

**SPECIAL CALLED MEETING OF THE AUSTIN CITY COUNCIL WITH THE LAND DEVELOPMENT CODE ADVISORY GROUP**

**Wednesday, October 19, 2016** The Austin City Council will convene at 4:00 PM on  
Wednesday, October 19, 2016 at Town Lake Center Room 130  
721 Barton Springs Rd., Austin, TX 78704

Present: Mayor Steve Adler, Mayor Pro Tem Kathie Tovo, CM Ora Houston, CM Delia Garza, CM Sabino "Pio" Renteria, CM Gregorio Casar, CM Ann Kitchen, CM Leslie Pool, CM Sheri Gallo

Absent: CM Don Zimmerman, CM Ellen Troxclair, Terry Mitchell, Liz Mueller, Jose Valera

Meeting Started at 4:10pm

**1. Welcome (Mayor Adler)**

The Mayor spoke to the mobility and affordability challenges and mentioned that the Land Development Code is an important part of solving these issues.

The Mayor acknowledged the CAG's work with the community and spoke to the CAG about their role as the guardians of the community engagement and that the project aligns with the principles of Imagine Austin. CodeNEXT underlies every asset of the community and the most powerful tool to harness the growth that's taking place in the city to harness everything that is special about the spirit and soul of this City.

The Mayor spoke of the City being the fastest growing metro area in the county. He believes that if we fail to adopt a Land Development Code in the timing laid out, we will lose what is special about this City.

The Mayor said that the people around the table will play a key role and the community is fundamental to that process as well as staff and consultants. This gathering is not about getting into the weeds, but is an opportunity to get together and hit at a very high level.

Greg Guernsey thanked everyone from coming today and wanted to apologize to the audience as the set up was forced so that everyone could be on camera.

**2. Introduction of Code Advisory Group (CAG) members by Chair Jim Duncan and a brief discussion of outreach and feedback activities by the CAG.**

Jim Duncan introduced the CAG and mentioned that he has never worked with a better and more diversified group.

### **3. Establishing a Shared Understanding of CodeNEXT**

#### **a. What does CodeNEXT seek to accomplish?**

Consultants introduced themselves.

Greg Guernsey spoke to Imagine Austin and the several priority programs. He mentioned that the code has not changed since the mid 80s. The code will not be adopting new policy, it's the implementation of imagine as it makes recommendation of tools that can be addressed.

#### **b. Code Diagnosis Findings**

Dan Parolek introduced the Code Diagnosis top 10 findings.

### **4. Process, Roles, Expectations**

#### **a. Roles**

- i. City Council**
- ii. Planning Commission**
- iii. Zoning and Platting Commission**
- iv. Code Advisory Group**
- v. Other**

Greg Guernsey discussed the roles of the Council, CAG, PC, and ZAP. The Council will make the final call but before that Planning Commission and ZAP will weigh in on the code. The CAG ensures that Staff, consultants, commissions, council have heard from everyone in regards to engagement. They also ensure that we address the priority programs of Imagine Austin. The public is also very important in the process as they represent certain stakeholder interests in the city. Other jurisdictions also play a large role in the process. The Planning Commission needs to make a recommendation and the Zoning and Planning commission needs to make recommendations on the maps that would address zoning changes on behalf of the new code.

CM Ann Kitchen asked a question about roles and she wants to understand everyone's role with regards to implementing the policies. She admits that IA policies are at a higher level. She would find it helpful if all of the bodies also weigh in on how we actually take the policies and turn it into language. She wants to connect the dots between the higher level policy piece and how that turns into language.

Greg Guernsey responded that when the code is released, everyone will weigh in on the draft. Staff is currently working on the Outreach Plan.

**b. Process and Expectations**

**i. What you should expect to see at the following milestones:**

- **Public Review Draft**
- **Planning Commission Draft**
- **Council First Reading Draft**
- **Council Second Reading Draft**
- **Council Third Reading and Adoption**

Greg Guernsey began speaking about the process and the public draft that will come out in January. The code will not be perfection when it comes out in January. Some of the districts may not exactly match, comments may be brought back by neighborhoods in regards to zones. This is not a one size fits all code like the current code, it will be context-sensitive. Neighborhood plans and topography will also be considered. It is expected that multiple, iterative drafts will be introduced. The staff will have a recommendation based on consultants and multiple departments. The Planning Commission will also have a recommendation that will be presented to Council. A draft map will be introduced closer to its final version at its second reading of the code. Third reading we will hope to get the grand approval with the projected date of May or June 2018.

CM Ora Houston asks if the engagement process will start in the beginning of 2017. Greg responded that discussions with the community will most likely start in February.

CM Houston asked for as much lead time as possible to push out the schedule so that they can promote it in their own community.

Nuria Zaragoza asked whether there would be a second sound check. Greg responded yes and that it will most likely be the week before SXSW. Demonstration areas would be those that exist in Austin but are only examples of what the code could provide.

Kevin Wier wanted a clarification of whether the CAG would be able to weigh in on the code. He believes the CAG's input should be a stronger voice and otherwise would seem diminished.

Greg Guernsey said that this is not the intention. Jim Duncan mentioned that the CAG acts as more of a funnel.

Community engagement process is expected in a month.

**5. Discussion on Code Advisory Group Prescription Feedback**

The CAG discussed the prescription papers.

### **a. Natural & Built Environment**

Lauren introduced the natural and built environment report. The main agreement was that the topics were very broad and that there was a desire for more detail. Great opportunity with greenfield development for open space and trees. Concerns are compatibility standards, functional green, and watershed protection. Not sure how these issues will inform the code at this point, as the code will be released shortly after feedback has been collected. Concerned that the watershed capacity analysis will not be completed in time to make it into the code.

### **b. Household Affordability**

Mandy DeMayo introduced Housing Affordability. There was an enormous amount of community input on the prescription paper. There were a range of opinions but five major themes which include fair housing (broad housing choice in all types of neighborhoods,) increased entitlements and unintended consequences, increased density and affordability, greenfield and infill development, density and infrastructure.

### **c. Mobility**

Dave Sullivan introduced the mobility prescription and main findings. One of the major issues is trying to create more choices for modes of travel, the Austin Strategic Mobility Plan is concurrently being developed by Austin Transportation Department (ATD) and needs to be aligned, greater connectivity within the city in regards to streets and sidewalks, issues of congestion and travel demand management as a tool to encourage multi-modal use, the location sensitive reduction of parking, and lastly safety.

### **d. Fiscal Health**

Roger Borgelt introduced the fiscal health report. This is different from the other papers as it looks less at the code and more at the infrastructure and systems that go along with it. Many of the issues looked at included building sustainable infrastructure, maintaining the infrastructure and who pays for that, efficiency issues such as maintaining consistent requirements for streets to obtain connectivity, ideas of leveraging public and private partnerships.

Susan Moffat requested that staff take a look at family friendly housing. She mentioned that most of the City's affordable housing is privately owned market rate housing. She spoke to the naturally affordable housing on East Riverside and doesn't want the code to inadvertently cause the teardown of natural affordable housing. She requests that a metric be added to Envision Tomorrow to see what the addition of entitlements would do to existing affordable housing stock. CM Kathie Tovo agreed.

Alex Joyce spoke from Fregonese & Associates said he can track the changes of the up-filtering of apartments.

From the policy point of view there needs to be public engagement to ensure that that type of housing is preserved.

CM Greg Casar agrees that tracking those changes are critical.

CM Ann Kitchen made a note that as part of the environmental prescription there were two reports about timing and how they will be feed into and impacted in the code.

The mayor wants the modeling to see how we are impacting supply.

Kevin Wier wanted to remind everyone that we need to keep Austin affordable for families and people on fixed incomes.

Nuria Zaragoza asked whether Envision Tomorrow can be a variable in the calibration of entitlements to address the first piece that we are not a variable to teardowns.

Alex from Fregonese said the machinery is there but they need direction on what policy options to look for.

CM Leslie Pool brought up the first code diagnosis issue and cul-de-sacs. She made comments that we should leave them be as they fit the topography in the area.

Jim Duncan responded that we will be moving from a one size fits all to a context sensitive code. CM Pool believes that this message needs to be louder and the intentions of the new code needs to be better verbalized.

CM Pool wants to know if we have a robust and accurate method of tracking the tools and promises made of maintaining affordability. She wants to know what the legacy mechanisms are that can capture that information and make it publicly accessible far down the road.

Jim Duncan agreed that monitoring the code is very important. Greg Guernsey said yes it will be monitored, one way we can do that is through the density bonus program.

Melissa Beeler spoke about the preservation of unsubsidized affordable rentals and its importance. She is concerned that the CAG conversations has been slanted to preserving developments along corridors for the sake of it and not thinking about all the other options. She feels that this is more of a policy discussion and balance needs to be struck to both the preservation and development of affordable housing options along corridors. In regards to demolitions she wants multifamily properties

to be included both in receiving notices and how they are addressed in notices in the future to ensure that we are not losing more MF units in the future.

Mandy DeMayo acknowledged what Melissa said but stated that we have very little ability to do much with privately owned multifamily housing. In regards to the density bonus program, every development that has received a subsidy through the program is listed on an open data portal.

Eleanor McKinney is concerned about the lack of open space and parkland along the corridors, example of Burnet road. She is concerned about the lack of open space and our desire to make it denser. She spoke to mapping and that maybe it wouldn't happen all at once so that acquisition of open space could happen concurrently.

Susan Moffat wants everyone to know that the code will not create affordable housing, but policy will play a big role in it. She believes the only way for deeply affordable housing is on public land.

Guy Dudley is worried that all of these great additions will increase costs and it will be a hard balancing act for council. These costs will be passed down to the citizens, developers, and the City.

Nuria Zaragoza wants to ensure that tracking of demolitions and that they are a part of the calibrations is included. She believes that there needs to be some direction to the consultants from the council to provide direction.

Kevin Wier is concerned about water use and supply.

## **6. Next Steps**

CM Ann Kitchen thinks it was a helpful discussion and likes the idea of additional meetings. In these meetings she wants to get into the details of these key policy decisions. She wants to hear from the CAG members and consultants on what they think we should be doing.

CM Greg Casar acknowledged that this meeting was a really great starting point for these types of these conversations. He reminded the CAG that public outreach is incredibly important and asked if they can help bring to light all of the conflicting community concerns that they hear, not just their own. He wants the tensions to be addressed and that balance needs to be exported to the council.

CM Ora Houston liked that Kevin spoke to people aging in place.

Jim Duncan closed the conversation with the CAG's excitement to be brought to the table with Council.

Eleanor McKinney mentioned that the CAG has been thinking about specific solutions and is willing to propose them. CM Casar agreed that solutions would be helpful.

- a. Next combined meeting (November 16, 2016)**
  - i. Suggested Topic: outreach plan discussion**

The mayor mentioned that November 19<sup>th</sup> would be the next meeting and wants Community Engagement to be the key topic discussed at that meeting.

Meeting adjourned at 6:02pm.