. The upcoming section on Missing Middle Housing Types offers the possibility of relaxing McMansion regulations for missing middle housing, which would increase housing capacity through infill development. Similar relaxation of McMansion regulations for oddly shaped lots can also open up infill development opportunities.
- **Flexibility as to form:** Rigidity in the LDC as to form can result in lowered housing capacity. For example, requiring that duplexes be built front to back may be impractical due to deed restrictions or placement of trees. Requiring a minimum number of units on a lot may result in the lot remaining undeveloped, either due to deed restrictions or tree issues; or, requiring one unit where the tree placement on the lot would better allow for multiple small units may result in a lot remaining undeveloped.
- **Revisit remodel fees and reviews:** We recommend revisiting which regulations undergo review for remodels to help with preserving current housing capacity and maintaining project affordability. For example, for interior remodels, removing the tree review process can lower project cost and time.
- **Decreased minimum parking requirements:** See the following Parking Requirements/Transportation for recommendations that can help maximize land use for housing through alternative parking considerations.

### 3) Clear Guidelines for Departments/Coordination Between Departments

Efficiencies of how departments interact can go a long way to minimizing excess costs that get passed along to the buyer/renter. Currently Tree Review, Gas, Energy, and Water all act independently of site and permit review process, creating increased fees and delays and in turn limiting capacity. Further, unclear language in the Code results in differing interpretations and confusion among City Staff (including among Departments) and design professionals. The current process results in unpredictable results that often arise during the project's formal approval, the economics of which would deem deals infeasible on the front end. Examples include unexpectedly having to wait 6 months past completion and paying \$18,000 for a power pole to be moved for a two-lot re-subdivision or unexpectedly needing to replace 100' of water line for a fire hydrant for a project less than one acre. Documented clear guidelines that involve coordination between all departments impacted by the project during the review process helps to decrease delays and unforeseen costs that impact affordability and the ability to increase housing capacity for the city.

- **Record keeping for accountability:** A record-keeping system that creates accountability for City Staff would mitigate issues of receiving feedback feasibility and then hearing something different when applying for a permit. For example, a system where City Staff keeps notes of what was told during walk-ins would result in consistency among City Staff.
- **Inter-departmental coordination:** Similar to the section above on Definition and Prioritization of Regulations, having departmental coordination and clear communication with the builder throughout permitting and inspections helps maintain project timeline and realize the goals of such regulations. One example is the coordination of gas-lines with tree roots. In existing properties where tree roots are old and intertwined, we recommend permitting use of existing lines or fully coordinated plans to weave new lines through the root system to work toward the goal of tree preservation. The earlier such conversations occur on projects, the better builders and home-owners can maintain schedule and budget, which increases project feasibility and helps increase housing capacity for the city.
- **Unclear tree rules:** Current tree regulations, contained in the Environmental Criteria Manual, are vague and allow City Staff to apply different rules to different projects, driving up review time and making it difficult for professionals (including designers and arborists) to plan based on consistently applied rules.
- **Increasing review process efficiency:** Decreasing permit time and confusion can greatly speed up the rate at which Austin's housing capacity is increased. House Bill 3167 (the "Shot Clock" bill) provides limits on site plan review timelines and requires all comments to be included during initial review instead of adding comments during later reviews. ULI Workgroup recommends utilizing the code rewrite to extend similar guidelines across the review process.

#### 4) Decrease/Eliminate Minimum Lot Size

The Council Direction proposes that the LDC revisions include options for reducing lot size and width. Minimum lot sizes tend to decrease housing stock and drive up costs. Reducing or eliminating minimum lot size would be a significant step toward providing more opportunity for housing. Some additional considerations related to lot size that could also provide more housing opportunity are:

- **Streamlined subdivision process:** The current subdivision process is costly and time intensive. This is driving up the numbers of condominium projects on lots that could be subdivided into two smaller lots, resulting in more attainable detached single-family housing stock. Allowing for variety in lot sizes helps meet consumer demand for smaller, more affordable housing units. From one Austin developer, "[t]ime for approval of additional housing supply entitlements is also a limiter of capacity. If it takes 12 months to do the minimum amount of entitlements to add housing, a 2 lot resub, I have to carry the project for that time, which means the numbers have to be good enough to support that carry. This excessive carrying cost burden is often the difference between doing a project or not."
- **Eliminate minimum lot size for existing lots:** If proposed development on an existing lot complies with FAR, building cover, and impervious cover regulations, there is no reason to limit its development. If McMansion tent regulations are also not being applied there is allowance for greater flexibility and creativity for design on smaller lots. Combined minimum side setbacks could also be relaxed for these smaller lots.
- **Allowing small lot disaggregation:** Smaller lots with a home built on the boundary of the lots (essentially, one house on the middle of two small lots) could be developable as separate lots, allowing for more units than developable under the current code.

## 5) Preservation Incentives

The Council Direction proposes incentives for preservation of existing housing units and disincentives for demolition. Incentives are more likely to impact development activity than disincentives that end up driving up costs. Some options to consider are:

- **Flexible ADU placement/FAR allocations:** Later in this paper, the Missing Middle discussion regarding Accessory Dwelling Units (ADUs) provides several options for incentivizing preservation of smaller existing homes. Allowing an existing home to qualify as an ADU, meaning a new build can be placed behind an existing one, creates a motivation to preserve existing, more affordable housing units.
- **Simplified remodel process/rules:** Creating a simple, expedited permit process for remodeling existing homes creates an incentive to preserve existing homes. Possible examples are:
  - Same day permits for all remodels that don't involve structural changes would drive down the holding costs associated with the current permit process, creating an incentive for remodeling instead of a new build.
  - Providing a credit against FAR for designs that preserve existing structure and still comply with building cover/impervious cover rules creates a meaningful incentive for keeping an existing building.

## 6) Residential Allowed on Commercial Zoning

Currently, new residential units are not allowed on land zoned commercial. This creates an arduous rezoning process that discourages the addition of housing units.

- **Residential by Right:** By allowing all commercial zoning to be used for residential, multifamily, or mixed-use development without the arduous rezoning process could provide opportunity for more units throughout the city, especially on corridors providing for higher transportation density. Providing more locations for new multi-family development on commercial lots, also helps reduce the redevelopment pressure on the limited supply of existing MF-zoned properties, many of which currently provide lower cost housing targeted for preservation.
- **Affordability Unlocked:** Affordability Unlocked allows affordable housing developments that meet the requirements in all commercial zones, which is an excellent way of increasing the supply of affordable housing. Currently, projects utilizing Affordability Unlocked can provide only a set number of additional units above what is allowed by existing zoning, which on commercial is zero. If all commercial land is also able to be developed with residential units per the bullet above, utilizing Affordability Unlocked on these properties would have a much greater effect on unit count than can currently be realized.

## Missing Middle Housing Types

“Missing Middle Housing” is a design concept allowing building types to develop between the typical single-family housing and large-scale apartment buildings seen primarily throughout Austin’s housing supply. This concept is primarily about the form and scale of these middle-density structures; designed to provide more housing choices in low-rise, walkable neighborhoods while proving to be more affordable than other new housing products currently being built. The Imagine Austin comprehensive plan recognizes the need for missing middle housing by making eight separate recommendations to diversify housing types and by adopting Priority Program #6, which provides that:

*To meet the market demand of our growing and diversifying population, the range of available housing choices must expand throughout the city. Alternatives to the typical larger-lot single family and garden-style apartments that characterize much of Austin’s housing stock are needed, including a greater variety of starter and move-up homes. The introduction and expansion into the market of housing types such as row houses, courtyard apartments, bungalow courts, small lot single-family, garage apartments, and live/work units can meet this emerging demand.*

To meet this emerging demand means overarching, structural change is needed to Austin’s current LDC. Restrictive single-family zoning is one of the most significant local government policies that inhibits the development of the range of affordable, middle-income, and mixed income housing to meet the Council Direction of expanding the range of available housing choices. This lack of inventory has pushed Austinites looking for such options to live in surrounding areas instead of living in neighborhoods that would directly supplement our local economies, culture, or industry. To combat these issues and to continue with the vision laid forth by Imagine Austin and the Council Direction, we provide the following approaches for your consideration.

### 1) Accessory Dwelling Units

The Council Direction includes “Allowing accessory dwelling units (ADUs), both external and internal/attached, to be permitted and more easily developed in all residential zones.” Through ULI Workgroup’s research, currently only 24% of Austin’s single-family zoned parcels are even eligible to construct an ADU without significant alterations to the current main structure or a change in base zoning. Some policies that have been proposed or implemented in other cities to make ADUs more easily developable include:

- **Eliminate required lot size.** Currently the LDC requires a minimum 5,750 sq ft lot to be able to build any ADU. Fully eliminating the minimum lot size would shift reliance to the FAR, coverage, and compatibility requirements and would allow smaller parcels to consider ADUs. These requirements already do a sufficient job at limiting the development of ADUs in regard to environmental impact and compatibility in the neighborhood; the size of the lot is just an additional hurdle preventing additional housing into the market.
- **Remove unit-to-unit setback requirements.** Removing this standard not only provides a more efficient use of land but would allow a larger spectrum of ADUs to be developed on lots. This would be in line with the Strategic Housing Blueprint and CodeNext Draft 3’s visions of allowing both attached and detached ADUs on lots.
- **Increase the FAR limit on parcels with ADUs.** Linking the FAR of a parcel to the combined ratios of both the main unit and the accessory unit further limits the amount of housing to be built in neighborhoods. We suggest considering one or both of the following solutions:
  - Increase the combined FAR of a parcel building and ADU to 0.5. This allows the maximum independent FAR of an ADU to be increased from 0.15 to effectively 0.25. Doing this targets smaller sized lots which are frequently found in more urban neighborhoods in need of more housing types.
  - Separate FAR requirements of units on a single parcel. This would mean a single-family house would retain the same FAR limitations, but if an ADU were to be built both units could be constructed and renovated on two separate, but appropriate FAR allowances. Doing this allows families to build an ADU on their existing home lot easier and without compromising on their single-family house.

- **Remove off-street parking requirements.** The removal of these requirements would prove to expedite the site plan review process by removing a layer of labor and time-intensive regulation. It also provides more flexibility in impervious coverage usage resulting in more density and possibly an increased demand to build more affordable ADUs. This modification also reinforces a shift away from car-centric development, especially in walkable neighborhoods where there is the greatest appetite for ADU's.
- **Allow new housing types to qualify as ADUs.** Creative allowance of ADUs provides greater opportunity of housing options including existing homes being preserved, mobile and manufactured homes, tiny homes on wheels, Airstream-style trailers, modular homes, and 3D-printed homes.

This ease on ADU developmental standards would keep the cultural appeal of neighborhoods while significantly opening the door to supplement our housing market with more affordable units. With these additional changes in the new LDC, we estimate that Austin would unlock nearly another 100,000 parcels for development of ADUs, which comes to about 85% of our current single-family zoned parcels.

## 2) Missing Middle Housing

Missing middle housing offers alternatives to standard single-family homes or large apartment complexes that dominate Austin's residential housing supply and may provide a range of price points for buyers priced out of a traditional single-family neighborhood. Some options for increasing the opportunity for missing middle housing development are:

- **Expand the housing types allowed under code.** CodeNext Draft 3 included the addition of "cottage courts" and "ADUs located on the same lot as a duplex" as additional middle housing types.
- **Increase permitted residential uses in all existing single-family residential zones.** Allowing the following uses to all single family neighborhood zoning will increase the amount of potential middle housing to be developed as well as increase the number of ADUs allow to be separately rented and operated: "Single-Family Attached Residential", "Duplex Residential", "Two-Family Residential", "Townhouse Residential", "Condominium Residential", as well as what new middle housing permitted use tags come along with the next code rewrite.
- **Eliminate or reduce minimum lot size.** This was also discussed in the Housing Capacity section. CodeNext Draft 3 reduced the permitted lot size needed for missing middle housing types from 8,000 square feet to 5,000 square feet. While ULI Workgroup agrees with this reduction, eliminating the lot size requirement altogether would be a more effective solution. Very few of all SF or MF zoned parcels in Austin are under 5,000 square feet and removing this restriction would only increase the missing middle opportunities without providing restrictions that likely wouldn't be covered by the zonings' FAR, coverage, and compatibility requirements.
- **Provide a missing middle density bonus.** As a way of incentivizing the production of market-rate and income-restricted units in smaller projects, CodeNext Draft 3 introduced a density bonus for small multiplex projects. This option, which is currently used only for larger projects, is also recommended by the Strategic Housing Blueprint.

## 3) Remove Economic and Bureaucratic Barriers

While missing middle housing can provide a more affordable solution for homebuyers and renters, developing said infrastructure is still currently not feasible in many areas due to some policies that may not be properly scaled to the size of these developments. With some thought on how to streamline the City's internal

processes to better meet the demand and proportions of these new types of housing, missing middle housing could become an economically viable option for developers to pursue. Opportunities to alleviate these barriers include:

- **Expedite and scale the site plan review process.** An expensive site plan review process required for any residential project of more than two units that can make the cost and time associated with construction of missing middle housing cost prohibitive. Under the existing process, a small multiplex project of three units is subject to the same review process as a 200-unit high-rise project.
- **Allow water sub-metering for all multi-unit residential projects and ADUs.** Austin Water Utility has required any new and retrofitted additional dwelling units to implement a new water line and water meter. Allowing these new units to instead submeter off the property's existing line could potentially save around \$10,000 to \$25,000 in construction and developmental costs.

## **Compatibility Standards**

The Council Direction stated goals of reducing the impact of compatibility and continuing to enforce compatibility setbacks appear to be at odds. The impact of compatibility setbacks is significant and they reduce the ability of new development to offer low cost housing, both in cost and in number of units produced. Current entitlements are insufficient to meet future demands of housing in the urban core where amenities, such as schools, public transit, bicycle routes, retail, and employment are most abundant. Compatibility setbacks and height reductions reduce unit yields, creates inefficiencies that add cost, and make some commercial and multifamily lots undevelopable. Possible strategies to encourage development in areas where density is desired, such as corridors and activity centers, through modifications of compatibility standards include:

### **1) Limiting Layered Restrictions**

Small or shallow lots facing transportation corridors are especially hampered by compatibility standards and additional layered restrictions. Solutions include:

- **Minimizing compatibility standards along major roadways or corridors.** Since one of the goals of corridors is to be connected and walkable, continuous development along the corridor is necessary. Compatibility standards should not make lots unfeasible to develop. If other obstacles exist on commercial lots such as tree preservation or drainage, reductions in restrictions such as the required offset from residential or the elimination of the teared height restrictions, should be considered.
- **Prioritize Restrictions.** The layering of various restrictions without any hierarchy, creates too many restrictions for some lots to be a viable development. As an example, a site where compatibility makes it impossible to build along the western portion of the lot and the eastern portion of the lot is rendered unusable by a protected tree by reducing the potential building envelope enough to make development economically infeasible. If the City prioritized which restrictions take precedence and allow the modification or waiving of certain restrictions including compatibility, such lots would be able to be developed and a potential developer would be able to enter the project with known expectations. Documentation of restriction prioritization rather than leaving to staff interpretation is important to provide guidelines for determining project feasibility.
- **Assemblage of small or shallow lots.** Neighboring small or shallow lots along corridors could be assembled to be allow for more impactful development. This opens opportunity for development that



currently is limited on the single lots through the combination of compatibility and other ordinances such as tree preservation due to the lack of flexibility.

## 2) Transitions Zones as Buffers

In order to meet the stated goal of “reducing the impact of compatibility on development”, to meet the stated goals of Imaging Austin of “compact and connected”, and to meet the Council Direction to offer “missing middle housing” to increase affordability, the new code could increase the use of transition zones as buffers between dense commercial along corridors and residential neighborhoods that abut them. This paradigm shift is the most effective way to maximize yield of units in dense commercial and create more types of housing necessary to support the “missing middle”. Transition zones would create residential form structures, such as townhomes and multi-unit structures which could relate architecturally, to the single family residential it abuts, while not being overshadowed by denser midrise buildings along corridors.

- **Corridor Depth.** ULI Workgroup recommends the city consider defining corridors not by the depth of current lots adjacent to roads, but as an area within a certain distance from the road. This alleviates some inconsistencies caused by current shallow lots on roadways. Larger roadways and roadways planned for more significant transit service could have deeper corridor zones, while smaller roadways could have more limited zones. Each zone should include a high-density zone directly along the roadway and a transition zone buffer between the high-density development and residential development. The recommended depth of the high-density development would be enough to develop efficient structures with high unit yields. Transition zones could be large enough such that the high-density development does not abut or infringe on the residential sight planes.
- **Missing Middle Zoning.** The transition corridors are ideal locations to add previously discussed missing middle housing. Currently in the city of Austin very few lots are zoned to allow for townhomes or multiplex type housing. These represent the most cost-effective types of construction available. The cost of land is divided by more units, the cost of infrastructure is reduced, and the cost of construction is reduced. Austin needs as much housing as it can get in the urban core if it is to make housing more affordable and obtainable by more members of our community, and to the reach the stated goals of “compact and connected” and providing “missing middle housing”. Further benefit of denser housing will create more walkable neighborhoods, which could support more than just high-end boutique shops and retail. Public transit will become more viable with densified corridors.

## 3) Targeted Compatibility Application

The goal of compatibility standards is to reduce the impact of denser commercial development that abuts residential areas. Through strategic application of compatibility standards, areas of density can be identified, and neighborhood character protected.

- **Targeted density.** The application of compatibility standards should be used in areas where dense commercial is completely encircled with lower density residential and would create an overshadowing effect to the neighborhood. Along designated corridors, where growth is natural and desired, compatibility can be mitigated through transition zones enough to alleviate the impact to single family residences outside of the transition zones.
- **Neighborhood specific compatibility standards.** Each neighborhood has an existing character, which includes a mix of commercial and residential uses. In East Austin, Clarksville, or Hyde Park it is much easier

to find a commercial use adjacent to residential than in areas like Tarrytown. Compatibility standards could be developed to reinforce these relationships to maintain the character of the individual neighborhoods. Currently the compatibility requirements are the same for all neighborhoods in Austin.

## **Parking Requirements/Transportation**

One of ULI Austin's areas of focus is multi-modal transportation. While the Parking Requirements section of the Council Direction had many transportation components, ULI Workgroup chose to respond to the entire Council Direction through the lens of effect on transportation. ULI Workgroup found the following opportunities to improve transportation within Austin through this code rewrite process:

### **1) Transit Corridors Overlay**

In the Council's response to Question 1 regarding the scope of the code revisions, Council cites the Austin Strategic Mobility Plan, which calls for more homes and mixed uses along major corridors. ULI Workgroup's research shows mixed use development helps to promote transit, walking, biking, & scooting, cuts down on travel distances, and reduces parking needs. More households and jobs along activity corridors and in activity centers should lead to these outcomes. Adding a Transit Corridors overlay (aligned with the mobility plan maps) that proposes alternative parking strategies, such as parking maximums instead of minimums or district-wide parking management requirements, provides opportunities for improved mobility within the transit-accessible districts, as well as open up valuable real estate for additional development.

Providing flexibility in the first floor of vertical mixed-use developments can augment the walkability along these transit corridors. Some cities allow office space, especially coworking spaces, in these developments to provide a wider variety of work options in the area and to activate corridors, which can lead to better success of the retail spaces.

### **2) Trails Transportation**

Question 1 direction calls for reduced impervious cover and reduced overall flood risk. We point that more public land along creeks and streams that is aggregated using parkland dedication money, general obligation (GO bonds), or fees from traffic impact analyses (TIAs) can both reduce flooding and provide trails transportation, exercise, and recreation for pedestrians & micro-mobility users. Allowing district-wide storm-water and water quality management within a drainage basin allows for more efficient strategies to be implemented and open up larger areas of land for connected compact development, which can reduce driving needs.

### **3) Environmental Considerations**

Question 1 direction asks the City Manager to report on how the code rewrite will further the council goals regarding environmental protections and sustainability with respect to flooding, water quality and usage, air quality, and greenhouse gas emissions. We offer the following resources that may be of use:

- University of Texas study on how compact & connected development leads to lower ozone concentrations: [http://www.ce.utexas.edu/prof/kockelman/public\\_html/EPA\\_ITLUMAQReport12\\_08.pdf](http://www.ce.utexas.edu/prof/kockelman/public_html/EPA_ITLUMAQReport12_08.pdf)
- University of California Berkeley Website that estimates greenhouse gas emissions, showing more housing per unit area generally means lower emissions: <https://coolclimate.berkeley.edu/maps>

- Sierra Club research on development and vehicle miles traveled (VMT) per household: <https://vault.sierraclub.org/sprawl/transportation/holtzclaw-awma.pdf> and <https://www.sierraclub.org/transportation/how-compact-neighborhoods-affect-modal-choice-three-examples>

#### 4) Vehicle Miles Traveled (VMT)

- **Daycares and Senior Living Centers.** Question 1 direction asks the City Manager to include code sections that enable daycares and senior living centers in all parts of the City, at a scale commensurate with surroundings. This will help to reduce VMT, with shorter driving distances and more opportunities for sustainable modes of travel.
- **Transportation Demand Management (TDM).** Question 1 direction includes transportation demand management (TDM) tools in the code. The general community might benefit by seeing the national data, which shows the effectiveness of each TDM tool and the overall effectiveness of combined TDMs. In general, TIA methodology could be adjusted with TDM techniques to better align with priorities established within Imagine Austin, Austin Strategic Mobility Plan, and the Downtown Vision to foster mode shift away from Single Occupancy Vehicle trips. Best practices in many cities now is to evaluate a development project's impact using VMT, instead of Level of Service (LOS), as the benchmark of transportation impact. The components of VMT as a measure include person trip generation, automobile modal split share, vehicular occupancy, and automobile trip length. Measuring VMT would incentivize the correct behaviors and measure important inputs (including the applied TDM strategies). Removing LOS from the evaluation would decrease the focus on peak fifteen-minute commute time issues and allow for more planning of a multimodal city.
- **Activity Corridors.** Question 2 direction on housing capacity calls for more housing entitlements along activity corridors and activity centers contingent on increasing new missing middle and below-market priced housing. This could be augmented by identifying new centers/corridors and increasing transit opportunities for them. Incentivized development in areas with existing transit and bike facilities and improving alternate transportation options could lower transportation costs for existing residents and reduce VMT per household and increase adoption of high occupancy and alternate transportation solutions. Assistance could be sought from Cap Metro/Project Connect staff in this. Additional efforts could be made by mapping citywide areas in risk of various social shocks and stressors (like displacement) within multiple scales (district, neighborhood, block, etc.), which can provide opportunities of implementing strategies for preservation and social resilience.

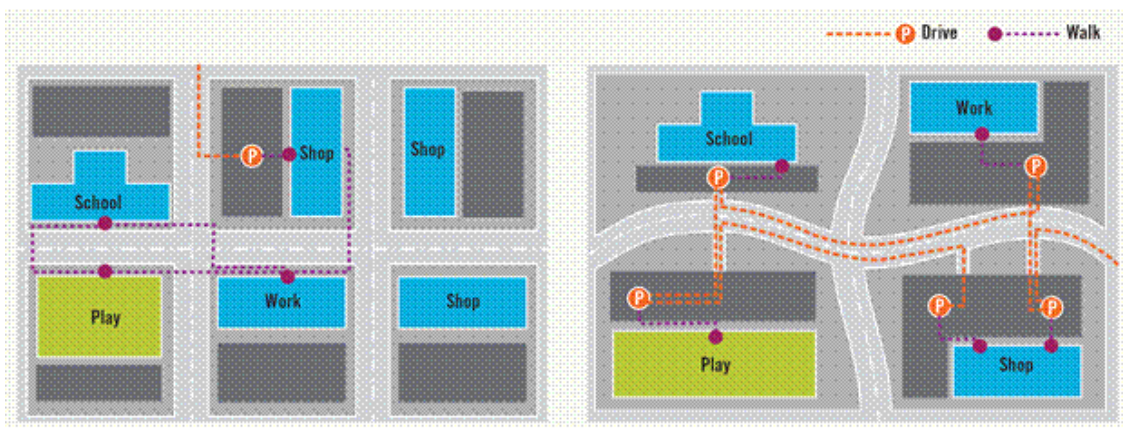
If new housing stock is developed along and near activity centers and corridors, these provisions should have the effect of making it easier for all nearby residents and workers to make a higher percentage of trips by transit, walking, biking, and scooting. Restricting new housing away from activity centers and corridors may have the reverse effect.

#### 5) Parking Requirements

- **Missing Middle Housing.** Question 3 direction on missing middle housing calls for some reduced site development standards, which includes parking requirements. There are many testimonies and

several case studies showing that current code parking requirements have severely limited potential new housing and made beneficial commercial and mixed-use projects unfeasible for developers.

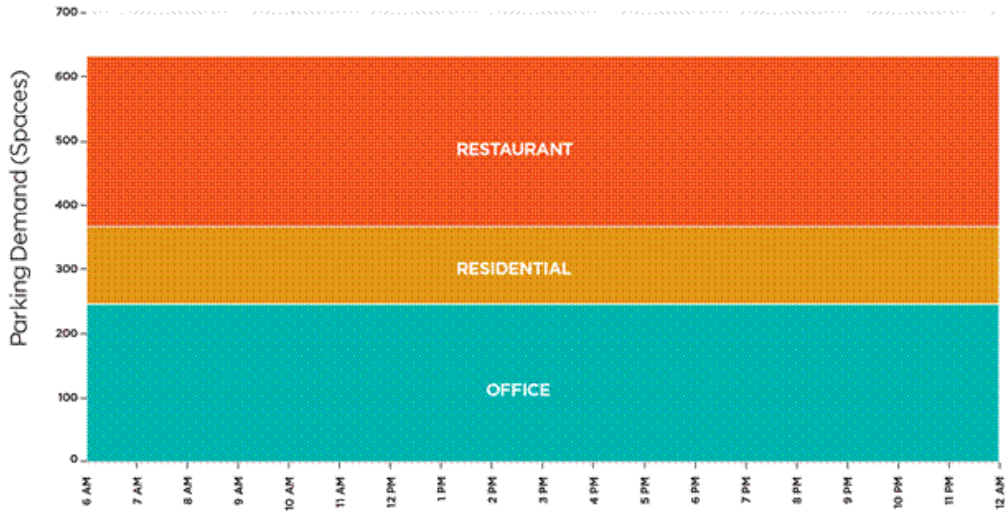
- Reduced Parking Requirements.** Question 5 direction specifically addresses parking requirements. As noted earlier, this can lower the cost of housing, commercial, and mixed-use projects. ULI Workgroup is aware of the concerns that on street parking may increase if off-site parking requirements are reduced and TDM methods are less effective than planned. We point out that parking requirement reductions does not equal reduced parking, as the market, property owner choices, and development financing may often dictate the parking for new projects. Furthermore, in many cases, on-street parking acts as a traffic calming and thus increases travel safety. For existing developments, if the current parking is underutilized, a public benefit would result from easing the permitting for temporary uses such as food trucks, farmers markets, and pop-up retailers.
- Parking for People with Disabilities.** With Austin’s growing population of seniors, it will be important to maintain, if not increase the spaces for vehicles used by persons with disabilities. With any reduction in on-site parking and associated off-site parking, it will be important to provide protections against illegal parking in spaces for vehicles used by persons with disabilities, as well as in protected bike lanes, at curb cuts, on sidewalks, and or too close to corners or private driveways.
- Decoupling from rent.** Unbundling/decoupling rent for apartments from the rent for parking spaces is another valuable tool to increase efficient use of space and make housing more affordable. Increasing the amount of paid parking is one of the most effective TDM measures.
- Parking Districts.** Allowing minimum-parking requirements to be achieved with off-site properties in small shared parking districts would lower cost for new housing, commercial, and mixed-use projects, and help to boost “park once and walk” options for motorists, especially when coupled with better pedestrian facilities and street layout. See, for example, Figure 1.



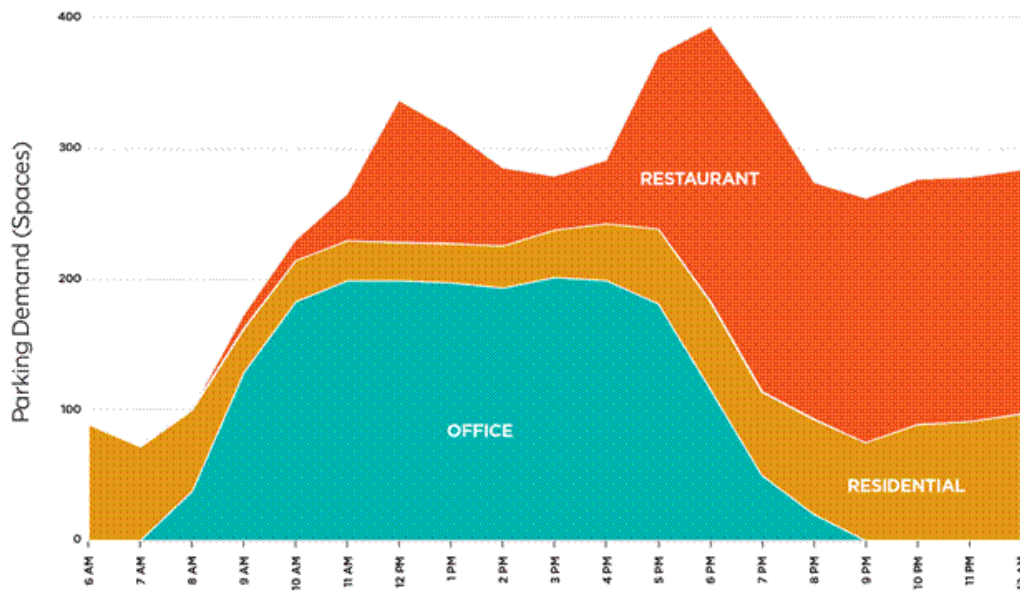
**Figure 1: Combined shared parking, better street design - park once and walk (left) compared to many short driving trips (right).** Source: *Eight Steps to a Walkable, Wealthier, Healthier City*, by Jeffrey Tumin, Principal and Director of Strategy, Nelson\Nygaard Consulting Associates

- Shared Parking.** Shared parking works especially well when the uses have negatively correlated peak demand. See, for example, the illustrations of number of parking spaces in Figure 2 for the separate

requirements for each use in one small area, compared to the parking space used if the spaces are shared in Figure 3.



**Figure 2: Example of traditional parking requirement over 18-hours, more than 600 spaces (most spaces empty much of the time).** Source: Downtown Austin Parking Strategy Report



**Figure 3: Example of shared parking use over 18-hours, fewer than 400 spaces (a higher percentage of spaces filled).** Source: Downtown Austin Parking Strategy Report