CODE CLARITY

PROBLEM/ISSUE: ***The current code structure is overly complicated, requiring research of multiple, confusing sites and leads to frustration and loss of valuable time and money for citizens, design and development professionals, property owners and for City review staff:***

- ***Legal language is difficult to decipher and lacks visual illustrations to show intent. Not only is it difficult for the amateur, but is also difficult for the trained professional to read and interpret.***
- ***Reliance on PUDs and Alternative Compliance is too great. The vast majority of projects should be able to comply with the Code without special provisions or waivers.***
- ***It is difficult the decipher the many layers of the code. One section or overlay my trump an underlying regulation leading to confusion of applicability.***

PROPOSED APPROACH: ***Write the Code in such a way that it can meet legal requirements and still be understood and interpreted by a layman. Reorganize or delete competing or overlapping requirements so that applicable regulations are straightforward, clear and definitive.***

CASE STUDIES: ***Denver***

CODE USABILITY

PROBLEM/ISSUE: ***The current code information system in not intuitive and limits our ability to interact with the code in a dynamic fashion:***

- ***Existing technology has far outpaced the way in which we access code information. Most importantly, we are unable to interact dynamically with the code.***
- ***While the text of the code is available online, we can not identify an individual property on a map and drill down to discover what regulations apply.***
- ***We are unable to gain an understanding of the context of applicable regulations as it relates to centers, corridors, districts and neighborhoods.***
- ***The code and the development review process should be integrated through technology.***

PROPOSED APPROACH: ***Create an intuitive, interactive and technology-based code delivery system that reflects Austin's reputation as an innovative and technology rich city. We support and encourage the City to invest in a substantial IT solution for the development review and inspection processes.***

CASE STUDIES: ***enter examples here***

CODE UPDATE PROCESS

PROBLEM/ISSUE: ***The current Code has been modified so many times that the underlying organization and intent is not evident:***

- ***Codes determine the way our City will look and feel for decades to come. The new Code should be kept in good working order throughout its useful life.***
- ***To avoid a similar fate as our old "tweaked" code, the CodeNEXT process should identify and address when and to what extent future revisions should take place before triggering a major update.***
- ***To avoid a similar fate, the CodeNext format should allow for edits in place and links to references.***

PROPOSED APPROACH: ***Create a Code revision and update process to maintain intent, clarity and usability of the new Code. We support the near-term and future monetary investment necessary to achieve this.***

CASE STUDIES: ***enter examples here***

CODE REVIEW PROCESS

PROBLEM/ISSUE: ***Time and money loss during the review process (for owners, industry professionals, and City staff) occurs at many junctures throughout a project's lifespan due to confusing and inconsistent aspects of the current code.***

- ***The current code leaves room for multiple interpretations. Staff often give different, if not contradictory, responses during the review process.***
- ***The silo nature of departments is evident throughout the development review and inspection process. Staff across departments should be on the same page.***
- ***While many staff excel in serving the land development industry, a lack of credibility exists overall due to the inconsistency and complexity of the code review process.***

PROPOSED APPROACH: ***Streamline the review process. Increase industry confidence in development review and inspection professionals on City staff. Elevate staff knowledge and expertise, providing training and certification/licensure as appropriate, and creating leadership opportunities. Provide cross-departmental review structure.***

CASE STUDIES:

CODE REVIEW PROCESS

PROBLEM/ISSUE: ***Time and money loss during the review process (for owners, industry professionals, and City staff) occurs at many junctures throughout a project's lifespan due to confusing and inconsistent aspects of the current code.***

- ***The current code leaves room for multiple interpretations. Staff often give different, contradictory, responses during the review process.***
- ***The silo nature of departments is evident throughout the development review and inspection process. Staff across departments should be on the same page.***
- ***While many staff excel in serving the land development industry, a lack of credibility exists overall due to the inconsistency and complexity of the code review process.***

PROPOSED APPROACH: ***Streamline the review process. Increase industry confidence in development review and inspection professionals on City staff. Elevate staff knowledge and expertise, providing training and certification/licensure as appropriate, and creating leadership opportunities. Provide cross-departmental review structure.***

CASE STUDIES:

CODE COST/BENEFIT IS UNAFFORDABLE

PROBLEM/ISSUE: *Elements of the code require design time, review time and development restrictions that add to the cost of construction, making much of Austin's new development unaffordable.*

- *The current code requires too much specific information from the design team.*
- *The current code requires excessive training time for staff which has been ineffective.*
- *The amount of staff review time is excessive. Meetings required to "interpret" the code, have different departments agree on a design solution which will meet conflicting requirements, and review multiple drawings exceeds the benefit to the public.*
- *Restrictions on lot size, lot coverage, number of occupants, is directly in opposition to providing a "variety of housing options".*

PROPOSED APPROACH: *Require any elements to be vetted against a cost/benefit basis. Eliminate any requirements that add to the cost of development without an offsetting benefit to all citizens.*

CASE STUDIES: *Historic District moratorium, tree ordinance, McMansion tent drawings, McMansion attic restrictions*

Project 1

City Recreation Center Renovation

Owner – City of Austin

First Site Issue:
Site is in Zilker Park, on the western edge near MOPAC. Permit was hung up while city staff and consultants worked on resolution of existing "private property lines" around the buildings. These lines were remnants of the purchase of these buildings years ago from the previous non-profit owners before being acquired. Utility lines, according to city code could not "cross private property lines" even when these lines were essentially non-factors as the entire site was owned by the city. Initially legal documents were required to formally unite the site, eliminating the "extra property lines". Resolution of how to document the removal of the lines delayed the site development permit for several months.

Second Site issue:
To accommodate ADA compliance, new sidewalks and parking were added, requiring the removal of two 8" trees. As one can see from the photo above tree coverage on this site was already more than adequate. Despite the department's desire to plant the replacement trees in another area of Zilker Park, where trees were needed, the code requires tree replacement within this project's limits, so the 9 2" replacement trees were planted here with minimal room to grow within an existing crowded tree canopy. Why can trees not be planted off limits of construction?

Project 2

Existing retail parking lot did not meet existing landscape ordinance. Owner desired to "improve " the parking lot by adding trees along with irrigation in the useless ends of angled spaces. Due to code, as this would exceed the site exemption limits, a site permit was required and due to added expense, owner elected to do nothing. Why is an incremental improvement not acceptable?