



## **AUSTIN NEIGHBORHOODS COUNCIL RESOLUTION REGARDING THE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE**

**WHEREAS**, the Planned Unit Development (PUD) Ordinance has been misinterpreted by City staff, misapplied to single family development, and inconsistently implemented by previous City Councils; and

**WHEREAS**, neighborhoods have expressed opposition to PUDs that have requested or received variances to setback requirements for critical environmental features and scenic roadways, waivers to residential compatibility standards, automatic approval for off-site affordable housing, and variances to the Waterfront Overlay surrounding Lady Bird Lake and the Lake Austin Overlay District surrounding Lake Austin; and

**WHEREAS**, some PUDs have resulted in development that is not superior to development that could otherwise be accomplished without PUD zoning; and

**WHEREAS**, the value of public amenities received from and entitlements granted to PUDs is not clear and transparent to the public.

**NOW, THEREFORE,**

**BE IT RESOLVED THAT** the Austin City Council immediately impose an indefinite suspension of new PUD applications; and

**BE IT FURTHER RESOLVED THAT** the Austin City Council create a task force that includes representatives from the Austin Neighborhoods Council to recommend changes to the PUD ordinance up to and including the elimination of the PUD ordinance; and

**BE IT FURTHER RESOLVED THAT** the Austin City Council include the following proposed changes to the PUD ordinance in the scope of work for the task force:

- The PUD ordinance should provide clear specifications for the type of open space required. Private balconies, patios, pools, detention ponds, and other similar areas should not be counted towards open space requirements. Floodplain areas should not be included in the open space requirement.
- The affordable housing amenity should be based on the total area of the project, not just the additional bonus area.
- The affordable housing fee-in-lieu option should require a supermajority vote by the City Council.
- Upzoning of existing base zoning should be explicitly prohibited.
- An amenity should be used to meet only one criterion in one Tier. An amenity should not count towards criteria in more than one Tier.
- The Waterfront Overlay and PUD Ordinances should be amended so that the PUD ordinance cannot override the Waterfront Overlay ordinance.
- PUD zoning should be removed from the Waterfront Overlay Ordinance and PUDs should not be allowed in the Waterfront Overlay.
- Tier requirements should be recalibrated annually to encourage better environmental protections and development standards that are not required under standard zoning districts.

- All PUD agreements shall provide a clear statement of the total value of the amenities received by the public and entitlements granted to the developer.
- A supermajority vote by the City Council should be required to override the 10-acre minimum size requirement.
- Each PUD agreement should require the PUD's traffic impact to be fully mitigated by the PUD.
- The South Central Waterfront on Lady Bird Lake should be excluded from the PUD ordinance.

**Presented to the ANC General Membership:** June 24, 2015

**Approved and Adopted:** July 22, 2015

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