

Z NEWS

Newsletter of the
Zilker Neighborhood
Association

JUNE 2017

Austin, Texas
Established 1981

Finding a Way Forward with CodeNEXT

by Jeff Jack, ZNA President

"It is a riddle, wrapped in a mystery, inside an enigma." Winston Churchill, October 1939

A FEW DAYS AFTER THE CITY released the draft mapping for CodeNext, the ZNA Zoning Committee introduced the maps and the draft code to the ZNA general membership at our April 24 meeting. The discussion was not so much an organized presentation as it was a first pass at the puzzle, mystery, and enigma of CodeNext!

Since the April meeting, the ZNA Executive Committee has continued to dig deeper into both the text and the mapping of the proposed code. ZNA members and many other community groups have found the new code to be extremely complex, and the information provided by City staff and the consultants is either mis-

leading or inadequate to explain the proposed code's effect on the Zilker neighborhood. The frustration and anxiety caused by the confusing process brings to mind Churchill's famous comment at the start of World War II, when he admitted that he could not forecast the behavior of Russia. As CodeNext threatens to veer out of control, we can't get the information we need to decide what is beneficial to Zilker and what would undermine our wonderful neighborhood. But we press on.

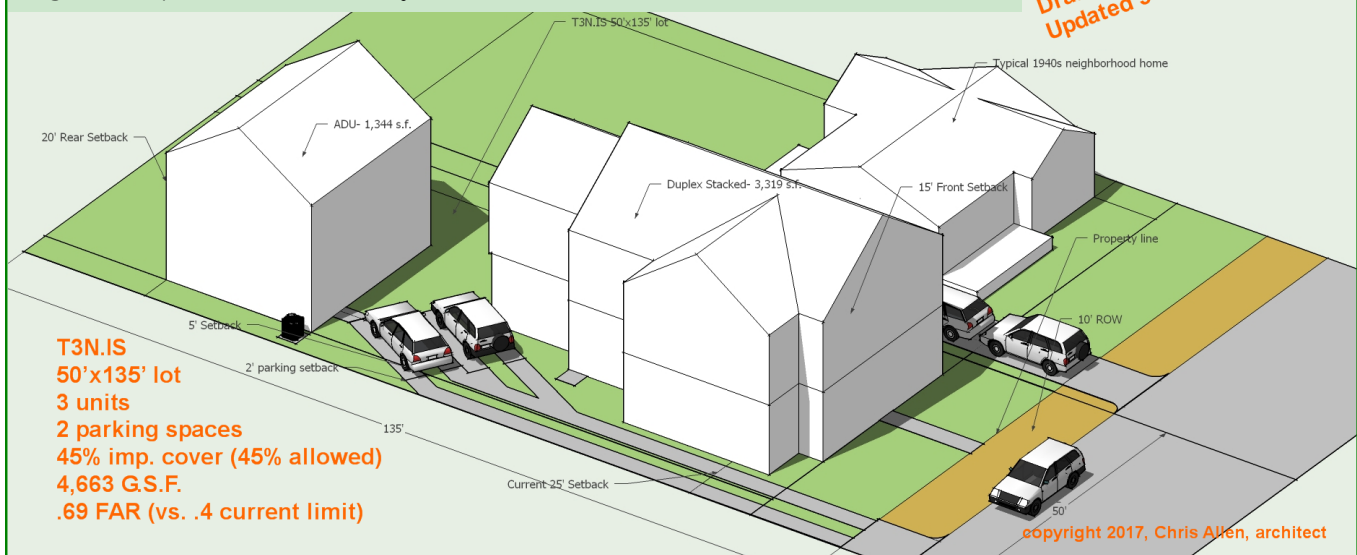
A Search for Benchmarks

This is the fourth in a series of *ZNews* articles to help Zilker residents prepare for the CodeNext rewrite of Austin's Land Development Code (LDC). The January, March, and April editions looked at existing land use in Zilker, the effect of the LDC on neighborhood character and quality of life, and the nuts and bolts of zoning. (Visit the *ZNews* archives at the ZNA web site, www.zilkerneighborhood.org.)

You may remember from the April *ZNews* that

T3N.IS transect example: Three dwelling units (a stacked duplex and accessory dwelling) replace a single-family house on a lot 50' x 135 feet. Existing 1940s single-family home is on the adjacent lot.

Draft version only!
Updated 5-24-2017



45% of Zilker was zoned SF-3, and over half of those lots are smaller than 7,000 square feet. The lot sizes are important because the size or number of dwellings allowed on any particular lot (such as a duplex or accessory dwelling) is often determined by lot size. The numbers and the map in the March and April editions of *ZNews* reflect the diversity of our current residential zoning (more than 6,000 residential units, less than 30% single- or two-family dwellings, 70% multifamily) and, as we will see later, serve as benchmarks for measuring the extent of the changes in the draft code.

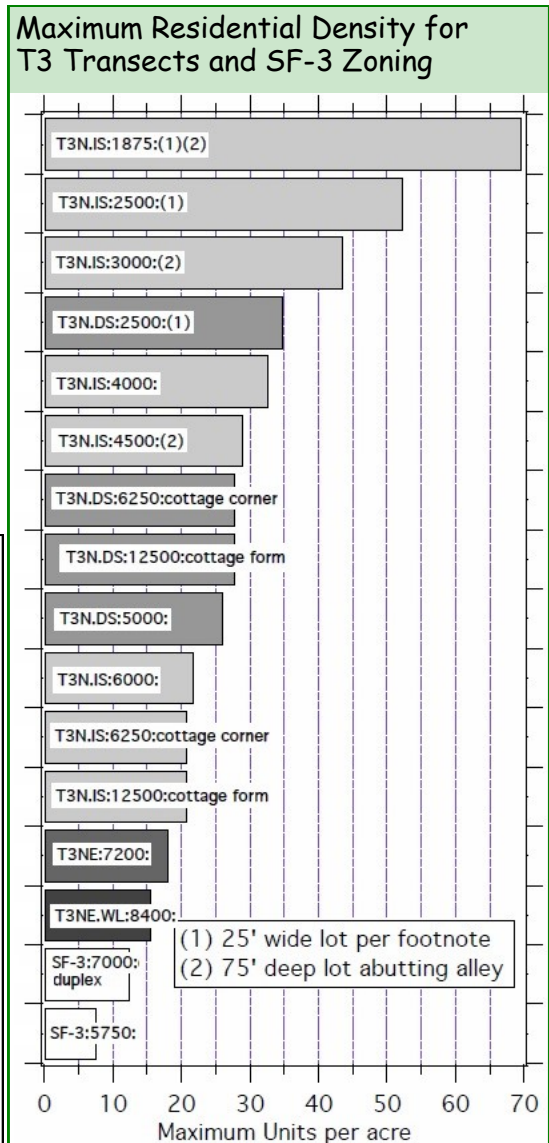
The new zoning proposed for Zilker is shown on the map on pages 4 and 5, produced by Bruce Wiland, chairman of the ZNA Zoning Committee. Within Zilker, CodeNext combines three types of zoning: Legacy (old zoning that doesn't fit the new categories), new but conventional zoning districts (mostly LMDR), and new form-based transects. Taken all together, rezoning has been proposed for more than 95% of Zilker. The residential, multifamily, and commercial lots in Zilker are going from a total of 25 current zoning districts to 39 new zoning districts. So much for simplification!

SF-3 Conversion to LMDR and Transects

During the development of CodeNext, City staff repeatedly stated that the new code will reflect the character of our existing neighborhoods. They have indicated that the new LMDR zoning and T3N transects are "similar to" SF-3, but our review has found big differences. Fortunately, various neighborhood and civic groups have provided more

detailed analyses and better graphics. The format of the proposed code is much better at describing site development standards, such as setbacks that limit building placement, height limits, and other site constraints, but these graphical tools often do not fully describe the massing or bulk of structures that may be allowed in the various transects. Nor is it clear from the graphics just how many living units are allowed or the extent of the business uses allowed.

The drawing on page 1, provided by an architect in the Rosedale neighbor-



Graph by Barbara McArthur, Community Not Commodity

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hood, compares the potential building envelope of a T3N.IS lot with an SF-3 structure. It shows the allowable bulk of the main residential structure and an accessory dwelling. The front setback is reduced from 25 to 15 feet, and no parking space is required for the accessory building. The impervious cover remains at 45% of the lot area, but without the McMansion limit on the floor-to-area ratio, the building can be much larger than is currently allowed in central core neighborhoods such as Zilker.

The drawing illustrates the consequences of the proposed code on one lot, but how can we gauge the cumulative impact on the entire neighborhood? The civic group Community Not Commodity (CNC) is creating tools to do that. It has calculated an aggregate number of units per acre (not reflective of individual parcel constraints) for the various zoning districts. The CNC maximum density estimates for selected residential zoning in Zilker are shown in the graph on page 2.

The current single-family zoning with a minimum lot size of 5,750 sf allows about 8 units per
(Continued on page 6)



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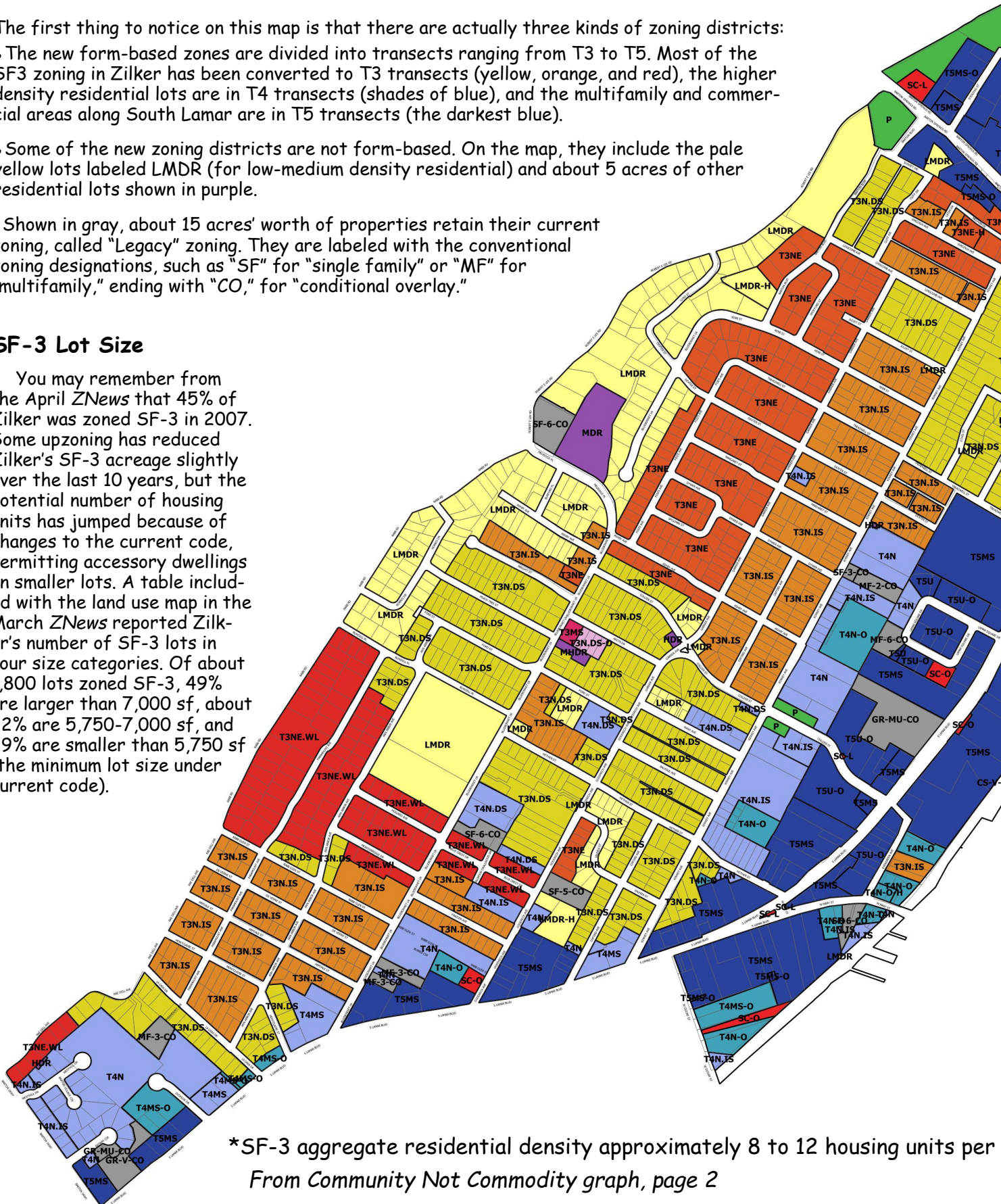
Zilker Neighborhood CodeNext Draft Zoning, June 2017

The first thing to notice on this map is that there are actually three kinds of zoning districts:

- The new form-based zones are divided into transects ranging from T3 to T5. Most of the SF3 zoning in Zilker has been converted to T3 transects (yellow, orange, and red), the higher density residential lots are in T4 transects (shades of blue), and the multifamily and commercial areas along South Lamar are in T5 transects (the darkest blue).
- Some of the new zoning districts are not form-based. On the map, they include the pale yellow lots labeled LMDR (for low-medium density residential) and about 5 acres of other residential lots shown in purple.
- Shown in gray, about 15 acres' worth of properties retain their current zoning, called "Legacy" zoning. They are labeled with the conventional zoning designations, such as "SF" for "single family" or "MF" for "multifamily," ending with "CO," for "conditional overlay."

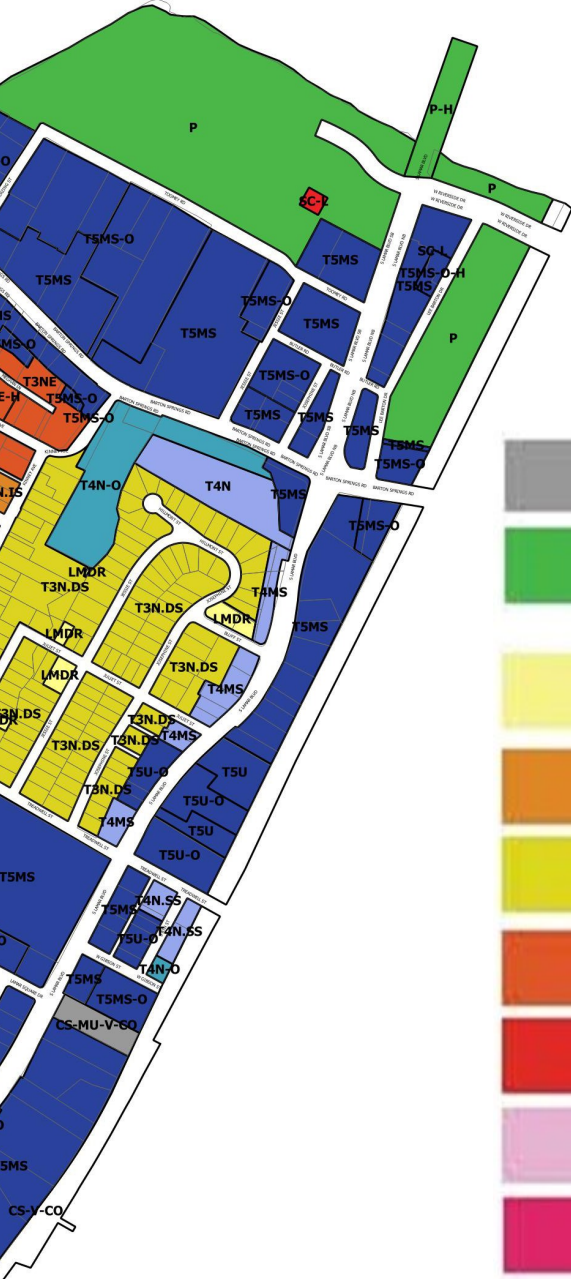
SF-3 Lot Size

You may remember from the April ZNews that 45% of Zilker was zoned SF-3 in 2007. Some upzoning has reduced Zilker's SF-3 acreage slightly over the last 10 years, but the potential number of housing units has jumped because of changes to the current code, permitting accessory dwellings on smaller lots. A table included with the land use map in the March ZNews reported Zilker's number of SF-3 lots in four size categories. Of about 1,800 lots zoned SF-3, 49% are larger than 7,000 sf, about 22% are 5,750-7,000 sf, and 29% are smaller than 5,750 sf (the minimum lot size under current code).



*SF-3 aggregate residential density approximately 8 to 12 housing units per
From Community Not Commodity graph, page 2

**Zilker Neighborhood
Acreage by Zoning, 2007**
 SF-3* 336 acres, 45% of total
 SF-5&6, 7 acres, 1% of total
 MF, 42 acres, 6% of total
 Commercial, 169 acres, 24% of total
 Public, 40 acres 7% of total



Legend

Proposed Zoning (abbreviation)
 acres in ZNA, percentage of total zoned acreage

-  Legacy, unchanged from current zoning (-CO),
15 acres, 2.5% of total
-  Public (P), 41 acres, 7% of total
- SF-3* Converted to LMDR and T3 Transects**
-  Low-Medium Density Residential (LMDR),
66 acres, 11% of total
-  T3 Neighborhood Intermediate Setback (T3N.IS),
71 acres, 12% of total, 22-32 units per acre*
-  T3 Neighborhood Deep Setback (T3N.DS),
104 acres, 17.5% of total, 26-35 units per acre*
-  T3 Neighborhood Edge (T3NE),
47 acres, 8% of total, 18 units per acre*
-  T3 Neighborhood Edge Wide Lot (T3NE.WL),
31 acres, 5% of total, 16 units per acre*
-  T3 Open (-O), 0.7 acres,
< 1% of total
-  T3 Main Street (T3MS),
0.4 acres, < 1% of total
- Other Residential and T4 Transects**
-  Medium to High Density Residential (MDR, MHDR, HDR),
4.6 acres, < 1% of total
-  T4 Neighborhood, with Shallow Setback, Deep Setback,
Intermediate Setback (T4N.SS, T4N.DS, T4N.IS),
and T4 Main Street (T4MS), 60 acres, 10% of total
- Multifamily-Commercial Converted to T4 and T5 Transects**
-  T4 Open (-O),
17 acres, 3% of total
-  T5 Urban (T5U), T5 Main Street (T5MS), and
T5 Open (-O), 134.5 acres, 23% of total
-  Service Commercial (SC),
3 acres, < 1% of total

per acre

(Continued from page 3) acre, and Zilker’s SF-3 zoning (with duplexes permitted on lots of 7,000 sf) allows about 12 u/a. Comparable calculations for the supposedly equivalent transects yield about 16 u/a for T3N.WL (lot size 8,400 sf), more than 20 u/a for T3N.IS on 6,000 sf, and over 30 u/a for T3N.IS on 4,000 sf. Even LMDR allows about twice the density, at 15 u/a.

Another troubling aspect of the proposed code is the ability of the City staff to approve the disaggregation of any parcel of land without a formal resubdivision. Such administrative approvals could allow a large lot of 10,000 sf to be divided into four 2,500 sf lots, without any public hearing or appeal process. The resulting density in T3N.IS areas of Zilker could exceed 40 u/a, four times the current SF-3 density of 8-12 u/a.

These allowable densities will increase development pressure, as real estate interests purchase the larger lots, demolish existing older homes, and seek higher returns on investment by stuffing these sites with more units. That may bring down

the land price per unit, but it does not necessarily translate into real affordability for moderate or lower income levels. It just makes housing less expensive for those who can pay the higher prices the new development will bring. The market response will eliminate more of the existing affordable housing in the neighborhood. Adjacent property valuations will rise, leading to increased property taxes. Plus, the lack of supporting infrastructure will burden future taxpayers with more bonded indebtedness, resulting in further economic segregation of Austin. These proposed changes will force the remaining moderate and lower income residents from Zilker.

An Imagine Austin Revival

If we are to continue to convert to a form-based code, we will need a whole different group of transects that more accurately reflect the existing SF-3 density. And we must re-focus the Land Development Code on the adopted Imagine Austin Comprehensive Plan, which calls for placing new density along transit corridors and in activity centers and not in existing neighborhoods.

At the April ZNA general meeting, we conducted a straw poll to see what our members wanted for the future of Zilker. We believe the results, although not statistically valid, are a pretty good reflection of the community’s priorities. It was clear that most of us want more housing for moderate and lower income residents and for families and empty nesters; we want to maintain or increase the number of single-family homes, with fewer new apartments in residential areas; we want limits on business uses in residential areas; and we want to maintain compatibility standards between residential and commercial properties. These responses are consistent with main-

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taining the character of Zilker, and with the goals of Imagine Austin.

Unfortunately, the zoning changes proposed by CodeNext do not appear to respect the character of the neighborhood or the aspirational desires of our community. The Executive Committee feels that the adoption of CodeNext as now written will drastically change our neighborhood and adversely affect the natural and built environment and the quality of life for our existing residents.

Mayor Adler has stated, "For starters, let's agree we will not force density in the middle of neighborhoods. There is no sense in shoving density where it would ruin the character of the city we're trying to save in the first place, where it is not wanted by its neighbors, and where we would never get enough of the additional housing supply we need anyway."

We sincerely hope that Mayor Adler will provide the leadership needed to change the first draft of CodeNext significantly so that Zilker can remain the great neighborhood it is now and into the future.

ZNA will continue our assessment of the proposed changes in multifamily and commercial zoning areas. Please join us at these meetings in July:

GREETINGS, ZILKERITES!

Interested in visiting venues in Zilker and meeting some neighbors?

Join us July 11 for happy hour at Uncle Billy's, 5-7 pm, 1530 Barton Springs Road

The next ZNA general membership meeting will be Monday, July 31, 6-8 pm, at Faith United Methodist Church, 2701 S. Lamar

For ZNA membership, meetings, bylaws, and other information, visit zilkerneighborhood.org

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