



PLANNING  
DEPARTMENT

# ETOD, HOME Phase 2, Compatibility, and EV Charging Code Amendments

Housing and Planning Committee + Mobility Committee Briefing

April 23, 2024



# April 11 Joint Meeting Items

- Electric Vehicle Charging Use
- HOME Phase 2 (Smaller Lot Size for One Unit)
- Citywide Compatibility Changes
- Equitable Transit-Oriented Development (ETOD) Overlay



# Public Hearings & Engagement

**Additional Open Houses**  
May 6, 2024 (West Austin)  
May 8, 2024 (East Austin)

**Joint City Council &  
Planning Commission  
Meeting**  
April 11, 2024

**Open Houses**  
April 17, 2024  
+  
April 20, 2024 (Virtual)

**Planning Commission  
Meetings**  
April 23, 2024  
+  
April 30, 2024

**City Council  
Meeting**  
May 16, 2024



# Engagement Channels

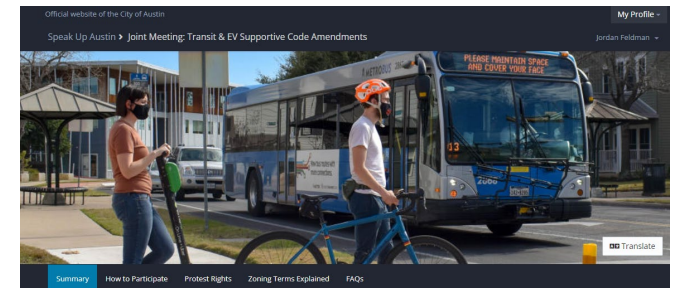
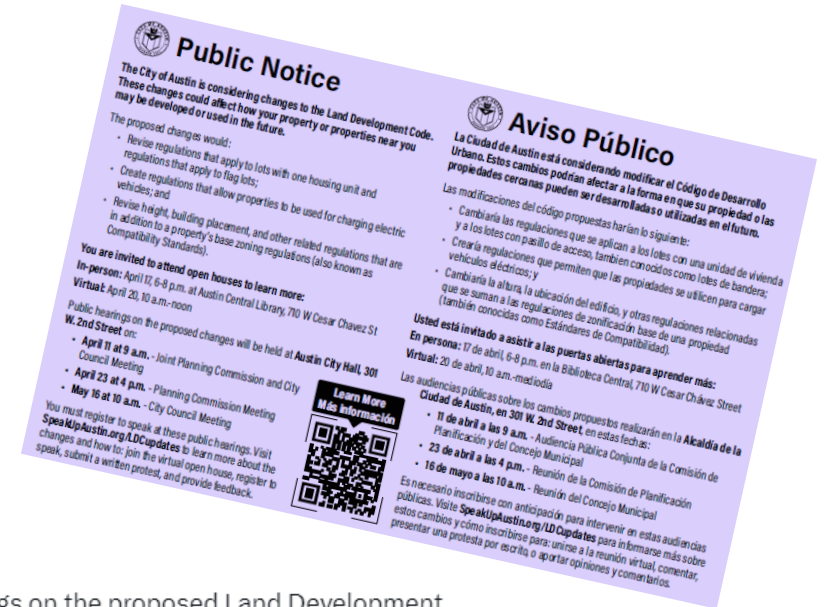
- Mailed Notice and Media
  - Purple Postcard
  - ETOD Notice
  - News Coverage
  - Social Media
  - Advertising
- Website, Email, and Phone
- Open Houses



City of Austin  
@austintexasgov

The first of three public hearings on the proposed Land Development Code amendments will be held at City Hall on 4/11 at 9am. 🏠 The amendments aim to provide more housing options + make our city more transit-supportive and environmentally friendly.

📌 [SpeakUpAustin.org/LDCupdates](https://speakupaustin.org/LDCupdates)



## Joint Meeting: Transit & EV Supportive Code Amendments

The City of Austin's Planning Department, at City Council's direction, is proposing several changes to the land development code. The goal is to make our city more walkable, transit-supportive, and environmentally friendly for all residents. Equitable Transit-Oriented Development (ETOD), updated compatibility standards, and a smaller minimum lot size for a house will unlock opportunities for more housing, including affordable housing, throughout the city, especially along our busiest transit corridors. Developing regulations for where we put electric vehicle charging sites will help make this green mobility option more available while making sure we do so in a way that works for all of Austin.



# Engagement by the Numbers (as of 4/22)

- Notices mailed out: **671,912 + 39,084 (ETOD)**
- Visitors to [www.SpeakUpAustin.org/TransitLDC](http://www.SpeakUpAustin.org/TransitLDC): **4,990+**
- Phone calls/emails: **202+**
- Comments on [speakupaustin.org](http://speakupaustin.org): **150+**
- Speakers at April 11 Joint Meeting: **181**  
*(115 in favor, 58 against, 8 neutral)*
- Attendees at 4/17 In-Person Open House: **88+**
- Attendees at 4/20 Virtual Open House: **75+**



# Additional Open Houses

- **May 6, 2024**

6-8 PM

Anderson High School

8403 Mesa Drive

- **May 8, 2024**

6-8 PM

George Washington Carver Museum and Cultural Center

1165 Angelina Street



# EV Charging Use – Clarifications

- **EV Charging Use prohibited underground because:**
  - EV vehicle fires generate a great deal of smoke and burn very hot. Underground prohibition will assist with smoke removal should an incident occur.
  - Smoke removal could take days if the EV incident is below the first level below grade, and any access to the garage or vehicles in the garage would be prohibited during that time.
- **No changes to EV Charging as part of accessory parking**
  - The proposed regulations only apply when EV Charging is the principal use on the site.



# HOME Phase 2– Clarifications

## ■ 45% Impervious Cover Requirement

- The 45% impervious cover limit helps ensure there is space for rainwater to be absorbed or directed to a storm drainage system so it does not negatively affect neighboring properties.
- In residential subdivisions, drainage systems are designed assuming 45% impervious cover for residential lots.

## ■ Emergency Access

- The current practice of requiring a fire lane or sprinkler system for structures out of reach of the fire hose from the street would be continued.
- The fire hose length of 150 ft is sufficient to reach the median lot depth.



# Citywide Compatibility – Clarifications

- **25' Compatibility Buffer is much more flexible than current 25' "No-Build" Setback**
  - Compatibility Buffer requires vegetative screening and allows low-impact structures, including stormwater infrastructure, retaining walls, driveways, parking, landscaping, fences, trails, or sidewalks. With very limited exceptions, the current "no build" setback does not allow anything to be built.
  - Standards for the Compatibility Buffer are in § 25-8-700.
- **Proposed changes would reduce the overall area subject to compatibility by nearly 94%**



# ETOD Overlay – Clarifications

- Rezoning to DBETOD will not require someone to redevelop
- Existing businesses do not have to stop operating
- DBETOD projects will be able to follow relaxed compatibility standards
- Future phases of work will:
  - Consider all Project Connect lines
  - Consider increased entitlements
  - Calibrate density bonus/consider additional community benefits
- ETOD/DBETOD could be added to properties within ½ mile of LRT and Priority Extensions through future rezoning requests



# Schedule

- April 23: Planning Commission | HOME Phase 2, Compatibility, and EV Charging
- April 30: Council Work Session
- April 30: Planning Commission | ETOD Overlay
- May 6: Additional Open House (West Austin @ Anderson HS)
- May 8: Additional Open House (East Austin @ Carver Museum)
- May 14: Council Work Session
- May 16: City Council



# For More Information

- Website: [SpeakUpAustin.org/LDCupdates](http://SpeakUpAustin.org/LDCupdates)
- Email: [LDCupdates@austintexas.gov](mailto:LDCupdates@austintexas.gov)
- Phone: (512) 974-7220



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PLANNING  
DEPARTMENT

Thank You



# Council Direction

|                                |                                                                                                                                                                                            |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Electric Vehicle Charging      | <a href="#"><u>Resolution No. 20230608-082</u></a> provided direction to create a new land use for Electric Vehicle charging and define where EV charging facilities could be located.     |
| HOME Phase 2                   | <a href="#"><u>Resolution No. 20230720-126</u></a> provided direction to reduce minimum lot sizes for single-family zoning districts.                                                      |
| Citywide Compatibility Changes | <a href="#"><u>Resolution No. 20230608-045</u></a> provided direction to simplify citywide compatibility standards and make them less restrictive.                                         |
| ETOD Overlay                   | <a href="#"><u>Resolution No. 20240201-054</u></a> provided direction to create and apply a new zoning district to support the Phase 1 Austin Light Rail alignment and Priority Extensions |



# Electric Vehicle Charging Use



# Electric Vehicle Charging Use

- Resolution No. 20230608-082 directed staff to create a land use for Electric Vehicle Charging with the following considerations:
  - Prevent the use from becoming concentrated within activated or residential areas.
  - Allow the use through the conditional use permit process.
  - Limit the use to General Commercial Services (CS) or less restrictive zoning districts.
- Proposed use balances environmental benefits with land use considerations.



# Electric Vehicle Charging Use

Amend Subchapter A, Article 1 to define the new commercial use:

Electric Vehicle Charging use is the use of a site for the charging of an electric vehicle (EV), including battery charging stations and rapid charging stations, each as defined by the United States Department of Energy.



# Electric Vehicle (EV) Charging Use

- Permitted, conditional, or prohibited use depending on the following factors:
  - Existing and Previous Land Use
  - Zoning Districts
  - Roadway Types
  - Site Area and Location



# EV Charging Use

- Permitted use when the previous or existing land use is service station, if:
  - The base zoning district is commercial or industrial; and
  - The previous service station use was not converted to a residential or restaurant use.
- The use is prohibited underground.



# EV Charging Use - Zoning Districts

- Permitted use if CS/less restrictive zoning district and site abuts specific roadway types.
- CS/less restrictive zoning districts are:
  - General Commercial Services (CS)
  - Commercial Liquor Sales (CS-1)
  - Commercial Highway (CH)
  - Industrial Park (IP)
  - Major Industry (MI)
  - Limited Industrial Services (LI)
  - Research and Development (R&D)



# EV Charging Use - Roadway Types

- Permitted use if site abuts:
  - Highway Roadway
  - Hill Country Roadway
  - Suburban Roadway
  - Internal Circulation Route



# EV Charging Use - Roadway Types

- If site abuts:
  - Core Transit Corridor
  - Future Core Transit Corridor
  - Urban Roadway
- Then:
  - Permitted use if 25,000 sq ft or less and at least 1,000 ft from another EV Charging Use
  - Conditional use if greater than 25,000 sq ft or less than 1,000 ft from another EV Charging Use



# HOME Phase 2



# HOME Phase 2

## Goals:

- Create more housing options attainable for middle-income earners
- Increase housing supply
- Create walkable neighborhoods with a variety of housing types in line with *Imagine Austin* goals
- Support Project Connect transit investment



# HOME Phase 2

## Phase 1: Adopted December 7, 2023

- Allow up to three homes on a single-family lot, including tiny homes

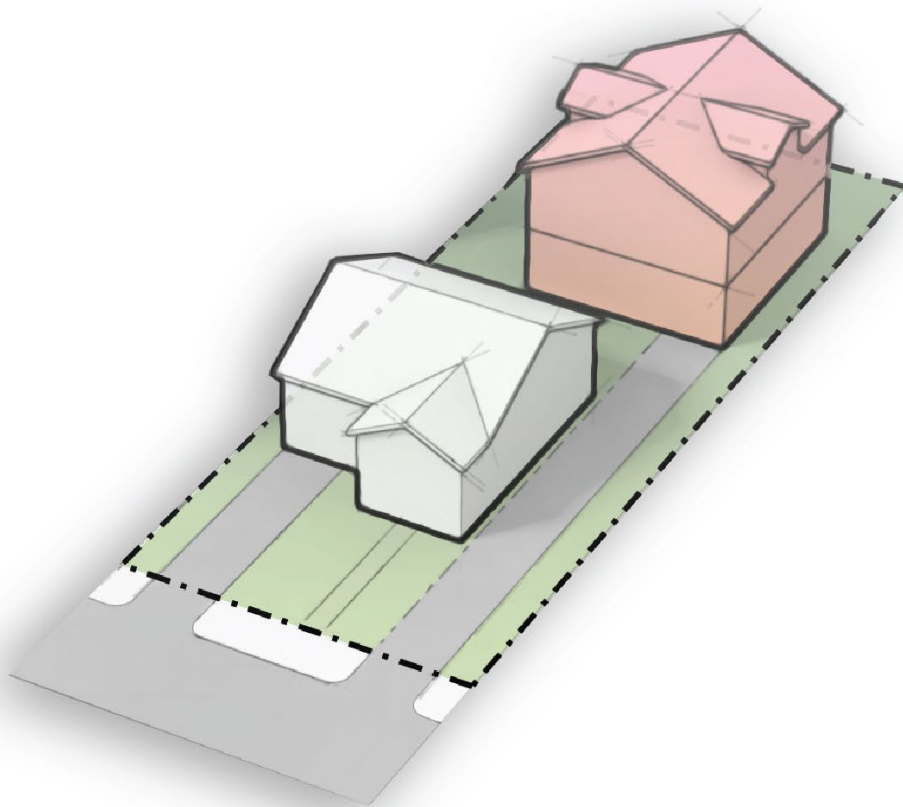
## Phase 2:

- Reduce the minimum lot size required to build one unit to **2,000 sq ft** to facilitate fee-simple ownership

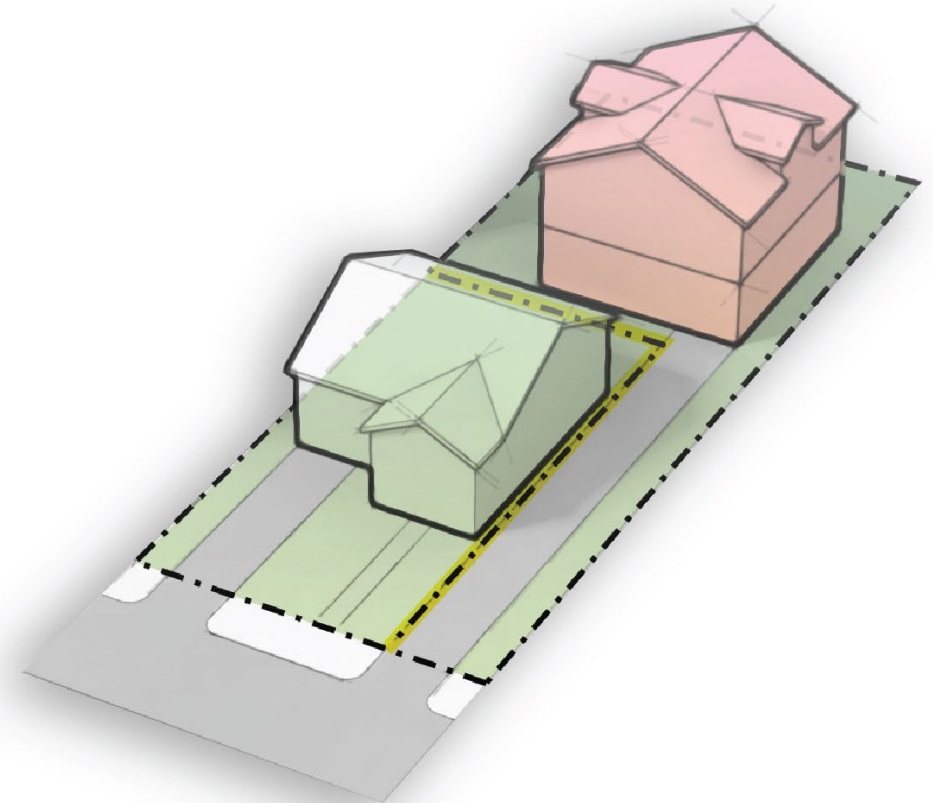


# HOME Phase 2

## HOME PHASE 1 (ONE LOT)



## HOME PHASE 2 (TWO LOTS)



- - - - - PROPERTY LINE



# HOME Phase 2

## Overview of Proposed Changes:

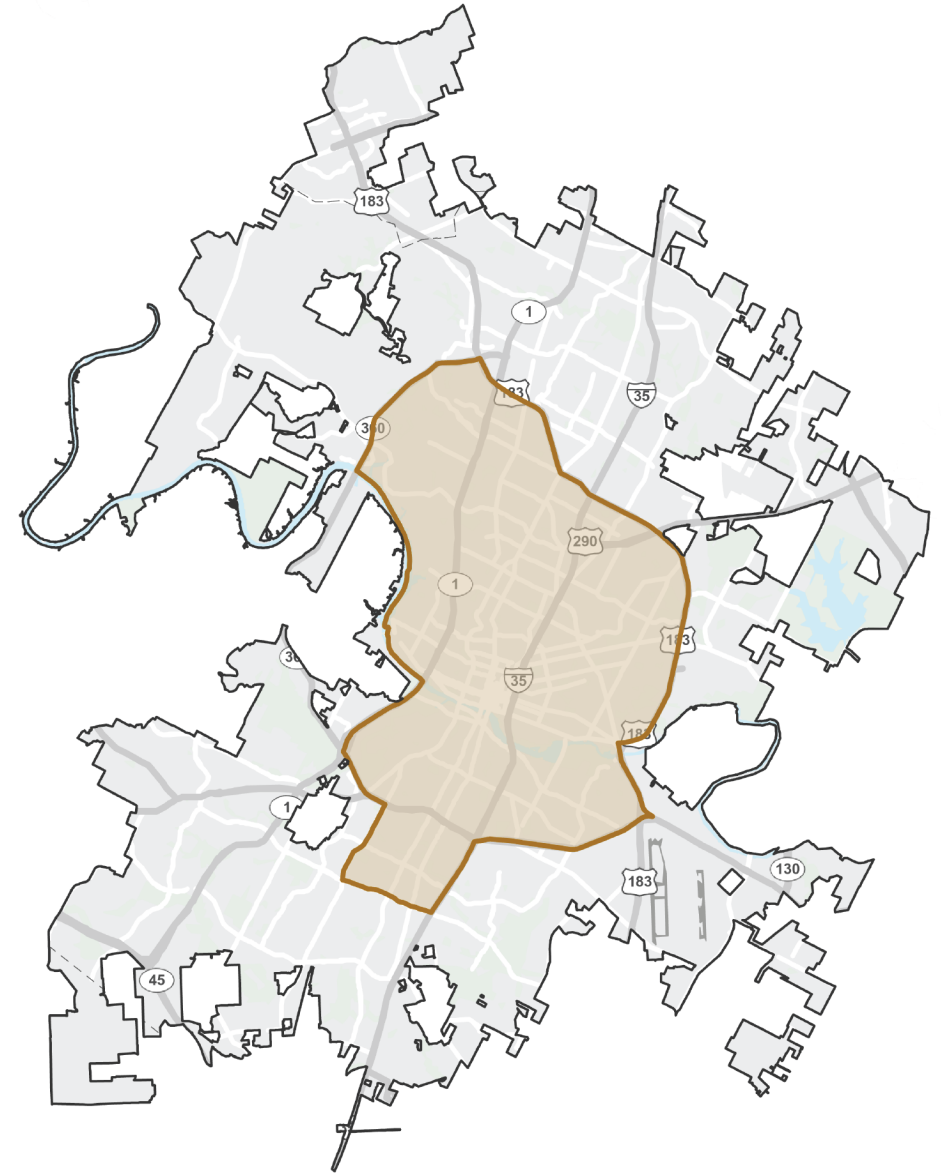
- All proposed changes apply to one unit on a small lot in SF-1, SF-2, and SF-3 zoning
- Height and general unit sizes are comparable to those allowed under HOME Phase 1
- Development standards such as lot size, lot width, and setbacks are reduced to provide flexibility for a variety of housing types

# HOME Phase 2

## Unit Size Limit within McMansion Boundary:

- The greater of 1450 sq ft or 0.55 FAR
- Maximum unit size 2300 sq ft

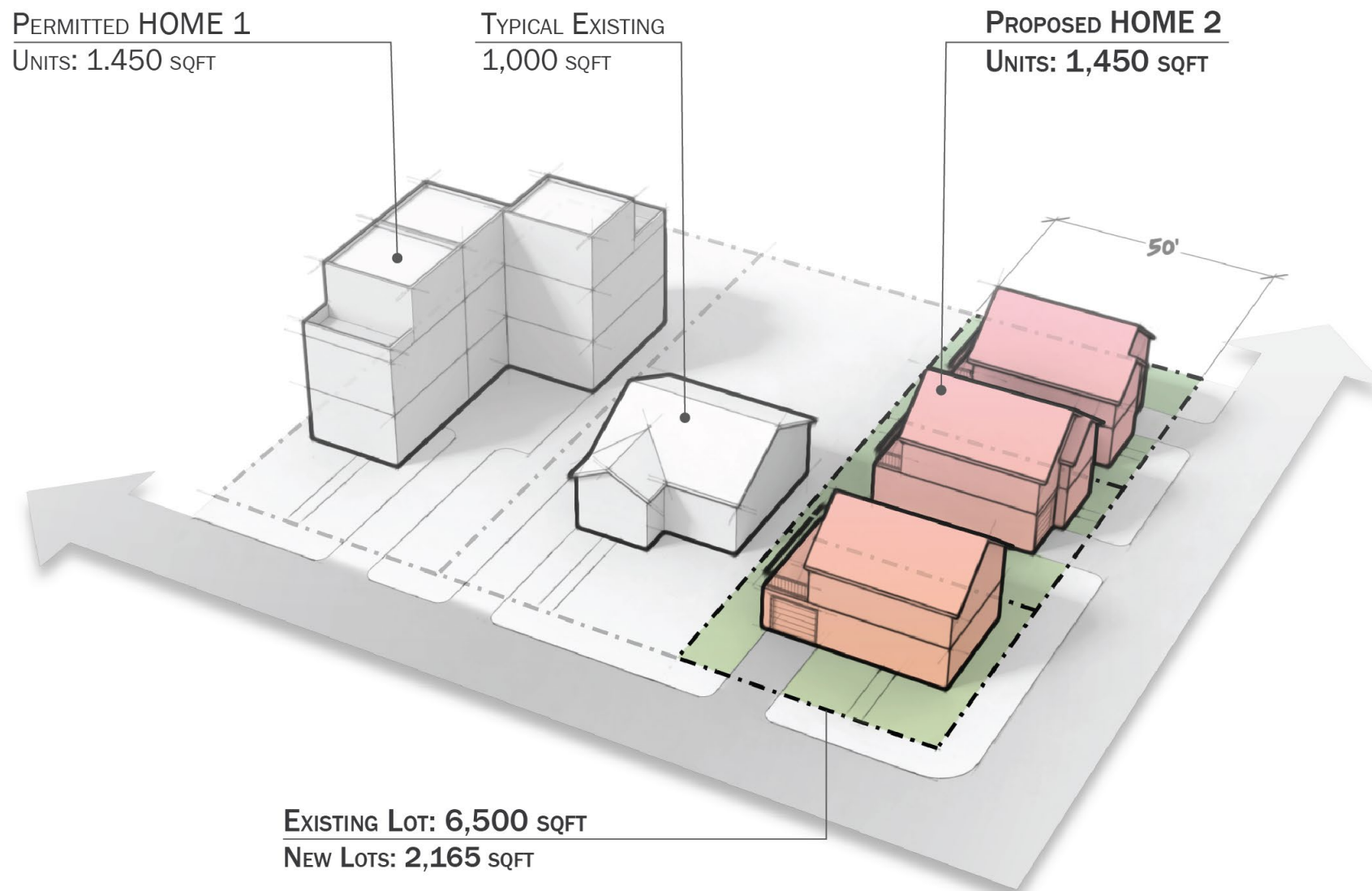
## No unit size limit outside of McMansion Boundary



Residential Design & Compatibility  
“McMansion” Standards Boundary



# HOME Phase 2





# HOME Phase 2

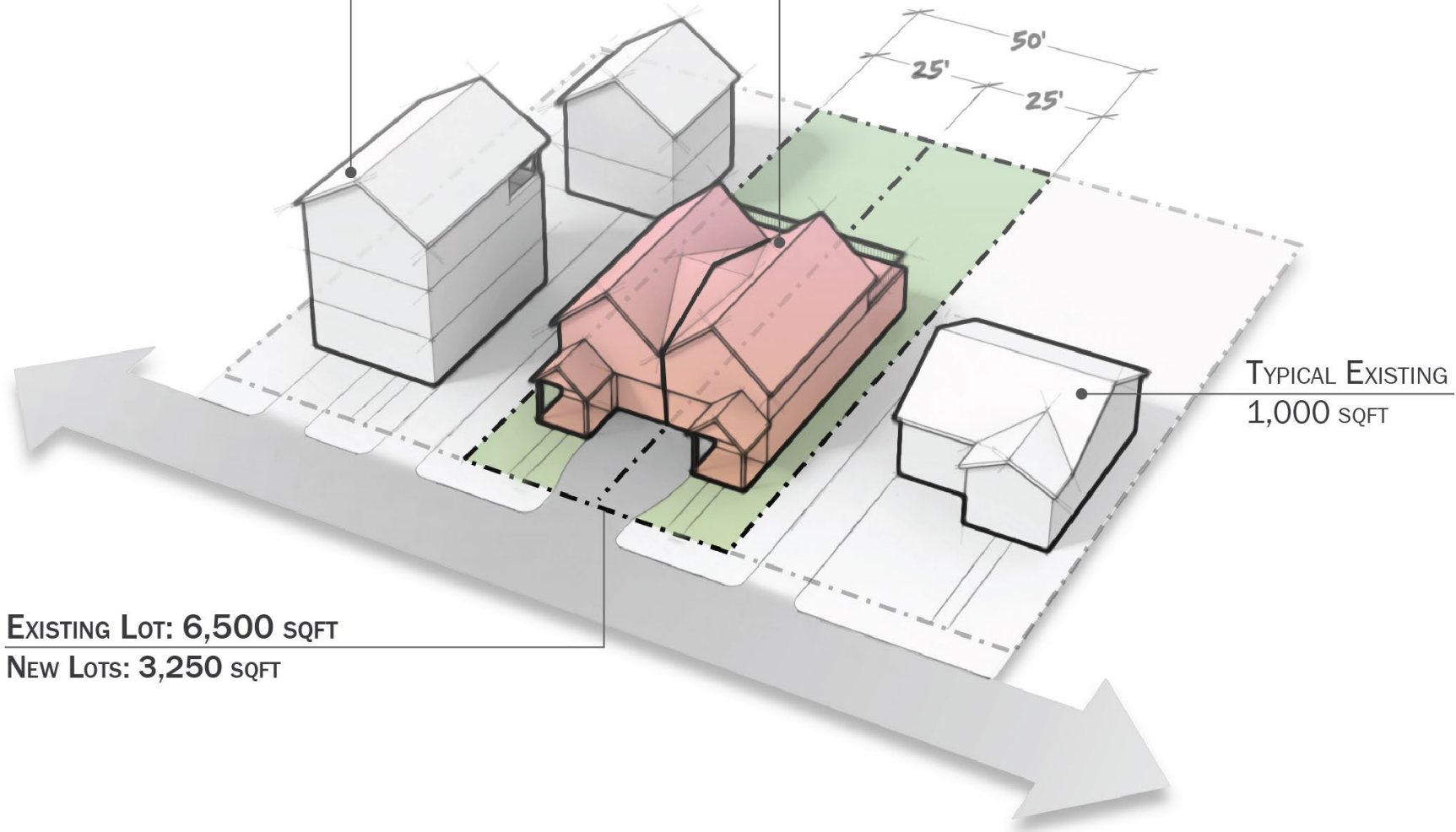
## PERMITTED HOME 1

UNIT 1: 2,375 SQFT

UNIT 2: 1,200 SQFT

## PROPOSED HOME 2

UNITS: 1,785 SQFT





# HOME Phase 2

## Design Standards:

- Required street-facing entrance
- Restrictions on garages and carports that are not set back behind the facade
- Front yard impervious cover limited to 50%

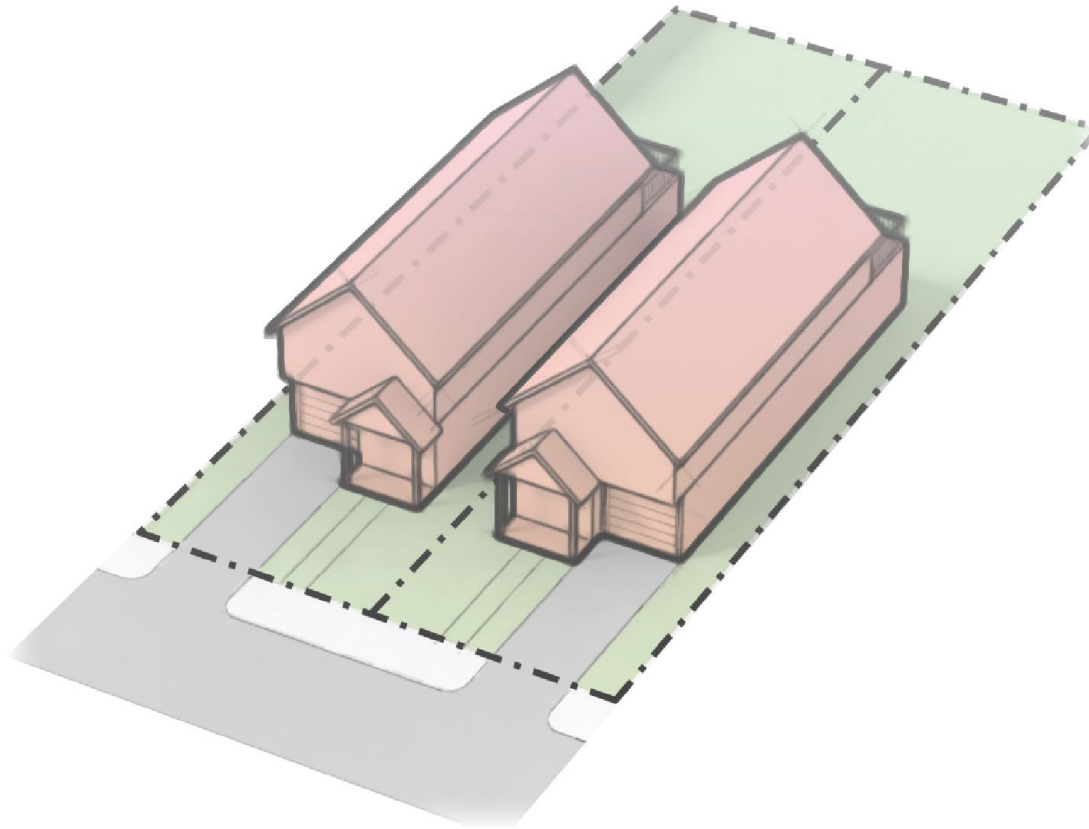
## Lot Width:

- 30 ft minimum for lots with an individual driveway
- 20 ft minimum for lots with a shared driveway, alley or side street access, or no driveway



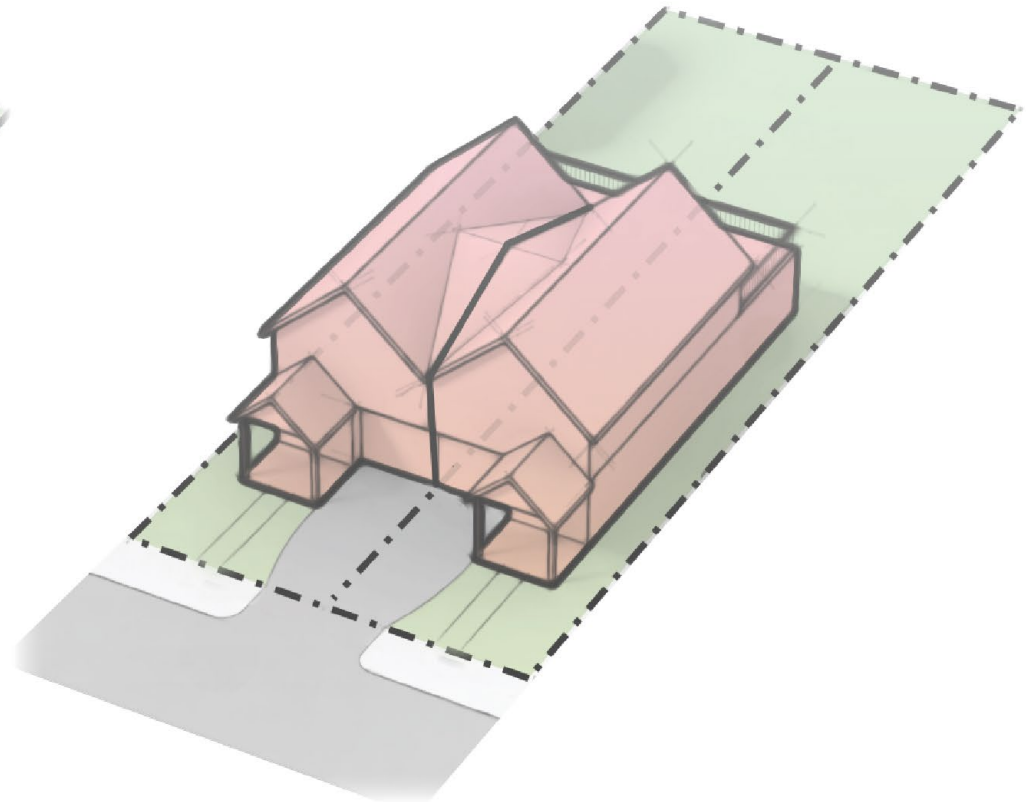
## LOTS WITH ONE DRIVEWAY EACH

30' lot width min.



## LOTS WITH A SHARED DRIVEWAY

20' lot width min.

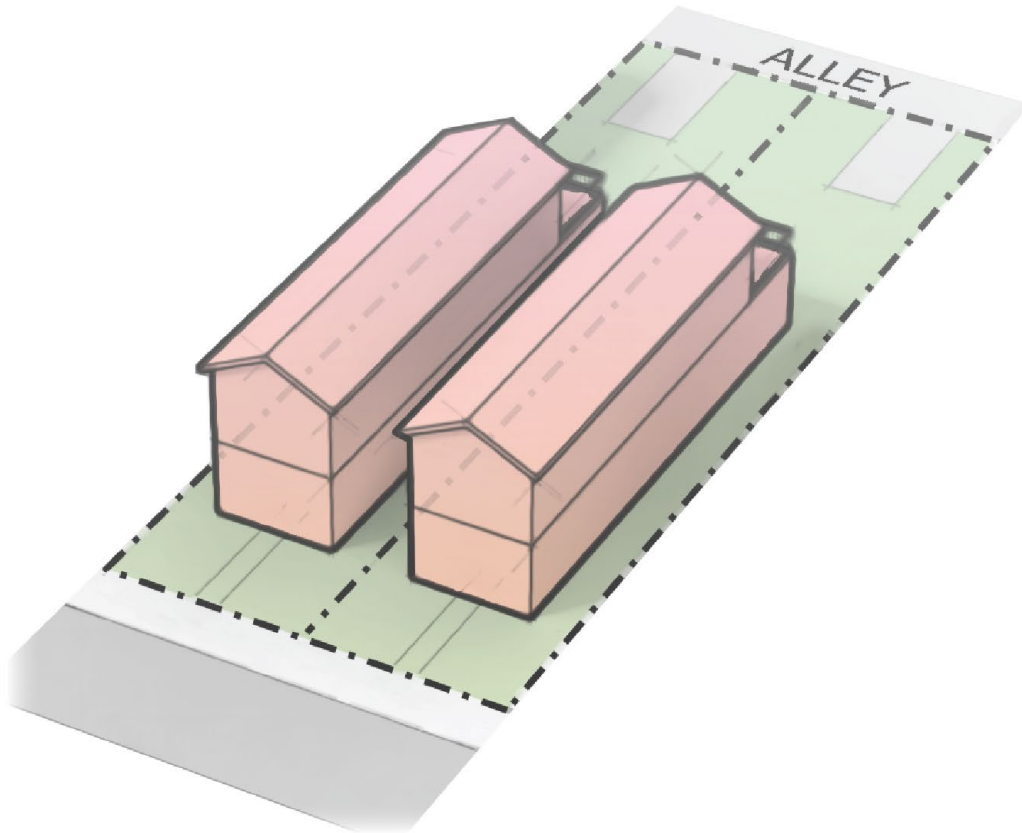




# HOME Phase 2

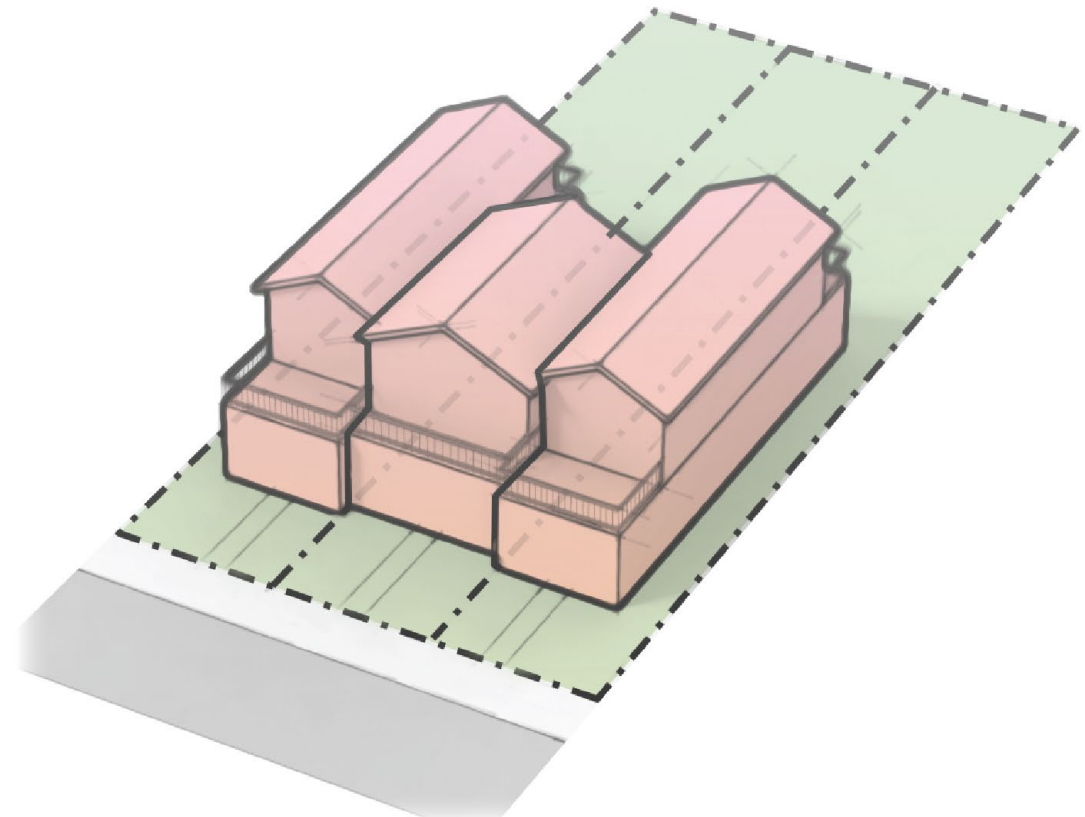
## LOTS WITH ALLEY ACCESS

20' lot width min.



## LOTS WITH NO PARKING

20' lot width min.

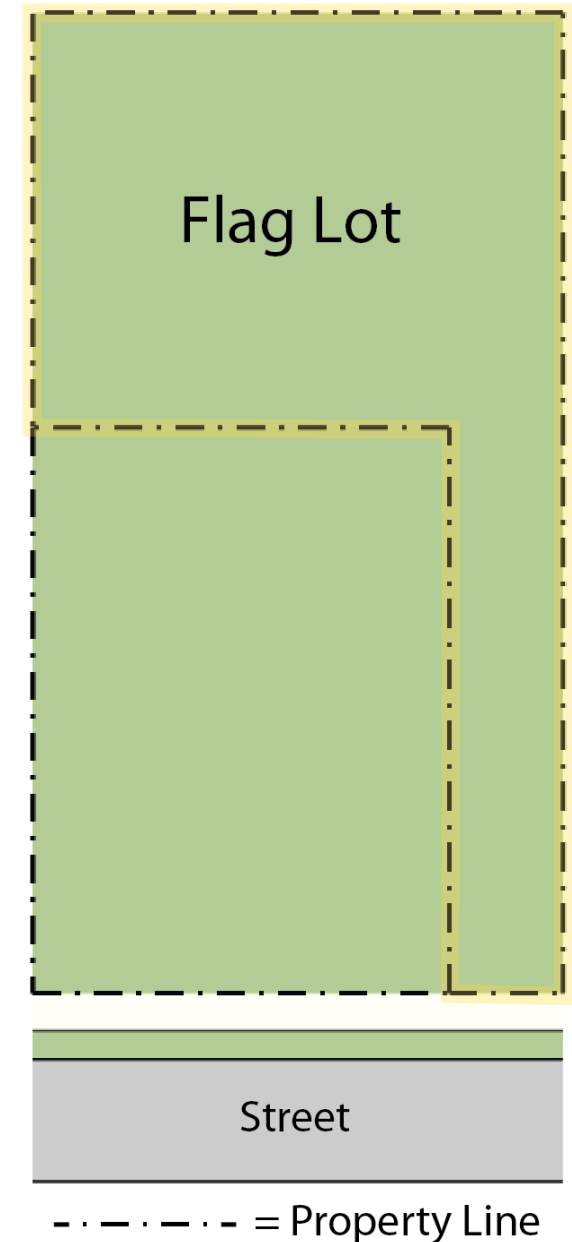




# HOME Phase 2

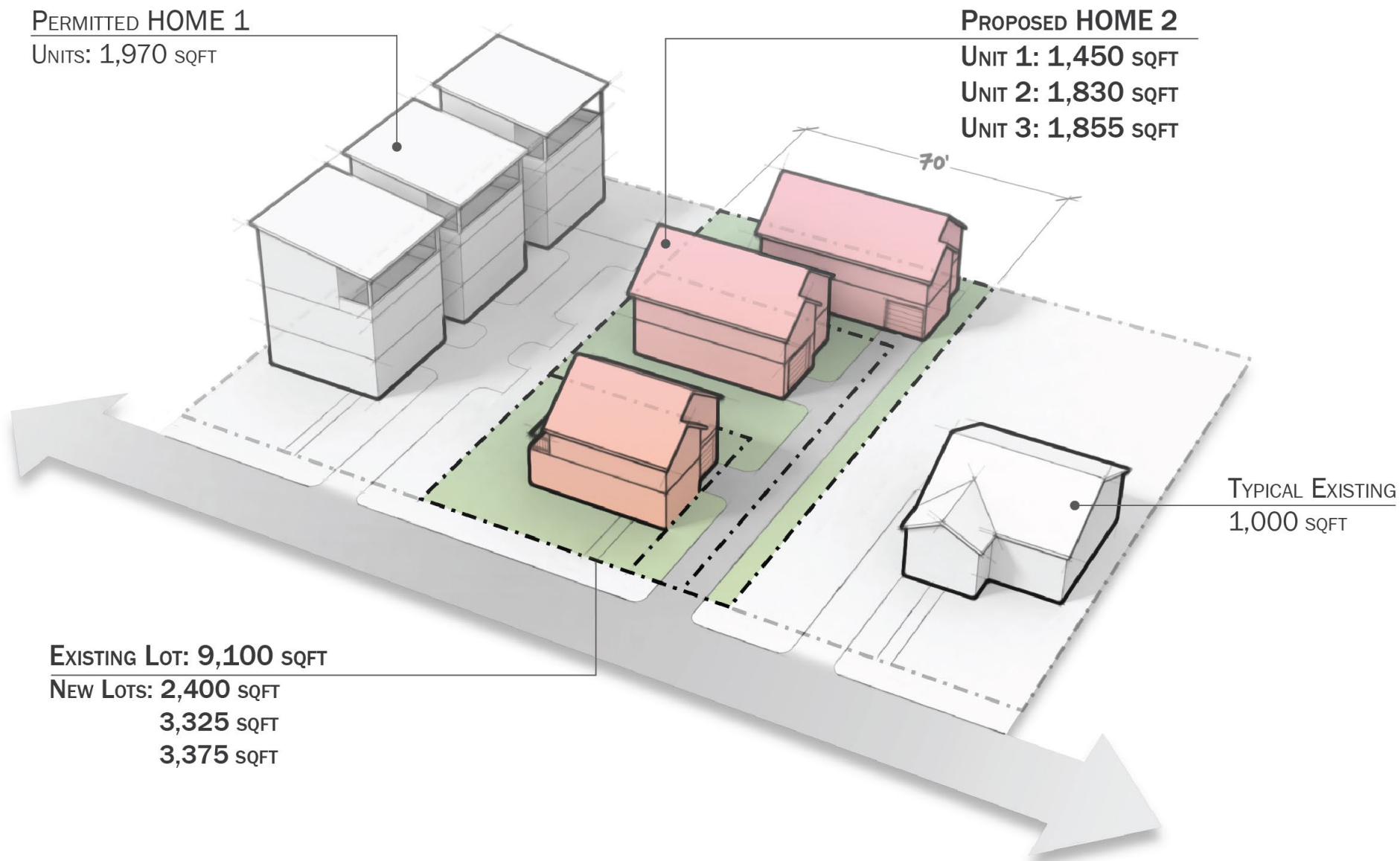
## Flag Lots

- Reducing the minimum lot size will result in more flag lots
- The required width of the "flagpole" is reduced to allow for easier subdivision
- Impervious cover in the "flagpole" is counted, a change from current code, to ensure sites do not exceed 45%





# HOME Phase 2





# HOME Phase 2

## What is not being changed:

- Impervious cover 45% maximum remains
- Regulations for one unit on a lot of 5,750 sq ft or greater will remain the same
- Two-unit and three-unit uses will still require a minimum lot area of 5,750 sq ft



# Citywide Compatibility Changes



# Citywide Compatibility Changes

## What is compatibility?

- Zoning regulation created in 1984 to “preserve and protect single-family residential neighborhoods”
- Sets height limits for properties near single-family homes



# Citywide Compatibility Changes

## Goals

- Increase the number of homes that could be built
- Create more walkable, transit-oriented neighborhoods
- Simplify complex regulations and align with peer cities



# Citywide Compatibility Changes

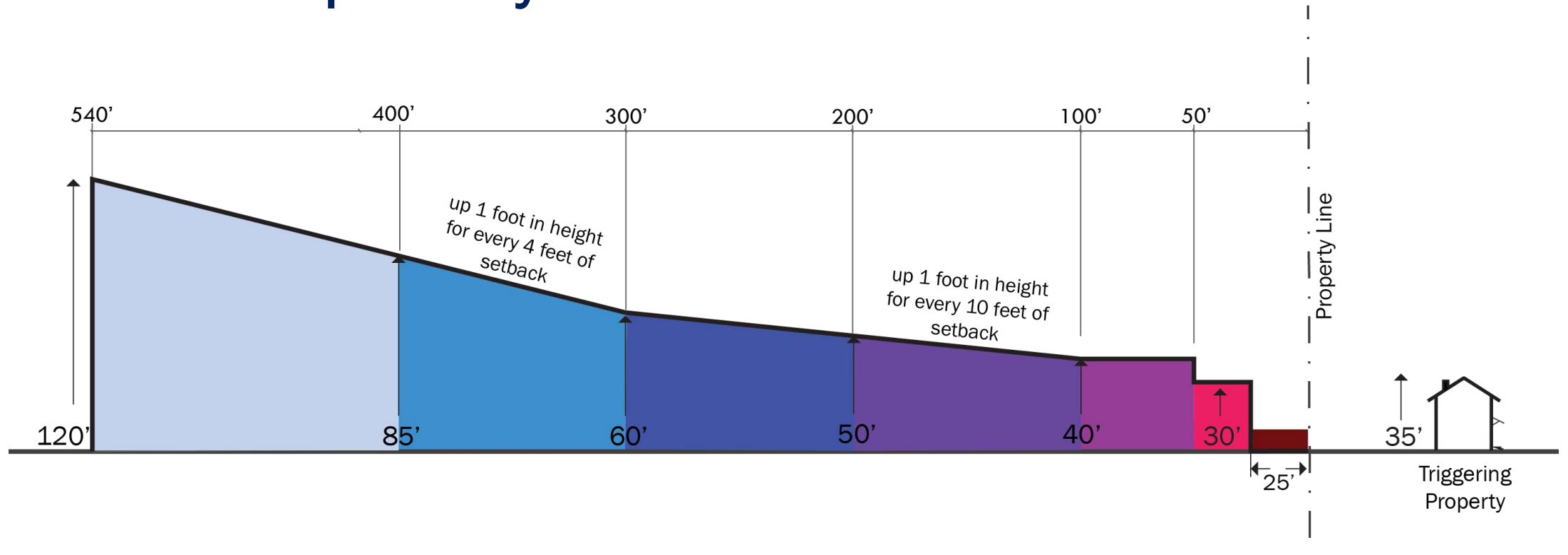
## Overview of Proposed Changes

- End compatibility at 75'
- Limit applicability
- Simplify regulations



# Citywide Compatibility Changes

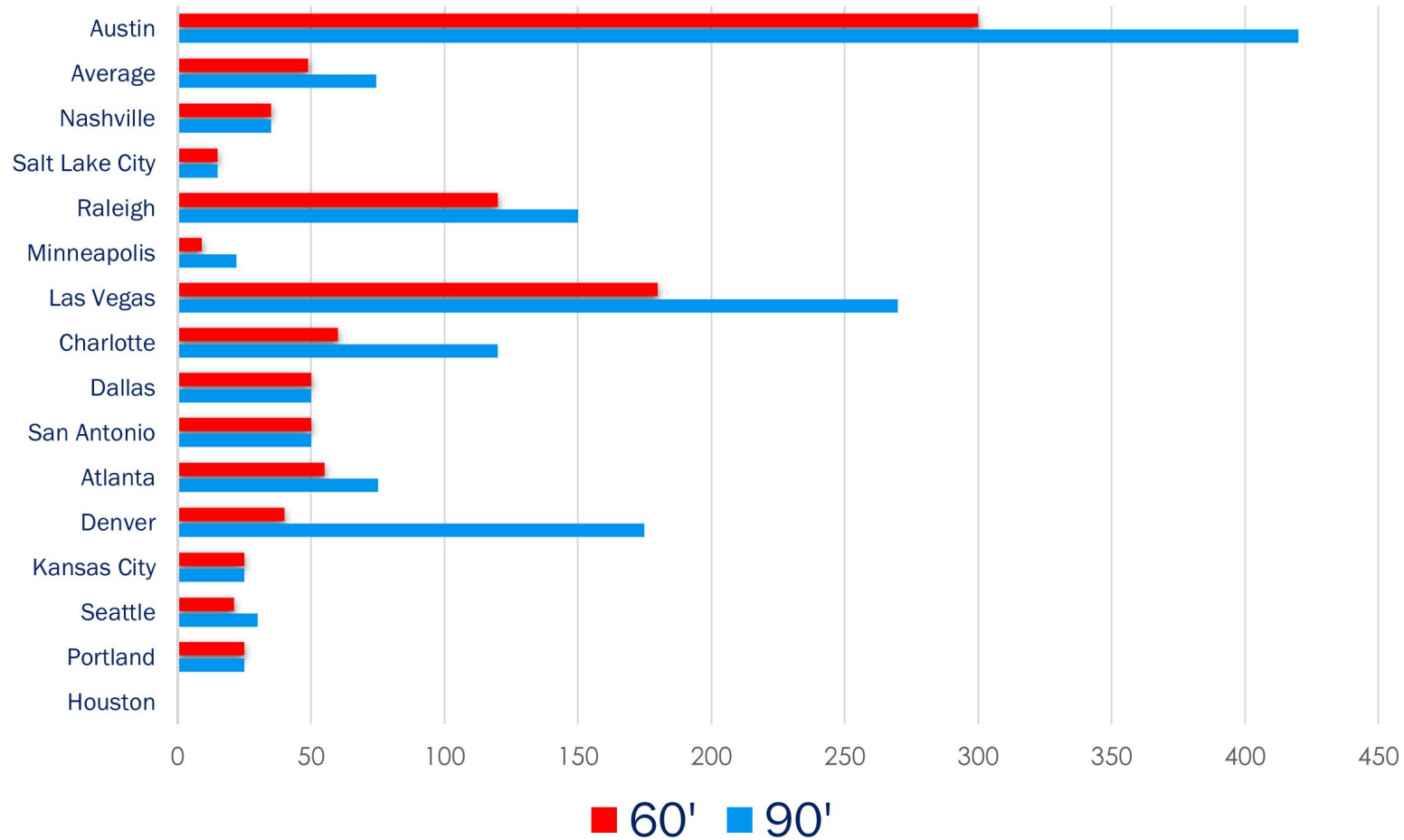
## Current Compatibility





# Citywide Compatibility Changes

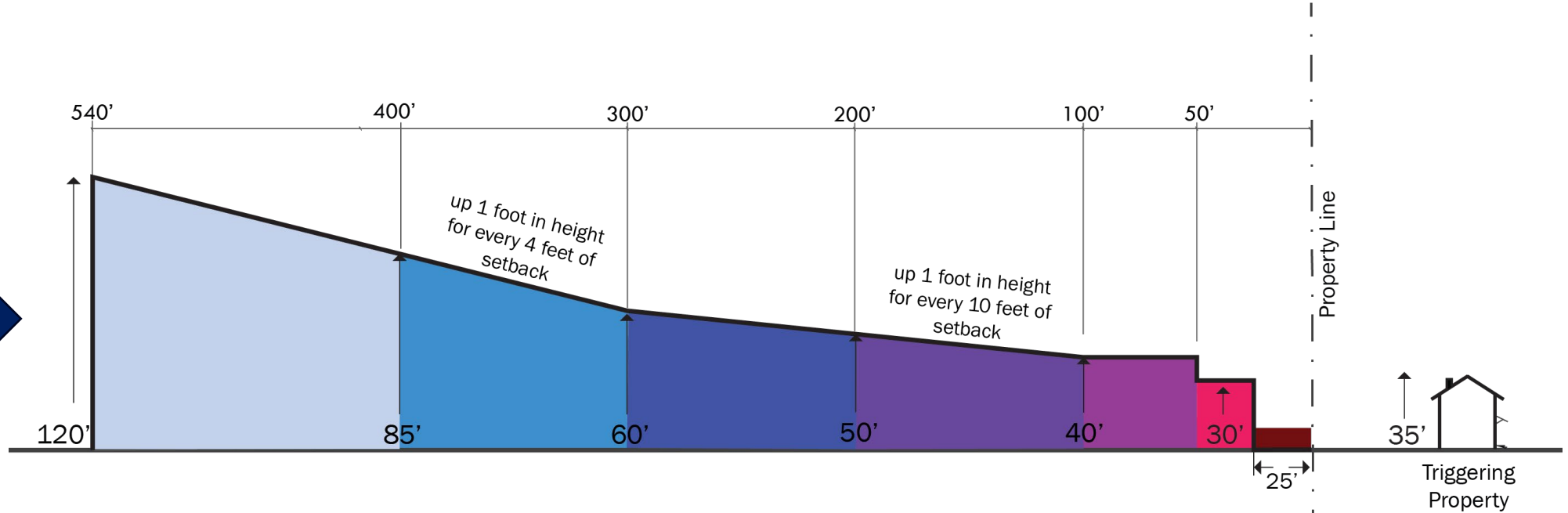
## Peer City Comparison: Distance to Reach Maximum Height of 60' and 90'



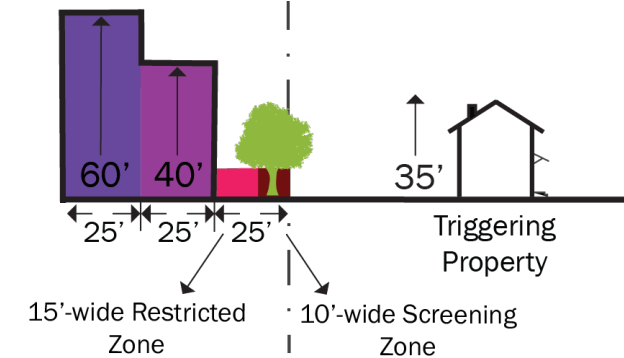


# Citywide Compatibility Changes

Current →



Proposed →





# Citywide Compatibility Changes





# Citywide Compatibility Changes

## Compatibility Buffer

- 25'-wide Compatibility Buffer required along a property line shared with a single-family home.



← Single-family home

Large or medium trees,  
small trees, and large  
shrubs required

10'-wide  
Screening  
Zone

15'-wide  
Restricted  
Zone

→ Low-intensity uses such  
as trails, driveways and  
fire lanes allowed



# Citywide Compatibility Changes

## Other Proposed Requirements

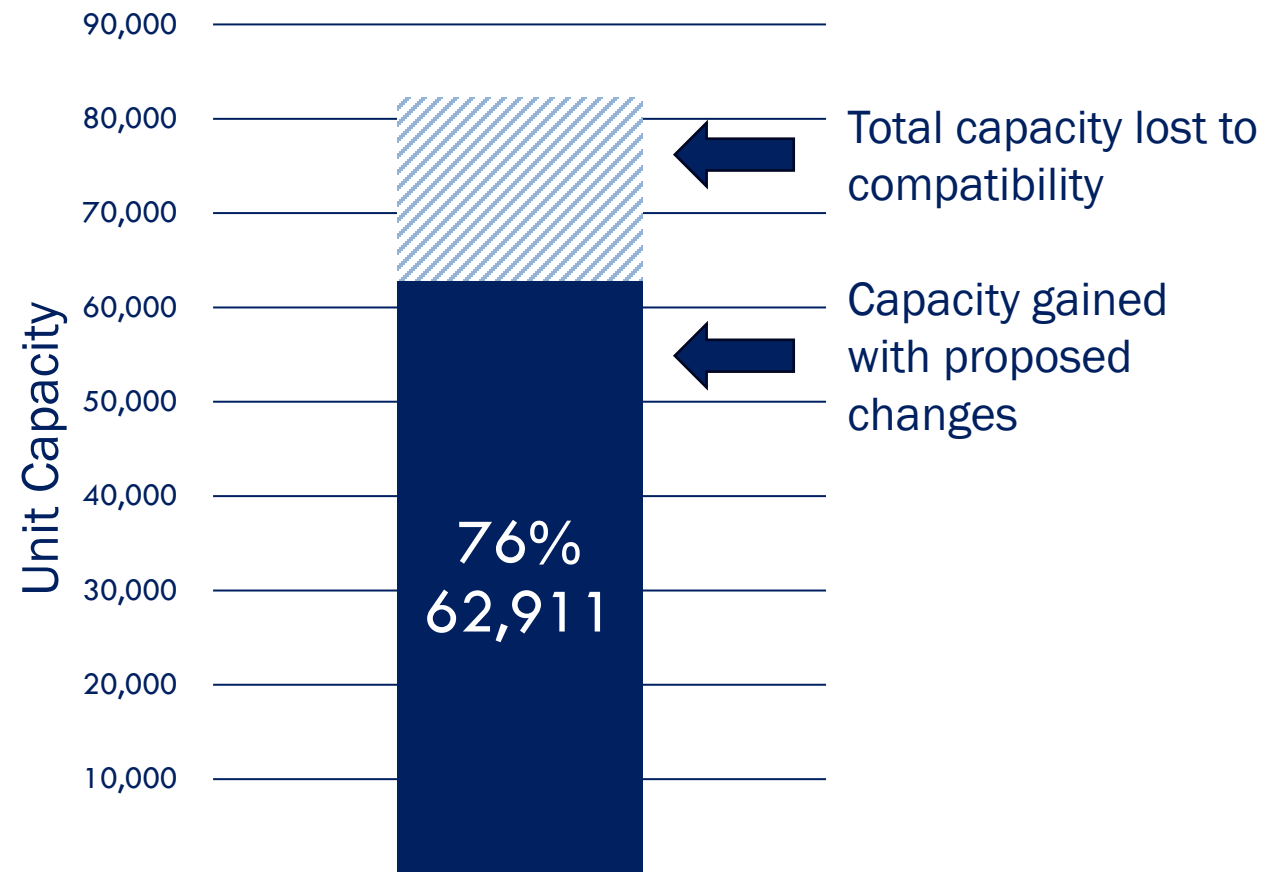
- Screening
  - Vehicle lights, dumpsters, mechanical equipment, storage, common spaces
- Noise
  - Mechanical equipment cannot exceed 70dB at property line
- Design
  - Exterior lighting must be hooded or shielded



# Citywide Compatibility Changes

## Housing Capacity

- Current rules limit housing capacity by ~82,000 units
- Capacity for ~63,000 units gained back with proposed changes





# ETOD Overlay



# ETOD Overlay Goals

- Increase opportunities to live and work near transit
- Provide for more affordable, income-restricted housing opportunities near transit
- Preserve existing affordable housing and priority businesses/services
- Prevent increase in uses that limit transit effectiveness
- Maximize Austin's transit investments by pairing them with supportive land use regulations



# ETOD Overlay: Proposed Code Amendment

Proposed amendment creates two combining districts:

- ETOD Overlay combining district (ETOD) restricts certain non-transit-supportive uses
- ETOD Density Bonus district (DBETOD) creates a density bonus program that allows residential uses, modifies development regulations to increase maximum height (up to 120 feet total), and modifies various site development standards including compatibility



# ETOD Overlay: Proposed Rezoning

Proposed rezoning applies ETOD and DBETOD to certain lots within ½ mile of the Phase 1 Austin Light Rail alignment and Priority Extensions

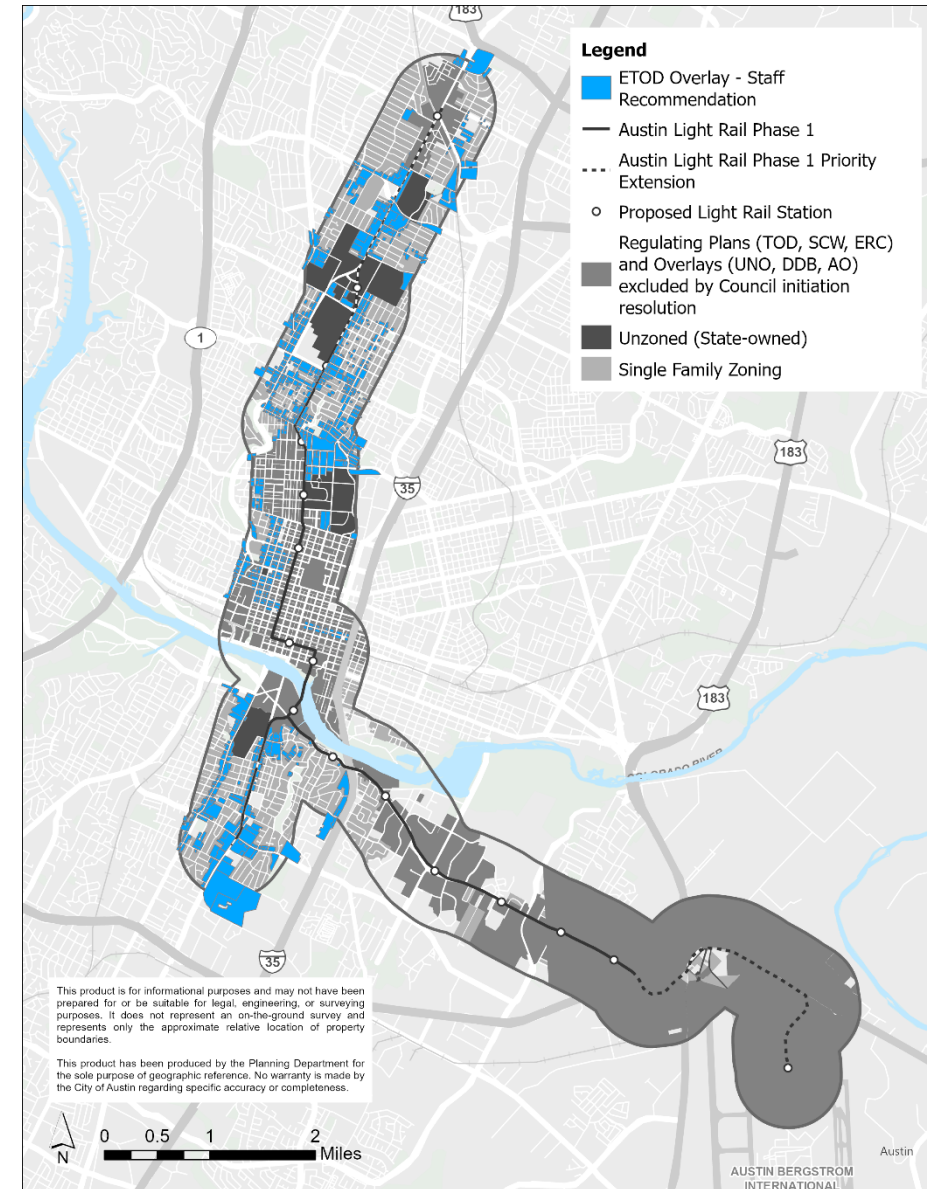
In the future, ETOD / DBETOD can also be applied with:

- Individual property-owner initiated rezoning application
- Additional Council-directed rezonings

*Properties must have ETOD district applied to have DBETOD district applied (and access the bonus program)*

# ETOD Overlay Applicability

- Parcels within a ½ mile of Phase I Austin Light Rail Alignment and Priority Extensions except:
  - Airport Overlay, ERC Regulating Plan, South Central Waterfront, Downtown Density Bonus, University Neighborhood Overlay, existing TODs
  - SF, MH, LA, RR, AV, DR, P, L, -PDA, PUD, and Unzoned parcels
  - Geographically separated areas
  - Parcels near East Riverside Corridor (ERC)
  - Any remaining parkland





## ETOD Overlay: Use Restrictions

**ETOD district will restrict uses by making them conditional or prohibited.**

- No residential uses are further restricted in the proposal
- Code generally allows existing uses to continue as nonconforming uses

**If a site is subject to existing use restrictions, the more restrictive of the two (existing regulations OR ETOD district) would control.**



# ETOD Overlay: Use Restrictions (cont.)

## Prohibited Uses

### Commercial

- Automotive Sales
- Agricultural Sale and Services
- Automotive Rentals
- Automotive Repair Services
- Building Maintenance Services
- Campground
- Carriage Stable
- Convenience Storage
- Drop-off Recycling Collection Facility
- Electronic Prototype Assembly
- Electronic Testing
- Equipment Repair Services

### Commercial (cont.)

- Equipment Sales
- Exterminating Services
- Funeral Services
- Marina
- Recreational Equipment Maintenance & Storage
- Recreational Equipment Sales
- Research Assembly Services
- Research Testing Services
- Research Warehousing Services
- Scrap and Salvage
- Service Station
- Stables
- Vehicle Storage

### Industrial

- Basic Industry
- General Warehousing and Distribution
- Limited Warehousing and Distribution
- Recycling Center
- Resource Extraction

### Agricultural

- Animal Production
- Crop Production
- Horticulture
- Indoor Crop Production

## Conditional Uses

### Commercial

- Alternative Financial Services
- Automotive Washing
- Bail Bond Services
- Commercial Blood Plasma Center
- Commercial Off-Street Parking
- Communications Services
- Construction Sales and Services
- *Electric Vehicle Charging (New use)*
- Kennels
- Monument Retail Sales
- Off-Site Accessory Parking
- Pawn Shop Services
- Pedicab Storage and Dispatch
- Special Use Historic

### Industrial

- Custom Manufacturing
- Light Manufacturing



# ETOD Overlay: Bonus Overview

## Requirements / Restrictions:

- Affordable housing requirements
- Protections when certain properties redevelop:
  - For existing tenants of affordable housing
  - For certain small businesses, creative spaces, childcare and adult care, grocery, medical offices, etc.
- Vertical Mixed Use (VMU) style design standards



# ETOD Overlay: Bonus Overview (cont.)

## Affordable Housing Requirements:

- Ownership Projects:
  - 12% of total units affordable to households at 80% MFI and below
    - May be satisfied through fee-in-lieu
- Rental Projects:
  - 15% of total units affordable to households at 60% MFI and below
  - OR**
  - 12% of total units affordable to households at 50% MFI and below



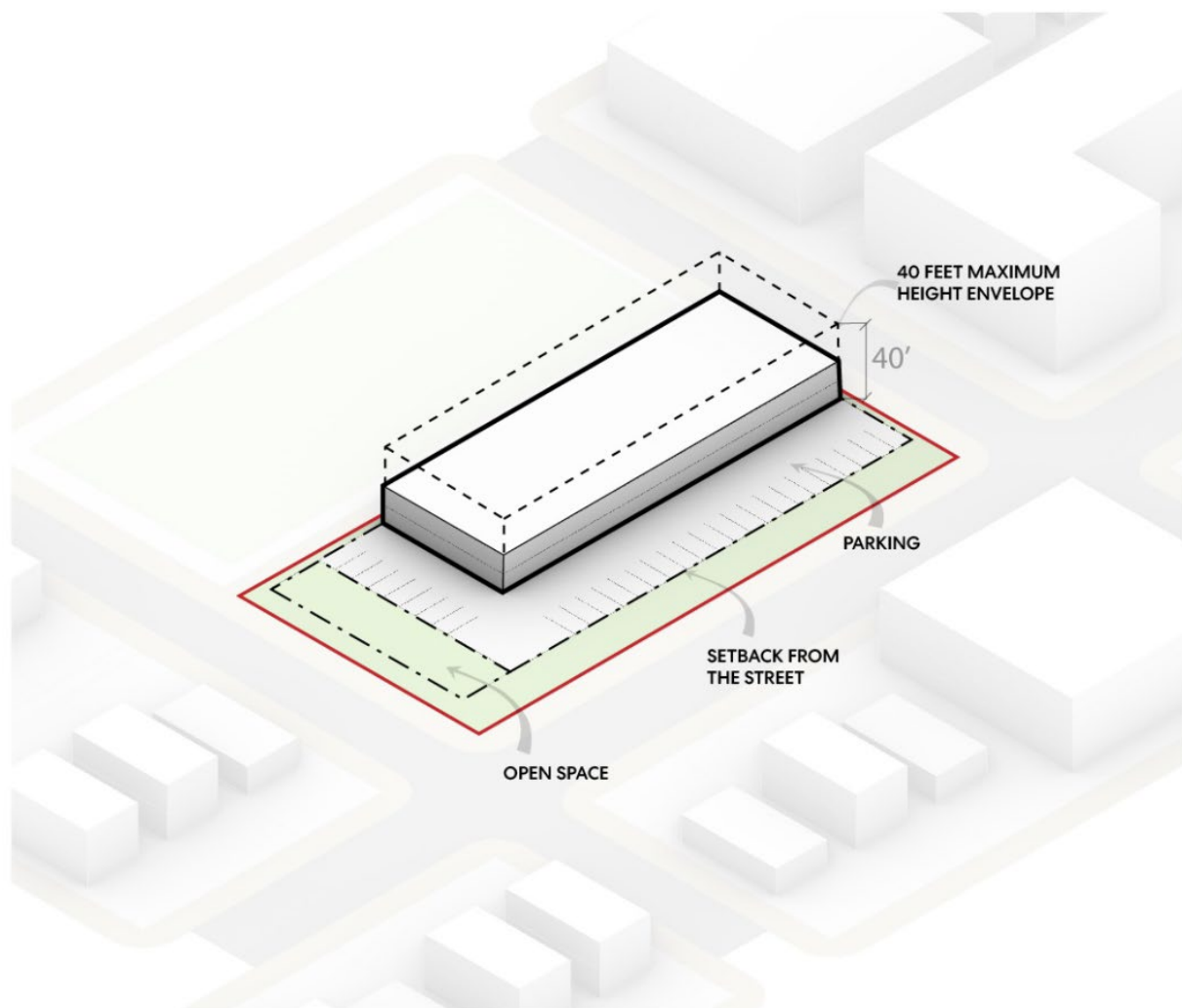
# ETOD Overlay: Bonus Overview (cont.)

## Additional Entitlements Available For Participating:

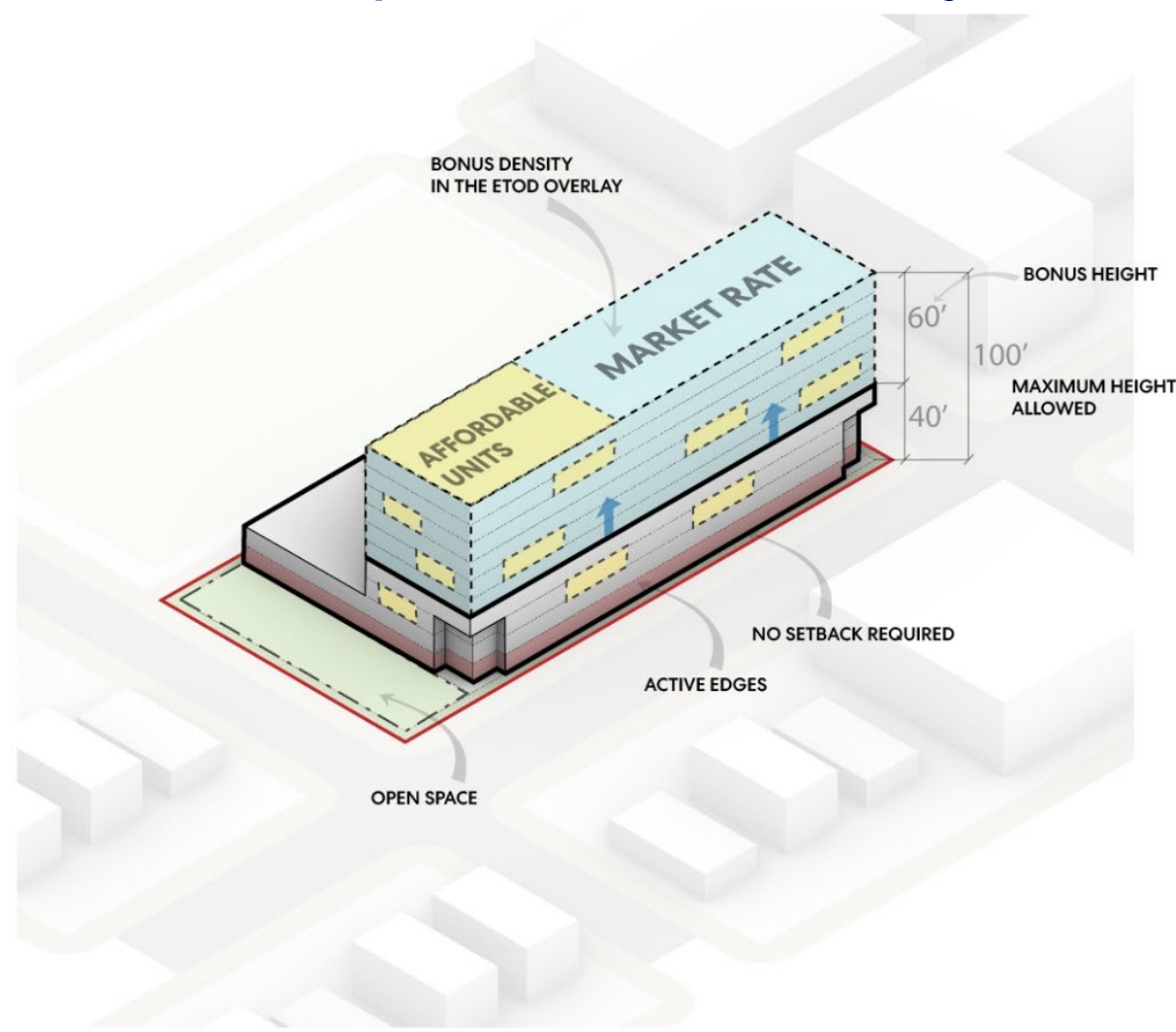
- Residential uses allowed in all base zones
- Up to 60 feet additional height, up to a total height of 120 feet
- Relaxation of some site development standards including compatibility
- May supersede certain more restrictive regulations



## Existing L0 site

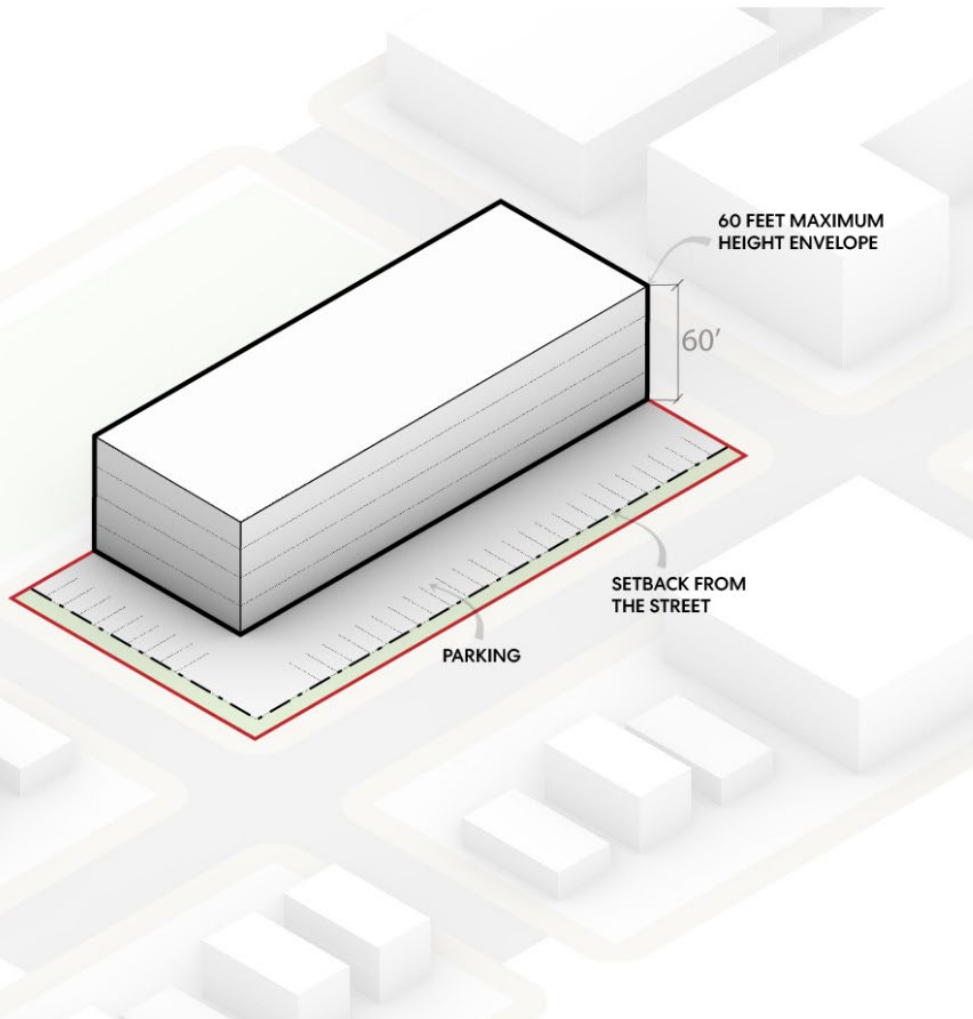


## L0 site developed with ETOD Density Bonus

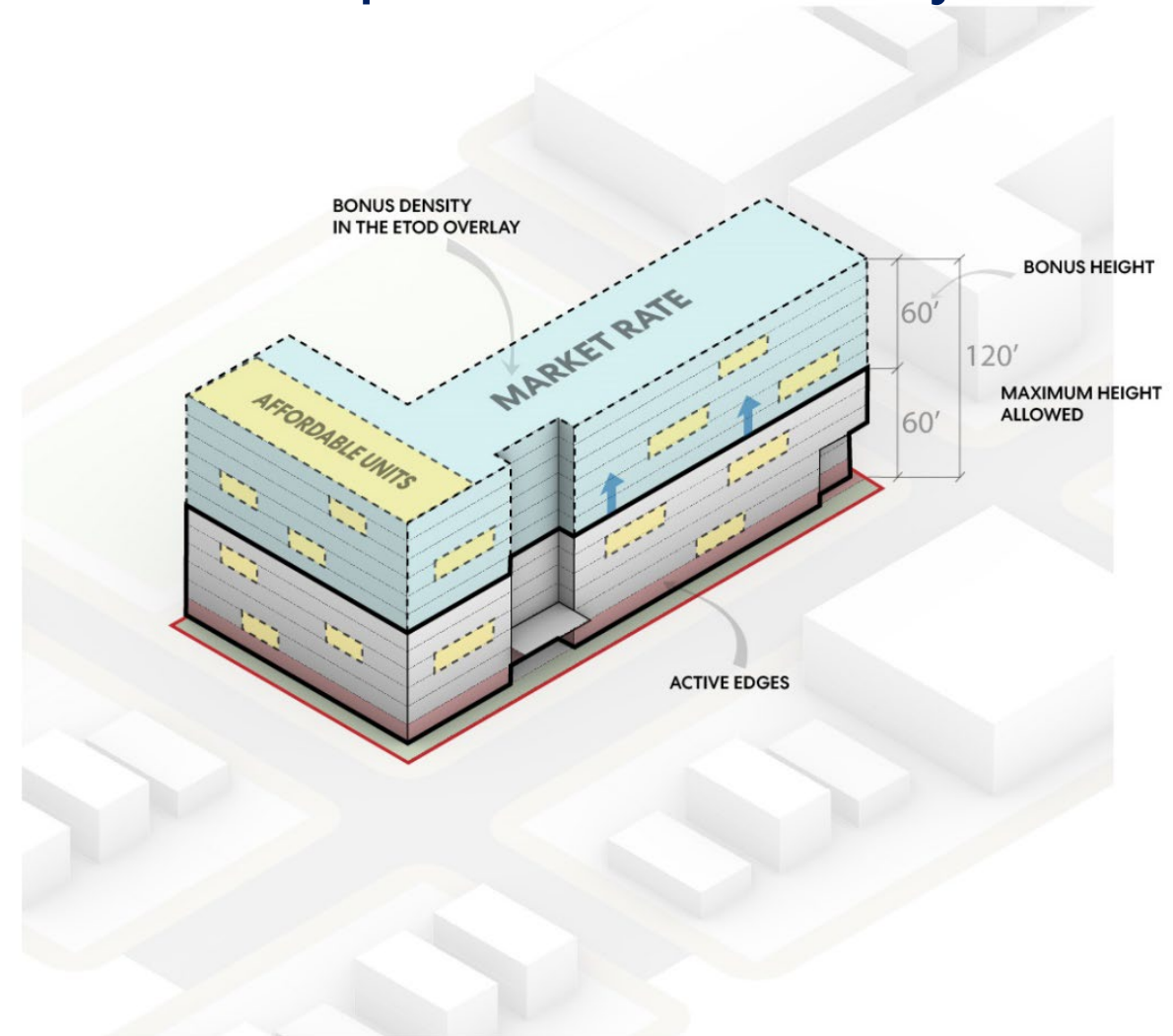




## Existing CS site

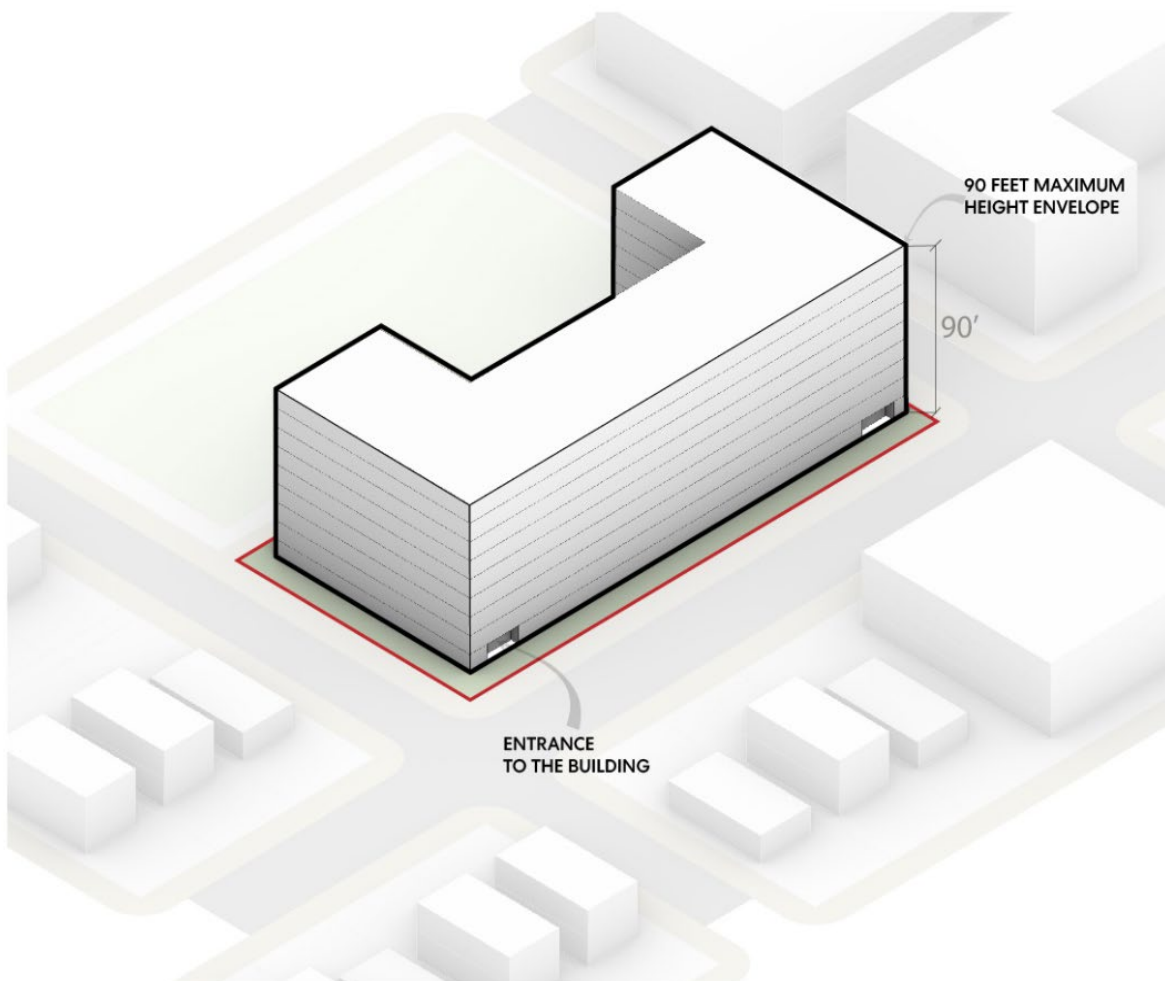


## CS site developed with ETOD Density Bonus





## Existing MF-6 site



## MF-6 site developed with ETOD Density Bonus

