

## City Council Special Called Meeting Transcript – 6/5/2018

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[10:13:31 AM]

>> I think we're ready to start. So it is 10:12 here on June 5th. We have a quorum. I'm going to call to order this meeting work session on codenext. I'd like to kind of open for a quick second. Take care of some kind of house cleaning -- keeping type stuff. And then I see laying out the agenda, and having us talk about what the staff is proposing. See if we want to change any of that. And then getting into the -- into the day. My sense is that what I've heard everybody say is that the city needs a new code, because there are opportunities that we're not meeting right now, that we could meet if we had a better code, and there are things about the code that are not serving us well. My sense is that everybody agrees with that. The question is what is it that happens next. And if we're unable to get a code done, then I think that it's -- it would be just a real significant disappointment, because there's an opportunity for us to do better than that. I think as we go through this, we have to recognize that this is a really wicked problem, because it brings to bear really basic philosophical differences about how we get to even shared goals. But I hope that we can also agree that while this is a really wicked problem, it's not about wicked people.

[10:15:34 AM]

And the debate in the community here, like the debate at state level and national level can go to easily to demonizing people that have different views or different priorities than we have. So we'll talk about that in a second in terms of how we want to kind of proceed with each other. And what we have proposed and talked about on Saturday that we're going to try today is a pretty amorphous process, and I recognize that an Amor fuss process is going to frustrate the heck out of half 0 people on the dais that want to get into things and start really deciding things. So I really appreciate the indulgence of the people serve -- who are giving the benefit of the doubt to at least starting this way. My sense is this is something that is really important for us to do. The community has spent a huge amount of capital on codenext, we're talking about six years of energy. There are people that have grown up in this city politically and the only issue they've really known is codenext, and the issues right now for us are bigger than just codenext, it really does reach to how we work with each other in the community, how we trust each other in the community and how we try to work toward the common good. So my analogy on that

was to kind of think ourselves as we come here today with this task that everybody thinks we need to do, not really sure how to do it. Not really entirely convinced on the process. Recognizing this is even bigger than codenext, and I decided what we really needed was a team uniform.

[ Chuckling ] I thought initially like baseball team, buddy and -- but Diane said they're not cut well an t-shirts went off.

[10:17:38 AM]

I thought we could get like a soccer team uniform for us, but I decided that was a really bad idea . So then I thought we would just recognize that kind of like city employees, and our public -- public works folks, we're going to start today as team Austin, and we have for everybody on the dais a uniform, we'll pass out now. You don't have to put it on right now if you don't want to.

>> Mayor?

>> Mayor Adler: Yes.

>> I could have used that this morning when we were at the press conference in please San San -- pleasant valley where we came under budget, and it's a beautiful ... And people are really happy, we were able to leverage our funds. Got private investment that gave us -- invested \$200,000 for some left hand turns, take a left hand, so it was really great, right?

>> Mayor Adler: I like those kind of successes. I also have one of these for the manager. Do you have one? Okay. If you come in here and get your team uniforms, please.

>> Houston: Mayor, as you're passing those out, I'm going to wear my t-shirt, but I'm not messing up my hair.

>> Mayor Adler: Not the hot.

[ Laughter ] I'll do the same thing.

[ Laughter ]

[10:19:44 AM]

>> I wear my bicycle helmet. I don't have to worry about my hair. Somebody did not get their hard hat. But I have it for when you need it. We'll see. But I really think how we approach this is going to impact not only codenext but at a much more significant level, it's going to impact generally community relationship issues, and my sense is is that while this has been incredibly and continues to be a really polarizing exercise, my sense in being in everybody's district and all around the city is that the community wants us to be able to resolve this, and they're expecting us to be able to figure out how to resolve this. I want to play for just a second a clip of someone who spoke to us on Saturday. As you

recall, toward the end of the second day in testimony, someone came up to tell us that she had been having to sit there all day, for her three minutes. I thought we were going to hear someone rightfully complain about a process that has them sit all day and they only get to talk for three minutes, but I think that what she said was very significant. Can you play that clip?

>> The number of ways that my concerns can be other people's hopes, it's not the black and white when I first showed up today.

[10:21:47 AM]

I can see how hard it is to reconcile such a wide array of beliefs and fears. I think we have a tendency to categorize things into good and bad, and I've been guilty of that today. I arrived up in arms ready to rally for single family homes in central Austin. I still advocate for the rights of homeowners in central Austin, but I see the fear of others that without density there is no housing, and I think the answer is somewhere in the middle. This day has helped me to crystallize my concern. Being against codenext should not make one an entitled nimbee. Being for codenext should not make one a greedy developer or a culture-crushing millennial. What I believe today is there are enough problems with this draft of codenext that I cannot support it. Without clarity on how to address these issues.

>> Mayor Adler: I don't think I could have said my sentiments better than what she expressed. Someone said to me, and this is the last thing I will say before we get into the agenda, that as we go through this pro; it's really important for us to differentiate between interests and solutions. Interests are what it is that we're trying to solve for, what we're trying to accomplish and solutions are the way that we get it done. And as you might imagine, as I was telling the mayor pro tem, I've had dozens of mediators and moderators and facilitators come to make suggestions on how we approach this. And that one rings true through so many of the folks. Focus on the interest and not the solutions because there may be solutions that help us resolve the interest or community interests or intersection of interests. And I think that if we do that, we can be guided by this process.

[10:23:48 AM]

I've handed out something that could be potential discussion agreements, examples. We did this kind of thing when we did the strategic planning session. I don't know if anyone has any thoughts or things that they want to add, or things that they would strike from this. But generally speaking, just being really careful to listen respectfully to others, allowing others to finish, making sure that everybody gets the opportunity to speak, focus on the challenge or the problem, not the person. Focus on common purpose or goals. Focus on the interest rather than the solution. Avoiding jargon, saying what's important, trying to stay on topic. This is one that I think would be really important for us as colleagues on a council and that is to assume each other's best intentions. You know, my sense is this is really not about racist nimbies against greedy developer, but people who have families and children that are trying to protect their families and their futures, which that means avoiding signing intentions, beliefs or motives to

others, or ask other questions. It's okay to disagree, not making it personal. Also has been suggested that we consider trying not to avoid trying to draw lines that you can't cross. Obviously, not limiting anybody's ability to be able to express real severe concerns, but trying not to give ultimatums or to be able to participate in the conversation. Trying to create a safe place for deliberation. Trying not to use someone's openness against them, because that's what we're trying to encourage. It's even been suggested that we consider among ourselves, considering not posting, sharing or liking posts that speak about colleagues while we're involved in this conversation on the dais.

[10:26:00 AM]

What do y'all think about this stuff? Anybody have any reservations or things they want to take out of this, or things that they think need to be added to this?

>> Houston: First of all, I want to thank you and whomever you worked with to try to put together some agreements that we can all either agree to, change, alter, whatever. Or not agree to. When you have courageous conversations like the one we're about to embark on today, there are going to be some really difficult moments and some tense times and this should be something that we always try to fall back on, and so I appreciate you doing this.

>> Mayor Adler: Thank you. My more thoughts, changes, we want to do on this. Mayor pro tem and them --

>> I like this too and I think they make good sense. One thing I would add in talking about allowing others to finish before we speak, I think sometimes we do that, but there's also like facial expressions or other kinds of ways in which, you know, shake -- nodding of heads, so if we could be conscious too of our body language.

[ Chuckling ] You know, when we're asking for feedback and people are nodding, that's one thing. When somebody is talking and there's like visibly lots of body language, that makes it sort of challenging for the person speaking to continue and feel like people are listening. And then in the discussion about sharing, or allowing others to speak, I think it's a nice practice and I think we've tried it a little bit. If when we're talking about a topic, for example, if we go around the room and allow everybody an opportunity to speak before they want to, that seems to be one way of creating space for people.

[10:28:02 AM]

>> Mayor Adler: Okay.

>> Tovo: As we start to get to votes and things, certainly there's a lot of discussion about -- on social media, about it, and so I think it's very wise to have something in there about -- about trying not to get involved in what is already becoming a pretty ugly discussion about individual colleagues, and I would say, you know, I would extend that -- aisle just -- I'll just leave it there for now.

>> Mayor Adler: I've added to my list, be careful about body language, because I think it's important. Sharing air time, I've added make sure we go around the dais to make sure everybody has had a chance to speak. I like both of those too.

>> Kitchen: I would just going to say that to echo my colleagues' thank you to you for putting this together for us to get started, I don't -- I'm trying to think if there's anything else, and I don't have -- I appreciate what the mayor pro tem added, and I'm not thinking of anything else to add. I think it's pretty complete. I do think, though, what I would like to know is that everybody is okay with this. So I don't know how you want to do that, if we all just go around and say yes or no, but I think it's really important as we proceed that this be a document that is ours as a group, you know, so -- so I don't know what the appropriate way to do that is but --

>> Mayor Adler: Since we're all skilled in what five, just for people who are watching and haven't been with us through all our strategic planning process, when people indicate with five, that means they're very enthusiastic about whatever it is that we're discussing. 4 means that you like what we're discussing, you don't think any real substantive changes are made.

[10:30:08 AM]

3 would be that you can support it as it is but believe that it could benefit from changes or modifications. 2 would be that it's okay but has key gaps that would have to be fixed before it could be supported -- you could support it. 1 is that it's way off the mark and will require significant changes and the closed hand is not only do I not support it, I would actively work against it. So we'll try that on this, but before we do, anybody else have any comments or thoughts they want to make on it? Leslie?

>> Pool: I'm always hopeful when I come to these meetings, and of course I am today, I wanted to make sure that -- I think mayor pro tem may have a better version of this, this document, because of the way it's printed is difficult to access for the reader, and so if you have this in a better format I'd like to hand it out. I do acknowledge that staff has -- has included a documents that I've been asking for, which had not yet been provided until this morning on the discussion topics, and there was an acknowledgment that the mayor pro tem had put some -- an approach to try to scope today's work to actually get some things organized so we can get them accomplished today, which she'll speak to more directly, I'm sure. So I'm still hopeful and I appreciate this acknowledgment that there are other people having points of view because they need to be on the table ATS well. I'm -- as well. I'm not sure how the day will go so I'm open to it and we'll see what happens.

>> Mayor Adler: Great. And we'll get into a discussion collectively on the dais how we want the day to go.

[10:32:09 AM]

We'll look at the agenda -- Jimmy and the mayor posted something about that and we'll see about that. But with respect to the discussion agreement examples, anybody else have any other thoughts on that before we ask for an indication?

>> Pool: Well, I think the additional document that commissioner Flannigan put up had been included in the staff's assessment of how the agenda would be rescoped and refocused.

>> Mayor Adler: We'll have an entire discussion about the agenda today.

>> Renteria: Mayor, are we discussing this right now?

>> Mayor Adler: Yes.

>> Renteria: And I hope that also, you know -- and I really agree with this and every comment that was made about it. And I'll probably be giving it a 5, but also that we should also not be mean or ugly with the staff and consultants also, you know,.

>> Mayor Adler: I think it's important to, I'm going to say, respect each other, and staff. I think that's good. So with respect to this, closed -- closed hand to 5, where are people with respect to the discussion agreement examples that we have? So I have 4, 4, 5, 5, 5, 5, 5, 5, 5, 5. Okay. So we do as Ann said, own these, so let's make that. All right. So let's now talk about the agenda and how we want to -- to approach the -- approach the day. We had talked about on Saturday in what had been presented, I think, on Saturday. It had us talking about the goals document -- it had the staff making a brief presentation.

[10:34:11 AM]

It had us then talking about the goals document. It then had us talking about individual topics or questions. We had talked about obviously limiting that because today -- and by the way, we also talked about breaking for lunch. I put that in at 12:30, so we'll do lunch from 12:30 to 1:30. We had also talked about breaking for the day at 5:30, so my sense is probably at like 4:30 issue we'll make sure -- 4:30-ish we make sure we come back to talk about process or where we are or what we want to do. So really we're talking about two hours now and then three hours -- we have about five hours today, which is not a lot of time. So we know we're not going to get to many of the topics or questions. But we had talked about -- and I think that the mayor pro tem said it again in her post real clearly and explicitly, but I think that the initial presentation on this from staff was to be intended to be very brief and that the real substance would be when we were getting into a specific kind of question to talk about the various elements. But mayor pro tem, you had -- we had -- we had two postings that might impact the agenda as it was laid out on Saturday, and order. Do you want to speak?

>> Tovo: Yeah, I appreciate that, and I -- I am also just very -- in fact, I'll even put my hat on.

[Chuckle] To show that I am very excited about getting -- you know, getting some good work done today. So in -- in the effort to do that in a manageable way, I think the questions that we have and the document, mayor, that you laid out with -- with lots of questions about different areas, you know, clearly gets us -- gives us a broad range of things that we need to talk about.

[10:36:20 AM]

What I did in conversations with some others is to go through and figure out in that document what would be sort of a manageable chunk of work that we could undertake today, and so in many cases I have tried to identify, again, along with others -- have tried to identify what I would regard as issues around which we might have consensus, and I think that will help us know how to delve into the details that were in some of the more detailed questions underneath that. In other cases I've tried to select questions that I think help us understand the contours of those discussions. In some -- because the document had so many very detailed questions, the intent was really to kind of back up and say how can we use this time, again, in a manageable way, understanding what the limitations of the day really -- really are, but how can we also begin to take some meaningful decisions on -- on these topics, especially those around which we have consensus. So as you look, it is -- it's kind of more complicated than I wish it were because we've preserved the subheads -- you know, the headings, the subheads and the numbering system, just so you knew where it came from in the original document, but there are actually -- you'll see the questions below it. In some cases I've added additional -- I've added additional questions and I've identified those as new things that I thought we should talk about. So my hope is that this will, again, have us talking about where we have consensus and also what some of our base assumptions are and whether they differ or agree, and that I think will help us inform our conversation going forward. I want to just add the caveats that I put in the message board post, this isn't intended to be a prioritized list or a comprehensive one or anything like that, but in some cases it had us discussing, say, adus and the sizes of ads and the placement of ads and the geographic location of ads before we backed up and said what are the housing types we want to encourage.

[10:38:29 AM]

So in some cases I've just tried to elevate what I see as the global question before we get to those more specific questions. And so I'm happy to answer specific questions about the order, but it would basically have us -- starting with do we agree with the notion of deniesfying our corridors, how do we describe transition zone, are we in agreement on that and how are the various entities in that. What do we see in the council as best tools and why, and then again very general about ads. I think before we start talking about preservation bonuses and sizes and geographic locations, just getting basic understanding about the areas in town, where they're currently allowed, where they're not. Is that a goal. And then under affordable housing, it's my guess that on the questions that are on this sheet, we'll have a lot of agreement. But I think some baseline discussions we should have are do we want -- do we want the entitlements in the land development code to be by right or do we want any increase in entitlements to be attached to a density bonus. I mean, that will kind of guide -- each of us are developing amendments and developing thoughts about it and that will help -- it will help to know, I think, if we're all in agreement on those kinds of points before we -- again, before we talk about more specifics. So I guess that's my pitch. And I guess I would say -- you know, my suggestion is that this provides a framework for

also talking about our goals. I appreciate the work of those of you who did the goals document and the work of some of my colleagues and suggesting edits to it, but I'm a little bit concerned about getting -- spending a lot of time debating or talking about or deliberating over the goals document.

[10:40:32 AM]

I think like imagine Austin, the goals document is embodied in the land development code and the sooner we can get to really talking about the decisions at the heart of the land development code I think the better. You know, I see a lot of anxiety, we all saw lots of anxiety and concerns on Saturday, and I, like so many of you, am getting just dozens and hundreds of emails about codenext, and everywhere I go the community is concerned, and I think if we can start to -- if we can start to resolve some of these issues, I think it would be helpful.

>> Mayor Adler: Can we have -- why don't you guys come on up to the table, Greg.

>> Tovo: Does anybody need a copy of this?

>> Kitchen: I do. That's what my light was on for. I have what you posted.

>> Tovo: Yeah, I have a word version of it. Anybody else on that side? And then I have some --

>> Mayor Adler: Do you want to bring Peter up as well?

>> Tovo: There may be some -- there may be some along the way. And I also have some for the audience, poorly formatted and well formatted.

>> Mayor Adler: Comments or thoughts, Ann?

>> Kitchen: I appreciate -- well, let's see, should I wait till she gets back -- oh, there she is. Okay. I was just going to say that I appreciate this. I think it's great. I like the idea of -- I like the thinking, if I'm understanding mayor pro tem, about hitting some of the higher -- higher-level things first. So I appreciate that. I also appreciate the -- the desire to really get -- spend time to really get into things. I personally would just like the opportunity to go through the goals because -- but what I'm thinking is -- and the reason I'm thinking that is that I'm thinking that the goals document gives us an opportunity to talk about some of those higher-level things, and I'm also operating under the assumption that we would have time to -- also operating under the assumption that we would have time to spend some time on the goals document but still have time to -- to dig in a little deeper, which is what I'm hearing that you want to do.

[10:43:03 AM]

So -- so I wouldn't want to just not address the goals document at all because -- and again, my reason is, or my interest there -- I'll just say my interest, my interest is because there's -- the goals document really



flushes out some of the higher-level stuff that I want to make sure we have agreement on. So that's kind of where I'm coming from. So....

>> Mayor Adler: Laura?

>> Houston: And I'm sure that staff and consultants will have -- will allow us to have a conversation about not much that I've read talks about regional town centers and neighborhood centers and how that impacts, because imagine Austin sets that up as a framework for where growth could be developed. We talk a lot about corridors, but we don't really talk about how we get the growth in the regional town and neighborhood centers and the job centers, so hopefully you all will talk a little bit about where that is so that I can understand that it's not just corridors that we are looking at and new corridors, but the town centers, regional centers that were identified in imagine Austin.

>> Mayor Adler: Okay. So I think the initial goal in front of us -- the initial decision is whether or not to -- to address the goals document, recognizing that the next thing would be the topics in question. So do we go straight to topics in question or do we pause to look at the goals document. Yes, Leslie?

>> Pool: I don't think we've agreed yet, but if we do take up the goals first I'd like to put a limited amount of time on it because we could actually spend hours talking about it, and if we only have, what did you say, five to five and a half hours of work today, and we're going to use 30 minutes to kind of decide how we're going to operate today.

[10:45:07 AM]

I think that the mayor pro tem has offered up a way to get to some important issues right off the bat and at a level that is necessary, if there are some who want to talk about the goals, I think part of the importance of the discussion should be how do they tie back to imagine Austin, because the goals are in here, and maybe when we talk about them we can say, well, this is goal whatever in imagine Austin. And then also set -- I don't know -- council member kitchen, how much time do you think should be allocated to talk about goals at the level that you're imagining?

>> Kitchen: Well, first off, I appreciate that -- that suggestion, because I think we're both agreeing that, if I'm hearing you right, that -- that we need to make sure we've got enough time to get into the topics. I think that's what I'm hearing mayor pro tem want to say. So I don't have a set idea about how much time. I'm open to hear whatever people want to suggest. I'm also -- I'm operating under an assumption that may not be accurate, and that assumption is that -- that -- is two things, basically, that -- that the value of going through the goals document to me helps us -- I want to be transparent for the public, and I'm wanting to find a way to help the public understand what we agree on and to me the goals document is a way to start at this level and then work down from that. And so part of me is concerned that if we skip the goals document and start like down here, then we will have skipped a step that's important for all of us as a community as we move along this -- this goal of identifying where it is that we agree. So that's part of where I'm coming from. Now, in terms of the amount of time, I have -- I really don't have any opinion on how long that should be, and I guess I'm assuming that it probably wouldn't take a lot of time because I'm assuming that on those goals that we're probably pretty much all on the

same page, but I'm also thinking that if we're not, it would be important to understand that and to identify that.

[10:47:29 AM]

So....

>> Mayor Adler: So my preference, I think, I think combining those two makes sense to me. I think it would be good for us to do the goals document beginning with just the sphirs page -- first page just as a check to see where we are on those agreements, but I think it would be good for us to set some kind of time limit, because the goal this morning is not to parse a document or really to knit a document, and when we go through that, Jimmy, I think maybe you could take us through. I mean, some of the stuff, you've kept the same contact, you've changed locations. I'm not sure that at this level of the conversation it makes a difference where in the document it is, but some of the things might be more substantive. So if we could -- let's -- if we could set -- let's do this for 30 minutes and see if we can get through this process, and let's just see. So -- if that would be okay with the -- Ms. Houston?

>> Houston: I'm willing to test this for 30 minutes but I don't want us to start off being at a point where there's already contention, and so that's what I'm afraid of, perhaps, with the goals document, that that already puts in a place of lines drawn. So if we can test it for 30 minutes and then reevaluate at the end of that 30 minutes, then that would be okay with me.

>> Pool: And mayor, I would say -- I would agree that 30 minutes is good to test it, but I would also say that I was referring to the goals document that was crafted by you, and I think -- who were the three people? It was council member kitchen and alter that it was posted.

>> Mayor Adler: Yes.

>> Pool: That's the one that I was talking about. But you have gone to the one that's been edited by council member Flannigan.

>> Mayor Adler: It's the same document. He has edits on them. We'll give him a chance to discuss his edits.

>> Pool: I would suggest that we start from the document that we've had for the longest and see where the areas of agreement are and then Mr. Flannigan can add in his points that he has offered us, but it seems -- I'm seeing some body language.

[10:49:37 AM]

>> Mayor Adler: That's my intent. This is the goals document.

>> Pool: And we're starting from this one.

>> Mayor Adler: Yeah, that's the goals document. And we're going to give Jimmy and anyone else on the dais a chance to suggest any kind of changes that they would want to make to it.

>> Pool: All right. So the reason why I went to that conclusion was because you then called on Mr. Flannigan to begin, but it seems like the people who actually put this out first may want to weigh in on what their intentions are.

>> Mayor Adler: I wasn't calling -- it was not my intent to call on Jimmy to begin anything. I was just looking at him and suggesting that maybe some of the things that he was bringing on might not be things that we need to actually go through in the nature of what Ms. Houston said.

>> Pool: Very good. Thank you.

>> Mayor Adler: Cool.

>> Tovo: And I just wanted to remind everyone that the staff wrote about a 21 page response to the goals document indicating where in codenext they felt these goals had been achieved. So I don't know if everyone has that down here too, but that's just another point of reference for the conversation. I'm happy to spend 30 minutes talking about the goals. I think they're consistent with imagine Austin, and it's really imagine Austin's goals that need to be reflected in the land development code. So as long as those are in sync I'm comfortable spending some time talking about that.

>> Pool: Could staff get us -- everybody a copy of that document? I looked for the it in my email the last couple of days, but I didn't know who the sender was and I didn't know what the subject was and wasn't able to find it.

>> Mayor Adler: Jimmy?

>> Flannigan: I think it would be good to hold to our discussion agreements and not speak out of turn. I wanted to say that the -- the goals document, my understanding is that we're going to go through it today, which is why I worked with council members Renteria and Garza on the thing I've handed out so it's not just thing I -- things I came up with. I worked with to other officers as the goals document was the collaboration of three council members.

>> Mayor Adler: Let's get started and we'll do this as we indicated on Saturday. So first starting with the six paragraphs at the top of it -- yes, Ann?

[10:51:42 AM]

>> Kitchen: The agenda -- and I'm just pointing this out. I don't care how we proceed, but the agenda has us giving the brief presentation by staff first.

>> Mayor Adler: Okay. Good point. She's corrected, that's what it said. So staff is going to at some point give us a 10 or 15-minute overview of where we are with respect to codenext generally, and saving the specific discussions of particular topics until we get into those topics or issues, as the mayor pro tem had also recommended. So the question in front of us is do we want to hit the goals document or do we

want to hear the 10 or 15 minutes first? For me I don't care. But does anybody have a strong preference for which one they'd like to have first? Ms. Houston?

>> Houston: After two days of public hearings I'd like to hear the staff's kind of 10 to 15-minute overview or presentation.

>> Renteria: I also would like to hear that.

>> Mayor Adler: Okay. Without objection then we'll go ahead and do that. All right. Staff, why don't you take us through kind of a brief overview on codenext.

>> Okay. A big brief overview on codenext. Greg Guernsey, planning and zone. I'm joined by Jerry rusthoven, Peter park consult, sub-consultant to opticos and John Mcgee. I have Lisa Weis behind me with Lisa Weis and associates and eco northwest and also some other staff from my department. So I'll try to be very quick and give you an update on codenext and a little bit of quick history on it as well. This is a rewrite of our land development code. It is the entire code, not just zoning and zoning maps, although you've heard a lot about zoning text and zoning map, but it covers subdivision about how we divide land, site plan, how we lay buildings out on a property and where are ponds and where ponds were located, landscaping, tree requirements, tree preservation, both street trees that are in the right-of-way and on private property.

[10:54:04 AM]

It speaks to parkland dedication and open space requirements that might be required as part of residential projects but also of commercial projects. It speaks to drainage requirements, floodplain, the ponds on the property and maybe being located off-site. It includes those things that deal with water quality so things that have been certainly adopted by our citizens, like sos, those are incorporated, but also all the other watershed requirements. Transportation requirements dealing with traffic impact analysis, parking and several other items about how you would get around mobility. Historic preservation, both historic districts and historic buildings, but also those that deal with regular homes, demolitions, new construction. Signs, signs was actually added in draft 3 but both on premise, off premise signs. Infrastructure, the water utility, the electric utility, how we serve properties. And aviation, although that's probably the one you've heard the least about, dealing with aviation hazards that are near our airport and also what uses may be allowed. The last time we really redid the zoning ordinance was back in 1984. It was adopted in '85 after about a four and a half, five-year process, but that was just zoning. We made hundreds of amendments in the last 34 years, things that you know and understand. Hill country commercial design standards, mcmansion regulations, the planning and development ordinance, short-term rentals, urban farms, I think some of those that you spent over two years just talking about some of those individual topics. And the code is complicated. This is not an easy document. You know, it's not for probably the layperson to try to walk through the entire code on a Sunday afternoon.

[10:56:08 AM]

The code has been fixed and patched and has been reorganized several times, and when we did imagine Austin, which is really the genesis of where we kicked off codenext, it was determined to be one of the eight priority programs for the city to try to bring Austin forward in a long-range plan that would go up to 2039, our 200th anniversary. Since 2013, since we've been working on this, we've done outreach sessions, listening sessions to the community. They resulted in a listening to the community report that identified certain themes, mobility, affordability, which includes housing, neighborhood character, environment, and permitting and processing, that these were things that the community held as important, and that came out of that. We did a code diagnosis afterwards at. Picos and our opportunity team spend a lot of time on, looking how effective our code is, and determining determining things, for instance, that are found in the code that are complicated to use and difficult to use, that there's a lack of housing choice, the opt-in/opt-out process is very difficult, that it's very auto centric. We've done a community character manual. We actually went out and enlisted the assistance of over 100 different neighborhoods and got information back on them. Austin has been built out over many hundreds of years now and so the characteristics of when those neighborhoods were created, it changes greatly, the loss sizes, the block lengths. We also did a -- looked at the code approach and we brought the council originally an approach of how we were going to change the code, that ranged from a brisk sweep which was not doing too much, a deep clean, which was doing quite a bit but not necessarily doing away with everything, and then a complete makeover, which was -- I think it was deemed as three, and we got to about two and a half.

[10:58:10 AM]

So it was actually doing quite a lot of rewriting of the code. We had some events like sound check where we brought citizens in, we brought consultants in and we kind of looked at everything that was happening and tried to get an idea of how that was working. The council created the code advisory group to try to work with the community, and they did a lot of hard work, a lot of heavy lifting and bringing in topics to talk about. We did the prescription papers and they assisted with the task about raising issues and some of the trade-offs. And then we started working -- and then with the boards and commissions. We've had three drafts of the code. The first draft came out in January of last year, the maps following in April and the housing sections beyond that. And that really had -- transact Zones, form based codes, looking a lot at what the buildings look like, a lot of concentration on that. We had a lot of input from boards, commissions, council, citizens, about that draft, and the zoning sections were greatly rewritten to be a single spectrum of Zones. So you could use the different districts both in the urban core and outside and to leave some of the form-based code behind, so we integrated some of that then. And then we had draft 3, our most recent draft came out in February of this year. Both draft 2 and draft 3 included maps, and the maps have changed through time. The latest version of the map really probably comes closer to I think what folks have been concerned about in the neighborhood planning areas as far as land uses are concerned, concentrated more affordable housing, at permanent and affordable housing along the corridors than you had seen in previous drafts. That is the staff recommendation. There are -- there are two other pieces that came out more recently. One is the addendum.

[11:00:10 AM]

The addendum, which is -- has been made available includes but not limited to changes to text and changes to diagrams, deletion of text. Each page in the -- the addendum shows what is currently in draft 3 and how that has changed. But it does not include the entire -- entire draft 3. So as you look at the addendum it's probably half as large as you really see, because it's comparing draft 3 to what the change may be. There's an errata that affects the entire code but that really didn't change content. That was more of basically going in and doing grammatical edits, formatting changes and making sure the cross-reference from section to section are more up-to-date. We also provided a map as lass -- atlas, that shows the changes from February and we broke the city out into a grid so people could see what had changed in draft 3 and an a deniedics that was attached actually got down -- appendix went down to the property levels so you could see what property staff was recommending. So it is a far-reaching code. It doesn't make a pretense to fix all of our affordable housing problems in the city. It's part of that puzzle. It helps with assisting implementing the blueprint but we'll still probably need tax credits and private partners nonprofit partners to insure affordable housing. It provides more transportation options but it won't immediately take cars off the street but it makes it easier to get around whether you're walking or biking or taking transit, encouraging more uses along those lines, any of those transit lines. But it is very much a code that looks to the future. So if council were to approve this, if you wake up the next morning, the world isn't changed overnight.

[11:02:15 AM]

Those uses that you might have on your property that were legally there before we annexed or we created before zoning went into effect, are still nonconforming and those can exist. Buildings that maybe don't comply with mcmansion today may not comply under the new codenext, are still legal and layoff. You don't have -- lawful. You don't have to vacant the building. You don't have to immediately go out and get a building permit. But the change is coming and this is really part of that discussion that was in imagine Austin. In 2010 we had about 790,000 people. Today we're close to 970 or 963,000. We've added about 170,000 people since April 2010. If you took all the people in Round Rock and all the people in pflugerville, in 2010 you moved them to Austin, we added more people than those two cities combined to what we have in Austin. And so we are still a a fast-growing city. I can pause at the moment and go into the commission's recommendations for -- I think the four commissions that council asked information on.

>> Mayor Adler: Why don't you go ahead and do that, at a high level.

>> So council had asked for some input from planning commission, zoning and platting, the historic landmark commission and the environmental commission. And so I'll start with the environmental commission. They spent a lot of time. They broke into work groups to look at this. They wanted to make sure in general that the codenext aligns and is clearly -- clearly demonstrates connections and synergies

with various plans that they are supportive of, the Austin water plan, green infrastructure plan, city resiliency plan, parks plan, but also the mobility plan and the blueprint. And they wanted to make sure that the codenext, it shows the connections to these plans in the final version of the draft code.

[11:04:17 AM]

They wanted to make sure that we looked at the new hundred-year storm events that watershed is working on in the floodplains and that the interim regulations are respected. Also wanted to look at the staff analysis about how we can support codenext in that regard. They had some more specific changes, I think that you heard in testimony, that dealt with watersheds outside the Barton springs zone, about making sure water quality controls are in transition zone, in large -- large recreational areas such as golf courses and that 23 property is redeveloped or -- if property is redeveloped or new, there are conditions for water quality when impervious cover exceeds 500,000 square feet. Generally they supported the landscaping requirements but wanted to make sure we were applying the functional green scoring system, that there was a revision to landscape buffers, they had slight changes to that. Plant quantities that are in the draft code really should be placed in the environmental criteria manual and not be left in the code, so there's a little bit more discretion that those might change in the future. They also had tree protection and again they were supportive generally of that. I wanted to make sure that we weren't losing any of the tree protections that are already in the code and that -- except to add maybe provisions to help protect young he -- younger trees. They generally supported the parks and open space on that, adding additional setbacks for parks, making sure the functionality of these areas is maintained, for common open space, cover limits of 30%, and then changing planned unit development requirements, that there's some minimum standards for landscaping and that there are some references to heritage trees and protected trees, that those are actually removed and to use a better, in their minds -- a better tool to saying that 75% of all made up [inaudible] Of trees are protected.

[11:06:25 AM]

>> Mayor Adler: Greg, can you keep your assessment at a higher level? We'll get into those details when we discuss each of those elements.

>> Sure. The historic landmark commission, their basic -- they added some -- had concerns we weren't protecting single-family homes, especially in older neighborhoods that are not historic and to maintain the integrity of those areas. They wanted some more provisions for tools to conserve some of the buildings that are historic, where there were some incentives to do ads. They wanted to discourage the demolition of older commercial buildings and residential buildings and also to beef up our historic program so that we would be able to do surveying across the city. The zoning and planning commission, their recommendations, they actually still emphasized their previous recommendations, which are in draft 2, that you actually have in your outline, but they asked to go back and stop the process, to take a look at those things that are most necessary to change, look at the ten most things of the current code

and go work on those to make those changes, to take in looking at affordable housing and the recommendations from the mayor's task force and institutional racism, and create the need for disincentives of demolitions for buildings that are under 300,000. The planning commission had -- the folks -- the most recommendations. Generally they wanted to have check-ins as new code is adopted, to tweak the code as it goes along. They wanted also to test the code before it actually goes into the effective date. They did have some ideas of going back and looking at those areas that were in the f25 Zones, those areas of existing nccd, puds, revisiting those and trying to bring those into the new code.

[11:08:26 AM]

They generally wanted to look at reducing the size of the code by 30% for those sections that are outside of zoning, and to go through and look at a lot of the compatibility sections, how they're measured, introducing transitions which may alleviate the impact of compatibility along the corridors but making sure that those corridors actually could be developed, to changing some of the standards that deal with mcmansion. For instance, they -- removing the articulation from some of those, actually reducing some of the Fars, requiring more conditional use permits in more of the Zones, particularly as they might relate to alcohol, and then actually going in and in the downtown area and emphasizing development downtown and making sure that we are not losing those tools that we might get affordable housing and increasing the density bonus program to get more out of those areas as well, again, making sure that we're not losing our opportunities --

>> Mayor Adler: About how many recommendations did the planning commission make?

>> Probably close to 120, they include map and text.

>> Mayor Adler: Okay. Any questions about the overview? Yes?

>> Mayor, council, as today marks a milestone in which the council is now beginning deliberations on this draft. I just wanted to acknowledge and appreciate the work of staff, the consultants, all the commissions, the members of the commissions have put in a tremendous amount of work, and the public that really engaged in this process. So I just wanted to take this moment to say thank you.

>> Mayor Adler: Absolutely. Thank you, and to those watching.

>> Renteria: Mayor?

>> Mayor Adler: Yes.

>> Renteria: I'm very -- I have one question.

[11:10:27 AM]



You mentioned about the testing. Have you all done any testing yet or is that going to be after we finish our recommendation of how -- how that process is going to work.

>> So we have done an internal test with our staff at some existing sites that are already approved and it was fun to look at I guess you could say the redevelopment of those sites and what the potential is. But in the code itself, and what we found is that you may not initially in that particular example get to the exact same number as was eventually approved, but this code does have some things that are in it dealing with looking at additional drainage requirements, more open space requirements. I don't think that -- that were en -- weren't envisioned under our current code, proposed, and there may have been relaxation of certain sections that have not been applied. We've also been invited by some groups to look at and work with them on -- by their invitation to their gathering, different projects they have shown, and I think that's been a good opportunity to look at things that we could share with them that they weren't envisioning where you might be able to, say, count open space with parkland and double count things. We learned that there are very much difficulties dealing with the smaller sized lots, the lots that are the more narrow depth, and I know that that information was shared with the commission. But to test, I think what we've heard from you and what we would do through our training would actually be doing some testing for the effective date [inaudible]

>> Renteria: That's good, because that's a big concern right now, because are we going to do the process and get the permitting.

[11:12:29 AM]

We're going to do it -- here on section 22 E -- 3 E 1, it's one of those that reduced times and cost of permitting. So that's something that really has been affecting us, even here in our presently -- not even before we've gotten into the new code rewrite, is that the process had been so long, it takes too long to go through it, and it's really affecting some of our affordable housing projects that, you know -- especially the tax credits, where it's a two-year process, and it has to be done in two years. So I'm really encouraged that you all are really looking to really fixing that problem when we're through with all of the -- whatever we decide here, but we do need that problem fixed.

>> Mayor Adler: Okay. And there were a few other commissions I think also as well, just to mention, to honor their work. Urban transportation commission, also participated, music commission, community development commission, the downtown commission, so by not mentioning them we weren't -- not recognizing that other commissions also participated.

>> Houston: And zoning and platting also participated.

>> Mayor Adler: Yes. Ann?

>> Kitchen: Not to take time today, but on the testing, I'm thinking we talked about this already, but I'm thinking that we talked about seeing at the appropriate time when the council is ready -- seeing more of a -- a written approach to testing so that that is something that we can have a conversation about with you guys, and so that that's something that can be visible to the public. So again, we don't need to --

that's not for today's conversation, but at a later conversation I would like to see a more specific timeline, process and approach for testing.

[11:14:31 AM]

>> Mayor Adler: Mayor pro tem? Kathie?

>> Tovo: I'm glad that came up because I actually had meant to include that on the list of things on the selected outline because I -- it might be useful to have a conversation today about what our -- what our - - whether there's a consensus on how long of a period of time we would want that testing, the implementation period, to be, the wait for implementation. I know six months has been offered. There are other ideas out there, but that might -- that might be something we can take out -- take out today as well, just in the general -- in the general terms, how much time after passage should there be before -- before the code is implemented and if during that testing period there are glitches, what happens then, do we -- do those properties not get rolled back in their zoning if it was a rezone issue or -- anyway, so I think that that might be an issue we could spend a little bit of time talking about and the community would be happy to know what that time period period -- period is.

>> Mayor Adler: Yes, Leslie?

>> Pool: I agree with testing also and I'd like to suggest we get a handle on which areas in each of the districts might be used as a prototype, for the prototype testing.

>> Mayor Adler: Okay. Let's bookmark the question of testing. I would say we have to come back to it at some point. Anything else on the kind of overview? Thanks, guys. Let's hit the -- yes -- Ora?

>> Houston: Just one last thing. We're about to start our test on affordable -- I don't have it in front of me, but on the -- what's the first goal?

>> Mayor Adler: Well, we could --

>> Houston: That will promote a compact and connected city. And under that is -- at some point we've got to talk about housing. What's the number now of housing units that we're projecting that we need? It has changed over time. I just want to be clear.

[11:16:35 AM]

>> So in the blueprint right now, it speaks to 135 units, and that's what has been adopted. Yes, 135,000. I know our consultant,

[inaudible] And consultants and eco northwest and nhcd, is looking for a capacity that would actually be greater than that, and capacity being the potential number of units to be built, and as you probably heard in I think some prior sessions, ideally that would be two, even three times that amount. But I think

it's closer probably to two times the amount of 135,000, is what could be constructed under draft 3. And again, that is capacity. That's not -- not the trend. And part of what's in imagine Austin is looking at to capture more of those folks in the city rather than having them commute from Buda or Kyle or round Rock, so there's less trips, more housing choices for the folks that live here. There's more affordable housing that is here, and that's part of what draft 3 is trying to do. I don't know if that answered your question?

>> Houston: So we're talking about 200-plus thousand housing units?

>> That could be the capacity.

>> Houston: Capacity.

>> Not necessarily what would automatically be constructed. And I've got staff here from acd if you want -- nacd if you want to go into more details --

>> Mayor Adler: My sense is -- mark that issue because it's going to come up in the goals, the topic issue questions, so when we get there let's make sure we -- because we're going to have to go through that in pretty -- much greater detail in here at some point. Leslie?

>> Pool: Yeah, in the capacity, I think what you're saying, the difference between capacity and the number of units is you could have four people in one unit.

[11:18:40 AM]

>> Well, just to be general, I think there has been discussions about capacity being termed as being the trend of what we will see built by draft 3. And so those -- those units that we're talking about is something that's a little different than what a trend analysis --

>> Pool: No, I get that they're different. I'm trying -- I'm trying to distinguish between the two. The number of units being built versus the capacity within the units being built. No?

>> Yeah, so there is -- there is capacity questions as well, but --

>> Mayor Adler: Would you describe what capacity means for this context, Peter? Or --

>> Pool: Well, I wanted -- so I'm trying to get -- what's the difference between capacity and occupancy, then? I'm lost in the -- in the terminology.

>> The number you're referring to would be occupancy, which is a whole other issue. The capacity is how many units does the code allow to be built.

>> Pool: Okay.

>> And of course you have separate from that how many units are actually built because of market, which is a whole separate issue, but the capacity is just given economic trends, you know, the analysis that's been done by eco northwest and free and easy, what they get the capacity would be under the proposed codes. It has nothing to do with occupancy limits.

>> Pool: Gotcha. And that's how many years, again?

>> The blueprint was looking at a ten-year period.

>> Pool: Okay. And then I just wanted to make a comment about the people living in Buda. They might actually want to live somewhere that's a smaller town setting as opposed to living somewhere more dense, and so we shouldn't presuppose that we understand all the buyer and -- everybody's motivations for why they choose to live where they choose. And I think that that also should be something that we bookmark and have a discussion, because those -- those decisions that people make every day are Georgetown decisions -- legitimate decisions are decisions they make based on their individual circumstances, and I don't want it to seem like we're telling them where they should live.

[11:20:47 AM]

>> Mayor Adler: Okay. Jimmy?

>> Flannigan: When you differentiate between capacity and projection, which is how I remembered the two words that were used, projection being what you think will actually be built, the capacity number has to be bigger because individual sites may have environmental features or when you start overlaying all the text requirements on top of the zoning requirements, then it even further drills down to what you can actually build, and a protection as opposed to capacity. Capacity is based on zoning alone, that is right?

>> The capacity analysis was done by free and easy. Did look at zoning, topographical restraints, might be steep slopes that make it more difficult or lots of floodplain, and so those areas were removed from that discussion.

>> Flannigan: And I will say, you know, in respect to the folks in Buda, you know, from my side of town we think more about cedar park and Round Rock as the place that people go, and I've certainly met many folks that were proud to have voted for me in one election but couldn't stay in the house they were in between '14 and '16, and now have progressively moved farther out. They lived in central Austin, then district 6 and now they're in cedar park and in some cases they're even moving to Leander. So there are plenty of people who have been displaced. I think that's what displacement means.

>> Mayor Adler: Let's go ahead and move to the goals. Thanks for the overview. So let's see if we can go through the goals here in 30 minutes. Focus be first on the first six paragraphs, the first paragraph talks about a 10-1 council. We've been in the process of creating a development code that reflects shared values, meets challenges of a growing city. While there's great length and detail, this was an attempt to identify some major issues. Imagine Austin provides vision but the old code lacks the tools to help us realize that vision.

[11:22:53 AM]

Leads to a confusing and costly permitting process. It's not contributing, not responsible but contributing to rising housing cost, demolition homes and older affordable homes. Contributes to gentrification and displacement, limits our ability to address the risks of flooding and traffic congestion and provide more affordable housing options. So it comes to the statement it's B become clear we cannot allow the current unwieldy code to remain in place. The second-to-the-last paragraph talks about the belief that a new code is a critical opportunity to meet some of those -- to help meet some of those challenges, to manage growth and protect what we love about the city. It recognizes that the code by itself can't solve all those concerns, and that local government is limited in its ability to impact all of the challenges and concerns we face, but that we have an opportunity before us to be able to calibrate the tools and levers that we do have to achieve what were the imagine Austin's vision. Concludes with a paragraph that says that here contained is the list of many but certainly not all of the major challenges and opportunities, including housing supply, affordability, permitting, flooding, impacts of growth, transportation and environment, and that these major points represent shared expectations. Anybody have any concerns or thoughts about the statements that are contained in that? Yes? Alison.

>> Alter: So I just wanted to underscore paragraph 5, because I think it -- it helps us to frame what's before us today. So for one, we need to understand that our land development code does not solve every problem in our community.

[11:24:55 AM]

Our consultants have told us over and over again it is not going to generate the levels of affordable housing in restricted -- income restricted, or whatever qualifier you want to put in front of us, that it's not going to generate the level that is in our blueprint. It is not our only tool. It is one of our tools and we need to understand that that doesn't mean you can -- you can massage it to do everything, because it's just not a tool that's going to do everything. I think we also need to understand, and I think for some part of the community I think this is where the frustration lies, is that the local government is limited in its ability to control the market, and that we need to therefore, in my opinion, be very careful that we don't pour gasoline on areas of the city and that we are thinking through how the market will react to certain things, and I think that's where the testing idea comes from, and I'll just add that I'm very nervous that we're not going to test this until after we pass it, but, you know, there's a lot of things that we can wish all we want, but we do know something about how the market is going to respond and what motivates the market, and we need to take that into consideration as we make our choices. And then the last part of that paragraph kind of sets forth what our task is, and our task is to calibrate the tools and the levers that we do have to achieve in practice imagine Austin's vision. That, I will remind us, is why we're here. That's why we went forward with the code, and I think it's a good touchstone to go back to. And so I just wanted to kind of highlight that because I think it's important as we think forward to what we can and what we cannot do with this particular set of policy choices, and that when some of us raise certain questions and when others raise other questions, we are making assumptions about how the market will react and the way the market works, and sometimes we need to check those assumptions, and that can work on both sides, that we have things to learn about how we think that process works, but that we may need to unpack some of those assumptions and understand those that are -- and we may need to modify things in order to get the part of the community, whether it's the

market or whether it's the affordable housing providers, to be able to provide what we're hoping for, but understand that what we do is not automatic.

[11:27:39 AM]

I think that's just really important for us to have in mind as we embark on this process from here on out.

>> Mayor Adler: I agree with everything that you said. I would just say that I would hope that before we would pass anything on third reading, that we would have some testing done associated with that process. Any other thoughts on this? Ready to move on? Let's touch base on this one to see -- Kathie?

>> Tovo: Yeah, I just -- I don't want to dwell on it in line with what I said earlier, I think in the main I'm comfortable with it. I would just note that I have -- I have a slight unease with the third paragraph. It's been made very clear in here that this is -- that these kinds of causes are not -- that the code is not being held responsible for all of the things that are listed in here, but I just want to express my discomfort so that silence is not perceived as consent on this. I just -- because I hear this argument made so often in the community, I just have to note my unease with it. I think that -- I think the current code, for example, limits our ability to provide more affordable housing options because we've made a practice of -- of having provisions in our code that don't require on-site affordable housing. Those were choices. It's not the code itself that's limiting it. It's the political will requiring those to be on-site. You know, our code is limiting our ability to prevent demolitions because we have a code that allows that to be a very easy option, and adopting some more stringent provisions within our current code would have helped that. So I'm all for continuing to work toward a new code, but again, there are -- it is not the code itself that is creating all of those things, in my mind. It's a complicated -- it's a complicated array of factors, and I just want to say as somebody who has worked hard to support some of those amendments to the code, those amendments have been, you know, labored over and have been the product in some cases of lots of community engagement and stakeholder work to address what was a community problem that potentially didn't exist 20 years ago or 30 years ago when the code was passed.

[11:30:03 AM]

And so just the fact that it's been amended also doesn't necessarily make it -- make those things problematic. It's clunky and unwieldy and I give you that, but the amendments themselves I think are -- since we're beginning to talk about how those amendments -- how some of those ways in which the code were amended carry forward into a new code, I want to say we need to remember our history about where and why those amendments were made and make sure they're reflected in our new code.

>> Mayor Adler: Okay. Leslie?

>> Pool: I agree with the points that the mayor pro tem made and wanted to specifically look at the last sentence in the third paragraph where it says, the current code also limits our ability to address risk of flooding, traffic congestion and to provide more affordable housing options, and I would just say that I

don't agree with that statement at all. It's a lot of the variances and the zoning cases that come to our attention on the dais actually address flooding, and certainly affordable housing options, and we make -- we make provision to allow those things to happen. There is an attempt to say that our code makes it impossible to build certain types of things everywhere, and I think that within our processes and our procedures we have the ability to approve or deny any variance or any change to a zoning that happens to be in place with the old code. So I would -- I would -- I have -- I disagree with this last sentence and would suggest that we take that out because it appears to be doubling down on the sentence right before it, which was the one that the mayor pro tem was talking about. And then I just want to also share that this document also does not acknowledge what the previous council in approving the imagine Austin and setting up the rewrite of the code -- the direction that was given and the intention that was given by the previous council that we inherited and we were tasked with completing, and on page 207 of chapter 5, implementation and measuring success, paragraph 1, 2, 3, 4 says, any suggested rewrite of the city code, while striving to achieve the broad goals of the comprehensive plan, must recognize, respect and reflect these carefully crafted compromises, balances and the assumptions upon which the existing neighborhood and area plans were based and depend.

[11:32:44 AM]

And I want to highlight that paragraph because it is the source of some of the concern and distress in our community that they have the sense that this specific direction is being -- is being ignored or overcome. And so when we get down to the bulleted list where we say, preserve and respect neighborhood identity and quality of life, I think I would recommend that we specifically state what is in this paragraph, recognize, respect and reflect carefully crafted compromises, balances and assumptions upon which existing neighborhood and area plans were based and depend.

>> Mayor Adler: Ann? I'm sorry.

>> That last sentence in the third paragraph is -- council member pool, was that the sentence you were disagreeing with? I just want to make sure I heard you correctly, where it says the current code limits our ability.

>> Pool: Yes.

>> Flannigan: I have a slightly different reading of that one. That one to me talks about the development that happens when people already have their zoning, not the ones that come to us. So I think it does limit our ability to address that when the zoning is already in place in certain parts of town. So I think it's just an interpretation question. And then, you know, there's a lot of text in imagine Austin, and there's a lot of text that talks about compacting -- compacted -- compact and connected, even on page 207, the title is "Revise to promote accountant and connected," and it -- I struggle because I'm not sure we all agree on even what that phrase means. I think that's been a big challenge for us.

[11:34:45 AM]

>> Mayor Adler: So my -- my suggestion, Ann, do you want to go first?

>> Kitchen: Yeah. I just wanted to speak to that last sentence also, and, you know, we're just trying to reach consensus not suggesting that we have to include it or not, but I wanted to explain where I was coming from with that sentence, and it may not be clear -- it may not read this way to other folks, but from my perspective, I'm thinking of this as -- as the way the current -- the language of the current code, which has a lot of good things in it but could also be improved, that it also -- it does contribute to our ability to address -- I'll just give one example -- traffic congestion. So the code has a whole section that talks about things like transportation impact fees, and just from my own perspective that is an example of an area that we could improve that we could actually -- that we could consider improving, that we could actually help deal with traffic congestion. So I -- that's why I think that this is an appropriate sentence because I do think that the code limits our ability because it doesn't do as well as it could. Now, it's certainly not -- I absolutely agree that it does a lot of good things. I absolutely agree that it in and of itself, it can't fix everything. So, you know, maybe the problem with this wording is that maybe it sounds too absolute, but I just wanted to say from my perspective it's not intended to be absolute, and I can give you some examples in each of these areas where improvements to the language could help us. So maybe it's -- maybe it's worded too much in the negative as opposed to in the positive. So --

>> Mayor Adler: Kathie?

>> Tovo: And I -- and I have kind of gotten us down this path by raising this as a concern, and so I would just say that if our intent here is just to use this as a discussion, I would just suggest we not try to resolve what we do with that sentence.

[11:36:48 AM]

It is the one that caused concern for me, and I feel comfortable have been noted it. I think council member Flannigan's note about it really may be applying to existing entitlements helps. I think it's -- I certainly he agree that our -- agree that our code doesn't allow us to address flooding in the way that our new code will. So for me it is a new wording issue but I don't think it's productive to wordsmith this document. To me the way we address it is by the code in front of us and talking about the watershed provisions or the on-site provisions or some of the things -- you know, this is I guess a little bit of my concern about talking about the goals document, because the expression of these is in the code we have before us, so if we kind of turn our focus to that, that would probably be more productive than trying to agree on this.

>> Mayor Adler: And my sense is that's more -- one sentence that troubles everyone, so let's take this sentence out and ask everybody on the dais that kind of weighs in with a closed hand to 5 with that sentence removed. Is there a sense we want -- we haven't heard -- we've heard from like three people on the dais, and I think that there was a desire among people to have other people raise their hand and express interest in that. So I would recommend that we ask for a fist to 5 on this with that sentence gone.



>> Casar: My only concern, the only thing I would closed hand or 1 is us doing this level of editing, because we'll be here forever. And so I will gladly give it a 5 for anything that has us not doing what we're doing right now.

[Laughter]

>> Mayor Adler: Right, and I think the intent is not to parse the language. So to the degree that someone says I have an objection come that sentence, it's very easy to say, then we're not going to resolve that question now so we don't need to discuss it. So we're just going to take the sentence out. And what's left represent something we have general consensus on. We won't be parsing language, we won't be defending things and we've already spent too much time on this and it becomes the example of what it is.

[11:38:55 AM]

That's why I said we're just going to take it out because as the mayor pro tem says, we're going to actually get into those issues or what that means or not. But generally speaking can we say to the community with that sentence gone, this is something that generally rings true to us. That would be my question. Leslie?

>> Pool: With the additional intent from Ann, it makes better sense, and I think what I would recommend is that we rewrite the sentence so that it's in the positive, so that a new code, it would be intended to make improvements to flooding, et cetera, and I haven't written it down, but the point here is that one of the people who wrote this has discussed what her intention was with it, and that makes sense to me, and that is, I think, a common goal for us to get to improvements, and if we could make the sentence reflect that, then the fact that it was mis -- misapprehended could be reduced.

>> Mayor Adler: All right. So let's bookmark that and if someone wants to come back in the next meeting and say there's better wording for that sentence, and offer it up, if that's appropriate let's do that, but right now consistent with the fact we won't be parsing the language to this document, is there general agreement that this is -- is a representation of how we feel with that sentence gone? May I see a fist -- closed hand to 5 on that? Closed hand to 5 on that paragraph. Did you want to say something, Alison?

>> Alter: Yeah, I wanted to say if we want to say it in the affirmative we could say a new code could improve our ability to address this, and then we could just leave it and it would be clear what we meant.

>> Mayor Adler: Okay. Mayor pro tem?

>> Tovo: I guess I just really need to understand what our intent is. I mean, I didn't come here prepared with edits for the document --

>> Mayor Adler: We're not going to make edits to the document just because that will tie us down. That sentence out. If someone wants to come by with good wording for that later let's do it.

[11:40:57 AM]

>> Alter: I just gave you.

>> Mayor Adler: I know, but the problem with that is we're not going to be able to sustain that, so as we go through this document we're not going to be editing sections of this document. We want to get on to the next part of the process. So the question, I think, is, does the omission of that sentence mean that it doesn't represent something that you believe at this point. So let's ask for a vote. With the closed hand to 5:30 with this gone is this something that you believe it or not, with those various levels. I have a 5, a 4, a 5, a 3, a 5, a 5, a 3, 3, 4 and 4. Okay. I think that's a pretty good general consensus. 5. Council member pool was at a 5. Okay. Now, we have the successful land development code rewrite will, and there are bullet points associated with that. More housing choices and supply, encouraging development and preservation of affordable housing, reducing time of permitting, better managed costs of growth, better plan, preserve and respect neighborhood identity and quality of life, reduce wildfire and flood risks, support small local businesses, enable transportation choices and safety, and strengthen environmental protections. Anything in that trouble people? Or have concerns with anything in that list? Jimmy?

>> Flannigan: So one of the -- one of the attempts that council member Garza, Renteria and I were making, trying to combine two sections, so don't let that throw you off. The -- the main one in this section, I think, is that fourth bullet point, encouraging growth to be developed in a manner that provides a positive net impact, the general fund.

[11:43:05 AM]

And this is a reflection of the cost of sprawl, that when we have sprawl development it ends up costing more than it collects in tax revenues. And that's an important element of this for me and for my constituents for sure, since we're the -- we're the sprawl that was created after the last land use code was written. Almost all of my district was built after the land development code. So that one is important to me, and I think that several bullets down when we talk about open space, I think there is a difference between a general increased public access to and promoting equitable access, and that would speak more, I think, to the things that we've already discussed about park deficiencies maps directing where certain things go and certain things don't go, and I don't want to get us into a place where our goal is just adding a bunch of parks to -- or open space to areas that already have it and ignoring the parts that are deficient in that, which seems consistent with other decisions, other things that we tried to do.

>> Mayor Adler: Okay. So let's test that. Jimmy is proposing that one of the goals of this would be to take into account the impact on the general fund budget. That makes sense to me. Does anybody have any objection to that? Council member alter?

>> Alter: I'm -- I want us to manage growth responsibly, and that involves taking into consideration the infrastructure. The challenge I have with that is you can also have a positive impact on the general fund

by increasing everyone's property values, by giving everyone all these land entitlements, and I don't think that feeds in the direction that we want to go. So as written I can't support that because that could just mean that I'm supporting property values going up all over the city and I want to raise taxes on everybody, and that's not what I want to support.

>> Mayor Adler: Okay.

>> Alter: So it's helpful to understand that you're talking about sprawl, but as reading that, that doesn't speak that to me.

[11:45:10 AM]

>> Mayor Adler: Okay. So again, I would -- rather than trying to parse language, if there's a concern associated with that, I would ask the question whether or not the omission of that means that this is not something that you can support. Jimmy?

>> Flannigan: So I think that's a really important point that you're making, and I appreciate the -- calling out the difference between wanting increased property values and the general fund, and I think, you know, in terms of the part of the tax bill we control, the increasing valuations don't cause increased taxation unless we raise the tax rate. So raising property values alone doesn't do that. We would have to -- the point I'm trying to get to here is certain types of development force us to raise the taxes, right? And we just did this with the fire stations resolution because we sprawled out and now we have to build more fire stations, and when you look certainly at some of those areas, we didn't even annex enough to cover the tax -- the amount just for the fire station much less policing and all the other things we have to do. So the intent here is to say that there are types of growth that can put us in a negative financial position moving forward and there are types of growth that can put us in a positive financial position moving forward, and that's what I'm trying to accomplish, and I think that's part of compact and connected, because if you build where there's already infrastructure you don't -- you're maintaining infrastructure and you have more taxpayers with which to spread the cost of that maintenance.

>> Mayor Adler: So there are two sides to that equation, cost and general fund. There's the revenue and -- and there's the cost issue. So I hear what you're saying, is do it in a way that helps control the cost of development, which is the -- government, which is the part that doesn't have anything to do with revenue, which could be a way out of that if we were parsing language.

>> Flannigan: Well, and I had thought about that too, but I think it's -- you build the thing and there's probably a cost associated to building a thing, but it's less than the tax revenues you then collect because you built the thing and that's why a net positive impact was -- my thought process around that because it's better than saying only build things that cost nothing because that maybe arably is not a thing, but you can build things that generate more than they cost.

[11:47:24 AM]

So that's the thing --

>> Mayor Adler: I want to suggest again we bookmark that one and not try to resolve that here. So the question I would ask is assuming that that language stays out, how do people feel about it? Alison?

>> Alter: I just wanted to point out because maybe this would address your concern. I think we were trying when we wrote this to be very succinct in these goals, and some of those nuances were kind of relegated to the subsections. But it does say to better manage the costs of growth, and one of the costs of growth would be the cost of infrastructure, and so I think we should be considering the cost of the infrastructure as we grow, and that could be about sprawl. It could also be about the fact that the central city doesn't have certain infrastructure to support certain types of density, and those would all be costs that I would want to be considered, and I feel like if the language says better manage the cost of growth and that's simpler is better in terms of communicating that moving forward.

>> Mayor Adler: Okay. So without that language in, maybe there's still --

>> Agree.

>> Mayor Adler: Okay. So the suggestion was that that sentiment was already expressed in language that was otherwise included, better managing the cost of growth and a more effective planning tool.

>> Tovo: Is that the only sentence we're talking about?

>> Mayor Adler: The only one, we're talking out by encouraging growth to be developed in a manner that. The second change you sucked is whether -- we talked about increasing the public access that we say promotes equitable access. Does anybody have a concern with that suggestion?

>> Houston: I still had my hand up about the general fund.

[Chuckle]

>> Mayor Adler: Well, we're going to leave that out so we don't have to decide that question unless you want to --

>> Houston: I just had another issue as you were thinking about -- because I too am concerned about the net impact of growth on the general fund, but we have already annexed as much as we can annex, and so those -- those -- that land is already outside of the compact and connected city, so it's -- and people are there, so we still have to put infrastructure there now because we've annexed them and they're living there.

[11:49:38 AM]

So how do we -- this may be a conversation for just me and you, because I do have that concern about how we -- the impact on growth on the general fund, but understanding that there are already people at the edges of the city, because we continue to annex people, and we still have to get infrastructure to them. So....

>> Mayor Adler: Okay. We're not going to resolve this question and we're not going to put that language in. Jimmy?

>> Flannigan: I wish you and I could go into a private room and have this conversation.

[Chuckle] Because I think we probably can't do that. Buffy concur with that and that's why I think the intent is that there's different styles of development that have more or less ability to cover the costs of the infrastructure that surrounds them. Because of the number of taxpayers splitting the cost.

>> Casar: While we may not be parsing language I want to indicate if there's -- because compact and connected are the words and imagine Austin priority that launched it, I think managing growth is having something in the document that focuses on the cost of sprawl, whatever the words are would be really important to me so I like the way council member Flannigan has written it but if there's some other way getting to -- that's important.

>> Mayor Adler: As we bookmark the last sentence in paragraph 3, nothing stops anybody from coming back and suggesting alternate language. But we're not going to do that. 5 to 5. Anybody have action -- 0 to 5? Mayor pro tem?

>> Tovo: I think it's in addition to. I think we want to increase our public open spaces and equitable access. I see those as -- as two separate goals.

>> Mayor Adler: Does anybody have any objection in this document, which is the goals statement, of saying we want to increase public open spaces and promote equitable access to?

[11:51:40 AM]

>> We're really wordsmithing now so I'm going to let this go. But I debated whether or not it was increase equity access or promote public access but we're down a rabbit hole.

>> Mayor Adler: We'll put it in and let's take a vote, 0 to 5. Where are people with respect to that section now?

>> [Inaudible]

>> Mayor Adler: 0 to 5 on this section and these bullet points.

>> So mayor, was it increase and promote?

>> Mayor Adler: It's increase and promote equitable. Okay? We have 3½, 3, 5, 4, 4, 5, 5, 5,.

>> I had also -- so you're moving away from the section that I had made a comment about the fifth bullet about the neighborhood identity and quality of life when I made a comment earlier, but that got lost in the shuffle. That was where I suggested, and so we should bookmark that one like we're bookmarking the other ones, but that goes to the assumptions which existing neighborhood and area plans were based upon and depend.

>> Mayor Adler: Okay, so it's --

>> Pool: So that one --

>> Mayor Adler: Let's bookmark that one. Someone can come back with wording on that, as we have that. 0 to 5 with that? Were you? 4, Dalia, 4. Let's look at the next one. Yes?

>> Tovo: Were those the only changes suggested from the document?

>> Mayor Adler: Those were the only changes that people suggested on the dais.

>> Tovo: Because there were other changes -- I just want to be very clear that we're not addressing the other red lined changed that were posed.

>> Mayor Adler: That's correct, those were order changes and --

>> Tovo: No -- I'm talking about the language --

[11:53:41 AM]

>> Mayor Adler: We're working off of the posted language, not the red line language.

>> Tovo: Okay.

>> Renteria: Mayor?

>> Mayor Adler: Yes.

>> Renteria: Did we -- can you repeat the bookmarks?

>> Mayor Adler: Right. So in this section we're bookmarking the question of general fund and how we would characterize that. We're bookmarking including a specific reference to the neighborhood plans as was contained in imagine Austin. We made the last bullet point to speak to both increasing public access to and equitable -- both public open spaces and equitable access to public open spaces.

>> Renteria: Are being bookmarked.

>> Mayor Adler: That's the bookmark changes being made.

>> Renteria: Thank you.

>> Mayor Adler: Is that everybody's understanding?

>> That's the only change --

>> Houston: That was the only change that we made.

>> In that section.

>> Renteria: Are we going to take another vote?

>> Mayor Adler: Does anybody want to change their vote? Then we don't have to take another vote. Okay? What about the section on -- on providing more housing choices and supply? In this section we

talked about having a wide variety, households with a broad range of incomes, every stage of life, different kinds of families, sensitively providing for different -- more housing types and neighborhoods, transitions, activity centers along transportation corridors and near transit stations, enabling more adus, maintaining building impervious cover limits in order to help homeowners with housing costs and more flexibility as household needs change, allowing exceptions to voting requirements for more accessory dwelling units to provide incentives to preserve original residence or create affordability, allowing family with homes on substandard lots to more easily remodel and stay in place, allow homes in more commercial areas, to provide more housing, allows for site plan requirements and administrative approvals that support development of diverse housing options, including ads and multiplexes where appropriate, include development design standards that support development of housing along corridors and helps to correct past patterns of segregation and helps Austin achieve fair housing goals.

[11:56:05 AM]

Does anybody have any sections in that that causes concerns? Mayor pro tem?

>> Tovo: Yes, I do. And I think that -- well, I've already made my point about spending time on this, but the -- okay. So number one bullet, I'm fine with it except with the use of transitions, because it's very clear from our community discussions that transitions to some people means corridor to what's behind it, transitions to others means the five blocks from a corridor. I can't support -- I can't support a blanket statement about transitions without having a definition as a council about what that even means. The third bullet likewise. I'm -- I'm very supportive of the other bullet points about increasing and making possible small accessory dwelling units, but I can't support a bullet saying allows exceptions to building requirements without knowing what those are. And so for me that discussion has to happen in relationship to the land development code. I heard one suggestion at some point in this conversation that we removed the universal accessibility requirements, for example, and the no step entrance, because that's causing ads to be more expensive. I mean, that was the product of a multi-year conversation with lots of input from our stakeholders and the community, including the accessibility advocates. And so that -- to me that's just way too general for me to support at this stage, and we will have that conversation with specific -- when we talk about the code provisions. And then one, two, three, four, five -- sixth provision allows for site plan requirements and administrative approvals. Again, for me the devil -- I can't sign off on that bullet at this point without knowing what the details are. We've had conversations and white papers from the league of women voters and others about preserving public process, and so that's something that I need to see exactly what we're talking about with regard to administrative approvals, because I support -- I support their points about preserving public process on these kinds of decisions.

[11:58:13 AM]

So I think that's -- those are the ones that cause me concern. Transitions, bullet 3, bullet --

>> Mayor Adler: And transitions?

>> Tovo: 6.

>> Mayor Adler: Yeah, the term --

>> Let me ask this question, because pretty much every one of these hasn't really been defined, and there are details for -- for every one of them. So I think that the intent of the goal is to -- is to say at a pretty high level that obviously if we are going to have density on corridors, then we're -- even if we were leaving neighborhoods alone, there's some measure of transition that has to happen between the two. But even though it would be at some level, it's obviously something still to be determined, and we're not defining it at this point or writing a blank check. Is it possible to add language here on those three things and generally throughout the document to say that we're talking about it at some type or level, but it's still to be determined as a way to be able to move forward? Mayor pro tem?

>> Tovo: If that's

>> On bullet three, we've covered it with two. A successful code enables more accessory dwelling units, etc. It talks about the goal without talking about the mechanisms by which we're going to encourage them. So I think the other bullets are just more . . . Development and design standards that support the development. Well -- maybe others disagree with me, but I think these bullets get us . . . Things that are very, very general. And they're also -- and we all know this. These are the points of great controversy in our community. I sure don't want to have before us a goals document that then people are going to say but you all agreed to a goals document that talks about transitions and exceptions to ads.

[12:00:24 PM]

I mean, it just doesn't further our community conversations.

>> Mayor Adler: Okay. So, Ann.

>> Kitchen: I appreciate the concerns that the mayor pro tem is raising. And just by way of explanation, again, I'm just explaining that bullet number 3, just explaining my interest in putting this forward or agreeing and putting it forward. To me, it focuses on incentives and doesn't make a statement about what those exceptions might be. And I want us to be careful about how we talk about -- I hear what -- you're reading what you wouldn't want it to be. Well, neither would I. I would never suggest making exceptions. I mean, let me back up, because we said that we weren't going to draw lines. But I don't want this to be interpreted as -- when I put it forward, I wasn't thinking accessibility. So I want us to be real careful about how we talk about things. That's why I feel the need to explain. There could be some exceptions that would be helpful incentives to preserving the original residence or creating affordability. And because of the value, I'm thinking is preserving original residence and creating affordability, to me, incentives are a potential tool. And so without any statement -- to me, this doesn't say any statement about what those exceptions might be. So, again, it's a problem of everybody has to balance the degree to which they're comfortable with some higher-level statements. And I'm just explaining where I'm coming from in terms of what there is about that statement that I support.



>> Mayor Adler: Jimmy.

>> Flannigan: I agree with you, mayor pro tem. It would be difficult to presuppose the exceptions we support in any document.

[12:02:28 PM]

But mayor, I think -- I'm actually finding this to be somewhat valuable in terms of running through this quickly and understanding where there's disagreement and then moving along. And it's something we understand how, as we move forward into actual amendments, which I hope we discuss where amendments start to happen, I'll know the things I already might have some agreement on and things that maybe I need to find some more ways to modify my approach. So I am finding this more valuable than I expected. But I think the bookmark tool that you came up with on the fly is the way to go. Bookmark the things where there's unstableness and then let's just keep moving forward. And then we can go back later.

>> Mayor Adler: At this point I would bookmark one, three, and six. Leslie.

>> Pool: I was going to suggest bookmarking it. And also, on four, it talks about homes on substandard lots and the size of lots is in play and in flux in the code. And so I don't know how to define or what -- how to explain what substandard is unless it's using the existing code. So I think that that should also be bookmarked until we can find a better way to express what it is we're trying to say.

>> Mayor Adler: Okay. And we'll go through this exercise. This is not to decide any of these issues. And every one of these is lacking detail. What we have to balance is, is there a general statement we can make, recognizing that on every one of these we don't have detail. And if we're going to try to supply the detail, we would just be writing the code. So my hope is we can find kind of a balanced place where we're willing to say we don't know the details on this and we could be in violent disagreement on what the details might be on any one of these, but as a general proposition, it's something that we think the code should be doing.

[12:04:35 PM]

Pio.

>> Renteria: The reason I had supported this one was, you know, going through the process of building that Adu. You know, there was restrictions on -- in fees associated with building one of these units, because they wanted us to put a separate water meter and electric meter. I said I'm not never going to sell my Adu. And I'm going to keep it, you know, in the family. And so I had to go through a whole bunch of steps in order to get to -- they allowed me to use my existing meters. I had a new box and a cable. I put another box through there. And it saved me close to \$30,000. So, you know, that's the reason I

supported it. But I could understand, you know, not knowing exactly the exceptions of the building requirements. And I can understand, you know, the concern there.

>> Mayor Adler: Okay. Ms. Houston.

>> Houston: Bullet four if we're going to bookmark that, I've got concerns about nonconforming lots, just -- not just substandard lots, but lots in east Austin where houses are on non -- have different zoning than residential. And so what does that do to those lots as well.

>> Mayor Adler: Okay. So we'll bookmark that. And my hope is -- so I'm going to bookmark one, three, four, and six in this, ask for hands on the others, and then see the degree to which, as we continue to move forward on this dais we can kind of balance the understanding that with respect to every one of these, whether we specifically said it or not, every one of these is subject to and recognizing that all the details and specifics still have to be negotiated.

[12:06:39 PM]

Because there could be a range of how we each think any one of these would be implemented. So let's measure that if we could on the zero to five, where are we with respect to what's left in this action. Yes.

>> What's left?

>> Mayor Adler: In other words, we're bookmarking, taking out one, three, four, and six. We can come back with additional language and say I've now adjusted this language and I think it should go back into the goal statement. We're not going to parse the language. So it's a place to start, but maybe to end this section, do we have the other points?

>> Renteria: I'll make a quick comment.

>> Mayor Adler: Yes.

>> Renteria: We decided in our district, in Cesar Chavez, and holly, small lots. So they could build houses on it, or remodel, because there was restrictions, you know, on quoting permits. If you lived in a nonstandard lot, or they called them illegal lot back then, you couldn't pull a permit. So that's one of the things that I just want to let people know.

>> Mayor Adler: I think that's the issue. It might make a good goal statement. Maybe it can be rewritten in a way that enables people to be able to sign on to it without fearing that they're going to create an impression other than what they would. So we're bookmarking it for the point, there's an opportunity to do that. But I'd like an indication on this so we can move forward. Greg.

>> Casar: Mayor, I want to be able to keep moving forward collaboratively, because I want to start getting to the other sections. I would have trouble knowing how to do my close on this with the framing of how do I feel about this without those. If I could tell you how I felt about all the other ones, to let you know I feel good about them, I would do that.

[12:08:39 PM]

But saying do I feel good about a section that says provides more housing choices and supply when we're removing the bullet that talks about providing new housing types or even transitions is a challenge for me. I don't know if I could --

>> Mayor Adler: Help me characterize it. We're not removing it. We're not voting no to that concept. It's just suggesting that we need to have better language in order to be able to get a consensus on the dais to be able to move that forward. So I think what it's saying is, from a zero to five that these other points are baked enough at this point for it to be -- those can move forward.

>> Casar: Like I said, I will give five happily to keep moving forward, as long as that five isn't saying that I'm good with it with those missing.

>> Mayor Adler: I misspoke.

>> Casar: With those missing, it's saying those things should be in it but maybe folks --

>> Mayor Adler: Those things are insufficiently baked to get a consensus on them at this point. Ms. Houston.

>> Houston: So we're also voting on the last nine, or just we're stopping --

>> Mayor Adler: We're just in that one section. Those one, two, three, four, five, six, seven, eight bullet points and we're saying four of them are baked and four of them are not.

>> Houston: I understood you to say let's vote on all. I'm ready.

>> Mayor Adler: Okay. Zero to five. I have four, four, five, four, five, mayor pro tem, four, for, and for.

>> Alter: I'm having a hard time being patient about this process.

>> I thought we were going to do this for 30 minutes and it's gone significantly past 30 minutes. And if we're going to do this all day I'm not coming back after lunch because I have to prepare for a trip tomorrow for the fellowship for economic development.

[12:10:47 PM]

So I'm just trying to be patient and respectful, but I guess I'd like to know when we're going to actually start digging into the weeds, because, you know, I respect we all are coming from different places, but -- and I really appreciate this document about being nice to each other, but in a lot of ways, lines have been drawn and anyway, I just would really like to know where this is headed.

>> Mayor Adler: We're going to take a lunch break in 16 minutes. Recognizing that as part of this process, we have a way to bookmark things, I think we can probably work our way through the balance of the document in the next few minutes, recognizing we're not going to debate the subparts. And then

it would indicate to us where it was that we had points of departure. Anybody else want to do that? Anybody object to doing that that way? Let's try and move through it then quickly in the 16 minutes we have left.

>> Tovo: I don't mind spending time here. I just want to say this is a document we didn't tell the public we were going to be spending time on. We haven't asked them for public input. It's fine if it's going to be a general thing that we're not necessarily expressing an endorsement of.

>> Mayor Adler: On Saturday we gave notice to the public and to the colleagues on the council that we were going to go through the goals.

>> Tovo: It was one bullet and it sounded to me from that description like we were spending most of the time talking about the topics and the questions, because five or six pages were devoted to the topics and the questions. It did not -- I didn't understand that this was such a key component of our discussion here today. So again, I'm happy to work through it quickly but I would suggest that if it's something that at some point we're going to be asked to take a vote on, that we just let the public know and post it and ask them for some feedback on it.

[12:12:56 PM]

>> Mayor Adler: Point taken. Ann.

>> Kitchen: I'm happy with proceeding. I would just say from my perspective that although this can seem slow, I think it's incredibly valuable, because I want to echo what councilmember Flannigan said. I'm learning a lot about what people's perspectives are. And to be able to go into a process where we're going to start and talk about details without doing the prework of really understanding where people are coming from, that's not as helpful to me. So although I want to move through this fast and I like the way you've suggested this, mayor, in terms of, you know, as quick as possible going through this, I really, really want to say for myself that I find it very helpful to talk about where people are coming from. And I don't find this a waste of time. Not that anybody's saying that, but I'm finding it helpful.

>> Mayor Adler: I just mention, again, lots of people reached out to offer suggestions and advice on how we do this. And one of the things that was noted was that different people get frustrated with different kinds of processes. And I tried to touch on that when I opened it up, because different people have different ways of moving forward. Let's see if we can do this quickly. The development of preservation of affordable housing section, where the code can create opportunities to build and preserve housing. We talked about bullet points, providing incentives for various things, promoting affordability, encouraging development. That includes publicly restricted housing, a greater number of things like family units, revising spending housing programs and maximize production of income-restricted housing. Does anybody have any concerns with any of the bullet points in this section? Councilmember pool.

>> Pool: The last one, I just would suggest that we not call out any of the particular -- there are two examples in there.

[12:15:02 PM]

I know one of them at least has not been very successful in the city for an array of reasons. I would eliminate the specific references.

>> Mayor Adler: Okay. Taking out the specific references, because it speaks to housing programs. Anybody have any concerns with this? No? Inclusion of specific things. But we're keeping that bullet point to say revise and expand housing programs to maximize production of income-restricted housing. That's staying. Okay. 0-5, where are we on this one? Five, five, five, five, four -- what?

>> [ Off mic ]

>> Mayor Adler: This is the ones that talk about encouraging development/preservation of affordable housing. It's that section. Incentives for development on-site, expanding housing programs to maximize production, income-restricted, four. Delia, what are you thinking, from the process? Okay. All right. Let's look at the next one. Reducing time and cost of permitting by providing more clarity and ease of use. We talk about supporting efforts to reduce barriers to home remodeling costs, allowing more affordable, preapproved building remodels and establishing reliable expectations to review timelines and processes. Does anybody have anything in that that concerns them? Mayor pro tem.

>> Tovo: Yeah. I mean, I'm probably fine with them. And I saw this in the list as a question, too. I don't remember anymore what the new family homestead initiative suggested, if it was suggesting loans and assistance with capital, then I'm on board.

[12:17:12 PM]

If the reduction of permitting barriers -- again, and I want to be very careful.

>> Mayor Adler: Let's go ahead and take out that phrase, such as those proposed.

>> Tovo: No. Because we still have permitting barriers. And so permitting barriers, to me, is still --

>> Mayor Adler: I was just taking out the last six words beginning with such as those proposed. If we don't know what that is --

>> Tovo: Then I had a second point, and it was the efforts to reduce permitting barriers. And I want to be very careful. I'm not suggesting that the authors of this document are proposing removing accessibility requirements, but the last time we talked about this as a council, that was one of the suggestions I heard in the community about how we could reduce and make it more -- so, for me, this raises the same question. Without knowing what it is we're proposing to do, I'm completely on board with the vision of helping families stay in their homes, of finding ways to provide them with capital, to create ads. I might be really on board with some of those exceptions. But until we talk about what those permitting barriers are that we're proposing removing, I just can't support the general statement.

>> Mayor Adler: Okay.

>> Tovo: I'm going to suggest bookmarking the whole thing.

>> Mayor Adler: So we'll bookmark number 2. Yes.

>> I just want to clarify, mayor pro tem, you brought up that you heard from some people in the community that we might contemplate removing accessibility requirements. I don't recall who may have said that. I don't think it was anybody on the council.

>> Tovo: That's why I said community.

>> Yeah, no I'm clarifying, because I want to make sure that we also don't get ourselves in a place of citing specific community -- because I have certainly heard things, even from people I agree, that I scratch my head and go why did you say that, that's a crazy thing you said. So I'm hoping to hear from what my colleagues think.

[12:19:14 PM]

And so I'm certainly not hearing anyone say anything about reducing accessibility requirements. So if there are other things where we have had disagreements, I'd be more interested in knowing where your concerns were there.

>> Mayor Adler: Do you want to respond?

>> Tovo: I have the same concern. I just think we shouldn't adopt a goals document with . . .

>> Mayor Adler: Okay. So we're going to bookmark that point two. So that's out. Leslie.

>> Pool: And just when we are -- with this one being bookmarked, another issue around permitting is frequently the inspections are slower to happen because we haven't necessarily hired enough people to do the inspections. And I would not be willing to say we should eliminate inspections, because frequently they relate to the health and safety of the people who would be living in whatever the structure is. So -- that's the part of the sentence where it says support efforts to reduce permitting barriers. If those barriers include inspections, I want to be really, really careful what message we might be delivering.

>> Mayor Adler: So we're taking out that entire bullet point two.

>> Pool: When we talk about it, I want to make sure that we include the fact that inspections are key. And they can be delayed. And that goes to staffing.

>> Mayor Adler: We're taking out two so we can address that. So let's take a vote on this. Help people agree on this. Points that are left, do we have agreement? It looks like four, five, five, five, four, five, four. Okay. What about managing growth and more efficient planning tools? New development contributes to the fair share of improved streets, incorporates energy efficient building requirements,

enables planning to better consider existing capacity, providing tools. This is the section about better managing growth. Does -- anybody have anything in there that causes them concern?

[12:21:18 PM]

No?

>> Flannigan: Just to note the net positive impact applies to this section, to.

>> Mayor Adler: All right. Let's raise our hands, then. He's saying the point he raised earlier about net value, net positive impact would also relate to this one, too. And maybe when you come back with wording associated with that, bookmarking, you can come back with something that address this is as well. All right. Those in favor of this please indicate the level of where you are. Ms. Houston.

>> Houston: I have the same concern that I did earlier about what transition Zones means and that impact. So that's in the fourth bullet.

>> Mayor Adler: Transportation corridors.

>> Houston: It says transition Zones.

>> Mayor Adler: I'm not reading the red line.

>> Houston: Okay. Don't do that. Okay.

>> Mayor Adler: So, 0-5, where are we on that on this one? Four, four, five, five, four, five, five, four. Okay. Preserving and respecting neighborhood identity and quality of life. Must provide ways to preserve neighborhood quality of life, diverse housing choices, flood mitigation, access to parks, walkable streets, safe, appropriate parking, integrates existing community planning efforts, maintains public process for request to increase development, includes new zoning tools, requires new zoning tools to ensure compatibility between residential and commercial areas, requiring public process, prohibited adult entertainment, ensures neighborhood streets are made accessible to fire. Anybody have any concerns with any of those sections?

>> Flannigan: Just to make it clear, part of the work that councilmember Garza and Renteria and I were doing was trying to ensure that we were discussing these things in context with the need for housing, because it's very difficult to do them in silos.

[12:23:23 PM]

And then kind of separately, the inherent challenge we face about neighborhood identity when we're also talking about lots of our identities having been gentrified and displaced. It's a very difficult spot to be in. Our attempt was to combine them for a rhetorical device. I'm not going to worry about word smithing that right now, but I just wanted to make that point.

>> Mayor.

>> Mayor Adler: Yes, Leslie.

>> Pool: What was intended by public process? Because I know in the administration --

>> Mayor Adler: Don't know any of the particulars. Some nature of public process, we would need. And certainly that's going to be something the council's going to have to talk through. But we didn't want to have something that did not have a public process.

>> Pool: So we need to define public, whether it's public in front of a citizen commission or if it comes to council. A lot of the approvals have become administrative approvals and I am uncomfortable giving a green flag to any of that, because we need to go through that carefully and make sure that we're not giving too much authority to staff where it really should reside with the council.

>> Mayor Adler: We could bookmark it and take it out so we don't have as a goal public process.

>> Pool: I want to define public process.

>> Mayor Adler: We're not going to be able to do that here.

>> Pool: I understand that. So a footnote saying we need to define it.

>> Mayor Adler: With you okay with this staying in?

>> Pool: With that caveat.

>> Mayor Adler: Any changes?

>> Houston: Last bullet, we forget about resource recovery. And so we need to add that, fire and emergency access, resource recovery, because we've got trash --

>> Mayor Adler: Okay. Fire, ems, and resource recovery. I don't think anybody will have a problem with that. Okay. Any other changes to this one? Indication on this one, zero to five? Four, four, five, five, four, four, five, four.

[12:25:28 PM]

Okay. What about small local businesses in the creative community? This was recognizing that local businesses in the creative community are key contributors, and important for neighborhoods, streets, overall quality of life. Flexibility in spaces for those small businesses and creative items. Prepares for walkable Austin centers, supports small area planning, encourages office, retail, residential, along transportation corridors. Provides tools to align development along corridors with city bond investments. Anybody have any concerns in these sections?

>> Flannigan: So part of the work that the three of us were doing was integrating the centers into all three -- or striking the first and integrating imagine Austin centers into the other two, because it applies generally speaking. And then we wanted to add one that talks about live/work uses. That one is



especially important for micro-businesses and lots of folks in the creative community. I was a work from home microbusiness myself at one point. But I wasn't -- it was a challenge. So I don't know that there's a substantive difference in the language here, but just expressing the intent.

>> Mayor Adler: Okay.

>> My sense is not a substantive difference. But the fourth point, allow more live/work uses in all residential areas, does anybody have a concern with that one? Councilmember alter.

>> Alter: It raises a lot of issues.

>> Mayor Adler: Let's bookmark that one, then.

>> Alter: There are some nuances there. I also had a business that I was doing solo, so I just would need some clarity.

>> Mayor Adler: Okay. So let's bookmark that suggested change. That was the suggested change to allow more live/work uses in all residential areas. It's on the red line, not on the base document, but we're not including it.

[12:27:32 PM]

Support small local business in the creative community. Allison.

>> Alter: I would be comfortable adding imagine Austin centers, because I think that's one of the challenges and the frustrations that I'm hearing from the community, is that the centers that are supposed to help with sprawl, also beyond the housing part are not clear.

>> Mayor Adler: Any objection?

>> Houston: I agree with that.

>> Mayor Adler: Let's put it in. Okay. And with that said, those three that are in the base document, zero to five, where are we on that? Five, four, five, five, five, five, five, four. Okay. Reduce wildfire and flood risk, manage resource, talks about weather, flash flood alley, to include strategies to address localized flooding, beneficial use of resilience, enabling the use of infrastructure, commercial development to reduce runoff, emphasizing tree protection, mitigating and reducing risk of wildfire. Anybody have any concerns with anything in this area? Zero to five, where are we? Five, four, five, five, five, five, five, five, five. Okay. Gets us down to the last two. Enabling transportation choices, improving safety and prepare for mobility future. Limited space to expand roads. We need to support more efficient transit, transportation options, new code should support these. Support street and traffic signal design, bus stops, bike lanes, require sidewalk design to support accessibility, enables urban trail connections, creates a pedestrian bike and transit environment, streets for electric shared mobility, encouraging more housing and jobs along the corridors and activity centers to enable easy access to transit.

[12:29:34 PM]

Does anybody have any concerns in this area? Jimmy.

>> Flannigan: So I think this is one area where the three of us working together came up with things that are substantive.

>> Mayor Adler: Okay.

>> Flannigan: The first one is reinforcing the housing and jobs that we referenced earlier, but in this case we're making it more related to our ability to implement high-capacity transit.

>> Mayor Adler: The first one was to create housing and jobs along transportation corridors and in imagine Austin centers to support multimodal transportation, including high-capacity transit. Anybody have any objection to that goal? Ms. Pool.

>> Pool: I know that with our transportation-oriented design, our tods, the city has tried for years to move in that direction and it has met with some success but not resounding. And a lot of that is because we don't -- we have some influence, but we don't control a lot of -- for example, cap metro. And so I don't know what this does. I don't know what the long-range impact of this is, so I would be cautious in putting this in as a full-throated support. I think that the rest of it does acknowledge that we have, in fact, for years, worked to try to get transportation-oriented development under way.

>> Mayor Adler: All we can do is what we can do. And certainly we'll work out the details. But saying that generally speaking, having housing and jobs along the transportation corridor to help enhance it is a goal that we're looking for. So with the reservation noted, are you still okay with leaving that one in?

>> Pool: The last original bullet actually goes to that, encourages more housing and jobs along corridors and activity centers to enable easy access to transit services. That goes to the tod and others, so there's some redundancy.

[12:31:36 PM]

>> Mayor Adler: Does that cover that one for you?

>> Flannigan: Given the nature of this document, it probably does.

>> Mayor Adler: Okay. Let's drop that. Second one?

>> Flannigan: More specific about BMT and its impact to our environmental and carbon footprint. You could argue this goes under environmental, but given that it's about vehicle miles traveled, put it under transportation.

>> Mayor Adler: Any concerns? We'll leave that one in. What about the last one?

>> Flannigan: The last one is parking requirements. I know that's a difficult conversation that we'll have to have at some point, but the intent here is just noting that we can be more creative with our parking requirements when there are already built environment that would facilitate access to transit and other modes.

>> Mayor Adler: This is a context sensitivity issue.

>> Flannigan: Yeah. Thank you, mayor.

>> Mayor Adler: Does anybody have any concerns with adding that bullet point? Yes.

>> It's just redundant, because we said essentially the same thing.

>> Mayor Adler: I'm sorry?

>> We said essentially the same thing under preserve and respect neighborhood identity and quality of life. Fits parking requirements to location, including the possibility of increased or reducing parking after considering factors such as sidewalks.

>> Mayor Adler: I think that's true. Already in there, drop that one out. We'll take the last bullet point off. Okay. So the only thing that we're adding is the BMT bullet point. Take a vote. Zero to five, we have five, five, four, four, four, five, four, five, four. Okay. And then the last one, environmental protections, increase public open spaces and conserve natural resources, protecting our natural environment, improving health and resilience, facing climate change, human resources, historic watershed and hill country protections, incorporates green infrastructure, supports dark sky initiatives, provides functional green tools and improves standards for calculating open space requirements for development.

[12:33:54 PM]

Anybody have any concern with any of those? No?

>> Yes. To the equitable access thing, the very last bullet point, and I'm open to considering this in a different way or bookmarking it, but the usable and desirable public spaces, I want just to make sure that we're considering that there are privately owned spaces available and open to the public, and that those should be considered as well. And this may be something more unique to my district than in other parts of town, but I have some pretty substantial neighborhood-controlled parks that are not gated, that are open to folks to use them. And then there's the more dicey conversation about the style of multifamily development that exists in the suburbs where they self-contain park spaces. And so those folks are not lacking access to open space, but it's also not public space. And how we explore that is a challenge for us.

>> Mayor Adler: Okay. Leslie.

>> Pool: I think the openers owners of some of the private complexes may read that and think that we are encroaching on the private nature of their property. And we may end up -- I think it's dicey to put that in there. It may be that -- specific to your district, then that could be something that we talk about directly with your district. But I would want to be really, really careful about indicating to the community

that we intend now to open up private spaces for public access. They won't really understand that we're saying only in those instances where the private owner is already having it open. And it could lead to some other unintended consequences. I'm just not ready to take that effort on.

>> Mayor Adler: Without --

>> Pool: I don't think we have the jurisdiction to do that.

[12:35:55 PM]

>> Mayor Adler: My sense is that the consideration process doesn't undercut the need to have the public spaces? So if we could move forward on that, bookmark how we consider the private spaces, I think this still provides an option.

>> Flannigan: So I would just add that those same suburban-style complexes exist in district 7 and in many of the other districts in the city. It's not only a thing that lives in one district. And obviously we are talking about a high-level policy document that's not even a policy, it's more of a goal. So we're not encroaching on anyone's legal requirements. That's not anywhere close to what's happening right now. But the fact remains that there are people who only rent when they live in certain neighborhoods, and have access to open space. They do. If the intent is to build as much publicly owned that's different than the goal of people where they live having access to open space. So whether or not it was desirable spaces or not -- and I'm not asking to word Smith, I'm just clarifying my intent here.

>> Mayor Adler: I understand.

>> Flannigan: That's the thing. There are definitely parts of the city where if you didn't account for the privately owned space that's available to everyone that lives in that area, we would then be wanting to do a bunch of open space investment in areas that don't actually require that level. So that's the line I want to make sure there's context sensitivity to reference the other thing.

>> Mayor Adler: Alison.

>> Alter: I'm not sure I'm totally understanding exactly what issue you're trying to get at. I understand that there are private spaces, and there are open spaces, so maybe we can have a conversation to clarify that later, because I think you might have something that's very relevant for my district. I'm just not in this conversation, kind of, understanding that.

>> Mayor Adler: Let's bookmark that one for now, keep the language the way that it is, because that's independent. Any other concerns on this one?

[12:37:55 PM]

Let's take a vote. Those in favor of this, zero to five, five, four, five, five, five, five, four, five, five. Okay. We've gone through this exercise. It's 12:30. We're going to recess for lunch. And in lunch we're going to take up one item pursuant to 551 of government code, legal matters related to item one, which is discussion and possible action regarding comprehensive land development code commonly referred to as codenext. Without objection, we're going to go back and have lunch. Yes.

>> Could I make just an observation about our -- so that it's clear the expectations for this afternoon for folks?

>> Mayor Adler: Uh-huh.

>> Kitchen: So when we come back after lunch, my understanding -- having gone through the goals document -- and I really appreciate -- I personally appreciate everyone's patience with that, because I found it helpful for me. But my understanding is that when we get back after lunch we will turn to topics, right?

>> Mayor Adler: We will. And we will have a decision about which topics we hit first.

>> Kitchen: Okay. All right. So.

>> Mayor Adler: Okay. Are we ready? All right. We're in recess. We'll try to get back here as close as we can to 1:30.

[2:19:21 PM]

>> Mayor Adler: All right. So we have a quorum, we're back here now. We don't quite have everybody. It is 2:20. While we were in closed session, we discussed legal matters related to item 1. We're now out of closed session back here at the dais. We're going to go ahead and make changes to the discussion agreements and post those with the changes we made this morning. We'll post the goals we were able to adopt and the list of the items that were book mercked. So everybody has that while we book mercked a few items over 90 percent of those goals we were able to indicate some measure of consensus on. I think that was good. That gets us to the part where we are going to actually start talking about discussion topics and questions. I think as part of the conversations you need to be actively engaged as part of the conversations that we're having and I'm not sure if mayor pro tem had proposed some. There were some on the earlier list. Maybe we can hear from staff about what they would propose, starting with.

>> If I could clarify, mayor, my list was your list paired down. It's a very paired down version of the draft you circulated.

>> Didn't mean to suggest otherwise. What do you think we should do to start. What do you think facilitates us moving forward?

[2:21:22 PM]

Play yore, council members. Peter park. We might suggest that we take on two topics. Or two sub topics, at least, and, you know, they are sort of a range in the way that these topics and the questions are organized. Some are a little bit more specific, and some are at a pretty high level, so we thought perhaps it might be useful to -- because today is about really understanding ha this process and deliberation feels like and figuring out how to groove the conversations. We thought maybe it would be useful to consider doing a topic that's kind of at a high level and one that's at a little more specific. So, we had originally proposed was ads as a topic, and the other one, and that's under providing housing choices and supply, and then under encouraging the development and preservation of affordable housing, we had recommended income restricted housing as the sub topic. After the conversations this morning, we -- and in looking at the council member tovo's proposal, we might also recommend for a higher level topic, instead of the income restricted housing, perhaps taking on the strategic housing blueprint question of discussing sort of the foundational elements of the capacity and clarifying some of those topics. Because, you know, the way the papping has been done, the way the calibration of the bonuses have been done, have all been predicated on the goals set out in your strategic blueprint. So it might be useful for us to clarify where those numbers are coming from and what they are based upon. So, yeah.

[2:23:48 PM]

So, I think we would recommend taking on the second topic, providing more housing choices, and perhaps taking on the first two sub topics.

>> Mayor Adler: Mayor pro tem, you were proposing we start with more housing choices in all stages of life. With the specific question, about should we focus on development corridors and centers rather than in the core single family neighborhoods as a place to begin. Is that right? Did I read that correctly?

>> Tovo: Yes I thought we were trying to start with what we had consensus on.

>>> So my question for that is -- so, I think the thought of introducing something that we could find consensus on I like. And I think we could do that with that question, if that question didn't evolve into us now trying to figure out how we did transitions. So, if this wasn't about -- because I think that would kind of catch us in a loop for a while here, at least initially, but if we were just trying to touch base with the broader question that you presented here in the first two, I think, to me, that merits some consideration as also something that would make sense for us to visit with first on the dais, because I think, too, we might be able to find general consensus on that point. Does that make sense to you?

>> Tovo: So, just skipping transition Zones?

>> Mayor Adler: Just trying to hit what you had as 2 and 2f1 and not trying to get --

>> Tovo: That's fine. Again, beyond that, I think diving into the numbers and the capacity and assumptions, I think that's going to mire us, but I think talking about what the tools are within the strategic housing blueprint is something we probably have a lot of consensus around, talking about

generally where ads -- so, I mean, I think probably it's good to hear from our colleagues at this point, because I feel like I've sort of offered my rationale for it. I just think we will get mired in the capacity in our -- in different things about the capacity if we jump into that part of the strategic housing blueprint, but I think these topics within it, things around which we probably have a lot of consensus, and if we do, then it makes it easier to have the conversations around those other sub questions within these sections.

[2:26:47 PM]

>> Mayor Adler: So I'm trying to reconcile then with what you're recommending, with what the -- which came from what had Eem posted with this. I think there's some virtue in us discussing that first question that the mayor pro tem had, not getting into transitions or any of that stuff. Because we're not ready to do that yet. Not getting compass pathability. We obviously need to, those important questions we have to get to those but just not doing those at the moment. I agree with the mayor pro tem, that it would be a good conversation to have. The blueprint issue, looking at the tools to be able to do that, I don't know at a high level it makes sense to hit the assumptions in that or not in terms of what was the affordable housing goal in that and how that was achieved both in codenext and not in codenext but adus is in the forefront with mayor pro tem and we might get some agreement on that, too. Ann?

>> This works for me. If we start with 2f1 and then we go to 2a. Let me explain where I'm coming from. I'm interested in talking about 2a1 and 2 and not just going straight to 2a3. In other words I'm interested in talking about overall housing capacity goals and recommendations to meet our housing capacity before we talk about the tools, and it might be that we just -- we struck that conversation and then decide we need to surface some things and then set it aside but the reason that it's important to me, is because -- because I want to talk about goals. And I -- because I -- from my perspective, I think it's important to understand what we're trying to do, and to me, that guides me in thinking about the how. Because I want to ask the why first. Why are we doing this, and -- I -- to -- I would be reluctant to skip over a1, the overall housing capacity goal. And I understand it may take some time, but I think we should start that conversation before we go straight to the tools. But at this point, I suggest let's just dive into 2f1. I think if everybody is on the same page with that, and then get that done, and then come to the strategic housing blueprint.

[2:29:36 PM]

>> Tovo: Mayor I think if we start diving into things we have differing agreements maybe transitions is something we should talk about today. I think we just have a choice. We can either I agree with councilmember kitchen, we should just dive in at this point. But if we're going to talk about -- if we're going to talk about activity corridors and whatnot, then I think maybe transitions is something we should start tackling.

>> Mayor Adler: If we're going to talk about what? What was the controversial issue you thought Ann was introducing?

>> Tovo: I'm rethinking the conversation about not talking about transitions under 2f.

>> Mayor Adler: Okay. Leslie.

>> Pool: I think we should also be thinking about what can we do in three hours. It's 2:30.

>> Mayor Adler: Right.

>> Pool: And so maybe we should -- we have agreement generally around 2f1, maybe we just jump in on that and see how long that takes.

>> Mayor Adler: Let's go ahead and start that. Let's talk about 2f1. Should we focus on new -- focus on housing goals on transportation and activity centers rather than in the core of resisting single-family neighborhoods? Anybody want to talk about that?

>> Kitchen: Wait a minute. Can I say something?

>> Mayor Adler: Yes.

>> Kitchen: I want to remind us what we thought we would do, and if people want to change that, that's fine. When we brought up each topic, we would say -- we would first talk about how it's addressed under the land development code, how it's addressed by staff recommendations, planning commission, Z.A.P., other boards.

[2:31:38 PM]

Drill down to what's in front of us and then start our conversation since we don't do it as part of the overview. Does that still -- it makes sense to me because I would like to have some -- I'd like to have the substance laid out before we jump in and start talking.

>> Mayor Adler: Jimmy? Plan.

>> Flannigan: >>It says should we focus new mixed use on corridor or the core neighborhoods?

>> Mayor Adler: Rather than in the core of the neighborhoods.

>> Flannigan: But I don't think denser mixed use development is proposed to go in the core of existing neighborhoods. I think it's different styles of development. If, and then there's a question about what core means. Because I've had that debate with zoning commissioner who I -- because I live in a duplex and I'm a renter, as you all know, and thought I was in the core and he said I was in the edge so there's a question there.

>> Mayor Adler: And probably it's not goods to be susceptible of a specific thing, but I think this is a topic what we all recognize is going on in the community and we know generally what this question is.



And I think it's acceptable of being something we can talk about. Why don't you talk to us about what folks did on this issue.

>> Mayor, would you like us to start with the existing code or just jump --

>> Mayor Adler: Existing code does and I think you are supposed to talk what the existing code does, your recommendations and what we've heard from commissions.

>> I'll start off with existing code. The existing code along corridors has been zoned with predominant r2, common commercial categories, gr and cs. We do have places along where we have the mu overlay which allows residential, does internet require it and allows residential as well as commercial, however, can be either one, doesn't have to be both.

[2:33:44 PM]

We also in places have vmu where we went through the process which allows for residential, also allows for more dense residential, but with the additional requirements of providing affordable housing in exchange for greater density and greater F.A.R. And reduced parking. We have not -- we do not have any specific categories that limited uses in a way that we want to see them limited as far as the predominance of auto related. That's a brief overview and I'm going to turn it over to John.

>> Mayor Adler: Draft 3.

>> Draft 3 really focused on providing more housing choice and allowing more options within the corridors. This was primarily accomplished through the Ms zone district and the mu zone district. The mu zone district allowing a large amount of new residential where it was not previously allowed. And this is on -- in draft 3 we looked at existing zoning that did not have residential entitlement, was not given a base entitlement to residential. They had to participate in the affordable housing bonus to get to that residential. This has been mapped across the vast majority of the corridors both within the urban core and outside the urban core and we feel that provides a lot more housing to be built along the corridors.

>> Mayor Adler: You put in the residential only if it was -- to affordability?

>> Correct, on those parcels that did not already have residential entitlements.

>> Mayor Adler: What about the Z.A.P. And platting commission and other commissions? Sorry.

>> Kitchen: I still have a question. So -- but I think expect had a question so -- councilmember pool had a question.

[2:35:47 PM]

>> Pool: Can you tell us what you were designating the urban core and outside the urban core? Because -- while he was saying urban core --

>> Sorry, so we are in the code we're generally not using urban core or core to a great -- we're not using it anymore. I was using that as a reference in the past, a lot of discussion about all the growth being in the urban core. And the focus of the M.U. Was to allow this residential to occur outside of what has traditionally been plotted as urban core.

>> Pool: What was being used to define urban core?

>> We actually did not use the definition. We kind of treated it on a corridor by corridor basis. The ring.

>> Pool: The donut.

>> We looked specifically at that corridor and basically decided to apply either the Ms or mu categories. The mu is closer -- Ms is closer in and the mu is further out.

>> Pool: We won't use that term anymore. It's confusing.

>> Mayor Adler: Ann, then Ms. Houston.

>> Kitchen: I just wanted to make sure I understood what you said. What you are saying is that you applied -- I'm reading your thing too, that you apply the buy right residential meaning -- so in other words, you took commercial property that didn't have residential attached to it at the moment, right, and zoned that as Ms or mu, which would give them residential, but you included that they don't get Ms or mu unless they are engaging in affordable housing? Is that what you are saying? Or you are just saying that the Ms and mu, what comes with it is the density bonus program? Is that what you are saying? I'm trying to get specifics.

>> Sure, councilmember. Ms was zoned on properties that already had residential entitlements.

[2:37:50 PM]

Mu was zoned on properties that had residential entitlements or may not have had residential entitlements. When it did not, a dash a was assigned to that parcel and that parcel indicated you could only get residential through the affordable housing bonus program.

>> Kitchen: Okay. And what were the -- what were the rules about where you applied this? Where you applied these? I think that goes to councilmember pool's question, just all corridors or all along the corridors or -- that's what I'm trying to understand.

>> Working with staff we looked at all the corridors. Again, the decision on the variety of Ms or mu districts was based to characteristic what was on the ground, what was the existing entitlements. In particular, know, the mu-a was looking very closely at which properties didn't have residential entitlements. You will see the dash a shows a multiple of the mu districts.

>> Kitchen: Okay.

>> Mayor Adler: Okay. Ms. Houston.

>> Houston: Thank you. So -- we're not using urban core anymore. Are we still using desired development zone? So that's been taken out as well. So there's not a bullseye on that part of the city that has been declared a desired development zone.

>> Councilmember, the -- that's correct. I have to go back and make sure we don't use that term any more in the code. The main thing the desired development zone got somebody was a reduced fee structure and that was taken away by the council previously. And so from a -- from a perspective of a developer, the desired development zone or the water protection zone don't mean anything anymore.

>> Houston: One more question. Are there different types of corridor or how do you define a corridor?

[2:39:53 PM]

Because we've got the corridors in the mobility plan, in imagine Austin, but are there more corridors considered in this draft 3?

>> When we went through and in looking at the corridors, used imagine Austin corridors, we used the capital metro corridors, so they weren't just limited to imagine Austin corridors. I think when we talk about the planning commission recommendation, they started opening it up to looking at a lot more corridors and just what the staff was looking at in d3.

>> Houston: The planning commission's recommendations were more.

>> Much further.

>> Houston: Thanks.

>> Mayor Adler: Allison.

>> Alter: So I may get confused on the know nomenclature, but one of the things that concerns me we were using mu and Ms and different for residential and for the affordability. And I think it would be useful for us to discuss where we want mu and where we want Ms. And there are significant differences where Ms and mu were mapped across the city and there places you would desire residential that were mapped Ms and they can't get Ms unless you gave them afford built, but they might choose residential. It might be useful as a council if we're going to get rid of mu to understand what we're moving to and where that is mapped. So I have corridors in my district that are mapped one or the other, and then one of them -- and they have different forms, they have different things that you are allowed kind of on the bottom of the building, which then affect whether you get the residential or not and necessarily places where you would expect to have, you know, on the bottom of a traditional office area for medical offices, you are being required if you want to build a bigger building then it has to have a cafe at the bottom, but you might just want a medical office because that's what the area is for.

[2:42:16 PM]

Other places have house for but they can't have residential unless they do the affordability requirements, but you could get the base residential and then add it to with a bonus. So there's some logic there that I feel like we need to work through, and maybe you guys could start by explaining the mu or Ms because that -- it's both a map and a text issue because as you see where it's mapped, there were decisions that were made about the default being one or the other that have implications for whether we're getting the housing that we want on these corridors or not. And whether you are getting, you know, affordability in those areas even before you do kind of the bonus.

>> Mayor Adler: My sense is -- I heard you describe this particular in your district with respect to medical parkway and I'm not sure I disagree with anyone you've said about how the uses need to be signed on that road. But for right now, not addressing whether -- which level of density needs to be on any given road, is it possible for us to see if there is a general consensus on the dais that without the signing, the level of intensity or the type of intensity or whether the zoning, can we say as a general proposition in the city we're thinking that we should be focusing on getting that kind of density along mixed use corridors and at the same time as a tradeoff or associated element that generally speaking, which doesn't preclude exceptions, but generally speaking are we going to try and stay away from the core of neighborhoods. In my mind, I'm comfortable for me agreeing to that proposition abuse putting the additional on the corridors help with transportation issues.

[2:44:17 PM]

I think that we can pick up the greatest number in that area in least disruptive ways. So for lots of reasons and to be able to put it on there so those tracts in some parts redevelop so we get the benefits of the transportation issues and the watershed issues and the other kinds of things we might want to ask for. But I am also comfortable saying that as a general rule, recognizing that there can be exception, and without trying to define exactly what core means, just as a general proposition I'm comfortable saying this would not be my priority to do it in the core of neighborhoods because I'm not sure there's enough density to be picked up in that area to really move needles. It's going to be really disruptive to the community generally. I see us in this planning process we're going through not having to achieve everything now. We can achieve things over time. So at a level I could say that I'm comfortable with a statement that said we're trying to get new denser multi use along corridors and housing to a degree that we can along corridors and activity centers rather than in the existing core neighborhoods. That's something I'm comfortable recognizing there are a thousand permanent mutations of that.

>> Alter: I agree with that and I was trying to give an example of the kind of digs we want to be making if we want to -- when we talk about this and we talk about the first half of that, which is should we focus new or denser mixed use development on the corridors, one of the things that we can move and a lever we can use is how we use Ms versus mu. Mu is the one that has the affordability requirement to get the residential. I had them mixed up before. But it is one of the things we could move around to be thinking about whether we -- whether we also going with that first part of this, you know, do we want to have residential be more of an option in commercial area -- you know, where things have been previously

zoned commercial along these corridors as the default and then there be planning places where it wouldn't make sense.

[2:46:34 PM]

There are choices that we can make that encourage the residential along the corridors that are not transition zone and not compatibility issues that we also need to be confronting here, and I wanted to bring that out for discussion that, you know, we have the consultants here and they can speak to Ms versus -- we're moving to this Ms, mu and getting rid of the mu and there are consequence for how much housing we're getting on the corridors which is where we're seeing a lot of that mapping. Happen.

>> Mayor Adler: Let's book mark right now the question of if we wanted to try to -- if we were focusing then on increased density and the possibility of housing on the corridors, how do we do that and where do we do that and which Zones do we use to do that, which tools do we use to do that, let's book mark that for a second and try to stay with the initial question which is is this generally a statement that works. Yes. Ann.

>> Kitchen: Just a procedural question. I assume when we're saying book mark somebody is writing those down. Do we have someone who is writing down our book marks so we will get a record of the book marks for today? Okay. Just wanted to make sure nobody is thinking the other person is doing it, so --

>> Mayor Adler: Does anybody have an objection or a concern about that general statement they want to articulate?

>> Kitchen: We haven't finished the discussion. We haven't heard what the commission --

>> Mayor Adler: We stopped for that. The other commissions weigh in on that general proposition.

>> I'll start with Z.A.P., it's not listed here, but we know in draft 2 and we heard in their meetings on draft 3, one of their concerns was giving away the density.

[2:48:35 PM]

And so we just want to reiterate that the reason why the dash a was created in draft 3 was to address the issue of on sites that didn't have residential today that we are requiring them to participate in affordable housing. So I think while it's not noted in the giant spread sheet, that is something that came up in draft 2 and draft 3 with Z.A.P. The PC recommendations, I'm not going to go through those. Those had in many ways more to do with item 2f3, which is just kind of making sure how do we maximize and achieve the housing along the corridor, so many of their motions had to deal with just achieving the goal of the residential on the corridor.

>> Mayor Adler: Ms. Houston, and then Leslie.

>> Houston: And I appreciate the focus, but we continue to focus on the corridors when we've got activity centers that are waiting for the kind of development, commercial and residential and transit that is needed. And I know we kind of say activity centers, regional, town and neighbor, but we're not emphasizing -- we're emphasizing corridors, and if we adopt the planning commission's recommendation that will be a lot more just roads, streets that are in our neighborhoods and impact our neighborhoods. And so I would really like for us to try to focus on where we need more jobs, more housing, more commercial, more amenities. Those are in our activity centers and that's where we don't have the kind of density that we need now. And so I'm not sure why we keep talking about corridors, corridors, when we've already delineated or identified where we could put density and we're not really focused on that.

>> Mayor Adler: Right. And it sounds like the planning commission may have, but regardless -- or Ms. Houston for us on the dais right now, the question is this has transportation corridors and activity centers.

[2:50:47 PM]

So as a general proposition this is saying let's focus on corridors as opposed to the core of neighborhoods. Anybody have problem with that?

>> Kitchen: I'm not done talking about it. So I want to understand --

>> Mayor Adler: Hang on a second. I said Leslie next.

>> Pool: Thanks for bringing up the activity centers. I was going to ask staff to get us or maybe put up on the overhead a picture of where the activity centers are. And I think that we should have a conversation about where they were determined, was done by previous council, and then we should also look to see where else they need to be because they are already occurring, and those are places where we can encourage the additional growth through this document, but it would be helpful to have the map with the regional town and neighborhood. Yeah, whatever the three or four different determinations were. And then I would also weigh in in support of what Allison is saying that not all corridors are created equal, and we should be careful, very careful about approaching all of them exactly the same way. There may be some reasons why some shorter span roads should be -- should not be treated the way that maybe staff or another one of the land use commissions is talking about. And I agree that those should be set aside, but we have to be willing to be context sensitive.

>> Mayor Adler: Right, and this doesn't preclude that. It's saying transportation corridors, it doesn't say they are all treated the same. I think a good point. I think we could easily treat them differently. If someone is suggesting we say this so just say transportation corridors or activity centers, that could be something I would not support.

[2:52:48 PM]

But I would if it had both activity centers and transportation corridors. I can't tell if someone is suggesting we delete one of those two. Then everyone is comfortable for keeping them both in for right now, then let's keep them both in. It's activity centers and corridors.

>> Kitchen: Okay. My question for the staff was we talked a minute ago about how the transportation corridors were mapped. Can you speak -- and we talked about it across the draft 3 and then the various commission recommendations. So can you give us the same information with regard to the activity centers? Were they mapped in the same way or not?

>> Well, certainly when we were going through the mapping experience or exercise, we did look at imagine Austin and in areas where there was an activity center as identified in the plan, as council member Houston said, but we did factor that into our consideration when we were deciding what zoning to put on the draft 3 map. Not to get into the transition Zones discussion right now, but in certain instances we did apply a transition zone methodology in areas we knew we were mapping within an activity center, for instance.

>> Kitchen: I guess more specifically -- I'm sorry.

>> The only thing I was going to say was, and I know Peter has some logic beyond this. There are certain activity centers where there's been no infrastructure installed, there's no plans on the ground. They have really yet to be developed. And some of those that you might see, an example might be a place called

[inaudible] Kind of off 130 where there's not a lot of development occurring. There is a concern if you were to go in and immediately up zone the property, but before the time that that property would come along to be developed, it may delay development of that waiting for the property to -- for a new property owner to go in and make -- start making investments, but to purchase that property at a much higher cost.

[2:55:00 PM]

I don't know if Peter wanted to elaborate on that.

>> Kitchen: May I follow up then?

>> Mayor Adler: Okay.

>> Kitchen: I think I'm understanding what you all are saying. So the process where, as you described it, you know, the -- using the Ms, mu and using the mu along the corridors was not done with regard to the activity centers for the reasons that you all just, you know, talked about that perhaps for the activity centers you wouldn't go in and zone that way. I'm just trying to understand. Is that right?

>> Yes, I think -- I think when -- also what I'll add some of these activity centers that we have, they were parts of tods, transit oriented districts. Had a plan there previously and had been mapped the f25 category. And I think you'll also find that perhaps when you look at Robinson ranch way up northeast, that's a planned unit development, that also would have received an n25 designation.

>> Mayor Adler: We could be parking the questions which corridor -- we don't have to decide that now. Another parked question is what tools or incentives should be used where. That's not a question we have to decide now. Again, we're at a pretty high level generally speaking, are we okay with moving density and housing along corridors and centers and not the core of neighborhoods? Does anybody have additional questions they want to park or do they want to -- anybody else want to say anything about the general proposition? Jimmy. Let Jimmy and then I'll let you clarify.

>> Flannigan: So I think the work the planning commission did on corridors was a great start where it laid out a long list of corridors that I imagine we might cull back from, and that they categorized them, which is something imagine Austin doesn't do.

[2:57:08 PM]

So I thought that was good work in a positive direction, but I think we can go from there. I would definitely not want to just consider the ones in imagine Austin because when you look at the number of corridors east versus west, it's clearly not balanced in imagine Austin so we should be thinking about those considerations and be willing to go down that road. Some of sections of Parmer lane where we don't have land use controls anyway, so much more nuanced than looking at one map.

>> Mayor Adler: What corridors or centers should be parked and the other what tools could be used where.

>> Alter: Repeat why you didn't map the activity centers. I didn't quite process that.

>> Councilmember, I think certain activity centers we did consider the fact they were activity centers and that fact factored into our zoning. Other activity centers are identified in imagine Austin that are not ready I for one reason or another, to be up zoned as part of codenext because of those two reasons. So in those cases we thought it would be better rather than up zoning them right now to go in and look at the smaller plan process in the future to go in and more carefully consider which would be the zoning within those activity centers. There are some activity centers today where we did consider that fact and we did apply zoning because they were -- just dependent upon which activity center was and whether it was ready or not.

>> Alter: Can you elaborate more about them being ready?

>> The activity center, for instance, down off of highway 130 that right now is just a hay field, and if by the fact that it was an activity center, imagine Austin said we should zone this to a very high category, we believe that would cause land prices to be artificially inflated which would -- and if the market is not there yet for people to go in and do that development, that they would be certainly discouraged from doing that development by the fact the property owner thinks because of higher zoning, this property is worth three times what it was yesterday.

[2:59:31 PM]



So that would be a deterrent to development. And then in addition you may not have -- although you may have the transportation infrastructure since it's a tollway, you may not have the water pipes and whatnot there either. So going in there and without taking a closer look at those types of issues and just saying, well, because this is a center in imagine Austin we should apply all those zoning categories we feel would create an artificial deterrent to development rather than encouraging it.

>> You said for some we did this, some we didn't do it. Could you make sure you didn't get back to us so we know which activity centers you did prepare and which ones you didn't? Am I right, you said zoning can inflate land prices? Is that what you said?

>> I think zoning can cause people to offer their property for an artificially inflated price because they believe that the zoning in and of itself makes the property more valuable whereas we feel it's actually more market that determines the zoning and not the selling.

>> You end one a lot that are zoned but not developed.

>> Yeah, the ones you see having the for sale signs for four or five years.

>> I wanted to reiterate the importance of getting the information about the activity centers, it's possible in looking at the map that was up there before, we might be able to reduce some of the congestion through the means of the activity centers. People will go to that direction and maybe not all going downtown. Which I think was the original intent of the activity centers, is that right, to move the spread of wealth, so to speak?

>> It's a planning exercise of where you want to see the growth.

>> Right.

>> Correct.

>> So let me make sure I understand this question clearly so that I can feel comfortable moving forward.

[3:01:34 PM]

It sounds like we're agreeing that not all of the corridors or activity centers are created equal. All of the different neighborhoods are the same, because some may have transit, some may have transit planning, some may not get it any time soon. Some may be a gentrifying neighborhood. But generally we want to see the housing go to the corridor activity centers. And second, not reading this when saying 100% of all of the new housing will be there. None of the drafts have 100% of the housing. Being there is the primary place of how to achieve the housing goals. That's how you're reading this.

>> I read it that way too. General propositions of exceptions and contacts, specific adjustments.

>> I'm happy to put a three or four year on this one. I think it's a mistake for us to frame three units or four units on what our relatively large lots for our city our side or going to become our size as the ton of

density and I've been -- I tried to be on record about that. And I think that's some of our most beloved neighborhoods have those housing choices and units and they're beloved when they're there. But I don't think that that -- I'm very willing to put up a three or four fingers on this knowing that it makes sense for you to find a place where many of us as possible can agree and figure out how it is we enabled the corridors and the transition Zones. So right smack in the middle of a district 4 neighborhood if there was a four plex, which there are. And most, I don't think that's a violation of that neighborhood's character. But for purposes of this, I'm happy to soften that position to get us moving forward.

[3:03:37 PM]

>> Thank you.

>> Thank you for that example, councilmember Garza. Because there are -- those neighborhoods that we're talking about have had four plexes and six plexes and duplexes. And multifamily that are there no more. And so that's our -- that's my concern talking about corridors and putting density in neighborhoods, that's not -- we have a test case in east Austin where that's stopped and the four plexes are gone. We have two huge houses there. We have to be sensitive. Talk about the four plexes that they're not in my district where they used to be. There used to be four plexes and six plexes. About job centers and I'll let you go on this one. Will you talk about any mapping to the job centers. Harris branch blowing up off of Parmer lane. Did you not consider using that mapping input than you would say closer to downtown.

>> I would have to take a closer look at that area. The ones we did map, we had an issue with infrastructure readiness are the areas where we had a plan in place. So could be the highland mall redevelopment or the airport corridor where we have plans where they're to be implemented but they're concerns. So, in those cases, we certainly did use the zoning to go in and try to implement those plans that coincide with the corridors for imagine Austin.

>> So take a vote on this one.

>> Mayor?

>> I just wanted to follow up to understand a little better what Mr. Kast Saar -- Casar was saying.

[3:05:39 PM]

Can you give me a list of different lot sites. Can you give me a sense of which ones you're suggesting are too vague? This is all very high level. I'm trying to --

>> I'm suggesting that even on the standard lot size, I'll give you a perfect example. We're handling the Clarksville new case the other day, we had multiple housing units on lots significantly smaller than Austin's current legally smallest lot size. And so I am just suggesting that my point was more that I'm willing to not have that discussion throughout every single neighborhood in this process understanding

that we're trying to focus on areas of agreement which is how do we focus on B the corridors and the portion of transition. Then explore. It makes sense to explore what is our one, our two, our three. I'm saying while I disagree with having our four in the middle of the neighborhood is something -- I see there would be some good opportunities for our four to be geographically near the middle of the neighborhood, but if that's going to cause a lot of concern, in the community and across the dias, I'm going to have some questions about that if that makes sense.

>> Any questions about transitions here now? Another parked question?

>> Mayor, at all due respect, at some point we have to get to the nitty-gritty of stuff and work out what we're talking about and be on the same page on details. And I don't know how to get there. I'm trying to get there from these -- not hearing a lot of disagreement over the question. The disagreement is over the details. That's what the differences of how those details play out is what is concerning people in the community.

[3:07:49 PM]

I'm trying -- we have to understand where everyone is and figure out a compromise and figure out some place to move forward. Just staying up at this level without talking about what are the levels and whatever? We've been thinking about this. We have ideas and different things and we're not able to share them because we're in different forums or whatever, we might not actually -- on some things, we may or may not be that far apart. This may be one that we are further apart. I don't know. I don't know how to get to that point if we're kind of on this -- you know, we have imagine Austin, this is what imagine Austin says. So I'm trying to understand how we move from these questions to --

>> I think we will. We get to the exceptions. There's a way to do it. We've had seven different ones. My concern is we end up in seven or eight different places. If we can agree, your sense is we would have general agreement. I didn't know it would be a general agreement. So the Greg just made a suggestion on moves we might be able to advocate. We get a general agreement on this statement. Something we haven't been able to do. What was on their list, the mayor pro tem and the Adu issue. I suggest we go to that one next because title might be a specific enough issue to have us talk about a specific topic. That's my recommendation.

>> On this point, I want to make clear, I do have some thoughts on lot size. But I was really trying to see if we could go -- when ever we get to that topic, I would want to be able to explain those and that's why I was just -- I wasn't trying to avoid your question, I wanted to tell you why it was more to the point.

>> I'm not implying you're avoiding our question. We want to try to figure out where we can have that conversation.

[3:09:55 PM]

>> Mayor Adler: Let's get an agreement if we can.

>> I don't think it qualifies as dense or mixed use development anyway. So I have no problem with the way it's laid out in terms of developing development. But I picked up on the councilmember that he picked up and commented on land values and a difference between what a landowner is willing to sell a property for and what things get praised at. That doesn't make your appraisal. If you zone too fast, the appraisals never go up. You end up with the low tax value for longer waiting for the point for which the market is going to buy at the level he buys it and if you sell it, you're getting compared to the other things that looks like the thing it was. It gets more complicated than that. I don't want the community to get too confused on a thing that's confusing.

>> Good point. Park the issue of the values and land use, next. My sense is there maybe is an agreement on the issue now that most people have had a chance to speak to it. Did you want to speak to this

>> Kitchen: I have a process question.

>> Mayor Adler: Should we take the vote first?

>> Kitchen: No, here's my process question. We have it in front of us and we're reading it. The public doesn't know what we're talking about. It would be helpful to read these out or put them on the screen as we take the indications of votes on them.

>> Mayor Adler: I'll agree. If we're ready, I'll read the question.

>> So it's loaded on a message board. Could be downloaded as well.

>> Mayor Adler: Roman numeral II, f-1, should we focus mixed used development on transportation corridors and activity centers rather than in the core of existing single family neighborhoods.

[3:11:57 PM]

0 to 5, where are we on this one? Mr. Casar is a four, phi, four, five, four, five, five, five. Let the day be marked. Our first substantive issue. Where did Ms. Houston go? We'll ask her when she comes back. Does it make sense to go avus so we can hit something specific. Tell us about it. How is it treated today, how it's treated under the draft 3, and talk to us about different commissions.

>> Again, I hate to harp on this. But I think it's important for people to understand what our process is. So we did a closed hand to five, are we capturing that? Is somebody capturing that information so we have that down?

>> Mayor Adler: Yes, the clerk is shaking her hand yes.

>> Kitchen: Thank you.

>> Mayor Adler: Which corridors should be managed. Which corridors and centers should be met for what's used as intense tav, parked. Tools, parked. Incentives where? Parked. Lot size, parked. Those are the parked questions that I just did. So we're going to talk about ads. Should they be allowed in more

areas across Austin. And in that regard, we'll answer the other questions if the mayor pro tem had the others. Tell us what the rules are now. Will we find them now. Talk to us about draft 3, talk to us about how Adu is treated. Ms. Houston, everyone raised their hand with a four or five level on the last question about should we focus new dense or mixed use development treating housing goals on corridors and/or activity centers, are you there with a four or five?

[3:13:58 PM]

Five, thank you. Staff, going to talk to us about ads.

>> Under the current code, we allow ads in the sf-3 and 5 in the ns-6 district where is we allow duplexes today, we also allow ads and then those more intensive districts with sf-5 with a townhouse condominium district going to the multifamily districts. They would also allow the ads. We also allow in tern areas, adus, and those neighborhoods opt in to that planning tool. Most of them are used to 35 and will allow them in an sf-1 district or an sf-2 district. The size are limited to 100 square feet or .5 adr whichever is smaller. There's a limitation to an overall size of 850 square feet and the limitation of 550 square feet on the second floor. Not sure if you want to go through b-1, b-2, b-3.

>> Mayor Adler: You're here, talk to us about ads generally and see how far we can go.

>> Then, regarding the third part.

[3:16:01 PM]

Current code, one parking space. No parking in a quarter mile in a dedicated transit area. They're allowed on small lots of 5750 for -- if it has the appropriate zoning. Questions about current code? Mayor pro tem?

>> Tovo: I'm sorry, can you be clear, repeating what you said. Single family, any single family 3, some tracks.

>> Sf-3 zone tracks. Sf-2 tracks and sf-1 if they adopt the infield tool which they're limit in scope.

>> Limited in scope and mainly found in the neighborhoods east of ih-35.

>> Tovo: So, can you help us understand in a general way -- I know just about every track in my district is sf-3, not sf-2. So they accessory dwelling units are allowed throughout. As you look across the city, where are ads not allowed. What has patches of single family 2 zoning as you go district by district.

>> You're going further out from what I say is is the urban core today. Basically south of William cannon. Probably going out towards 183 on east going to the north, probably one north of 183. Generally probably west of mow pack.

[3:18:01 PM]

Those areas came in sf-2, sf 1. You get further from the city, you do not see the zoning on those areas.

>> Tovo: Councilmember tracks Clare is not here. Does d-8 have a lot of single family three or is it two? The same question to you, councilman Zimmerman, I'm trying to remember where I'm seeing this on the map -- oh, sorry, councilmember Flannigan.

>> A little Freudian. You made me feel better.

>> Tovo: I apologize. I was going to say, you have the hat on.

>> I don't think you're going to see as many in district 8 or --

>> Tovo: As many single family 2 or 3?

>> Single family 3 zoning that would allow an Adu.

>> Tovo: Would or would not. I'm sorry.

>> You --

>> Tovo: You would not see family three zoning in district 8.

>> In district 8 or 6 or do I recall extensive amounts of 3.

>> Tovo: Primarily, sf-2.

>> Sf-2, maybe sf-1.

>> Tovo: Those are areas where you will not see adus permitted for the most part.

>> For the most part.

>> Tovo: As a generality. Okay, thank you.

>> I want to clarify on that point. There are parts of district 6, I'll speak about district 6 because I know it. That are zoned differently than on the ground today. There are duplexes that are zoned sf-1. Just because the zoning doesn't exist doesn't mean the uses don't exist. That's a difficult analysis for staff to do. So that's challenging. For the areas that got Adu allowances under the current code, do we have a sense of how much -- how many lots before allowed in Adu versus how many ads got built?

[3:20:02 PM]

So this is a capacity versus projection question again, right? Every zone with an sf-3?

>> We can get that information for you. How many are in the district and how many lots are available for that, I don't have that information.

>> At a super high level, trying to get -- sense of what you allow in the zoning versus what's built to get a sense of the capacity number and the projection number. You don't have to answer it now, it would be an interesting data point.

>> Would it be half of them? It's a wild guess.

>> We saw the consultants it has to do less with the capacity and the number that's allowed and more to do with the regulations we have and how feasible we are. So councilmember Flannagan, to your point, after we pass the Adu reforms a couple of years ago, we saw Adu going from 50 a year to 200 or 250 or something like that a year, is that right?

>> Councilmember Casar, that's correct. The water utility also reversed a practice that they had before. There was a time, I believe, that they required an extra water heater. If it was maintained, you could buy an Adu without the water meter. A great difference on the cost on the development of the Adu, as much as \$125,000.

[3:22:06 PM]

That made a big impact. Once that ruling changed back to what it was many years ago, it made it more desirable to come in and look at Adu because they didn't have to buy the second meter.

>> Casar: The point is the longer document talks about increasing the feasibility of ads, that's more relevant to getting them, sometimes than even allowing them. Of course not, I would have a position where I would be allowing them anywhere where single family is allowed. But one of the key questions we face in codenext is how and where we want to make them not just allowable, but also more feasible. Even if you allow them throughout the entire city, you can wind up with 10 or 50 or 1,000 created a year largely on how feasible they are. It's not global real estate. It's oftentimes the single home owners.

>> Mayor Adler: How do they make it feasible?

>> [Indiscernible].

>> Casar: In your document, that is the question, feasibility. Now we can take on where they're allowed and how to make them more feasible. But you're saying your question is about feasibility. Your document sets feasibility. The mayor pro tem's question says allowability.

>> Let's start with the allowed side of the question. After we have that, talk about how we can make it more feasible. Leslie, then mayor pro tem.

>> Houston: Yeah, I wanted to say that I generally support ads and I think that's a potentially organic way to increase the density in our neighborhoods. I want to ask staff about the opt in-opt out opportunity for the ads, is that still available to various neighborhoods.

[3:24:08 PM]

>> Pointing out other folks. Not financially feasible for somebody to build the Adu if that might help. If that would be the equivalent. I looked into it too. It was the equivalent of taking out a second mortgage. I was more interested in paying off a mort gang than acquiring a second one. I didn't and could have built an Adu on my lot. I'm probably representative a lot of folks in town. If we had some ads we built, that's definitely fulfilling a desire and a need. But we also should be practical about the fact that they are not going to spring up on every lot because nobody can afford them.

>> Mayor Adler: Mayor pro tem, do we want to hear from the consultants and the staff about how it was treated in draft three and commissions before you comment or do you want to comment first?

>> Will we go through the more comprehensive questions, the limited, or --

>> We start with the big ones and drill down as far as we can get in terms of specifics and run this one down and see how far we can go. There's a different kind of question for stuff like that. Why don't you talk to us about how draft 3 dealt with ads if different and how commissions dealt with ads if different.

>> Draft three allows all of the units in the house scale Zones and the 1-u zone district. In terms of size, the size of the Adu is limited based on lot size, so three tiers of sizes of ads. And, in -- in the cases of the r-1 zone district, there is a requirement for the lot to be a certain size. You can see a minimum of 15,000 square feet. I think in terms of the different commissions, we had PC, zap, and all of the landmarks supportive of the ads as a tool.

[3:26:13 PM]

It did come down to the question of the size of the ads. And where and how they might be incentiveized. I think, you know, the real imp the us on thinking about the scale and sizing of those different lot sizes really was something that was pushed really heavily. That is a great thing we got in terms of input in terms of simplifying it, making it approachable in terms of how big of an Adu could you get on the lot size. In their PC recommendations, they did talk about the potential of adding Adu bonuses and other incentives, we can save those when when he talk about 2-b-3 just about how to make things more feasible on lots. But I think generally, the commissions are very supportive of the idea of ads.

>> Mayor Adler: The three issues seem to be where can they be located, what size are they? And what incentives would be associated with them where?

>> Correct.

>> Is that right?

>> Mayor Adler: So, as a general rule, draft three had them in all house form Zones plus rn and mu. By way of location. Does anyone have an objection or a concern with that? Ann?

>> Kitchen: I think it's important to say this. I legally it's not possible to do otherwise. People raised concerns about the areas where there's speed restrictions. I would feel more comfortable with a



statement that says not sure exactly how we're wording this. The question is right now, should ads be allowed in more areas across Austin. I would be comfortable saying. Yes, subject to -- I don't know about the wording. Yes, subject to deed restrictions because we all know deed restrictions have to be respected. Under the law. So we don't have the authority under the law to say in our code that we are over -- overriding restrictions.

[3:28:20 PM]

But I think it's important to say that. There's a fair amount of confusion in the public about that.

>> Exclusively saying that -- explicitly saying that we cannot and will not and do not override deed restrictions and we're comfortable with ads in all house -- house form Zones. And our mu. Does anybody have -- anybody have anything?

>> I share the deed restriction concern. And separately, there's parts of the code that if we can get them to an amended place where I'll be suggesting other language where we heard in the public testimony that it says this code overrides deed restrictions and it's important to say the city is not authorized to put deed restrictions. That's a more accurate way to put it.

>> The law may correct me. But generally the city does not enforce a private deed restriction. There are deed restrictions that may exist that prohibit you from having an Adu that are valid today and there are other deed restrictions that may also say that they're prohibited from having an Adu, but they're not enforced or they've -- they're out of date. Because then we ran for a certain number of years. So is it difficult for staff to say to a property owner, if they have a private deed restriction to say if it's more valid or not. If they are valid, our ordinance would not override that private contract and buyer and seller which created that deed restriction.

>> Right. And I think we're in agreement on that. It's just a question of how we laid that out so it's clear to the public whose job it is to do what in those moments.

>> The city doesn't have the capacity and can't assume that liability.

>> Kitchen: Little authority to override.

>> Mayor Adler: To even interpret it to determine whether or not a deed restriction exists and it's valid.

[3:30:20 PM]

>> Kitchen: We don't have the legal authority to provide --

>> Mayor Adler: To either override or to determine whether or not there's an operative deed restriction. Ms. Houston?

>> Houston: I understand that. I wanted to make sure that everybody understands that historically, there are parts of the community that didn't have the right to have deed restrictions on their properties so that I just want to make sure that what we're saying here is that -- is that that's going to trump everybody else's property rights. Because people didn't have the right to have deed restrictions.

>> Mayor Adler: With the caveat the city doesn't have the authority to overwrite or override deed restrictions, are you comfortable with original house forms or mmu.

>> Kitchen: I have a second one. The second one, it may be more appropriate under a different item. I'm raising here in case it's not. We had talked before there are some places where I think there are not very many. But there are a few places where there are neighborhood plans that had during the days of opt-in or whatever it was, with regard to ads, we have a whole question about neighborhood plans. We can leave it for a later day.

>> Mayor Adler: That's part of the plans.

>> Kitchen: I can leave it with the caveat we're going to talk about neighborhood plans and ads under a different section.

>> Mayor Adler: We brought up plans as it relates to ads. We'll park that question.

[3:32:37 PM]

>> Tovo: One of the things we're talking about harkens back to the residential. If we're talking about ads, we've got code provisions to keep them from turning in to short term rentals. That's for future discussion.

>> As a point of information. There's a standing council resolution that got passed long before we were here that says the council will not pass something that conflicts with a known deed restriction. So just by way of info.

>> Mayor Adler: Okay.

>> It addresses if there's a zoning change, council by general policy would not rezone to a -- I think it's commercial, nonresidential district that's in violation of the deed restriction. But that goes back to the late 80s, I think.

>> Mayor Adler: We parked that issue. What about 0 to 5 on the statement we talked about here. Ads in all of the residential house forms and rm and mu with the parked questions that says that the city does not have is the authority to enforce deed restrictions parking. What about neighborhood plans and parking and how to handle str's?

>> Kitchen: I just -- I apologize. I'm a stickler for the language. We're going to come back later and I want people to understand what's on the record so -- I want to read it as should ads be allowed in more areas across Austin. Yes, but they could not be overridden by deed restrictions. That's what we're doing our fist to five on. And we do two parked issues. I'm sorry.

>> Mayor Adler: What about neighborhood plans and ads.

[3:34:38 PM]

And how to handle sdrs.

>> Kitchen: What about neighborhood plans that have opted out of ads. And how to ensure that ads do not come str when they're not supposed to be.

>> Tovo: I think you reversed it. I think you said it backwards. I think you meant to say, should ads be allowed subject to deed restrictions. You said this can't be overridden by deed restrictions. I think you meant the other way around. Our city attorney might be able to capture it better. We had the same impression. Coin here's what I said. Should ads be allowed in more areas across Austin? Yes. But adus cannot be allowed in air where there's deed restrictions. Is that better?

>> My concern with sailing that is I don't know who determines if there's deed restrictions. In some neighborhoods, it will be a dispute as to whether they're valid or not. We don't want the city to come in and adjudicate the dispute. I understand what you're saying. We park that question and see how we handle those kinds of areas.

>> Kitchen: I can't park that. So let's just quickly -- I think we can quickly come up with a the language. So should ads be allowed in more areas across Austin? Yes, they should be allowed in more areas across Austin. However, the city can -- the city cannot override valid deed restrictions.

>> That's true. I agree with that.

>> We parked the question of ads and we're saying specifically in all residential Zones and rm and mu. 0 to 5, where are we on that? Five, four -- five, five, three? Four, four, four. General consensus, we'll move on from there.

[3:36:41 PM]

Where they should be located. Should we talk about size? Let's talk about size. You want to talk to us about how that's treated in the current your recommendation and the commissions?

>> Maximum of 50. More than 550 on the second floor. Those are the limitations that we have. If you're in a mcmansion area, then they're actually counting that square footage is counted towards the absolute number. Those are the limitations today. Oh, and the 1100. The 1100 square feet. Yeah.

>> Mayor Adler: And what about 1100 square feet?

>> There's 1100, not 850?

>> Excuse me, 1100, not 850.

>> Mayor Adler: 1100 with no more than 550 on the second floor. Okay? What about your recommendation.

>> Draft three recommendation carries forward that standard but it removes some of the necessary math. So it holds the idea of the existing today, the maximum square feet that we're going to get to. Where they are is the more accurate limiter. So you grant get to the 1100 square feet until you're over a 7,000 square foot lot at the ratio. The recommendation at zap looked at simplifying that and using a tiered system that says for lots under 5,000 square feet, let's pick a number. For lotses under 7,000 square feet, keep a number. And let's keep the overall maximum. In draft three, lots for under 5,000 square feet. The maximum Adu is 750 square feet. For lots between 5,000 and 7,000, 975 square feet.

[3:38:44 PM]

And anything over 7,000 square feet, we keep the existing regulation of 1100 square feet is the maximum. There was a lot of discussion between the various commissions about these sizes. I think zap was looking at potentially having smaller numbers across the different lot sizes. They had questions about in addition to the location where the ads could be. The PC recommended various motions and they were looking at allowing more adus to be built on a lot. The one thing I do want to adhere which we'll talk about it again in 2-b-3. Just the incentives. All three pcs had lots of questions about incentives that go back to the size of the Adu. That would be allowed.

>> Landmark in particular. Wanted to relax the size to go up to I think 1375? If the house was being preserved and they were actually -- they recommended limitations that would speak to limiting the alterations along the front facade for -- for not more than I think it was 15 feet or 1/3 the length of the building, whichever is greater.

>> Mayor Adler: Let's hold off on the question of incentives. We're working on size. Recognizing that any one of these could be changed either in the Adu or to use the Adu to insent something else. Let's hold off and talk about incentives. This is the general overarching rule on size on ads. Mayor pro tem?

>> Tovo: I'm not sure I'm ready to nail down sizes on ads today. But as a general principal what I would liking is a little bit more -- I like a better understanding of how we can ensure that ads that we're not setting the size of ads so large that it will incent the demolition of the existing structure.

[3:41:07 PM]

So I think for me the size would need to be tied to the preservation in the way that some of our commissions have suggested. So that is sort of an incomplete answer. I want these two things together. Not just to depend on the lot but depend on the existing structure and if it's being preserved. Probably in most cases.

>> Mayor Adler: I think what the commission did is they said give a nominal size or overarching size. I understand and agree with a concern that you make the ads so big you incent the demolition of the existing house. I share that concern. We would like us not to have that. I also like what I understand the commission to have done which addressed the same kind of issue but in an incentive kind of way. If you want to preserve the existing house. What you can do, build a bigger Adu. That's something also that has promise. But it's a very strong general rule.

>> Mayor? Since you jumped into the incentives, there is in draft three in incentives, it says if you preserve the existing house, the far of your Adu would not count against your overall build ING --

>> The mcmansion far?

>> Yeah. That's an existing incentive in draft 3 where historic call landmark went, we like that, but we want to allow them to preserve -- to consider the original house as long as under 1375 square feet, to be an Adu and allow the person to build a house in the back. But what it would mean is they would have to preserve the original house in front of the lot.

[3:43:13 PM]

>> Mayor Adler: Two things, one, a policy issue, we want to set the size of the ads in the existing house. Second, we want to consider the size of the ads in a way that would incent the preservation of the existing house. I think both of those things are true for me as well, mayor pro tem. Leslie?

>> Houston: Then the cover restrictions and the far are still in play in this, right? That's also key. We're not going to get into that but we have to be careful not to do something to dilute that because we get to flooding concerns. And all those other issues.

>> Sorry, councilmember Poole. The incentives in the draft 3 do not change impervious -- so you have to be under the impervious cover.

>> Pool: There has to be a line with that still.

>> Mayor Adler: Now a third policy not to reduce the impervious cover.

>> Mayor pro tem, I have a question for you.

>> Tovo: Okay.

>> Help me understand how a larger Adu incentiveizes the demolition of the main building? Would about that no longer make it an Adu? It just makes it the main house?

>> Tovo: If I can build an Adu on my property, I can build a larger one, I can't cite it, I will deal with it by scraping it. 50.

>> Hitting up against impervious cover.

>> Tovo: So you're scraping them both and rebuilding.

>> I couldn't wrap my head around what you were saying.

>> In draft three, we allow the Adu to be in the front or the back of the primary house. We also allow it to be attached. So that's something that's kind of evolved through the drafts. But we had so many people saying they're really tiny house up front.

[3:45:16 PM]

Can I build my bigger house in the back, call the front house my Adu? Yes. So that is allowed. You can also attach it which makes it more affordable than a free standing building.

>> Calling the free house the Adu will only work if it's small enough that it fell under those limitations.

>> Yeah.

>> I'm just curious, is there a reason those numbers were cheilitisen, the different lot sizes, the square footage limits from Adu? Does that come from something?

>> Councilmember, the 1100 came from the original ordinance that was passed by council. So that's where 1100 came from. The -- the 750 and 875, those came from just looking at in that range, what would be a reasonable size closely approximates to the .15 far.

>> Also in the original ordinance.

>> Correct.

>> I see.

>> The reason we're going who the specific numbers with the 1.5 far, one is you don't want to constantly do the brain damage of my neighbor's lot is 5,025 square feet. Mine is 5,000 square feet. If you have an far calculation, everybody has a slightly different size Adu that they're allowed.

>> I like the square footage limitations.

>> If they're 750 -- 1100.

>> 750, 975, and 1100.

>> Okay.

>> Zap had a recommendation of going with 600, 800, and 1100 in terms of sizes.

>> The 1100 you said was a max to try to accommodate families. It had been 850 for a long time. So several decades. And then when we had the last amendments, there were some that said if you made a slightly larger you could accommodate families easier. That's why I went up to 1100.

[3:47:17 PM]

>> That sounds good. I'm instinctively going to support larger than smaller ads but that piece, that conversation will be an interesting one where we might find ourselves supporting a larger one if it does protect the original house.

>> Mayor Adler: Okay. Does it make sense to the dais to have sizes that are -- it sounds like in staff recommendation, you're saying do it on three different lot sizes, less than 5, 5 to 7, 7 more? It sounds like that seems to be the way that everybody treated it. Is that right? Seems to be consensus from the people who are advising us to have three different size breaks. Does that make sense to people on the dais? Councilmember alter?

>> I appreciate it breaking it down by the lot sites. I wasn't here when the 1100 was decided. Can you tell us about the size of ads in other cities. My understanding that we're way above others with the 1100.

>> Sure, so I think every community has pickled up a number that feels comfortable for them. I will say the state of California as a whole passed regulations to get up to 650 square feet as an Adu. If the community hasn't picked a number already. So the number varies by each community. Austin came to this number primarily to allow more family friendly sized ads.

>> I have a different take on the Adu size. I would like to see us incentiveizing smaller ones because they're more affordable. I think a lot of the central city when you start to have the larger ones, they become like their other houses and it takes away from the affordability.

[3:49:20 PM]

It's easier to make it compatible. There are some incentives you want to put in there to create. You can have templates from the smaller ones and be doing that. That may be more of an incentiveizing the smaller ones as opposed to the levels. But, you know, in my research on this, there were a lot of cities going with much smaller sites than Austin than we were -- I wasn't aware of the California example but we were out of line with respect to that.

>> Can I get this in half for a second to help us move forward to see where there's consensus. Putting aside for a second what the sites of the avu would be, are we okay conceptually with saying there's going to be one size for less than 5,000. Another size between 5 and 7,000 and a different size between 7,000 and above? Anybody have a problem with that concept?

>> I have a question first. I apologize. I missed what you all were saying. So, the -- the different sizes that are in the draft 3 versus what maybe zap recommended, did they change that? Er were they changing the sites? In other words, did they keep the breakdown at, what was it? Under 5,000?

>> Under 5,000, 5 to 7 and 7 to 1. Chop did they --

>> Kitchen: Did they change that breakdown or just the sites.

>> I'll have to check. I know they capped the three breakdown. We'll have to check with staff to see if they kept the lot sizes. My general feeling is they probably did. But --

>> Kitchen: The reason I ask, it makes sense to me. If there's a reasoning out there for different lots, I want to understand what it was.

>> Let's go ahead and see that we have consensus for those lot sizes contingent on not having gotten a different recommendation from one of the commissions. Is that okay with you? We're talking about the three different lot sizes, not the size of the Adu at this point.

[3:51:25 PM]

Yes, Lindsey?

>> Another section talks about the mcimages ordinance. There's interest in not having lots of large-sized homes on the lots in town that it's really expensive. But I would say that we need to be careful with the Adu conversation. We may end up with the in fact same amount of square footage in two different structures. So I want to go back again and put my faith in the impervious cover piece in the far and those would be limiters, the guardrails, if you will, on what the size of the Adu would be. So it may be something that is already being addressed through other restrictions. But generally speaking, I think the Adu should complement and be in proportion to the structure that's already on the site. From an architectural perspective.

>> It turns out we don't have those on there. Then bring this issue back up again. We'll revisit it. Allison?

>> Less than equal to the 5,000? You're moving the lot size to 5,000? Or less than 5,000. The standard lot size is 5,000 but this is less than 5,000. Is it less than or equal to 5,000 or is it --

>> Councilmember, it's less than 5,000.

>> So when would we have lots that are less than 5,000 that would be in that range. I mean -- if we're not -- we're not going to suddenly allow 2500 square foot lots. Do we want to propose that, then what does that level mean?

>> So, the smallest ring is to account for some zone issues allowing smaller lots. So in some zone districts, there are -- there are just smaller lots sizes allowed than 5,000. It would also accommodate any of the existing nonconforming lots that are less than 5750 that are actually below 5,000, which there are a number in the city.

[3:53:32 PM]

So, again, that's where that break point is as we're showing it.



>> I think for me, I know we're talking about the less-thans. But if we're going to have lots. It's contingent for me on the lot size that we're allowing it. If you have a 2500 square foot lot, I don't want adus on the 2500 square foot lot along with the house.

>> So, council, in the rt-e district, they have smaller lot sizes. As John said, the minimum size for a single family home is a small lot-type of subdivision is 3,000 and 5,000. It allows an Adu to 3,599. With have different zoning districts. Though youle might not see them throughout the city that are -- and there's probably not a lot of rt-e, there's an accommodation of the code to make that -- and that's capped at 750.

>> Councilmember, apologies. When I expressed the range before, I did not emphasize that it's 3500 square feet to less than 5,000 square feet. So there is in the code we do not ever anticipate ads on a 2500 square foot.

>> Okay. That's what I was trying to make sure. I was getting confused in that.

>> By show of hands, are we okay with the three classifcations contingent on the commissions recommending something different. Less than 5,000 square feet, 5,000 to 7,000 square feet, more than 7,000 square feet.

>> Kitchen: I think we said 3500 to 5,000. Not less than 5,000. 50 you can also -- you can say the breakdown as described in lot three. That's 3500 of 44,99 square feet.

[3:55:36 PM]

Or 7,000 or greater.

>> Okay with the breakdown in the draft? That recommendation?

>> Yeah, I'd like to see -- I'm fine with the breakdown by lot size. But I'd like to see the higher level lower than 1100.

>> Mayor Adler: We'll get to the size in a second. Show of hands on the breakdown of lots. 5, 5, 5, 5, 4, 5, 3, 4, 4, mayor pro tem?

>> Sorry.

>> Three. Sorry. Got it. Now let's talk about the lot size, the Adu sizes themselves within that catted gore. We have -- do we have the staff recommendation was 550, 750, and I said that wrong --

>> 750, 975, 1100.

>> 750, 975, 1100. And Zack was --

>> 600 and -- 650 and 1100.

>> 650 and 1100. So, the sizes in the different categories is before us now. Is there a place that we can reach consensus?

>> I prefer the zap.

>> Mayor Adler: Okay. Further discussion?

>> Sorry. I wanted to address something you said earlier about we want to avoid too having a -- having a connection but it shows up as two buildings. That's not a mcmansion. And I think we're trying to get to a place where there's multiple units where the buildings are smaller. That's what we're trying to get to the. I wasn't -- mayor, say the numbers again?

[3:57:36 PM]

>> Staff recommendation was 750, 975, and 1100. And zap went from 750 down to 600, from 975 down to 850.

>> I'm much more comfortable with the staff recommendation.

>> Mayor Adler: You want to address why -- do you see the difference between the two? Why would you recommend that rather than the Z.A.P.?

>> Again, our recommendations came out of just doing some of the math of the .15 far and understanding that the previouses house hold deliberations has been about trying to allow larger units that might be more family friendly. We -- I would say that the zap recommendation are -- they are in line with trends that you can see across the country. So I think it kind of depends if you want to revisit the policy about family friendly sized even if they're not.

>> Mayor, I have a question. I have to apologize. I have to make a couple of phone calls. But, you know, in my district through here, we have a lot of secondary units. And when we're looking at building one of these units and the way it's -- the way it is now, you know, I do have 640 square foot Adu in my front house, my front house, 680 foot. It's just -- so -- but, I can't use my garage cannot be a living space. So when we say 640 feet, that -- I know that's -- it's only the living space that's being counted and mine is two stories. We're not allowed to use the bottom part for livable space. So are we still keeping that intact with the Adu. ? ? Is that still

[3:59:37 PM]

>> The garage space isn't counted towards the F.A.R. Limit. And so whether you have a garage or not, that -- that's up to you, I guess, if you wanted to use that for a living space, then that would count towards the square footage, but you are not required in draft 3 to even provide a parking space.

>> Renteria: So that would basically have thrown my own 11.

>> Yes, if you were to variety the garage to living space and you are at your limit now, that would have pushed it over, you would have had an exemption under current ordinance for I think 450 square feet

would be exempt under current code. Under the proposed code it's just not -- it's just not counted, but there's no parking required for an aud.

>> Renteria: Interesting. So right now that would put me over a very small garage apartment, but if I did that two stories, that would put me at 1200 square foot, a little over 1200 instead of 1100. So just for my information, that's all I'm asking that, but -- if you are going up, it's not very -- I mean 1100 is really not that much if you are going to just build one big unit, then that is going to throw you over the impervious cover. You are not going to be allowed to build it anyway.

>> Mayor Adler: Ann.

>> Kitchen: We -- the mayor pro tem had mentioned earlier that -- that perhaps -- and you had started going down this road, mayor, that perhaps we ought to be talking about some things that were important to us that the size should be calibrated with. I may be the only one, but I'm not quite sure what the connection is between those goals, those policy goals and what the size should be.

[4:01:42 PM]

And I think we had mentioned so far wanting to -- and I think the mayor pro tem had mentioned needing to calibrate the size to preserving existing structure or at least understanding if that was possible to help. Then we talked about setting sizes to incent preservation and I'm curious to what extent the size relates to, you know, the incentives we might want to have to encourage affordability. So I'm not certain I'm ready to actually set an arbitrary -- not arbitrary, but to set a size, and I'm curious from everyone else what they are thinking because to my mind those four things that I read out are the things I'm trying to accomplish with the size and I'm not sure if these sizes do that. Maybe staff could speak to that more.

>> Mayor Adler: We'll get to the incentive question, but the F.A.R. And other things, it sounds as if -- it's the base. So you are providing an incentive, you are giving someone an exception or change from the base in order to induce something. So we can consider those in just a second, but I understand not wanting to pick a number yet because of those other things. It's the same thing the mayor pro tem said. I wonder if in this situation we could park at this point the range that was somewhere between the 600 and 750 and the range between 850 and 975 and keep the 1100 and move forward allowing for range at this point subject to looking at the F.A.R. Requirements or the other things. Does that make sense for us to do?

>> Kitchen: Yeah.

>> Mayor Adler: Okay. Let's test that. Greg.

>> Casar: I'm happy to keep thinking about it. Even listening to the conversation, it's starting to sound more complicated than the .15, which scales to thought size.

[4:03:46 PM]

I've heard oftentimes people saying 1100 square foot as if that was the cap, but really the .15 was the cap and the 1100 was just the governor on very large lots, say a 9,000 square foot lot that didn't have much house built on it. After hearing all this conversation, it sounds like the goal was to simplify it, but it just sounds -- I'm not sure if it's more simple. But .15 just always seemed pretty simple to me.

>> Mayor Adler: So the question was -- mayor pro tem while you were out of the room, the question was --

>> Tovo: [Inaudible]

>> Mayor Adler: What do you think about picking at this point the range between the two, the 600 to 750, 850 to 975 and 1100 and using that at this point subject to anybody coming back and reurging something different?

>> Tovo: I'm comfortable with that. I think the one thing I just need to park for the moment is the interaction between our square footage on the Adu and the mcmansion provisions. For me that's -- that just needs more exploration, and there have been so many different discussions about auds and size and lot size and F.A.R. And ways those might tie together, I just need to sit down and lay it all out. But for today I'm comfortable moving forward with that generally. Very generally.

>> Mayor Adler: Let's do that range. Let's specifically park the question how this relates to mcmansion. Also parking how this relates to just a .15 F.A.R. Slide. Take sentiment on that and move to incentives. Is your light on because you wanted to say something or no? No?

>> Kitchen: I think the other part of parking this is the relation to incentives. I know we're trying to deal with them in a completely separate way, but they may, as we talk through them, have some impact on size.

>> Mayor Adler: Let's specifically park it subject to the incentive conversation that we're just about to have.

[4:05:48 PM]

>> Kitchen: Okay, and then I'm going to need you to repeat it.

>> Mayor Adler: We're talking about allowing ads, we've already said with respect to location, we've already done the zero to five and there was general consensus. We're talking about the size of the Adu and we're saying what it is that is in draft 3 which I think is something like less than 5,000. And between 5,000 and 699, 699. And then 7,000 and above. And we're dividing those into those three classes. And then the Adu size in the first class range between 600 and 750, the second group 850 and 975, the third group at 1100, but we are parking the consideration in relation to mcmansion ordinance and size F.A.R. And consideration of a .15 slide and subject to the incentives that we're going to talk about in just a second.

>> Kitchen: And I think you meant to say from 3500 to 5,000, not less than 5,000.

>> Mayor Adler: Does that work? 3500 as it is in draft 3. Okay? Show of hands. Zero to 5? Four, three, four, three, three, three. Okay. We're moving that one on. Now let's talk about incentives. Talk to us about Adu incentives. So a really high level whether we do anything like that now. And then what is in the draft 3, the staff recommendation and thereafter.

>> So today for an Adu if you are within a quarter mile of a transit, there's no parking requirement for a N Adu.

[4:07:55 PM]

Not any other incentives I'm aware of under the current ordinance.

>> Mayor Adler: What about the staff recommendation?

>> Casar: I actually think there is an affordability incentive in the current code. I remember that from when we first -- when we last revised the ordinance.

>> Mayor Adler: What do you think it was?

>> Casar: I think you got relaxation of a variety of -- variety of regulations for affordability bonus buried in there. Not many used it except for the nonprofit providers. We don't have to stop now, but you should check.

>> Mayor Adler: Check on that. What about draft 3, your recommendation.

>> So draft 3 extends the parking reduction to all adus so ads don't need to provide off-street parking. It also included the preservation incentive of if you preserve the existing house, the F.A.R. That's associated with the Adu does not count towards the overall limit within the mcmansion Zones. We heard a lot from -- I mentioned earlier historic landmark commission would like to have an incentive that allows Adu size to go up to 1,375 square feet if you preserve the existing house and existing house is then considered the Adu. The -- the planning commission also looked at incentives to allow an additional Adu if you actual provided and made that an affordable Adu. If you went into an affordable housing program where you worked with the city to make sure that was a rented and affordable rate, you would actually get a second Adu.

[4:09:55 PM]

And -- but that was within an eighth of a mile of any school corridor that you could take advantage of that incentive.

>> Mayor Adler: Whose was that?

>> That was planning commission.

>> One other thing in planning commission, they recommended changing the term "Preservation" I believe they -- I don't know -- to "Conservation." Just to emphasize the term "Preservation" has a particular meaning and they wanted to use "Conservation" to mean you are keeping the original house but not holding the property owner to preservation standards, which are very specific.

>> Mayor Adler: What was the planning commission vote on that recommendation, do you remember?

>> That would have been motion --

>> Mayor Adler: This was 1375? This was -- they made the recommendation for a second Adu within one-eighth mile of school or corridor. Which motion was it?

>> Motion 87 from the planning commission.

>> The vote was 7-4.

>> Mayor Adler: Thank you.

>> Kitchen: I'm sorry, I didn't catch which one.

>> Mayor Adler: The vote on item 87 for the planning commission which was to allow a second Adu if it was near a school or -- no, no, I'm sorry -- is that right?

>> Kitchen: That's not what it says here.

>> Mayor Adler: Second Adu if it was affordable and if it was within an eighth mile of a school or a corridor.

[4:11:57 PM]

If it was income restricted and within an eighth mile of a school or corridor. 7-4. Yes, Ann.

>> Kitchen: I apologize, I may not be reading this correctly, but the motion number 87 doesn't read that to me. Nor does it have the 7-4 vote. So it must be a different motion? My document on motion 87 doesn't -- it talks about cups. Just track back. Did you say 57 or 87?

>> 87. It has notes, as stated in exhibit2, audubon news amendments apply changes to citywide density program to create a corridor density program, create a review after implementation of bonuses. Alter the Adu and scale compatibility, restrictions, but it looks like it talked about --

>> Mayor Adler: We're showing 87 to be for all adult entertainment in all Zones.

>> Kitchen: Right.

>> Houston: Mayor? That the audubon news -- Adu bonus was a simple majority but there were only seven people on the dais.

>> Kitchen: I see item number -- I'm sorry, did you finish? So I see item 89 may be the one you all are referring to.

[4:13:58 PM]

It talks about Adu bonus.

>> I guess it is 89.

>> Mayor Adler: Yeah, it's 89. Okay. Thank you. That was a 7-4 vote. All right. Yes, mayor pro tem.

>> Tovo: I'm sorry, I don't have that amendment in front of me, though I will in a minute, but the -- what were the affordability levels for that second unit, how is it going to be monitored, was there a required bedroom count? I mean, having a second Adu if you are trying to wedge two ads, was there any minimum lot size for those two if one is affordable? I mean, what were the provisions around this proposal?

>> I can talk a little about staff's response to the PC recommendation. So nacd is supportive of the idea of creating affordable ads. However, from implement standpoint, their preference would be to take the in lieu fee as opposed to --

>> Tovo: To me that means then we're just really allowing three units where there once were two for the most part because that fee in lieu is unlikely to match the full cost of constructing one somewhere else. If we were to contemplate something like this, I'd want to think and get some feedback about whether -- whether that's actually going to end up with two smaller adus near a school whereas when they might have created a larger family-sized one. I'm trying hard to understand how having a second Adu there if we're not talking about bedroom count and things of that sort really benefits the school, if that was the intent.

[4:16:06 PM]

If we're trying to create family-friendly housing within close proximity to our schools, I'm not necessarily seeing how this provision relates to that.

>> Mayor Adler: And I'll say my question about what the PC vote was was not intended to bring immediate or undue attention to that so I was just asking. Greg.

>> Casar: I know we have set 4:30 for us to keep moving on so I don't want to dig too much into any specific one, I would ask to keep an open mind on this recommendation because I hope it's a place for us to find consensus. If I think that on-site affordable housing would require some subsidies from the proformas I've seen, but since this was a council very committed to figuring out how it is we provide subsidy or provide fee waivers to those providing 6 0% I think it's promising. I don't have contactly what PC recommended, and my recollection of what I read, there is an incentive for those units to actually be more family sized as opposed to less because my understanding is that the -- the way the incentive is instructed is that as the affordable unit gets bigger, it allows for more construction on the other units. And so maybe Mr. Guernsey has that in front of him.

>> I do have a little more information on the commission, planning commission's motion. If you build affordable Adu and any part of the lot is within a quarter mile of imagine Austin corridor in r1 through r4, Adu size is restricted by the Adu bracketing for that zone, Adu does not count against the unit count for the overall F.A.R. Calculation.

[4:18:08 PM]

There's not configuration attached or detached. A total F.A.R. Is capped at .8 and the total unit count is capped at 4. The incentive is that there's a market rate, Adu may also be added if it does not count against the unit count or the overall F.A.R. Calculation, but may be no larger than an affordable Adu and the primary dwelling units receive a F.A.R. Bonus equal to the square footage of the affordable Adu and that there's an incentive for front setbacks reduced to 15 a feet, heights increased to 25 feet at the side and 38 feet overall. But the entire site may not exceed three stories. And so they actually called out a particular corridor Adu bonus under this amendment.

>> Casar: Mayor, I don't think we have time to get into and through it, but I'd ask that everybody look at that and think of different ways to adjust, there was a resolution that we passed close to unanimously I think under the last iteration of the 10-1 council to start figuring out how we get an on-site affordable unit and how scale -- it's taken a long time to find something that gets close to calibrating and working. I understand nhcd not wanting to monitor lots of sites given current resources. I hold nothing against them. With current resources it would be hard to monitor all sites, but I think there is something so promising about how scale 60% mfi on-site units that this is somewhere where I would like to see if we can get council consensus around trying this out in some -- in some areas. Not particularly exactly to what PC did, but I think they did a lot of hard work but I would think they would have gotten more than seven votes if everybody would have been able to be there that day.

[4:20:13 PM]

>> Renteria: Mayor?

>> Mayor Adler: Yes.

>> Renteria: This is sound exactly what, you know, I'm doing right now. I did go to -- my Adu and I preserved my house in the front. It was built in 1936 and did a lot of repair, but it cost me quite a few amount of money to rehab it, but, you know, and I still have a big patio, I guess you call it, in the back, but it's all concrete. So what I could also put another affordable unit there if I wanted to between my adynamia front house, -- my you Adu and my front house, cottage. Very tight, it's only one bedroom, and then there's one big room in my garage apartment if I couldn't use -- I have to provide two garage that I don't have -- I got three garage space but I got two cars so -- and I don't even use the garage, it's more like a storage shed than anything else. But I would really like to convert it into a living area, you know, that would be very -- I mean, I could make it into a three-bedroom house then. Garage



apartment. So I'm really excited about this, you know, and I live right across the street from martin middle school so everyone knows --

>> Pool: When we were talking about ads before we got to this question, I made reference to the F.A.R. Limitations and the impervious cover limitations and this particular amendment throwing both of those out and changes the F.A.R. To .8 where previously it was .15. And so I understand where Greg is coming from on that and I understand him trying to push the envelope, but I also want to remind everybody that neighborhoods would have serious concerns about flooding potentially depending on where this would happen.

[4:22:19 PM]

So I -- I'm not -- I can't go that deep. So I'm sure this one will be parked.

>> Alter: I'm not -- if I'm understanding correctly long day. They said they would be using fee in lieu instead of monitoring the units. Is that what we heard would be the ability in terms of enforcement? That I understood?

>> Response and recommendation.

>> Alter: Thank you. So I'm not going to be comfortable with supporting this fee in lieu for it in that way, but we have to figure out what the balance is between larger and smaller adus. When you have smaller you will be able to rent them at smaller rents and more likely to be affordable at market rate. It will be smaller square footage, but you will have it at lower cost and it's a way to get in fill in a lot of areas that doesn't have the same implications for flooding and other kinds of things. While I appreciate the need to have the families in there, it's not always a matter of size, it's often a matter of how it's configured and there are families that can live in an 800 square foot apartment perfectly fine, and you can still get it. When you start to make them larger, they become way less affordable. And so, I mean, you can get more units or you can get more affordable units. Now, there are certain costs that are fixed when you build an Adu, but as the size gets bigger, houses in rosedale are 1100 square feet.

[4:24:22 PM]

Like that's the old house. People can live in various sizes, and bigger is not always better and bigger is not usually affordable.

>> Casar: I just want to close out on this that I hope we can keep thinking and working on this because I hope this is an area of consensus. I'll go and see on watershed and impervious cover limits if there are tradeoffs there that get us the afford ability, if there's ways we can limit. To councilmember alter's point I think trying out something new like this actually getting the unit on site I think should be a really major goal. And so I want to keep working on it and encourage you all to meet those planning commissioners

because as you saw in the presentation, it's something codenext or not that we -- I think we could find some common ground working on.

>> Renteria: Mayor, just one more question. You know, here in Austin when we get the secondary units, there's also -- and I believe there's a state law that allows people to condo your house out. Can you explain how that works?

>> Yes. The Texas property code, you can file a condominium regime on a garage apartment and separate from the single-family home. Land is held in common. That's allowed by state law. It overrides local zoning authority. It would apply to duplexes or an apartment complex so even though all our permits may say that you build a two-family residential use primary house, garage apartment in the back, nothing stops the property owner from filing a condominium regime and selling off either one of those units. Then holding the land in common. That's a state law by right that every property owner enjoys.

>> Renteria: And explain to me also that is there a restriction on the size of that unit?

[4:26:28 PM]

>> I don't recall one under state law. There are certain size requirements the city has just under our building codes so I think it would be difficult to get an Adu any less than probably 200 square feet just because of our housing size limits for living areas and sleeping areas require just to meet the minimum requirements under the building codes for a house size.

>> Renteria: Because what I'm seeing now is happening right now is that there's two units identical and they are pretty huge because they go straight up and they are like three stories now or two and a half stories, and you see them, they are a lot bigger than the ads that were under present zoning that we are allowed to do or living space because we are restricted to -- and I'm sure that some of these units are being built under the condo, you know, they are a lot larger.

>> The city typically wouldn't know if it's filed as a condominium at the state level. A lot of times a property owner will develop it and then will then file the regime papers after they've gone through the city paperwork.

>> Councilmember, if I could add, even with that condo regime, it's still considered one site. As Greg said the property is held in common, but it doesn't change any of the other city requirements with regard to lot size or we don't consider it to be condominium use.

>> And it don't require a subdivision to do that so there's no additional approval to go to the city to get that lot subdivided to create that condominium regime.

>> Mayor Adler: My sense is we aren't going to make an agreement on this issue now so we're going to park this, but I would say at a pretty high level that I'm in favor of for me of relaxing some of the rules if we're able to get affordable ad Us proximate to schools and transportation.

[4:28:32 PM]

Ann.

>> Kitchen: I would also -- I'm glad we're parking it just because there's a fair amount of details I would like more time to think through, but I also support the goal of finding an appropriate incentive to help us for affordable a Dus. That's one of the things we're really trying to do. And so I know I'm getting ahead of us, but I would be in favor of taking this up again relatively soon because I think we're close and we perhaps just need a little more time to talk about it and think about it.

>> Mayor Adler: Leslie.

>> Pool: So what I would like to ask our legal department to do a little bit of research for us on Texas law and whether they allow or prohibit, for example, cashout refinance on two units. Because if we are looking, that goes to construction loans. If we're looking at trying to incentivize people to build ads where they are not now, then we need also to make sure that we're not accidentally putting them in a circumstance where Texas law may prohibit it based on how they want to go about the refinance. I want to understand the refinancing. And then I reiterate the point I think the mayor pro tem made earlier and that is we need to make sure that we're not accidentally opening the door for more str's because my guess is that for every Adu that's built, and it's expensive to build them, 150,000 to \$200,000 to build an Adu generally is what some of the architect designers are telling me it costs depending on the size, and that's a significant amount of money, but if you can't rent it, then maybe to somebody who is going to live there for a time, maybe you decide to turn it into a str. And we're facing some legislative action on our str rules so we may end up not being able to regulate short-term rentals.

[4:30:37 PM]

So we may end up turning our neighborhoods accidentally into significant short-term rental traffic. And I just want to raise that, talk about it. It's expensive to build ads so I don't know that incentivizing them is going to get us where we want. And what is the likelihood that they would be turned into short-term rentals.

>> Mayor Adler: Noted and parked it, str.

>> Pool: Thank you.

>> Mayor Adler: Is there general consensus on trying to use -- to incent ads near transportation corridors and near schools? No. Okay. We're going to park that issue for now. Just to see where everybody is. Where is everybody on that issue?

>> Kitchen: Could I just say something about it?

>> Mayor Adler: Yes.

>> Kitchen: I like the way you phrased it, but I wouldn't limit it to transit corridors and near schools. I think I'm very interested in incenting the affordability of Adu's and I don't know if I would limit it to those locations.

>> Mayor Adler: Is there interest in using ads, to incent ads for afford ability? Four, five, five. I don't know how, but that would be a question we would be asking to pursue, if there's people that want -- like that policy, then I think we would spend time trying to figure out if there's a solution that worked. Mayor pro tem.

>> Tovo: The propose for me in answering that -- problem is I support the general question you are asking, but that's not the conversation we've had. The conversation we've had is about a specific proposal to add another unit on a tract that would otherwise have two units and it would be -- you know, I mean and details around which we haven't had an opportunity to discuss and some of which can be [inaudible]. It's hard for me generally do I support incenters ads, I'll raise my hand to that but it's a very different question and I want to make sure that those are not -- because they are juxtaposed, they definitely have a relationship and I want to be clear raising my hand it's for the general question.

[4:32:55 PM]

>> Mayor Adler: The relationship is there was no consensus on the proposal. So we weren't going to be able to get an indication of support for that. So I pulled back from that. And so people could work on that idea or different ideas. Is there interest in a higher level in that and it sounds like there is. There were fives all across here, but it was not juxtaposed in that this is a stalking horse for that, it was moved up a level because there was no consensus.

>> Pool: Mayor, I might suggest you use the question that's to be one which is more general, should ads be allowed in more areas across Austin.

>> Mayor Adler: We've answered that question and moved past that. Then we did size. Then we started hitting incentive questions and that's where we are now.

>> Pool: I guess what I'm saying I'm not willing to go further into that.

>> Mayor Adler: Okay.

>> Mayor, may I offer something? I think what I'm hearing is particular concern about 2b3a, which is specifically about went sent I haveizing affordable Adu's near transit and activity centers. And then 2b3b which is about the feasibility around when you preserve an existing house. I agree if we can bring it to one higher level though about the consensus on general feeling about incentivizing affordable ads, that would be helpful. We heard earlier discussion about smaller ad Us relate to more affordable ads potentially because limited size, that also relates back to the discussion we parked about size. So if we can keep it at that higher level. For us on staff and consultants, it's about us getting a lot of documents ready for you all. If there is no interest in talking about that topic as a broad topic, we're going to focus elsewhere. So I think bringing it one level up be would helpful for us and for everyone getting ready.

[4:34:58 PM]

>> Mayor Adler: I was going to get to the next question because we haven't addressed that which is using ads as a way to incent the preservation of existing house structure. We're going to get to that one next as soon as we move past affordability. But I think it would be good to give you that kind of high level direction. Mayor pro tem.

>> Tovo: And just so the question was about -- so we're talking about incentivizing and we've sort of weighed in on that. This question talks about should they be made more feasible and how should they be made more feasible and we've been talking about that in relation so F.A.R. Bonuses, but some of the research that I think has been forward to do all of us also talks about, and this kind of gets back to the fees, the -- that that's -- if I'm remembering some of the research we saw, talked not about the fees being the biggest impediment but the lack of ability to take out loans and so the capital financing piece I think would be one answer to how it becomes more feasible. So that's something that I think relates to this question as well. And it probably relates -- I don't know that they took it on directly, but the resolution that led to the homeowners -- I wish councilmember Garza was here because it was her resolution, but it led to a task force coming together to talk about loans and access to capital and things of that sort. I'm not sure that they took on the question of ads specifically but I know there are professors at U.T. Who have weighed in. If I remember, they said the fees aren't the biggest impediment, it's the access to capital.

>> Mayor Adler: Jimmy.

>> Flannigan: I want to reference a few things talked about. I think we all got the email from Karen Mcgray, that's the architect that said the ads in her experience 100,000 to 200,000.

[4:37:02 PM]

I don't know if that's just the ones she designs, but it's in the context of a longer conversation advocating against neighborhoods that allow more than one dwelling on a site and I don't think that's what we want to incentivize. I'm not entirely sure how that applies, but knowing the cost under the new code, if there's parts of the current code that make that expensive to build, that would be good to know to make sure we're undoing those built-in requirements that create that cost. And then the capital piece is also very important. Not just for adus but generally speaking when we're talking about affordable housing bonuses and we want to actually get the units we're putting into the code. And I agree with councilmember alter when she talks about smaller units being more affordable and I think it's a really interesting interplay between what we allow versus what actually gets built versus what we want to see built. And if a cap is perceived as that's what always gets built, often people build more parking that is minimally required, a lot of things about allowing people to build smaller.

>> Mayor Adler: Greg.

>> Casar: Mayor, I'm trying to understand procedurally. Are we -- if I make it also really clear that we're not taking a closed hand five on the planning commission's particular recommendations related to the affordable four-plex, but more about do we want to set up incentives to create a -- that actually produce on site affordable units through ads and if we're interested in exploring that, I didn't understand whether or not you pulled that entirely off the table for consideration or if we want to get a sense of everybody -- not a vote of but a sense of where everybody is even on that general goal.

>> Mayor Adler: I think we were -- I was trying to do that and mayor pro tem expressed the concern that because it was coming paired with that that it was a stalking horse for that.

[4:39:14 PM]

I tried to suggest it was because that consensus did not exist on the dais. If we were saying I don't know what the solution is but there's interest in finding a solution or some series of solutions or elements of solutions that would deliver us that. And I still want to know if that makes you comfortable we could pass that on. Are you comfortable with that?

>> Alter: I don't understand what affordable means. I could have market affordable rate. If I make it smaller, and that might be, you know, in particular places that might be at the sort of same target level and I don't have to do any monitoring, I don't have to do anything because it would be market rate. I would love to hear from Mr. Mickey, you said the size goes back to that. And the question for affordability, you know, how does that lever work with respect to affordability? It doesn't mean it's cheaper per square foot to build but in terms of what you can rent it for, it would be cheaper.

>> So I'm going to turn to Ian a little bit, but it is still going to be market based. So if you're in a neighborhood where rents are \$5 a square foot, because the Adu is smaller, the rent is still going to be at \$5 square foot number. So the rent that would be asked for a smaller Adu versus larger would be smaller. But you -- you could also be in a neighborhood where rents are much lower in which case there isn't as big of a difference.

>> Alter: But if I wanted to have more -- lower -- I wanted to have units that were at lower rents than others, I would want smaller in more high opportunity areas because you could -- whether you are subsidized there are lower rents in higher opportunity areas if you build smaller adus.

[4:41:18 PM]

If they get built.

>> Northwest [inaudible]. To some extent I think there are instances where you'll find neighborhoods where the rents for a small Adu would far exceed what an affordable, income restricted rent would be. In spite of the small size. So you're certainly correct that in some places in Austin market rents are below

what is the sort of target 60% and 80% included in the citywide affordable housing bonus program. But in some places it's not. So I think it varies.

>> Alter: But in so far as you are trying to get them on transportation corridors and in the central city where you generally have higher rents, if I make them smaller the rents are going to be lower than they would otherwise be. Is that fair -- otherwise be --

>> Alter: Like in the neighborhood. If I have a 1100 square -- if I have -- if somebody were to build a 1100 square foot, that family or that person or couple who would live in that would pay a much higher rent than if they had built a 600 square foot one and were renting that.

>> I think we're getting very much into the details of the PC recommendation, but part of it --

>> Alter: I'm not talking about the PC recommendation. We're talking about size and we're trying to talk about what levers we have to create more units and create more affordability. You would certainly get more affordable units if they are smaller.

>> The concept though of the PC recommendation --

>> Alter: I'm not talking about --

>> If I may use it as a point. Let me move away from the PC recommendation and just use the concepts of it. The -- one incentive discussed in it is to allow the larger units to be larger. That is the cross subsidy for the other unit be it affordable or not.

[4:43:19 PM]

And that if you don't allow that main unit to get larger, you wouldn't get the additional units. So the counterfactual is that you don't get ads, period, unless you have some incentive, ignoring the affordability factor. The idea is by offering incentive on the main house, one could get an Adu in places without that incentive you couldn't get the Adu.

>> Casar: To try to pull us out of this, I would -- I would happily put up a five to say we want to incentivize affordability in ads be those income restricted ads or to get to market, that's fine with me. I just didn't want us to lose the point that I think there is close to consensus at least that we want to work on those issues, be it through the income restricted world or through figuring out through market mechanisms how they can be cheaper than they otherwise would be.

>> Mayor Adler: I think the consensus might be broader than that. My sense is is that perhaps we could agree that we're interested in having staff and the consultants and us be able to take a look at increasing the feasibility of ads in order to help about transit, more units close to schools, help with affordability, especially income restrictive where possible, and help to preserve existing housing stock. It's something we would like to have an Adu help us do.

>> I am looking at the list of questions that I thought we were following and I can't find this question and I think we have jumped from 2-b 3 to something more specific.

[4:45:26 PM]

Under Greg's direction. 2 B 3 is what I thought we were talking about. It became incentive when you were trying to get a vote from us. I just want to say we strayed from what I agree the questions were -- I don't find that question on this list.

>> You don't -- this is a fluid process and to the degree that there's broad support on the council to do something, we can certainly check with that. Did we have fives all around. The two of you on something. And certainly, you're not ready -- we the park the question

>> Pool: I'm trying to follow the process. Ann frequently brought you back to what is the process? So here I'm going to try do the same thing. I don't know how we jumped off of the track, but we definitely left the tracks. My mind was on -- I thought we were on question 2-b-3, is that correct?

>> A and B. We're talking about how to use Abus to make more feasible something that we want.

>> Schools isn't here at all.

>> Mayor Adler: It's not. Let's talk about it. Do you have a concern about the schools?

>> Pool: Yes. I do. And I have a concern about the extreme position that the planning and zoning commission took to allow the units. I highly recommend we leave this conversation. It's one of the ones that's a little bit --

>> Mayor Adler: Do you understand that we're not endorsing anything that the planning commission does.

>> Pool: We spent a lot of time talking about that particular amendment where there may or may not have been real agreement on it.

>> Mayor Adler: We learned there was not consensus on the dais to express approval of that.

[4:47:26 PM]

So we left that.

>> Pool: So which question are you looking for us to vote on? Because I'm now lost on which question to ask.

>> So the question is, at a higher level, do we want adus to be more feasible so as to promote other community benefits we want such as transportation, transportation corridors --

>> Pool: Why don't we go with one of the questions that's listed here. Where -- I'm not sure if you're b-3-a or b-3. B-3 reads should ads be made more feasible in single family Zones and then parenthetically,



residential house scale Zones, L.A. -- R4. Where should ads be made more feasible such as transportation corridors or activity centers.

>> It's my hope. Certainly it's the will of the dais that as we introduce a subject like adus and we hear from people expressing opinions on the dais and we have consultants that we can find areas of consensus, that we note that it appeared as if there was some consensus to use ads to help drive affordability to help drive housing near schools, to help drive transit to -- to also be used to help preserve homes on properties. So, that's how we came in because it was coming up in the conversations. But I'm the only one here trying to drive that.

>> Question, 2-3-3-b does not use the word "Incentive" but such as are incentives. So we're definitely in line to discuss 2-b-3.

[4:49:29 PM]

And whether or not the planning commission's recommendation is good or bad. I take issue with describing work of our volunteer commissions as extreme. We don't think that's fair. We think in this moment, though, it's --

>> Mayor, correct me if I'm wrong.

>> Talk about the process we should be using, though. Are we just talking about whether or not incentives are something we should consider.

>> Trying to close down the Adu conversation with some kind of an agreement and some kind of direction that the consultants have asked us for. We haven't gotten to a specific conversation about ads in terms of helping to use homesites. That's one thing we haven't discussed. We touched on it briefly. I wasn't able to do that. I wanted to try to get direction back to sum it up and say we up don't agree on any specific plans but conceptually, we like the idea of being ads for those purposes, Ann?

>> Kitchen: I have a suggestion. I think it's instructive for us because we've been talking about, you know, pushing the envelope on con sense us is. And pulling back where you need to. So my suggestion at this point is let's see if we have consensus on 2-b-3. Stop there. But at least as worded see if we have consensus on should we be made more feasible in single family homes, residential house Zones, la-r4. We could do that. And we could see if people want, if we can take that down a level. But I think that might be useful to do that.

>> Mayor Adler: We said we wanted to have it in those areas.

[4:51:32 PM]

So the question is do we want to make it more feasible in those areas to either promote transportation corridors or activity centers or do we want to make it more feasible to preserve existing homes?

>> Kitchen: All I'm suggesting is that there's at least some of us on the dais who are not comfortable with moving into more detail, that's okay. And at the highest level, 2-b-3 is at the highest level of that statement. It is different than 2-b-1 because it's made more feasible. So maybe we should establish that first. And if there's an interest in going down a level like 2-b-3-a or 2-b-3-b, then we could take that up.

>> And so that I understand, 2b3, is that more feasible in order to achieve something? Or -- I mean, I'm -

>> I think at this point, it's the higher level. That's how it's looking right now. So it's not a statement. So if my suggestion is not helpful, then it's not helpful. I'm trying to -- maybe we need to park it.

>> Mayor, as councilmember Flannagan mentioned, the word "Incentive" is not in this construct. Should incentives. Should ads be allowed in more areas. You said yes. So the next question as we thought about it is do you like them enough to contemplate incentiveizing them. The consensus is in the next layer of questions.

[4:53:33 PM]

But just the bigger idea is the idea of incentiveizing ads, something that is palatable, is that something you'd be interested in?

>> One look at this. We want to look at this and see if we have it so we can move on. Do people feel comfortable suggesting to each other and to the consultants that we're okay and believe ads in certain circumstances should be made more feasible than single family Zones? Can I see hands on that? 4, 4, 5, 5, 5, 5. 4. Express it to the group?

>> I think I've been clear.

>> Mayor Adler: Let's hold off on 3-a and 3-b.

>> I want to go back. When I was talking before about size and wasn't specifically thinking of -- but Mr. Casar had brought up. And I just want to clarify that. But I do think that we need to remember as we're talking about ads then we're talking about all of these things that we are interacting with the market and we have to be both cognizant of what the market will supply, but also what the rents will be for the type of housing that we are making more or less possible. So that was kind of -- you know, my understanding if you can get people to build them, smaller ads are cheaper which is a more affordable thing you can live in smaller units, in general, people can live in smaller units and they tend to be more affordable. There were things that could get us to the goals and we weren't talking about it so I wanted to bring them up.

[4:55:35 PM]

Having fee waivers if it's a certain size. It doesn't have to -- it's one example of how it can be done. There are lots of things that can be done, particularly if you're trying to get the ads to be built in the high opportunity areas, then some of these other things may be useful in getting them done. We have to think as mayor pro tem brought up on the finances, like if you can get the costs down, like the water meter. I have no yet if it's a good idea or not. But if it costs \$25,000 off of something that costs 100 and some thousand dollars, that's how to get more built. It doesn't have to be bigger, higher, or more square footage. So we need to be thinking about all of those aspects and that's where I was trying to go with it.

>> That makes sense.

>> Mayor Adler: All right, let's stop this process here now. Talk about the next time we're together is potentially the day of the 12th, a work session day on a big budget -- a big agenda. And also the following day, the 13th. We're going to talk about what we should do in terms of the process on that. Things that we may be able to do and post between now and then to raise issues or to possess priorities or order. Jimmy?

>> So -- so we want to touch just very little of the questions is the idea that we'll try to make it all the way through the questions and then is there some product that the consultants -- is creating as a result of this process? I'm having a hard time visualizing where I am on step two? Goals is one, this is two. I don't know what step three is.

[4:57:40 PM]

Oh for me, I'm ready to start writing limits and going to the webpage and go there. But I can sit and write amendments while we sit and deliberate.

>> My sense is that councilman Garza may be interested in trying to get to a place that we're just voting too. My sense is -- there's pieces of information I don't have. And I'd like to know where the consensus exists. If there's sufficient consensus on lots of issues, it would indicate to me a process that would be different than that. Better for the community. Maybe between now and going through a day like this, people can start posting on the board areas that they think there would be consensus, be agreement. So that we could create a list of things that maybe we could move through more quickly and we're able to move forward through today. I think it would be helpful if between now and Tuesday people could identify that kind of thing or post that kind of thing for the rest of the group to see. I mean, ultimately, at the end of the day, we're a deliberative body. But I would like us to extend ourselves trying to find areas where there's agreement before we can -- before I would just like us to do that. And --

>> Kitchen: I think we did make progress today. I think that -- I'm not concerned about how fast or how slow we do it. I think we made progress. And I think on the ads, for example, we found some areas to have consensus and I may be the only one, but I think this is the area we can take up next time that we're maybe close to amendments. We're close to having digging down to the details of what's meant by more feasible.

[4:59:45 PM]

A fair amount of detail to talk about there. So I would just suggest people consider why that's one we should pick up again. Because I do feel like we made progress so I think -- I would like to understand -- I know what I think. But I would like to understand what other people think. I mean, we're sitting at the table doing this process because we think it's going to be helpful. And so I would like to understand from other people if they thought it's been helpful. And maybe we need to go away and think about that again. Maybe we need to think about that. But in any case, I -- I -- I like what the mayor pro tem did in terms of coming up with the list of topics that she felt like were good ones to dig into first. So we could pick up that list again next time. Or others might have -- others might want to take her list and refund it or give us other ideas. My suggestion would be that we -- that we take up the Aus again next time, because I feel like we've made progress where we've gotten a number of fairly -- we've gotten a level of consensus and we started to identify some areas where we need to dig into more detail. So that would be my suggestion.

>> Ora?

>> Houston: Thank you, mayor. I appreciate your guidance in kind of helping us. This feels like a concept menu to me. And I'm sure that at the end of the day, it will all come together at some point. It's been helpful to hear the comments and hear the staff and the consultants try to explain some of the nuances of a very difficult code to kind of understand. I'm going to go back to the deed restrictions. I would like some clarity. In -- in what we're talking about. Because as I thought about it, there are parts of Wilshire woods one and two who had deed restrictions but they may not have anything to do with the secondary units -- accessory dwelling units.

[5:01:55 PM]

And so they just may have a deed restriction. I don't know what the deed restrictions are, but I think we need to have more clarity about deed restrictions. That's a very broad term. Some of them say I can't buy the property. That doesn't have anything to do with the accessory dwelling units. So that, again, we could then --

>> Mayor Adler: Good point.

>> Houston: We need more clarity about that. The other thing, we talk about accessory dwelling units, we talk about the cost of building them but not about the cost of financing them but we don't talk about the increase in the valuation of the property and how that's going to increase somebody's property taxes. We don't have that conversation. So that means when you talk about is it going to be affordable, I'm not sure, that may be an assumption or on somebody's part. Because the people that I've talked to that have built them say not only do they have to cover their loan for the construction, they also have to put money away to pay for their property evaluation that's going to increase. So if you say it's going to be affordable at some lower level than market affordability, I'm not sure that's correct. But I don't have

the data. But we never talk about that part of the -- of the amount of money that people pay. I have no idea where to start on the 13th? Is that the next time? When do we meet again?

>> Mayor Adler: The 12th.

>> Houston: There's a lot of things we need to go through to try to figure out -- again, we're siloing things like we do all the time, rather than looking at it holistically and seeing how all of these things mash together. The transportation section, the water, the -- all of the things that we talk about in sections, how do they come together as a code that's going to be functional for the people who live in the city. Whether they're new or whether they've been here forever.

[5:03:56 PM]

>> Got yeah. Mayor?

>> Yes.

>> I could answer a couple of those questions. ? My district, district 38, on the ads, your land taxes aren't going to be affected. My land taxes, \$300,000. My front house is a \$120,000 and my back house is \$100,000. It still would have been \$300,000 nor the -- for the land. So I pay additional tax on that -- on that unit. It's only causing me minus \$100,000. Minus the homestead. It doesn't matter what you build in the back. Your taxes are homestead and you're only paying the 10% increase that increases every year. That is how it works even though the market value right now is 520, I'm not paying taxes on 520. I'm paying taxes on just the amount that fell out to increase what is 10%. It's a huge amount. But that's the way it works, you know? So but, you know, the people in my neighborhood, they want to have the ability to build a secondary unit. We have families not leaving, we have parents and their kids where they build in the back where it's handicap accessible units and the grown children where their kids live in the front. It's a network. They're helping out their parents out and their parents are helping out their kid and giving them the ability to stay there. A lot of the reasons whoa the churches in that area is in the population is a lot of people have to move out.

[5:05:56 PM]

They're fine with church. That's near them. Or they go to a restaurant that's near them. They're not going to travel back to the city. Unless we get more people down to the inner city with all mix Ed wages. The prime example I show is Mueller, that's a prime example of what we should be doing to our Austin. We have job options, housing, 25% of affordable housing. It doesn't look run down. Everybody thinks it's just a wealthy neighborhood. I say no it's not. That's the goal I have in my neighborhood. There are people who are gentrified. They don't like the idea. I said if you have a secondary unit, you can earn. That's one of the reasons why I'm still here in Austin. I built it, I saw what was coming down. That -- rather than get displaced, I don't have more friends there. Those are brand new people, most of the people cannot afford to stay there. When your land value is \$300,000, let me bet you one thing, you

know, every time I see your parents pass away, that house gets put on the market and it gets sold, you know. And rundown houses right now are going for \$440,000. A friend of mine down the street -- but if we don't bring affordable housing back to the fore, then there won't be.

>> Mayor Adler: Okay, Leslie, then mayor pro tem.

>> Pool: I wanted to support what we're always saying about trying to get a handle on the cost of financing and how the taxes work. I looked at -- I think I mentioned earlier, I looked at building an Adu which is the dollar figures came from my example, \$150,000 to \$200,000.

[5:08:03 PM]

My understanding is I would not be able to homestead it because I wouldn't be living in it. It would be rented. That's part of -- I think that may be state law. I'm not sure. But we need to be really specific and accurate on how we're talking about it. Again, construction loans is a big issue. I saw you writing that down. So if you could get some additional research done for the questions that Ora and I and I think others have been asking today it will be helpful.

>> Mayor pro tem, you want to talk process here?

>> Tovo: I wanted to talk about next week on the 12th. That's the day of having a work session as well as code next and I wanted to come to agreements about what part of the day we were going to spend doing which of those things, maybe 9 to 12 on work session items. At 12, switch over to code next. If we could figure out whether we're going to have a stop or if it's just a sort of indefinitely extended session, that would be -- I need to know the answer to that so I can plan. The same for Thursday -- I mean Wednesday. I have the sobriety -- sobering center meeting that I need to get to. Because we're going to have a hard time with quorum. So, again, it's possible. I guess I just need to understand what the expectations are. Right now, it's listed as code next for streaming. Which which I'm not sure whether that's the plan. But I don't know, maybe we should take it up one at a time. On the 12th, I would propose we have a work session, a regular council work session from 9:00 to 12:00 and switch it over and have a scheduled lunch break and switch over to, I think we have a lot of executive sessions though, don't we.

>> We do. Taking a look at those and seeing which ones we can move off that.

[5:10:08 PM]

Recognizing we have a full day, we can discipline ourselves to move through things quick lip and try to plan on trying to stop at 6ish on Tuesday. Yes? Ann?

>> Pool: I wanted to support mayor pro tem's question. I would really like the clarity of what time we're going to start code next. If it was just me, I wouldn't try to do code next on the 12th. The reason is, we're going to -- we're going to be -- we have so much on the 14th, we're going have to spend some

time working on what we're doing on the 14th. Even if we don't sit in this all day, I might -- I'm -- I'm not sure that we will be able to bring our minds to a consensus or a process of trying to find common ground on the afternoon of the 12th. And I want to be realistic. Now, I'm happy to do it if others want to. I'm happy to do that. But I'm trying to be realistic here.

>> Mayor Adler: Is there a sense that we can identify between now and then things that we thought there could be consensus decisions on? Things we think there could be dissent on?

>> Kitchen: Can I finish my point, please. I respect that, and if others think I'm being too cautious. That's fine. Tell me that. I think we would be better equipped if we dedicated the 13th to bring ourselves fresh to the 13th and working through.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I completely agree we have a pretty unworkable schedule. I'm not sure I see any alternatives to tackling code next on Tuesday. So that's where I am. I'm happy to hear from others.

>> Pool: I mentioned I have an employer retirement system meeting on the afternoon of the 12th. I mentioned it in the last couple of meetings.

[5:12:12 PM]

I didn't know if we would ask to switch out, but at this point, I think I'm more in line with thinking we are probably maxed out for what we can do on the 12th. I won't be here in the afternoon for a couple of hours. I'm thinking giving us more breathing space and moving the discussion to the 13th would be wise.

>> Mayor Adler: Alison.

>> I would be comfortable. I had another statement. I'll let us finish this.

>> Mayor Adler: Okay. Cora?

>> Houston: I just want to remind everybody that I have a health and human services committee on the 13th in the afternoon.

>> Mayor Adler: Is it a big agenda, long agenda? Things that have to be done that day?

>> Houston: Don't have to be done. We postponed a couple already and taking up the silver center in a special call center so we held it over to the June meeting. It starts at 2:30.

>> Mayor Adler: I think both Tuesday and Wednesday are going to be hard days and I'd recommend those who could be here be here to talk through the issues. I recommend we start at 9:00. On Tuesday. Which is when the work session is scheduled to begin. I like the idea of spending the morning doing the stuff, right?

>> Tovo: How about reversing, councilmember, I think we're freshest -- it's slightly more challenging work, I think, than going through the council agenda. If we do decide to do both of those, why don't we do code next in the morning from 9:00 to 12:00 so you can be present.

>> Pool: I have items on the 14th for work session. I like the idea of the 13th and we could just end at 1:30 if that held and human public committee is starting at 2:30, we could end an hour before that. At any rate, I won't be able to be here the afternoon of the 12th for the same reasons that it's a --

[5:14:16 PM]

>> Mayor Adler: In the couple of hours that you're not here, we can kind of advance the ball.

>> Pool: Without my voice, right?

>> Mayor Adler: Not deciding anything. Narrow issues. But we could blow off both Tuesday -- we have reasons to blow off Tuesday and we have reasons to miss on Wednesday now too. And my suggestion is we put some time against this to whatever extent that we're able to do that. If Leslie's preference is to do the full agenda on Tuesday morning, then I suggest we do that. We go from 9:00 to noon. That we start, take lunch, we come back, we work through executive sessions as quickly as we can hoping to be back out here 1:00, 1:30, and then do code next, hopefully between now and then, people can suggest items that maybe we could do quickly. If people thought any such items existed to be able to do that or we could talk through and see. And then on Wednesday, I think we have time and we should take advantage of the time that we have. Recognizing that there may be a couple of hours and we take a break or if there are people that need to do a committee. That is what I recommend.

>> Kitchen: This is a time though find common ground. I think we can do that. To my mind, I don't think we should schedule something when somebody can't be here. I think every one of our voices is important. So I'm happy to schedule around that. But I think it's much, much, much more important to have a conversation, reach common ground, take the time it takes than to schedule something -- this is not like a work session.

[5:16:17 PM]

>> Mayor Adler: Tuesday night or Wednesday night?

>> Kitchen: We have Wednesday from 9:00 in the morning to 1:30.

>> Mayor Adler: How about Tuesday night? We're going to have time that we're going to have people off on a committee meeting. Do we want to meet on Tuesday night? We have commissions now. So Monday morning, we're going to do the full agenda.

>> Tuesday morning.

>> Mayor Adler: Tuesday morning, the agenda for items on the 14th. Then we're going to take lunch. Who's not here on Tuesday afternoon. I think that was you. Are you gone all Tuesday afternoon?

>> I don't know.



[Indiscernible] Depends on how long --

>> Mayor Adler: Do you know when it starts or if it's in the mid or the late or --

>> Not sure, maybe 1:30.

>> Mayor Adler: Could we come back at 4:00, 4:30 and start on code next? And do some work on Tuesday?

>> Tovo: Mayor, I can't answer that question on the fly here without knowing if I have child care. I'll do my best.

>> Mayor Adler: Okay. So take a look at that. Would everybody prefer to do that, to meet earlier on Tuesday afternoon?

>> Casar: I would have to move something. But I think I can stay here until about 7:30. And if the -- from 4:00 to 6:30.

>> How about next week? Is there --

[5:18:18 PM]

>> Mayor Adler: The week after that. The week of the 20th?

>> No, after that. If we have -- yeah, after the -- what's that? The 14th is a Thursday.

>> Mayor Adler: So, the next week is a 20th. So we can take a look at those dates again, but we're losing -- I think one of us couldn't be here on the 20th or 21st, whatever that Tuesday was. I think one of those days might have worked. The 21st might have worked without the 20th. We can double back and take a look at those days and see if people can make themselves available now where they couldn't before. We can check on that.

>> What about what we cover?

>> I want to speak to what we covered and I want to appreciate the mayor for the efforts to set a tone. I know it's not easy to find a way to tackle this process. I want to say I agree with Ann. It's a benefit in hearing from our colleagues. I did learn some things today. If you look back at the things, we need to make some decisions about how we're going to deal with the housing choices and the supply and where we're at. So we can go at this that we're going to figure out where we have consensus and whatnot, or we can try to really tackle the big issues that and understand where our colleagues are and where they're at and what their assumptions are. To me, tackle transitions and compatibility. Because part of the problem is, I can't talk to people to understand where they're coming from and I think you can approach that in a spirit of trying to understand where they're coming from.

[5:20:18 PM]

There may be some -- we need to understand where we're at. What's frustrating to the community is they don't -- we've got one commission that says let's pack this away and do it a different way. We have another one that made some major changes to it. And so people really want to understand where we stand and I don't know where some of my colleagues stand. So it's hard for me to understand where we can get to without having that kind of basic information. So, I would put in compatibility and transition. For me also on the recommendations that came from if planning commission, I need clarity on where my colleagues are on the planning in issues. There were extreme recommendations that came forward. I need to understand whether, you know, there's a majority that wants to do, you know, have 90% by right, or get rid of all open spaces. If that's where people are at, we need to get that out on the table and the community needs to know where people stand on that. Until we get that on the table and understand the frame of reference, we're not going to be as productive as we need to be to move forward. I'm not saying that's going to be an easy or a fun conversation on any of those things. Without having the opportunity to hear the other directives and what people are trying to look at unfiltered through the news media and Facebook posts and social media might have gotten really neutralized, I don't see how we can work through what we need to work through as the council and what the community needs us to move through. So you know, it's a different -- it's a -- we can choose to do the consensus items.

[5:22:22 PM]

I'll be looking at what we do. I want to throw out that other perspective that maybe -- maybe what we reveal today through this process is that where we disagree is the first area and extrapolating from the planning commission, I think there may be -- if we're not going to agree on what they said, I'm hoping some of those, we're not, then we need to get that out to the community. I don't know how that conversation goes. I'll think about it. But it might be more productive to do that.

>> Mayor pro tem.

>> Tovo: Sorry to bring us back to logistics again, I need to get clarity on Wednesday. We talked a little bit about Tuesday. We're not clear what we're doing. If we're trying to schedule an all-day meeting on Tuesday and a meeting Tuesday night as well and all day Wednesday and our council meeting into the night on Thursday. Is that really our plan for next week?

>> Mayor Adler: I think we were uncertain. We weren't sure when Leslie was going to come back. And part of it is, if Leslie wants to make sure she recovers her pulled items on Wednesday and -- on Tuesday, we could do the pulled items on Tuesday and start code next in the morning while we're all here. That's also an additional option.

>> >> Tovo: Could we agree if we need to park this question for now that we'll try to communicate on the message board about it. We're going have to plan ahead for a Tuesday night. If we're having a Tuesday night meeting after an all-day Tuesday, we need to plan ahead for that.

>> Mayor Adler: People should check on that. If Leslie could find out more detail about her time constraints on Tuesday afternoon, that would be helpful.

>> Tovo: Tuesday during the day work, that would be my preference. So on Wednesday, scheduled to meet all day.

[5:24:25 PM]

However, we scheduled over the health and human service meeting. Is this a meeting without end time or are we going to set an end time for the Wednesday meeting. And if so, when is itle going to be. And as a secondary question, are we still planning on breaking for health and human services or what's --

>> Mayor Adler: Part of that question, that's a good question. To see if Ms. Houston on the agenda to see if there are things you make sure you do and tell us what kind of window we might need to create. If we start at 9:00 and we can go pretty much, we stop at 6:00 because we'll lose sensitivity if we try to go past it.

>> I will leave early and try to get to the sobering center that starts at 5:30.

>> Houston: That's Wednesday night, correct?

>> Mayor Adler: Sorry, that's Wednesday night. We have a long agenda on Thursday. So I want to have a cautionary tale, if we work too late on Wednesday, most of us are not going to be as bright as we are on Thursday morning.

>> Mayor Adler: We're talking about stopping at 5:30 or 6:00.

>> Renteria: An all day code next meeting on Wednesday?

>> Mayor Adler: Start at 9:00. Tuesday's morning will start at 9:00. We'll do Leslie's issues that she's pulled. And then we'll do code next. Then Leslie will see what kind of window we need to create on Tuesday afternoon and get some time on Tuesday afternoon to do code next.

[5:26:28 PM]

If people can get on the board and post that stuff quickly, then we'll -- then we'll do it on that forum and try to figure it out. I think staff is unencumbered and can talk to all of us. Might be able to help facilitate the logistics of that meeting as well.

>> Mayor Adler: Yes?

>> Houston: So one last question, mayor. The deadlines we have set now, you're committed to keeping those deadlines. There's no way with all of the other stuff that's going on you could stretch that out a little bit? To make that final vote.

>> Houston: Okay. I thought there were some dates.

>> Mayor Adler: I think we wanted to get to the middle of next week where we had a chance to meet twice and look up at that point and visit. The other thing people should go on-line and talk about is whether or not we should try to find things to agree on and whether we should pony up the hardest, most difficult questions even if at the very least have people talk about where they are on this issues, even if we're not necessarily trying to reach an agreement, but that would also be a thing for us to do. Staff, you have anything you want to say about any of this stuff that we're doing?

>> No. All kidding aside. We had to have the consultants in. But we need to know for sure if we're having a meeting or not as far as flights and hotels and stuff. They're scheduled to be here Tuesday and Wednesday of next week. We're going to leave that alone. And, of course, it helps us in the advanced notice on the top inges, it helps us to prepare. So whatever topics you want to consider, if you can give us advanced warning, that's fine. If not, we'll deal with it.

[5:28:29 PM]

>> Mayor Adler: See how active we can be on the message board tomorrow and Thursday.

>> Kitchen: One last request. I would like us to nail down the topics at least a day in advance to I can be prepaved.

>> Tovo: I don't know if I eel repost, but I'll consider to offer it for conversation. No one offered support. No one had opposition, but we didn't follow it as it turned out. So, again, I'll submit it for reconsideration with the addition of maybe time line at the bottom.

>> Mayor Adler: With that said, it's 5:30. We're going to adjourn this meeting.