

## General ZNA concerns

### 1. SF-3 conversion to LMDR and Transects

While the handouts (graphics) that staff has presented to explain the new transects indicate that the current SF-3 zoning, which is most of the Zilker area, is supposed to be somewhat equivalent to the LMDR or T3N transect, they are not similar at all, and in some cases (like the T3N.DS, T3N.IS, and T3N.WL designations) there are significant differences in the allowable density. Taken in aggregate (total land area without considering site-specific conditions), the SF-3 district at 5,750 sf allows about 8 units per acre, and SF-3 at 7,000 sf allows about 12 units per acre, T3N.WL at 8,400 sf allows about 15 units per acre, T3N.IS at 6,000 sf allows over 20 units per acre, and T3N.IS at 4,000 sf allows almost 30 units per acre. As for the conversion of SF-3 to LMDR (5,750 sf), we go from again +/- 8 units per acre to about twice that, at 15 units per acre. And if you look at T3N.IS at 3000 sf or 2,500 sf, the resultant density would be over 40 units per acre! How can staff suggest that these are equivalent to SF-3 when the resulting densities are so much greater?

These allowable densities will increase development pressure as investors and developers purchase these larger lots, demolish existing older homes, and seek higher returns on investment by packing these sites with more units. And while that will bring down the land price per unit, 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. This market response will eliminate more of the existing affordable housing in the neighborhood and push up adjacent property valuations, leading to increased property taxes. Due to the lack of supporting infrastructure, it 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 folks from Zilker.

If we are to continue to have these “transects,” then we need a whole different group of transects that more accurately reflect the existing SF-3 density.

### 2. MF and CS-VMU Conversions to Transects T4 and T5

The transects proposed for existing multifamily properties also result in much greater density of apartment and condo uses than the current MF zoning. As an example, MF-3 has a density of about 35 units per acre, while T4N.SS at 1,875 sf has a density of about 70 units per acre. There is a similar increase for commercial zoning, such as CS-VMU at a density of about 120 units per acre compared to T5N.SS at almost 200 units per acre. Such increases in allowable density will have a similar impact on older affordable multifamily properties that are bought up solely to tear them down and rebuild at the higher density.

These higher entitlements and the resultant conversion of existing moderately priced older units to much more expensive and smaller units will have a negative impact on rental affordability and put additional pressure on compatibility with adjacent single family homes.

### 3. Authority of the Director and Reduction of Public Participation

Section 23-1A to section 23-2F contains many changes to the current zoning administration. The fundamental shift is to grant much greater power to the Director to decide issues of code interpretation and to diminish the opportunity for citizen input through the appeals and public hearing process.

These changes should be deleted. We should stick to the current process for public hearings, and we should not extend the authority of the Director.

### 4. Role of the Board of Adjustment

It appears that the form-based code will create significant problems for existing buildings that do not meet the new building placement requirements. This will result in many more Board of Adjustment cases concerning additions to and remodeling of existing homes. There will also be more B of A cases due to the lack of any placement flexibility to deal with specific site conditions such as heritage tree, easement, or topography issues.

The trouble and expense of such Board of Adjustment variances will discourage remodeling projects, resulting in more teardowns of existing homes.

### 5. Elimination of Conditional Overlays

The current code has a mechanism for neighborhoods to work out site development issues and reach minor compromises that produce neighborhood agreement on acceptable zoning changes. But the proposed code eliminates such negotiations. This will result in a "take it or leave it" mentality on zoning changes. Small accommodations to a site plan that would allow neighbors to support a project then become non-negotiable, and the concerned parties will have no choice but to stick to holding the current zoning in place. This will result in more contentious zoning cases before the land use commissions and City Council.

### 6. Accessory Dwelling Units

The recent Council approval for larger ADUs will result in less affordable housing than would otherwise be provided under the smaller 850 sf limitation of ADUs. To provide any chance of new ADUs providing any measure of affordability, the current larger size of units should be reduced to the previous limit of 850 sf total.

### 7. Parking

There should be one parking space for each ADU regardless of its location within a quarter mile of a transit corridor. And we should maintain the current minimum parking of 2 spaces for the primary house.