



People Organized in Defense of Earth and her Resources

CodeNEXT:

Contributing to the Legacy of Austin's Racism in Land Development Planning

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Executive Summary

Since its inception in 1991, PODER has examined the impact of the city of Austin's historical land use and planning and how it has negatively impacted residents in East Austin. From the siting of the Tank Farm fuel storage facility, BFI Recycling Plant and City of Austin's Holly Power Plant to name a few, PODER has raised concerns over the destruction of the natural environment but also the vibrant cultural communities that make East Austin.

In this report, PODER provides the historical backdrop for the framework and opposition to the proposed land use reform, CodeNEXT. PODER reviewed the past, present, and proposed land use policies that have continued to push intergenerational families out of East Austin.

A brief review of the blatant racism in land use and planning is noted in the historical 1928 city of Austin's Master Plan and current policies resulting from the Smart Growth initiative. These documents provide the foundation for reviewing the proposed land use zoning known as CodeNEXT.

In January 2017, the City of Austin's Planning Department presented the newly drafted and proposed land development code called CodeNEXT. The current Land Development Code has undergone a complete rewrite in CodeNEXT, where every parcel in Austin has been rezoned. The proposed land use development code is a complete makeover of residential and commercial zoning designations. Many of the residential designations are completely eliminated, and some commercial designations are now included in the new residential zoning.

This report specifically reviews the impact of CodeNEXT's proposed changes to 5 neighborhoods in East Austin (E. Cesar Chavez, Holly, Govalle-Johnston Terrace, Rosewood and Montopolis). The report maps the increase of high density in residential and commercial zoning in these East Austin communities.

Finally, the report makes specific recommendations that should be adopted by the city of Austin before there are any changes to the Land Development Code. Many of the recommendations were compiled as a united effort from many organizations concerned with the impact of CodeNEXT on East Austin.

Austin can no longer continue its legacy of historical patterns of racism in land use and planning. As a community, Austin is at the crux of righting the wrongs of the past. Austin has incredible potential to make strides in improving racial equity by addressing institutional racism and systemic inequities in their own practices.

Austin should become known for confronting gentrification and poverty instead of contributing to displacement and total relocation of the intergenerational families of East Austin. It will require city leaders to acknowledge and declare that there is an affordability crisis and it is a serious emergency matter affecting all of Austin. The Mayor and Austin City Council must have the courage to confront and regulate Austin's powerful real estate interests and not allow the top incomers to continue and influence the perception of its fairness through the media and elected officials.

We now have the opportunity to correct over a century of laws, regulations and government practices that intentionally inflicted segregation and gentrification in Austin. Austin's land development code and regulations must preserve and promote family-based cultures. PODER along with other members of the East Crescent Right to Stay (ECRTS) Coalition propose the following recommendations to alleviate the complete elimination of long time intergenerational families from East Austin.

1. ***Acknowledge the racist history of its land development codes and its consequences on Austin's communities of color.*** The history of land use planning and zoning in Austin is rooted in a history of racism. The displacement of "Freedman Towns" in Wheatsville, one of the earliest settlement of former slaves and their descendants in west Austin. Black families here were removed to make room for the new designated "white" neighborhoods in 1870s. In 2010 with the City Council's adoption of the East Riverside Corridor Master Plan that displaced over 1,700 low-income and working poor, mostly people of color. From 1870 until 2017, scores of racially explicit laws, regulations, and government practices combined to create a system of segregation and disproportionate burdens to East Austin. The displacement has relocated people of color to what is now identified as the Eastern Crescent.
2. ***Delay adoption of any land development code changes until an Equity Assessment tool has been developed by the City of Austin's Equity Office.*** The Equity Assessment Tool lays out a process and a set of questions to guide city departments in the development, implementation and evaluation of policies, practices, budget allocations, and programs to begin to address their impacts on equity.

3. ***Prioritize the voices of communities that have been most negatively impacted by historical land use practices in Austin as changes to code are considered.*** Historically, dating back from the 1870s to today, communities of color have been denied a seat at the table when it comes to discussing changes to the land development code, policies and regulations resulting in segregation of east Austinites and who have taken on the full impact on polluting industries. Residents of all neighborhoods must be part of the decision making of policies that impact their quality of life and of their neighborhoods.
4. ***Preserve and expand all the existing public participation processes for implementing zoning and land development code.*** Public notice, public hearings, petition rights, and appeal rights for land development projects, code amendments, land use policies, and zoning cases should be preserved and expanded. By-right zoning and administrative discretion on land development projects, land use policies, and zoning cases should be limited and reduced. Administrative exemptions and variances on land development projects and zoning cases should be limited and reduced.
5. ***Redefine affordability for the poor (0-30% MFI) and working-poor (31-60% MFI).*** For instance, a family of 4 at 30% MFI is \$24,400; a family of 4 at 60% is \$48,840. Eliminate fee *in lieu of* and the *density bonus* concepts from Land Development Code because they don't provide affordable housing.
6. ***Articulate our commitment to implement a land development code that is fair and just, that eliminates institutional barriers to equity.*** The City must recognize and acknowledge the entrenched cultural bias of City staff that perpetuates the continued institutional barriers to equity. The City must change the bureaucratic culture that caters to developers' interests above the needs of the community, in particular communities of color.
7. ***Tie any changes to the land development code to solutions to Austin's affordability crisis to policies that prevent displacement, provide reparation and relocation for people of color and other vulnerable communities.*** The City must implement the People's Plan which lays out in detail 6 resolutions or draft ordinances that council can adopt and begin to implement now. The People's Plan lays-out policies to prevent displacement, provide reparations, and make provisions for relocation of people of color and other vulnerable communities prior to the implementation of CodeNEXT.
8. ***Preserve existing and expand construction for a variety of affordable homes for working-poor families.*** City needs to designate city-owned property and/or land for public housing (30% MFI and below); utilize city-owned property for affordable housing in the public sector through City/nonprofit collaborations; and encourage public/private developer partnerships for affordable housing in the private sector (ie, ThinkEast project). Utilize the receivership process to take control of and rehabilitate substandard properties while maintaining deep affordability for current/future tenants.
9. ***Prohibit development that increases flooding, traffic, and property taxes, decreases affordability, and causes displacement.*** Establish processes and policies to assess risks and negative impacts of proposed (re)developments and/or developments prior to approval.
10. ***Eliminate the Desired Development Zone (DDZ) effects in East Austin.*** The late 1990s Smart Growth policies designated East Austin as the Desired Development Zone, which created a shift to increase and intense development in East Austin, which has led to gentrification. CodeNEXT's Draft 2 continues to increase and intensify development in East Austin.
11. ***Protect mobile home parks by restricting the land use to Mobile Home (MH) zoning use.*** 16 mobile home parks are at risk of redevelopment within the City of Austin's Future Land Use plans with designations other than mobile home use. There are at least 1,299 low-income mobile home households that may be displaced in the coming years due to redevelopment. Latino and non-Hispanic black populations have a larger presence in at-risk mobile home parks.

Introduction

This report is generated because of the new proposed zoning plan, named “CodeNEXT” by the City of Austin’s Planning Department to the ongoing and total rewrite of the City’s land use and building rules, known as the Land Development Code. It will rezone every parcel of land in the city, allowing uses not heretofore allowed in many neighborhoods. It will address what can be built, where it can be built, how much can be built, and how it can be used.

Opticos, a Berkeley, California, consultant firm was hired in 2013 by the Austin City Council to create a new land development code. In January 2017, Opticos produced a 1,300-plus page draft of the land development code. Four and a half years later, Opticos has been paid \$8.4 million for the rewrite of land development code that has city-wide opposition.

Zoning and land use planning have been described by some scholars as not only as a root enabling cause of disproportionate burdens and environmental injustice, but also the most fundamental and potentially most powerful of the legal weapons deployed in the cause of racism. It is this context that we reviewed past, present, and future zoning plans referred to as development zones by some and by others destruction zones of existing communities in East Austin.

Three driving questions are posed to review the land use and planning of Austin and the implications for the proposed CodeNEXT plan: (1) Does Austin have a history of creating ordinances and policies that segregate communities of color? (2) Does Austin’s current zoning and policies contribute to the displacement and gentrification of east Austin residents? and (3) Does the proposed CodeNEXT continue the legacy of displacement and gentrification?

The history of land use planning and zoning in Austin helps to explain how the unequal distribution of environmental burdens has occurred and why these historical patterns have been the source of many environmental justice problems that confront people of color and low-income communities in East Austin.

This report is a snapshot of the continuation of racist land use zoning and policies which have caused displacement and/or gentrification.

Study Area: East Austin Neighborhoods

The East Cesar Chavez Neighborhood

The East Cesar Chavez Neighborhood is located adjacent to downtown in central east Austin, Texas. The neighborhood was a stable, mixed-use area characterized by strong family values and culturally diverse and rich Latino history. The neighborhood planning area boundaries include the alley between 6th and 7th Streets to the north, Chicon to the east, Town Lake to the south, and Interstate 35 to the west.

The Holly Neighborhood Plan

The Holly Neighborhood Plan is located adjacent to downtown in central east Austin, Texas. The neighborhood was a stable, mixed-use area characterized by strong family values and culturally diverse, rich Latino history. The neighborhood planning area boundaries are Chicon Street to the west, Pleasant Valley to the east, 7th Street to the north, and Town Lake to the south.

Govalle-Johnston Terrace Combined Neighborhood Plan

The Govalle/Johnston Terrace is a combined planning area composed of the Govalle and Johnston Terrace Neighborhood Planning Area. The neighborhood was a stable, mixed-use area characterized by strong family values and a culturally diverse, rich Latino and African American history. The neighborhood planning area boundaries are Pleasant Valley and Webberville Roads to the west, Oak Springs, Airport and the Austin and Northwestern railroad to the north, US 183 to the east, and the Colorado River to the south.

Rosewood Neighborhood Plan

The Rosewood Neighborhood Plan is in central east Austin, Texas. The neighborhood was a stable, mixed-use area characterized by strong family values and rich African American history. The neighborhood planning area boundaries are Manor Road to the north, Airport Blvd/Oak Springs Road/Webberville Road to the east, Northwestern/Chicon Street/New York Street to the west.

Montopolis Neighborhood Plan

The Montopolis Neighborhood Plan is in East Austin's urban core. The main goal of the Montopolis plan is to protect the zoning of the existing single-family homes and keep Montopolis affordable for the poor and working poor. The median income for Montopolis residents is \$27,000. It has one of the youngest populations and has the largest households of families with 58.3 percent. The neighborhood planning area boundaries are Highway 183 to the east, Grove Boulevard to the west, Ben White Boulevard to the south, and Colorado River/Hwy 183 to the north.

Methodology & Data Collection

PODER reviewed over a century of laws (ordinances), regulations (policies), and government practices to ascertain whether intentional and inflicted segregation, displacement, and gentrification has occurred in East Austin (*Attachment A: Displacement/Gentrification Timeline*).

PODER reviewed the City of Austin's proposed Land Development Code called CodeNEXT (Draft 2). The first step was to review the present City of Austin zoning categories with details on the current requirement for specific residential and commercial zoning. (*Attachment B: Site Development Standard Chart*). This chart was compared with proposed CodeNEXT zoning categories and create conversion charts for five (5) adopted neighborhood plan areas. Zoning conversion charts were created for the following adopted neighborhood plan areas. All located east of IH 35, north to MLK, east to Hwy 183, and south to Ben White. Zoning conversion charts were created for the following adopted neighborhood plan areas: East Cesar Chavez Neighborhood Plan, Holly Neighborhood Plan, Govalle-Johnston Terrace Neighborhood Combined Plan, Rosewood Neighborhood Plan, and Montopolis Neighborhood Plan (*Attachment C: Zoning Conversion Charts*).

The zoning conversion charts include the categories of impervious cover, density and building coverage in present and proposed form for each of the 5-neighborhood plan areas mentioned above. In addition, all neighborhood planning areas were mapped on current and proposed residential zoning looking where intense high density residential would occur. The same approach was taken to highlight where high density commercial zoning would occur as proposed in CodeNEXT.

Historical Context and Findings: City of Austin Master Plan and Industrial Development Plan

The reviewed past historical documents, dating from the 1870s to 2015, clearly demonstrate the blatant relocation and segregation of African and Mexican American neighborhoods from various parts of west Austin to east Austin. Churches, schools, and cemeteries are historical markers of how these communities were relocated to East Austin. In 1962, the building of Interstate Highway 35 created the clearest physical barrier between east Austin and the rest of the city, deepening the racial segregation of the city.

People of color and East Austin residents are aware of the ugly history associated with Austin's land development codes and policies. Austin's zoning and land use code is rooted in a history of racism and has fostered the wealth, security, and safety of Austin's affluent and middle-class white residents while failing to provide the same for our communities of color in East Austin. It has served the interests of developers, the Chamber of Commerce, Austin Real Estate Council, Austin Board of Realtors, and Home Builders Association of Greater Austin while leaving Austin's neighborhoods of color with flooding, unsafe streets, inadequate access to healthy food, inadequately-funded schools, substandard housing, and ultimately, gentrification. From the 1870s until the 1920s, Blacks and Mexicans were forced to move into settlements outside of what was then the city of Austin into communities such as Clarksville, St. John's and Montopolis. The adoption

of the City of Austin's 1928 Master Plan began the relocation of African Americans living in west Austin to east Austin. From the 1870s until 1940s, Mexican American families were concentrated in a neighborhood southwest of downtown and remained downtown through the 1940s. The completion of the Tom Miller and Longhorn Dams that protected the city from major floods raised the land values and thus began the displacement of the Mexican American community from downtown to segregated east Austin. Policies such as deed restrictions and city ordinances prohibited both Mexican and African Americans from buying or renting homes anywhere outside of East Austin. The 1957 Industrial Development Plan allowed the planning Commission to zone all property in east Austin "industrial," including single family residential uses. Under cumulative zoning, residential homes could be built on land zoned industrial. Cumulative zoning allowed pollution and other hazardous facilities to be built adjacent to residential homes and schools in east Austin. Cumulative zoning was not allowed in west Austin.

Overall, there is a well-documented historical pattern of numerous ordinances and policies that initiated and inflicted segregation through the displacement and relocation of Mexican and African residents from west and central Austin into east Austin. These actions created and set the stage of the continued legacy of racism in Austin's land and urban planning.

Recent Context and Findings: Smart Growth and Imagine Austin

Zoning and land use planning have been used to segregate people of color to East Austin. In the late 1990s, Smart Growth policies designated East Austin as the Desired Development Zone (*Attachment D: Smart Growth Relocation Map*), which created a shift to increase and intensify development in East Austin, leading to displacement and gentrification. Currently, the topic of housing affordability dominates the discussions among city leaders, non-profit developers, community leaders, and local residents. A steady growth in jobs within the technology, transportation, and warehousing sectors has made Austin a desirable migration destination, resulting in population growth and higher class of wage earners that have put a strain on housing availability and affordability. The medium price of a home in Austin is \$320,000. The majority of housing built in Austin—especially east Austin—is for people living at 80% Medium Family Income and higher. Home ownership is out-of-reach for many long-time east Austin residents. Affordable rental properties are scarce in east Austin. While city leaders are creating reports and task forces to address housing affordability, displacement, and gentrification, they continue with zoning policies that continue to displace and gentrify east Austin neighborhoods. Some of the most affordable housing that exist in Austin is being destroyed and replaced by luxury apartments. The adoption of the East Riverside Corridor Master Plan with its new design and zoning regulations displaced over 1,700 low-income working poor, mostly people of color. In 2017, over 50 families were displaced from the Cactus Rose Mobile Home Park and over 17 families were displaced from the Thrasher Lane Mobile Home Park.

Imagine Austin is Austin's comprehensive plan, adopted by the City Council in June 2012. It lays out a limited vision for a complete community that responds to the pressures and opportunities of a growing city. The poor, low-income residents and communities of color were left out of the vision for Imagine Austin Comprehensive Plan development.

More recent census data (2010) and maps show a major shift in the changing demographics of east Austin and surrounding communities. Michael Petrilli's report on the 50 U.S. zip codes with the largest growth in white populations (2000-2010) ranked Austin's zip code, 78702, the second most gentrified zip code in the entire United States. There were several displacement and gentrification driving forces, the City of Austin's Smart Growth Initiatives, the designation of east Austin as the Desired Development Zone, and the neighborhood planning areas contributing to these significant shifts. One of the more recent maps by demographer Ryan Robinson reported to the Austin City Council on June 23rd, 2016, that the African American share of the city's overall population likely declined from 2010 to 2014, from 8.1 percent to 7.8 percent. In 1990, Austin's African American population stood at 12.4 percent.

In summary, recent and current policies has contributed significantly to the changing demographics of east Austin. No longer is east Austin thriving with vibrant and cultural intergenerational communities. Instead it is another example of poor land development policies based on racism.

Present Context and Findings: CodeNEXT

As was mentioned previously, CodeNext is the city's attempt to implement the recommendations of the 2012 Imagine Austin Comprehensive Plan. Since 2017, the City of Austin has gone through several drafts of CodeNEXT that was designed by private consultants, Opticos. Starting in Summer 2017, the city initiated community forums in order to introduce the proposed changes and at the same time established a website with CodeNEXT proposed land development codes. Despite overwhelming community response in opposition to CodeNEXT, each new draft never had substantiate changes based on community feedback.

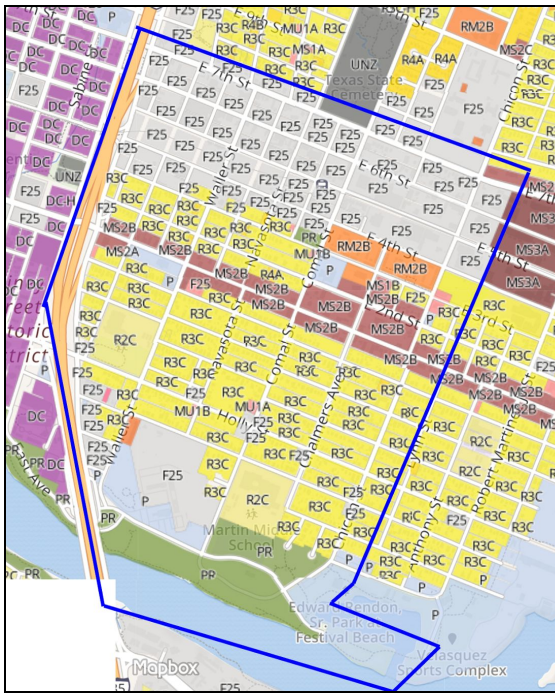
Overall, the proposed CodeNEXT zoning designations will intensify high density development for the current Single Family (SF) and commercial zoned properties/lots in the study areas of: (A) E. Cesar Chavez, (B) Holly, (C) Govalle-Johnston Terrace, (D) Rosewood and (E) Montopolis. A review of the current and proposed zoning show that many of the current Single Family (SF) designation will be completely eliminated and several residential designations are now combined with commercial zoning codes. Further, you can clearly see the amount of high density development in east Austin adopted neighborhood planning areas when you combine proposed high density residential zoning with high density commercial zoning. While CodeNEXT no longer designates East Austin as the Desired Development Zone, it continues to increase and intensify development in East Austin, leading to displacement and gentrification.

This report mapped current to proposed high density zoning in incremental steps. The first two maps found below compares the current single family lots shown in yellow with the proposed increase of high density (more than 2 units on a lot) development shown in red. The third map demonstrates the amount of high density commercial development on properties (minimum of 36 units per acre) shown in red and the final map shows the amount of high density when you combine the proposed residential and commercial high density development for each of the selected neighborhood areas.

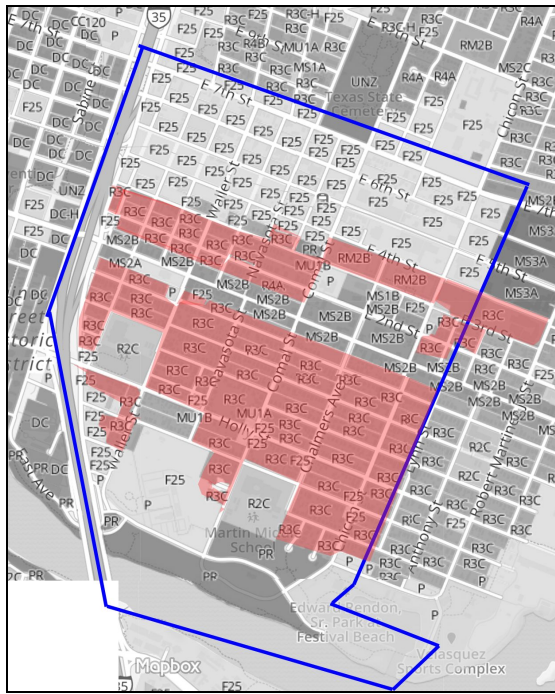
CodeNEXT Proposed Zoning

(A) E. Cesar Chavez Neighborhood Plan Area

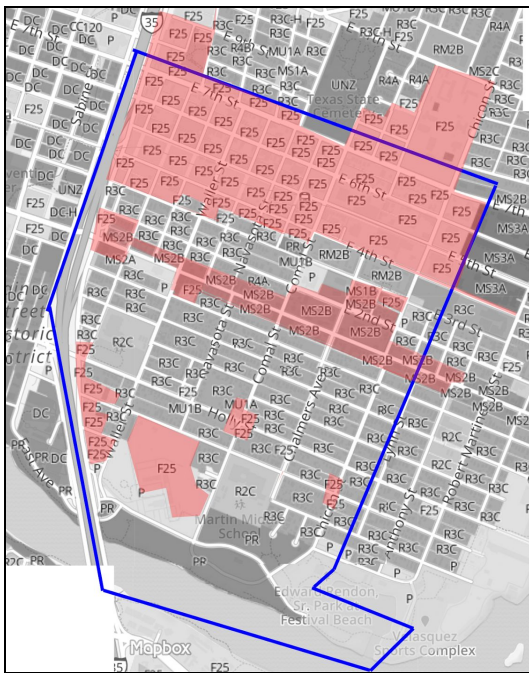
Proposed Zoning Yellow = Residential



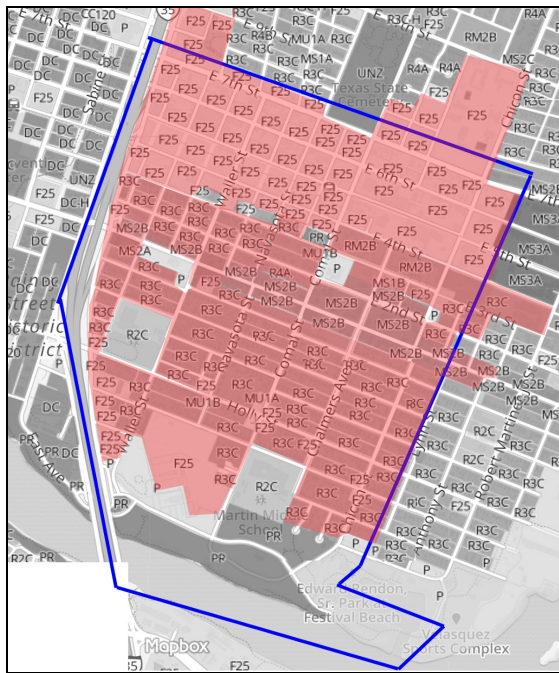
Residential High Density = Red
(3 or more units on lot)



Commercial High Density = Red

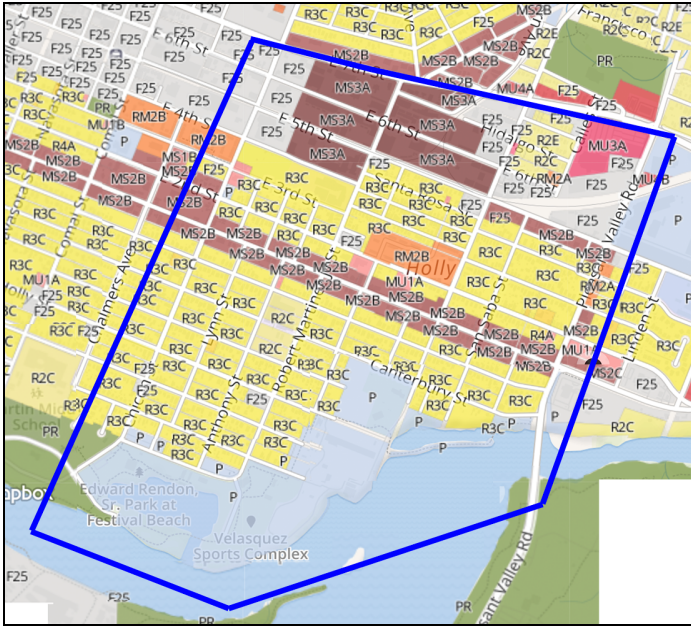


Residential and Commercial High Density Combined

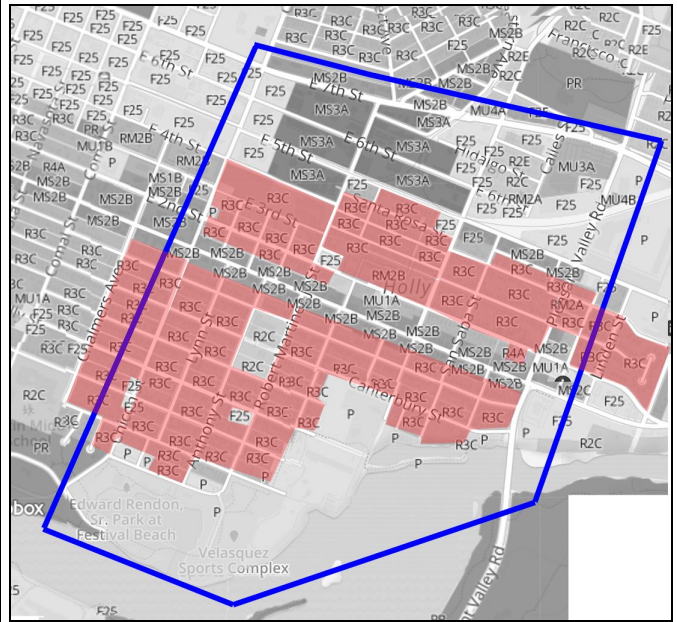


CodeNEXT Proposed Zoning
(B) Holly Neighborhood Plan Area

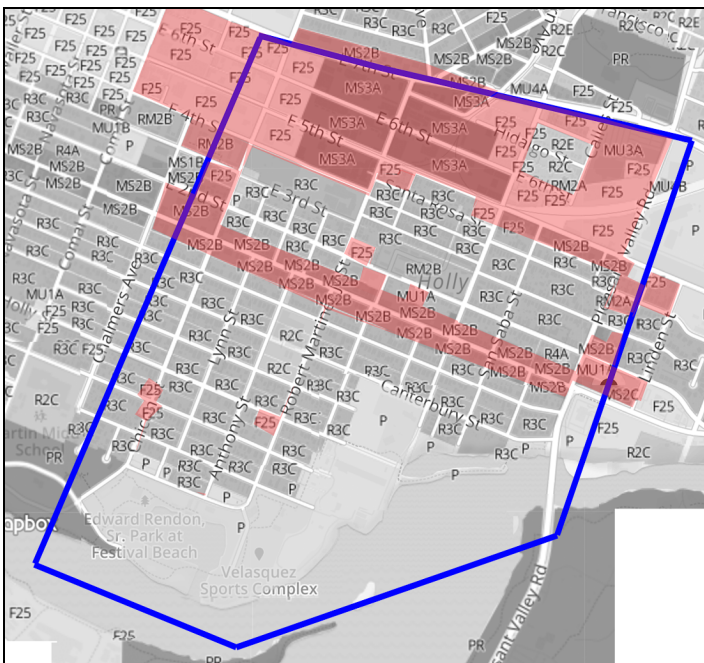
Residential Zoning Yellow



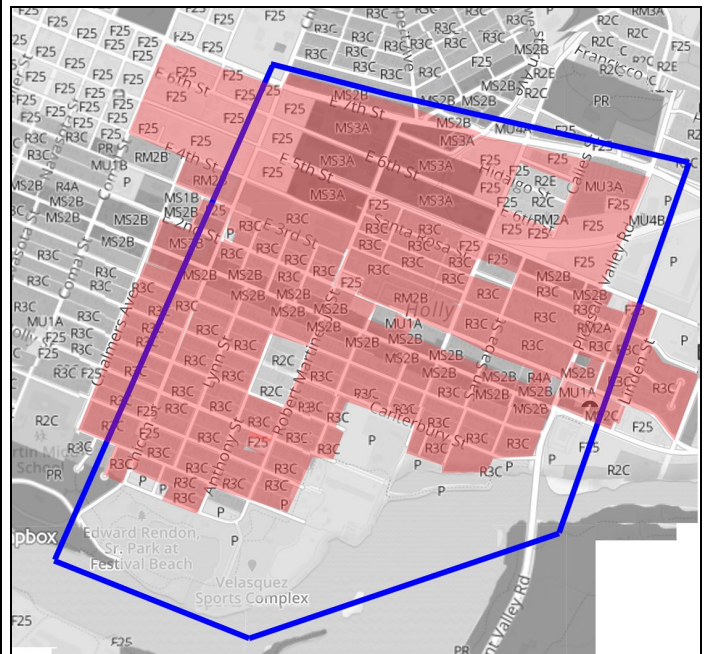
Residential High Density Red



Commercial High Density Red



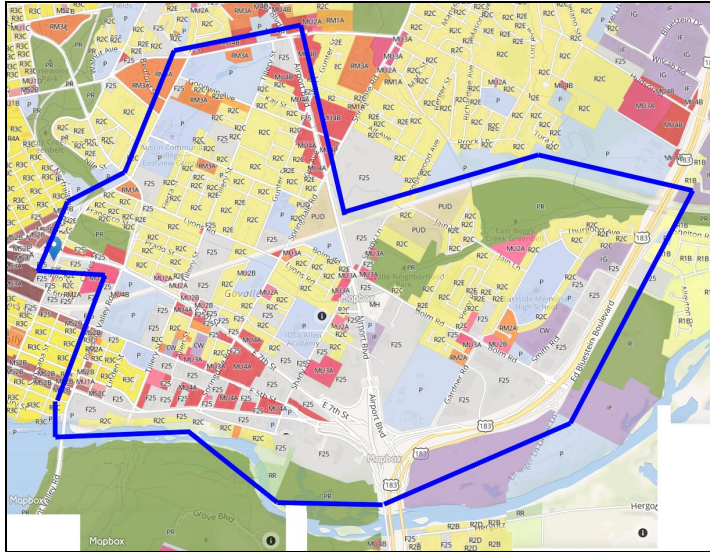
Residential and Commercial High Density Combined



CodeNEXT Proposed Zoning

(C) Govalle-Johnston Terrace Neighborhood Plan Area

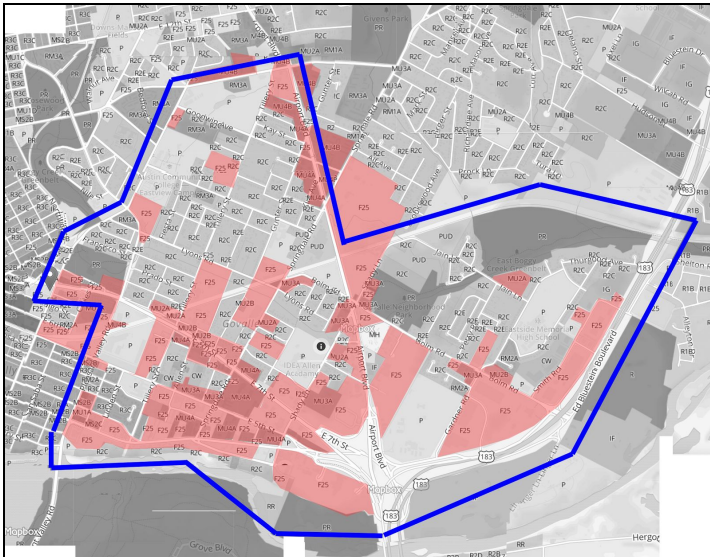
Residential Zoning Yellow



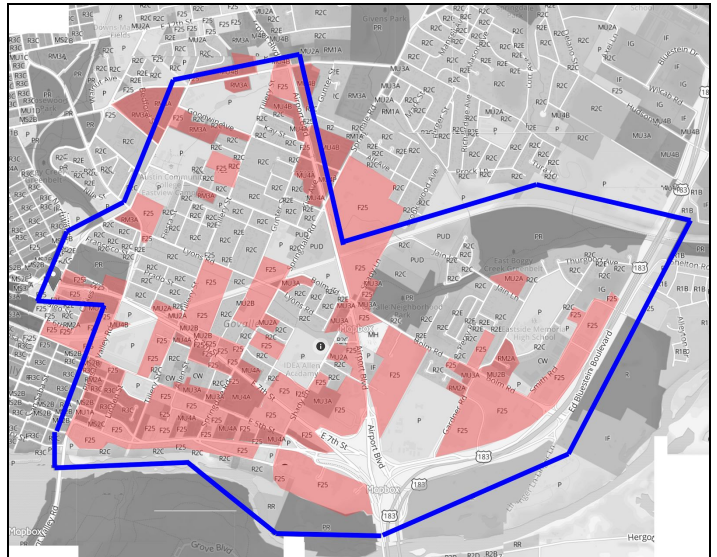
Residential High Density Red



Commercial High Density Red



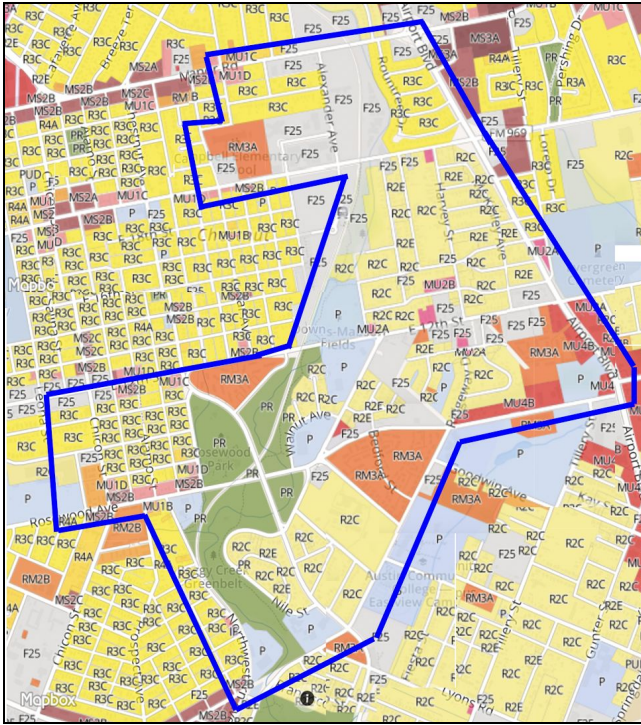
Residential and Commercial High Density Combined



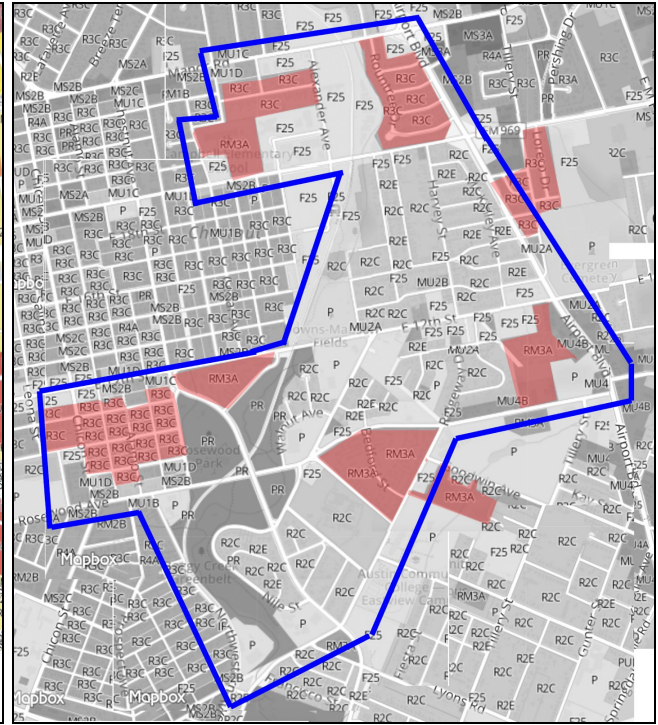
CodeNEXT Proposed Zoning

(D) Rosewood Neighborhood Plan Area

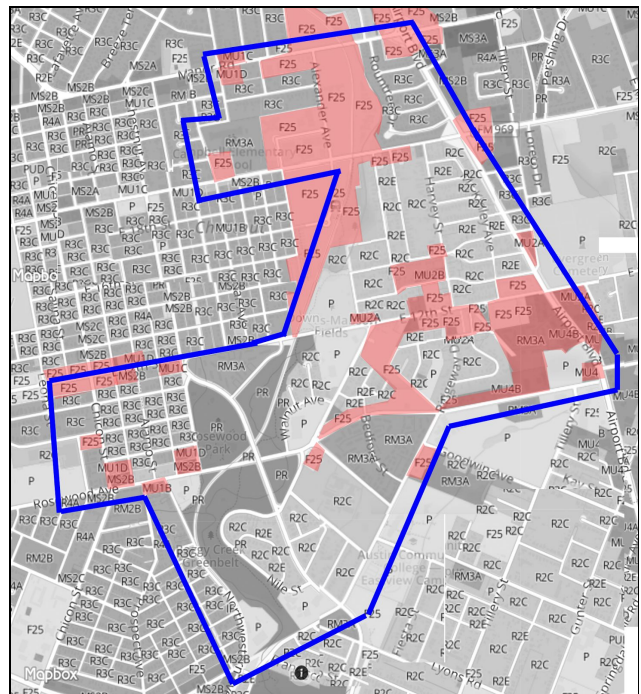
Residential Zoning Yellow



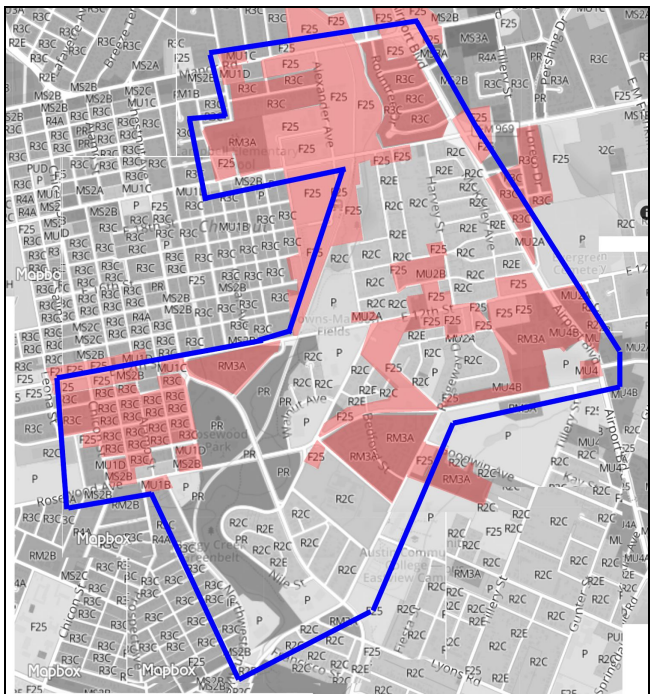
Residential High Density Red



Commercial High Density Red



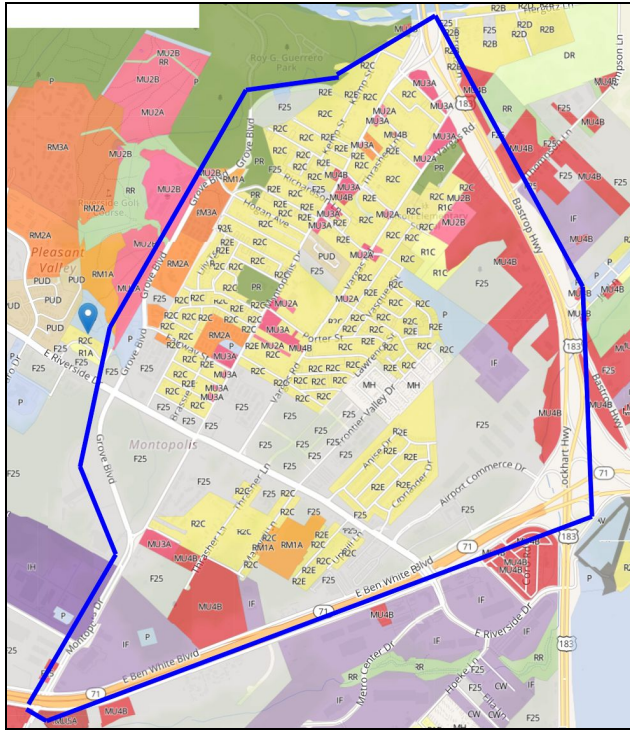
Residential and Commercial High Density Combined



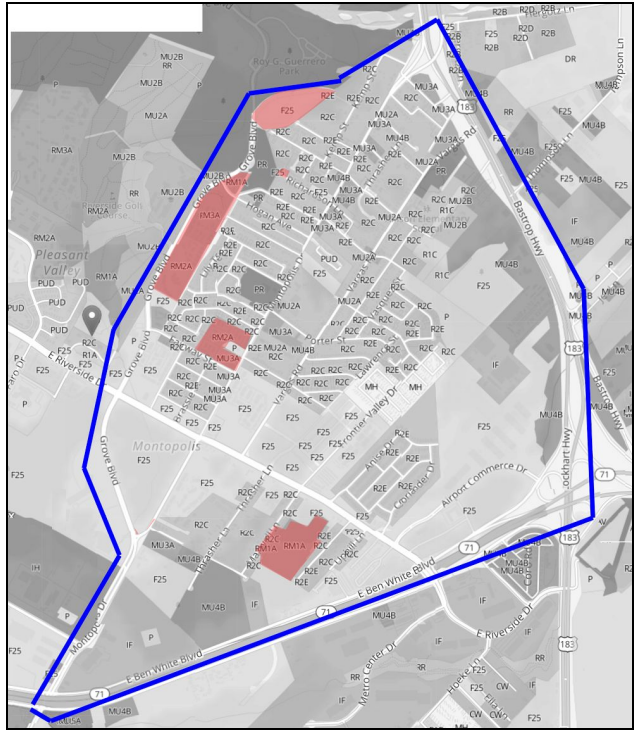
CodeNEXT Proposed Zoning

(E) Montopolis Neighborhood Plan Area

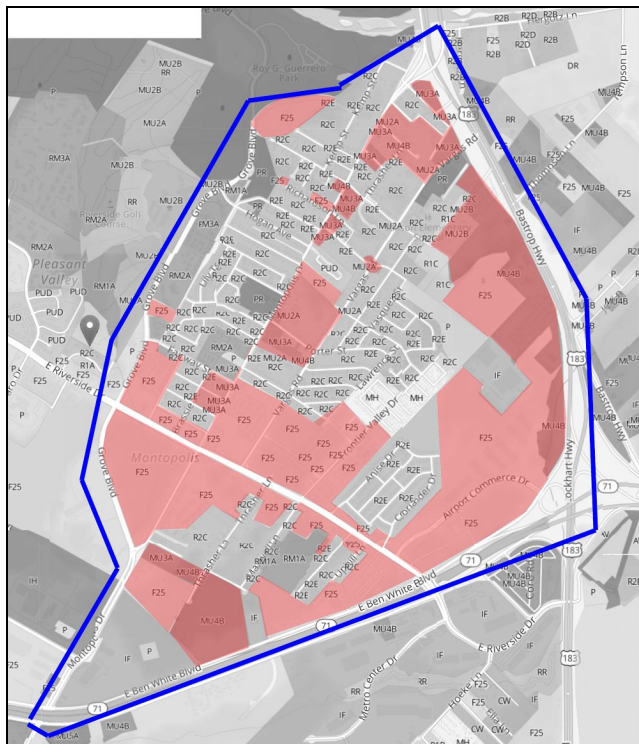
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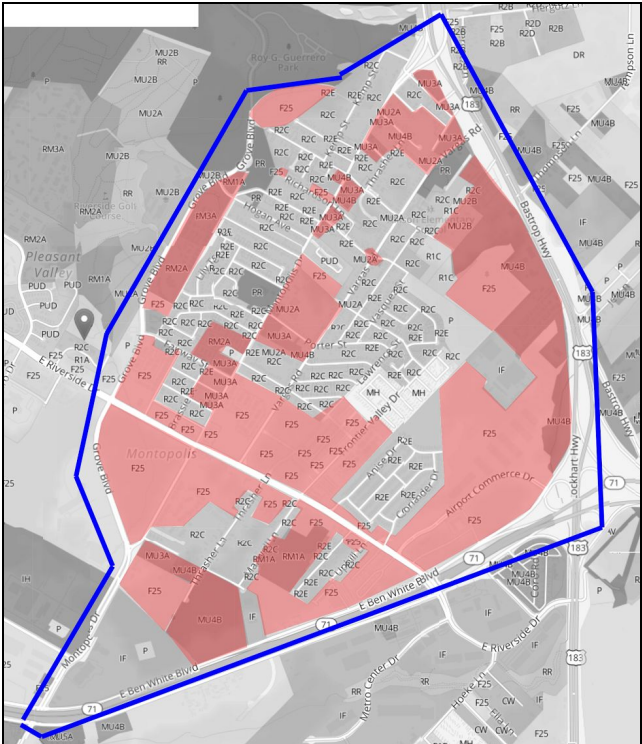
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Commercial High Density Red



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Recommendations:

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Conclusion

Austin can no longer continue its legacy of historical patterns of racism in land use and planning. As a community, Austin is at the crux of righting the wrongs of the past. Austin has incredible potential to make strides in improving racial equity by addressing institutional racism and systemic inequities in their own practices.

Austin should become known for confronting gentrification and poverty instead of contributing to displacement and total relocation of the intergenerational families of East Austin. It will require city leaders to acknowledge and declare that there is an affordability crisis and it is a serious emergency matter affecting all of Austin.

Fixing past and present inequalities will require each one of us to get serious about institutional racism. The Mayor and Austin City Council must have the courage to confront and regulate Austin's powerful real estate interests and not allow the top incomers to continue and influence the perception of its fairness through the media and elected officials. The people living in wealth cannot continue to define gentrification uncritically or positively when low-income residents are losing their properties and no longer able to afford to live in east Austin.

Austin should be the city known for getting out in front of gentrification and poverty. These inequalities must be addressed immediately, if not, the top incomers have the income to influence the perception of its fairness through the media, and elected officials. The people living in wealth can continue to define gentrification uncritically or positively.

What remains of East Austin will cease if CodeNEXT is adopted and the Imagine Austin Plan is not amended to reflect the needs and values of East Austin, which also retains a fragile natural and cultural environment. The inequalities and subsequent recommendations as outline in this report must be addressed immediately. We must all say NO to CodeNEXT!

Attachment A: City of Austin's Displacement and/or Gentrification Timeline

The following is a snapshot of the continuation of racist land use zoning and policies which have caused displacement and/or gentrification:

- 1870s – Displacement of “Freedman Towns” – Wheatsville, one of the earliest settlement of former slaves and their descendants, in west Austin, from which Black families were removed to make room for the new designated “white” neighborhoods. Due to race segregation and the Constitution, zoning would prove difficult. So, the City removed African American services – schools, parks, and libraries to the segregated Eastside of Austin, prohibiting Blacks services in West Austin. By 1940, most of the African American community had been relocated to the Eastside.
- 1870s – Displacement of “Freedman Towns” – Clarksville, the oldest free African American community in Texas, had no access to municipal facilities, and the city made no improvements there until well into the 1970s. Most of the remaining Black families were removed to make way for MoPac Freeway.
- 1870s - 1920s – Blacks and Hispanic/Latinos were also forced to move into settlements outside of what was then the city of Austin into communities such as Clarksville, St. John's, and Montopolis.
- In 1922, Congress passed the Standard State Zoning Enabling Act. This act cleared the path for Cities to create their Master Plans and segregate cities throughout the United States.
- 1870s - 1940s – Mexican American households were concentrated in a neighborhood in the southwest of downtown and remained downtown through the 1940s. The completion of the Tom Miller and Longhorn Dams that protected the city from major floods help raise the land values and help push the Mexican American community from the downtown area. Other measures such as deed restrictions and city ordinances prohibited both Mexican Americans and Blacks from buying or renting homes anywhere in Austin outside of East Austin.
- 1928 – City of Austin Master Plan: The creation of a segregated “Negro District” compelled most the city's Blacks to move to the segregated eastside of Austin, and policies denied them the right to live in other parts of the city. The historic Black neighborhood in east Austin became that area east of East Ave/IH 35, north of E. 7th Street, west of Airport Blvd., and south of Manor Rd. The city's slaughterhouse was in this area.
- In the 1930s, the city also voted to build housing projects in ways that would reinforce segregation by building separate segregated housing projects. Also, “Mexican American” residents were pushed to move from “Old Mexico” (downtown area) to make room for City and related office buildings. Many of them were placed in the neighborhood bounded by East Ave./IH 35 on the west, the river on the south, Airport on the east, and 7th Street on the north. The City's Holly Power Plant was built in this area during the 1950s.
- Early Chinese immigrants to Austin were prohibited from owning property. Discriminatory laws denied Chinese immigrants (who were prohibited from citizenship under federal law) the right to own property in Austin. The spouses of these immigrants were often stripped of their U.S. citizenship and its various benefits.
- The 1957 Industrial Development Plan led to environmental racism. The City Planning Commission zoned all property in East Austin “industrial,” including single family residential uses. Cumulative zoning allowed any use “lower” than that defined in the category to be built; the basic zoning categories, ranked from highest to lowest use, are industrial, commercial and residential. Under cumulative zoning, residential homes could be built on land zoned industrial, but an industrial facility could not be built on land zoned residential. This zoning ensured that the most polluting industries and future polluting industries would be in East Austin. Furthermore, because of this zoning, few residents could get banks loans (red-lining) for repairs or replacement of their original homes, leading to deterioration which in turn laid the groundwork for gentrification. In 1986, the city abandoned cumulative zoning.
- In 1962, the building of Interstate Highway 35 created the clearest physical barrier between East Austin and the rest of the City, deepening the racial segregation of the city.

- In the late 1960s, Urban Renewal (“Urban Removal”), which began and continued through the 1970s, was a federally funded program focused primarily on areas with majority Black and Hispanic/Latino populations. Urban renewal areas Brackenridge (1969), University East (1968), Kealing (1966), and Blackshear (1969) displaced people of color from large areas and turned formerly residential land into parks and schools without providing adequate opportunities for displaced households to return. The urban renewal programs therefore became known as “urban removal.”
- 1979 – Council passes Austin Tomorrow Comprehensive Plan which allowed a series of ordinances and initiatives implemented in the 1980s and 1990s that resulted in greater protection of water quality, endangered species, and other environmental resources. Other initiatives were designed to strengthen neighborhoods and direct growth into the desired development zones (DDZ-East Austin).
- In 1984, the City adopted the Inner-City Neighborhoods Ordinance. This ordinance designated several inner-city Austin neighborhoods Bryker Woods, Heritage, North University, Old West Austin, Hyde Park, and Fairview Park as “protected inner-city neighborhood(s).”
- After 1986, the city abandoned the cumulative zoning ordinance for a restrictive zoning ordinance. Changing the zoning ordinance from cumulative to restrictive negatively impacted some residents of East Austin by restricting their access to home improvement equity loans and/or federal programs. Some homeowners in East Austin were unable to obtain these loans and/or grants because their current existing use of their residential property was still zoned industrial. The city did not automatically correct the zoning.
- In 1991, the City continues to permit higher uses in lower zoning categories in the eastern part of the city than elsewhere. The City rezoned large areas of the western portions of the Robertson Hill and Guadalupe neighborhoods along with East 11th Street. This zoning is so intense that the Senior Planner reviewing the application commented, “Nowhere in the city, with the exception of the CBD (central business district), are these generous FARs (floor to area ratios) used.”
- In 1992, Save Our Springs (SOS) became a major watershed ordinance passed by Austin City Council. This Ordinance further protects land in West Austin and drives up the land values in West Austin, continuing to shift development into East Austin.
- In 1994, the East 11th and 12th Street urban renewal program started and contributed significantly to the gentrification of Central East Austin with little effort to mitigate the displacement of households with low-to-moderate income.
- In 1996, Smart Growth initiatives, Desirable Development Zone, and Drinking Water Protection Zone were established. East Austin continues to be target for industrial polluting facilities. The term “Desirable” means unwanted development for West Austin.
- May 1997 – City of Austin initiated the neighborhood plan process. The city was divided into 54 neighborhood planning areas.
- May 1999 – The Austin City Council adopted the East Cesar Chavez Neighborhood Plan. A Valid Petition against the plan was squashed. The adoption of this plan opens the flood gates to gentrification/displacement of residents from East Austin. The East Cesar Chavez Plan blanket zoned certain corridors from a variety of mix use zoning to the new designated zoning of Commercial Service Mix Use (CS-MU). This plan allowed high-priced condos in the neighborhood. In 2004, the University of Texas School of Architecture released a study of the rapid escalation in appraised property values accompanied with an increase in property tax burdens for the East Cesar Chavez Neighborhood Planning Area. Property values covered the years of 1998 to 2004

revealed a 400% in land values and 123% increase tax burden for single family homes in a low-income working-class neighborhood. This neighborhood has been highly gentrified.

- February 25th, 2010 – the Austin City Council adopted the East Riverside Corridor Master Plan and adopted new design and zoning regulations for the area on May 9th, 2013. The East Riverside Corridor Master Plan includes the area East of IH 35 at E. Riverside Drive and continues to East Riverside at Hwy 71. The Council adopted the plan as if the Riverside Corridor was vacant of human life. Over 1,700 low-income and working poor, mostly people of color, were displaced to make room for the new higher density, high class wage earners. The displacement continues along the corridor. The Montopolis Neighborhood Contact Team, which is designated by the City of Austin to review neighborhood plan amendments and Future Land Use Map (FLUM), was denied the right to review the E. Riverside Corridor Plan because the Master Plan was exempt from being reviewed by the Montopolis Neighborhood Plan Contact Team.
- November 21st, 2013 – the Austin City Council adopted a revised Urban Farm Ordinance which would continue to allow individuals to purchase single family zoned land in East Austin and transform them into urban farms (although this was a city-wide ordinance the transformation of land was only happening in East Austin). The Urban Farm Ordinance also allowed single family zoned land to be used a Commercial Service Mix Use (CS-MU) category, enabling the selling of products from single family zoned land.
- November 19, 2015 – the Austin City Council passed an ordinance which lessens restrictions on accessory dwelling units, or ADUs. This ordinance was promoted as a tool to bring in affordable housing and to provide a second income for low-income residents in East Austin. The Council did not provide loan programs and/or grants for low-income residents to build these ADUs. It would cost nearly \$100,000 to build a ADU on a property. How many banks will loan a low-income person \$100,000? The ADUs just draw developers and make property values soar, pushing out longtime residents. Although this was a citywide ordinance, exception was made for areas zoned single-family standard lot, or SF-2, and single-family large lot, or SF-1 (most homes west of IH 35).

Attachment B: Site Development Standards (2004)

Site Development Standards

Residential Zoning

	LA	RR	SF-1	SF-2	SF-3	SF-4A	SF-4B	SF-5	SF-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH
Minimum Lot Size (Square Feet)	43,560	43,560	10,000	5,750	5,750	3,600**	**	5,750	5,750	8,000	8,000	8,000	8,000	8,000	8,000	--
Minimum Lot Width	100	100	60	50	50	40	**	50	50	50	50	50	50	50	50	--
Maximum Dwelling Units Per Lot	1	1	1	1	**	1	**	--	--	**	**	**	**	**	**	--
Maximum Height	35	35	35	35	35	35	**	35	35	40	40 or 3 stories	40	60	60	90	--
Minimum Setbacks																
Front Yard	40	40	25	25	25	15	**	25	25	25	25	25	15	15	15	--
Street Side Yard	25	25	15	15	15	10	**	15	15	15	15	15	15	15	15	--
Interior Side Yard	10	10	5	5	5	**	10	5	5	5	5	5	5	5	5	--
Rear Yard	20	20	10	10	10	**	**	10	10	10	10	10	10	10	10	--
Maximum Building Coverage	--	20%	35%	40%	40%	55%	40%	40%	40%	45%	50%	55%	60%	60%	70%	--
Maximum Impervious Cover	**	25%	40%	45%	45%	65%	60%	55%	55%	55%	60%	65%	70%	70%	80%	--
Maximum Floor Area Ratio	--	--	--	--	--	--	--	--	--	--	--	0.75:1	0.75:1	1:01	--	--
Maximum Units Per Acre	--	--	--	--	--	--	--	--	--	17	23	36	36-54**	54	--	--

Commercial Zoning

	NO	LO	GO	CR	LR	GR	L	CBD	DMU	W/LO	CS	CS-1	CH	IP	MI	LI	R&D	DR	AV	AG	P
Minimum Lot Size (Square Feet)	5,750	5,750	5,750	20,000	5,750	5,750	5,750	--	--	43,560	5,750	5,750	20,000	43,560	50 acres	5,750	**	10 acres	**	10 acres	**
Minimum Lot Width	50	50	50	100	50	50	50	--	--	100	50	50	100	100	250	50	100	100	**	--	**
Maximum Height (feet)	35 or 2 stories	40 or 3 stories	60	40	40 or 3 stories	60	200	**	120	25 or 1 story	60	60	**	60	120	60	45	35	**	60	**
Minimum Setbacks																					
Front Yard	25	25	15	50	25	10	10	--	--	25	10	10	50	25	--	--	75	25	**	100	**
Street Side	15	15	15	50	15	10	10	--	--	25	10	10	50	25	--	--	**	25	**	100	**
Interior Side	5	5	5	20	--	--	--	--	--	5	--	--	25	**	**	**	**	10	**	100	**
Rear Yard	5	5	5	20	--	--	--	--	--	25	--	--	25	**	**	**	**	10	**	100	**
Maximum Building Coverage	35%	50%	60%	25%	50%	75%	50%	100%	100%	--	95%	95%	85%	50%	75%	75%	40%	12,000	**	--	**
Maximum Impervious Cover	60%	70%	80%	60%	80%	90%	50%	100%	100%	70%	95%	95%	85%	80%	80%	80%	**	15,000	**	--	**
Maximum Floor Area Ratio	0.35:1	0.7:1	1:01	0.25:1	0.5:1	1:01	8:01	8:01	5:01	0.25:1	2:01	2:01	3:01	1:01	1:01	1:01	**	--	**	--	**

** See Austin City Code Volume III (Land Development Code)

Attachment C: Zoning Conversion Charts

E Cesar Chavez Neighborhood Planning Area: CodeNEXT Conversion Chart

Zoning Category (New)	Zoning Category (Original)	Density (units/acre) (New)	FAR (floor to area ratio) (New)	Impervious Cover (New)	Current Impervious Cover	Building Coverage (New)	Height (feet) (New)
R2C House; duplex	SF-3-NP	(units per bldg) 1; 2	0.4	45%	45%	40%	32'
R3C House; duplex	CS-MU-CO-NP LR-MU-CO-NP MF-3-NP SF-3-NP	1; 3	0.4	45%	CS: 95% LR: none specified MF-3: 65% SF-3: 45%	40%	32'
R4A	MF-3-NP SF-3-NP	House: 1 Duplex: 2 Multiplex: 2-4*	0.4 Multiplex: 0.6-0.8*	45%	MF-3: 95% SF-3: 45%	40%	32'
RM2B	CS-MU-CO-NP MF-4-NP	(units per bldg) 8-12 +16-24*	0.8 +1.2*	60%	CS: 95% MF-4: 70%	50%	40'
RM3A	MF-3-NP	36	0.75	70%	65%	60%	60'
MU1A House; duplex	LO-MU-CO-NP SF-3-NP	1; 3	0.4	60%	LO: 70% SF-3: 45%	40%	32'
MU1B	CS-MU-CO-NP LR-MU-CO-NP; LR-NP	4	0.4-0.6*	60%	CS: 95% LR: none specified	40%	32'
MU1C Multiplex; row house	LO-CO	8-12	0.8	60%	70%	40%	45'
MU2A	CS-MU-CO-NP	12	0.5	60%	80%	40%	35'
MS1B	GR-MU-CO-NP	N/A	N/A	80%	80%	70%	35'
MS2A	LO-CO; LO-MU-CO-NP	3	N/A	80%	70%	70%	35'
MS2B	CS; CS-H-MU-CO-NP; CS-MU-CO-NP; CS-MU-V-CO-NP; CS-1-MU-CO-NP	3	N/A	80%	95%	70%	45'
F25	CS-MU-CO-NP; CS-MU-V-CO-NP GR-MU-CO-NP; LO-CO; SF-3-NP; LO-MU-CO-NP; LR-MU-CO-NP; NO-CO-MU-NP; TOD	None specified	None specified	None specified	CS: 95% GR: 90% LO: 70% LR: 80% NO: 60%	None specified	None specified
P	GR-MU-CO-NP P-NP	None specified	None specified	None specified	GR: 90% P: none specified	None specified	None specified
PR	(No change?)	None specified	None specified	None specified	45%	None specified	None specified

* With AHBP Bonus

Holly Neighborhood Planning Area: CodeNEXT Conversion Chart

Zoning Category (New)	Zoning Category (Original)	Density (units/acre) (New)	FAR (floor to area ratio) (New)	Impervious Cover (New)	Current Impervious Cover	Building Coverage (New)	Height (feet) (New)
R2C House; duplex	SF-3-NP	(units per bldg) 1; 2	0.4	45%	45%	40%	32'
R3C	SF-3-NP	1; 2	0.4	45%	45%	40%	32'
R2E House; duplex	SF-2-NP CS-CO-MU-NP	(units per bldg) 1; 2	0.4	65%	SF-2: 45% CS: 95%	55%	32'
R4A	MF-3-NP SF-3-NP	House: 1 Duplex: 2 Multiplex: 2-4*	0.4 Multiplex: 0.6-0.8*	45%	MF-3: 70% SF-3: 45%	40%	32'
RM2A	SF-3-NP MF-2-NP	18 +27*	None specified	60%	SF-3: 45% MF-2: 60%	50%	None specified
RM2B	MF-5-NP	(units per bldg) 3-12 +16-24*	0.8 +1.2*	60%	70%	50%	40'
MS1B	CS-NP; CS-CO-MU-NP	n/a	n/a	80%	95%	70%	35'
MS2B Rowhouse	CS-CO-MU-NP; LR-CO-MU-NP; GR-MU-NP	3	N/A	80%	CS: 95% LR: 70% GR: 90%	70%	45'
MU1A House; duplex	SF-3-NP LO-CO-NP	1; 3	0.4	60%	SF-3: 45% LO: 70%	40%	32'
MU3A	CS-MU-CO-NP; GR-NP	36	1.0	90%	CS: 95% GR: 90%	75%	60'
F25	CS-1-CO-MU-NP; CS-CO-MU-NP; CS-V-CO-NP GO-CO-NP GR-CO-MU-NP TOD-NP LR-MU-NP LI-CO-NP	None specified	None specified	None specified	CS: 95% GO: 80% GR: 90% TOD: none specified LR: 80% LI: 80%	None specified	None specified
P	NP-P	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)
PR	P-NP	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)

* With AHBP Bonus

Govalle-Johnston Neighborhood Planning Area: CodeNEXT Conversion Chart

Zoning Category (New)	Zoning Category (Original)	Density (units/acre) (New)	FAR (floor to area ratio) (New)	Impervious Cover (New)	Current Impervious Cover	Building Coverage (New)	Height (feet) (New)
R2C House; duplex	CS-MU-CO-NP GO-MU-CO-NP MF-2-NP SF-3; SF-3-CO-NP; SF-3-NP	(units per bldg) 1; 2	0.4	45%	CS: 95% GO: 80% MF-2: 60% SF-3: 45%	40%	32'
R2E House; duplex	CS-CO-MU-NP GR-MU-NP LR-MU-CO-NP SF-3-NP SF-4A-NP	(units per bldg) 1; 2	0.4	65%	CS: 95% GR: 90% LR: 80% SF-3: 45% SF-4A: 65%	55%	32'
R3C	SF-3-NP	3	0.4	45%	45%	40%	32'
R4A	SF-5-NP	House: 1 Duplex: 2 Multiplex: 2-4*	0.4 Multiplex: 0.6-0.8*	45%	55%	40%	32'
RM1A Single-family use; Multi-family use	SF-5-NP	1 unit/lot; 12 units/acre	None specified	45%; 55%	55%	40%	35'
RM2A	MF-2-NP	18 +27*	None specified	60%	60%	50%	40'
RM3A	MF-3-NP	36	0.75	70%	65%	60%	60'
MU1A House; duplex	LO-MU-NP	1; 2*	0.4	60%	70%	40%	32'
MU1D Rowhouse and Multiplex	GR-MU-NP	3-12; +10-12*	0.6-0.8	60%	75%	40%	45'
MU2A	LO-MU-NP LR-MU-NP; LR-NP NO-NP SF-3-NP	12	0.5	60%	LO: 70% LR: 80% NO: 60% SF-3: 45%	40%	35'
MU2B	GO-MU-NP; GO-NP; GO-V-NP	18	1.0	80%	80%	60%	40'
MU3A	GR-MU-NP; GR-NP MF-2-NP	36	1.0	90%	GR: 90% MF-2: 60%	75%	60'
MU4A	CS-CO-NP; CS-V-CO-NP GR-CO-NP; GR-MU-CO-NP	36	2.0	95%	CS: 95% GR: 90%	90%	60'; +15'
MU4B	CS-NP; CS-V-CO-NP GR-MU-NP	36	1.0	95%	CS: 95% GR: 90%	95%	60'
MS2B	CS-1-CO-MU-NP GR-MU-NP	3	N/A	80%	CS: 95% GR: 75%	70%	45'
MS2C	CS-MU-CO-NP	3	N/A	80%	95%	70%	45'
CW	W/LO-NP	36	0.5	70%	70%	50%	25'
F25	CS-CO-NP; CS-MU-CO-NP; CS-V-CO-NP GR-CO-NP; GR-CO-NP; GR-MU-CO-NP; GR-MU-NP LI-CO-NP LO-CO-NP; LO-MU-CO-NP LR-MU-CO-NP	None specified	None specified	None specified	CS: 95% GR: 90% LI: 80% LO: 70% LR: 80%	None specified	None specified
IF	LI-NP	24	2	80%	80%	75%	60'
CW	W/LO-NP	36	0.5	70%	70%	50%	25'
IG	IP-NP	N/A	1	80%	80%	50%	60'
MH	MH-NP	2	None specified	N/A	None specified	N/A	35'
P	CS-V-CO-NP	None specified	None specified	None specified	95%	None specified	None specified
PR	(No change?)	None specified	None specified	None specified	45%	None specified	None specified

* With AHBP Bonus

Rosewood Neighborhood Planning Area: CodeNEXT Conversion Chart

Zoning Category (New)	Zoning Category (Original)	Density (units/acre) (New)	FAR (floor to area ratio) (New)	Impervious Cover (New)	Current Impervious Cover	Building Coverage (New)	Height (feet) (New)
R2C House; duplex	SF-3-NP	(units per bldg) 1; 2	0.4	45%	45%	40%	32'
R2E House; duplex	SF-3-NP	(units per bldg) 1; 2	0.4	65%	45%	55%	32'
R3C House; duplex	SF-3-NP	1; 3	0.4	45%	45%	40%	32'
RM3A	MF-3-NP; MF-4-NP	36	0.75	70%	MF-3: 65% MF-4: 70%	60%	60'
RM2A	MF-2-NP	18 +27*	None specified	60%	60%	50%	None specified
MU1C	MF-3-NP LO-NP	3-12; +10-12*	0.8 *+0.8	60%	MF: 65% LO: 70%	40%	45'
MU1D Rowhouse and Multiplex	CS-1-MU-CO-NP; CS-MU-V-CO-NP	3-12; +10-12*	0.6-0.8	60%	CS: 95%	40%	45'
MU2A	LR-MU-NP; LR-MU-V-CO-NP	12	0.5	60%	LR: 80%	40%	35'
MU2B	LR-MU-V-CO-NP	18	1.0	80%	80%	60%	40'
MU4B	CS-MU-NP SF-2-NP	36	1.0	95%	CS: 95% SF-2: 45%	95%	60'
MS2B Rowhouse	LO-NP CS-MU-CO-NP	3	N/A	80%	LO: 70% CS: 95%	70%	45'
PR	P-NP LO-NP	None specified	None specified	None specified	P-NP: None specified LO: 70%	None specified	None specified
PR-H	P-H-NP	None specified	None specified	None specified	Not specified	None specified	None specified
P	P-NP CS-MU-NP SF-3-NP	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)	(No change?)
F25	SF-5-CO-NP SF-6-CO-NP TOD-NP-CO; TOD-NP LR-MU-CO-NP CS-MU-CO-NP; CS-CO-NP GO-V-CO-NP	None specified	None specified	SF-5: 55% SF-6: 55% TOD: none specified LR: 80% CS: 95% GO: 80%	None specified	None specified	None specified

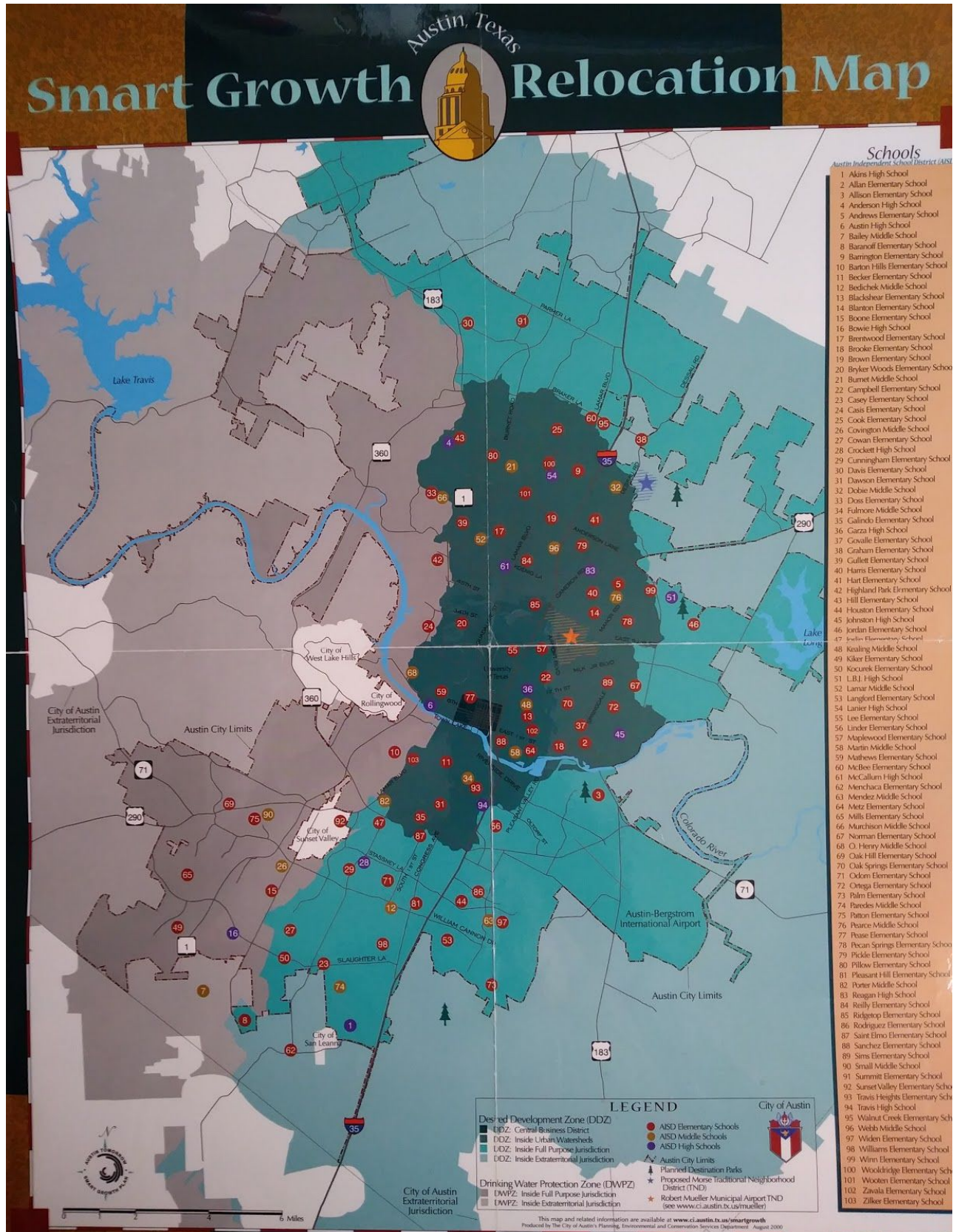
* With AHBP Bonus

Montopolis Neighborhood Planning Area: CodeNEXT Conversion Chart

Zoning Category (New)	Zoning Category (Original)	Density (units/acre) (New)	FAR (floor to area ratio) (New)	Impervious Cover (New)	Current Impervious Cover	Building Coverage (New)	Height (feet) (New)
R1C House; accessory dwelling unit	SF-2-NP	1 per bldg	0.4; 0.15	45%	45%	40%	32'
R2C House; duplex	SF-3-NP	(units per bldg) 1; 2	0.4	45%	45%	40%	32'
R2E House; duplex	SF-3-NP; SF-4A-NP	(units per bldg) 1; 2	0.4	65%	SF-3: 45% SF-4A: 65%	55%	32'
RM1A Single-family use; Multi-family use	SF-6-CO-NP; SF-6-MP	1 unit/lot; 12 units/acre	None specified	45%; 55%	55%	40%	35'
RM2A	MF-2-NP	18 +27*	None specified	60%	60%	50%	40'
RM3A	MF-3-NP	36	0.75	70%	65%	60%	60'
MU2A	LR-NP	12	0.5	60%	80%	40%	18'
MU2B	GO-NP	18	1.0	80%	80%	60%	40'
MU3A	MF-2-NP; GR-NP	36	1.0	90%	MF-2: 60% GR: 90%	75%	60'
MU4B	CS-1-NP; CS-CO-NP GR-CO-NP	36	1.0	95%	CS: 95% GR: 90%	95%	60'
F25	CS-MU-CO-NP; CS-CO-NP ERC SF-6-CO-NP IP-CO-NP GR-CO-NP LO-MU-CO-NP	None specified	None specified	None specified	CS: 55% ERC: N/A SF-6: 55% IP: 80% CS: 95% GR: 90% LO: 70%	None specified	None specified
IF	LI-NP GR-MU-CO-NP	24	2.0	80%	LI: 80% GR: 90%	75%	None specified
MH	SF-3-NP	None specified	None specified	None specified	45%	None specified	35'
PR	SF-3-NP; P-NP	None specified	None specified	None specified	45%; none specified	None specified	None specified
P	(No change?)	None specified	None specified	None specified	N/A	None specified	None specified
PUD	(No change?)	None specified	None specified	None specified	N/A	None specified	None specified

* With AHBP Bonus

Attachment D: Smart Growth Relocation Map



References

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