

MAY MAPS, CODENEXT, AND DENSITY WITHOUT AFFORDABILITY

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In 2017, we received a draft of CODENEXT and the maps that tell us how our consultants and City staff recommend that our current land use regulations should change to align with Imagine Austin, the comprehensive plan adopted by the City Council 5 years ago.

We have had an opportunity to compare CODENEXT with CODENOW, what my Council member in District 2 calls current code regulations. Here is one homeowner's assessment of how CODENEXT in its current form for renters and homeowners based on data available to date.

In 2017, the Median Family Income for the Austin-Round Rock Metropolitan Statistical Area according to HUD USER is \$81,400.

In 2017, the Median Family Income for District 2 where I live is \$42,650 according to Housing Works. Housing Works also reports that 52% of District 2 residents are homeowners. The majority of Austin residents rent.

The Median Family Income for 78745 where I live is \$52,949 according to the April 2017 Southwest Edition of Community Impact Newspaper.

In 78745, we have 58,878 residents. According to the latest figures for the City of Austin, we have 900,701 residents. This means that 6.5% of Austin residents live in my zip code. Adjacent zip codes surveyed by Community Impact have higher income, lower density, lower poverty rates, lower unemployment, and lower food insecurity.

District 2 is 71% Latino according to information provided at a May Town Hall meeting. My zip code is 39.5% Latino and 5.9% African American.

According to a recent Open Records Request, Austin's density based on people per square mile was 2,793 in 2015. According to the same request, Austin's population density in 1940 was 2,850 people per square mile. If this information is correct, then Austin is less dense today than it was 75 years ago.

In addition, we have reviewed maps for transportation improvements that could happen on William Cannon Drive, Brodie Lane and Slaughter Lane and how the plans relate to current population patterns and projected population increases.

I have examined the maps and the CODENEXT text available to date. It looks like the strategy to increase density is to allow more housing on single-family, multi-family, and mixed-use properties even if the proposed development is market-rate housing without an affordability element. Based on our experience in Austin this century, this could mean that land with more entitlements will be seen as more valuable than land where only one single-family home could be built. Investors with resources to create a greater number of market-rate housing units would compete with those seeking to move from renter status to homeownership for the first time. This is not likely to create more affordable housing.

There is a path toward increase in market-rate and affordable housing that Austin used successfully in the last century that is not likely to be offered by our current consultants and City staff based on what we have seen to date. This path allowed Austin to be number one in housing affordability from 1970-1990 according to a study in HUD Cityscape Volume 3, Number 3 published in 1998.

Here is the path:

1. Austin had only five zoning districts (A,B,C,D,E).
2. In the A district, lots created before 1950 could always have always have one or two dwelling units per lot if the homes met setback, building coverage and height standards. Setbacks were linked to Building Code standards for fire-resistance of walls too close to a neighbor's property.
3. After 1950 and before the 1980s, a single-family home in the A district could be built on a lot as small as 3,500 square feet if the lot was platted before 1946. Subdivision regulations for the A district after 1946 required a 5,750 square foot lot with some exceptions.
4. A duplex or two single-family detached homes on one lot in the A district had a 7,000 square foot minimum lot size.
5. In the B district, each dwelling required 2,000 square feet minimum.
6. In the C district, each dwelling required 1,000 square feet minimum.
7. There were no floor-to-area ratios.

8. There were no compatibility standards for housing development other than height restrictions and Building Code standards.

So if we allowed regulatory relief consistent with traditional development as a way to create housing that is more affordable, here is what the CODENEXT standards could be:

1. Minimum lot size for a single-family home or two single-family homes or a duplex is 3,500 square feet.
2. Side yard and rear yard setbacks for single-family and two-family homes are 5 feet to the property line and 10 feet between each other unless the housing meets duplex fire-resistance standards.
3. Building coverage and impervious cover cannot exceed 40% of total lot coverage for single-family and two-family.
4. Front setback is 25 feet, but a front porch/upper story balcony can be as close as 15 feet for single-family and two-family.
5. For sites with 3 or more dwelling units in multi-family/commercial/mixed use districts, the minimum lot size is 2,000 square feet per dwelling unit and MF-6 development standards can be used on vacant and developed lots if housing development meets revised S.M.A.R.T. Housing standards.
6. S.M.A.R.T. Housing standards are revised to require 40 years of affordability and 5% Type A Building Code accessibility for sites with 3 or more dwelling units in exchange for fee waivers, fast-track review, floor-to-area and compatibility regulatory relief, and infrastructure cost participation.
7. University Neighborhood Overlay on-site housing affordability and fee-in-lieu standards are replicable in other neighborhood districts.
8. The amnesty provisions related to Certificates of Occupancy are updated from March 1, 1986 in CODENOW to 2006 in CODENEXT, the year that McMansion and Commercial Design Standards were first adopted.

We should know by the middle of June whether any of these suggestions are being considered by consultants and City staff. I hope the answer is “yes”.